

**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
April 20, 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.**

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

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.

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. 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

Gov. Code § 54956.8

Property: 401-142-011 (612 Tennent)

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

Negotiating parties: Ebony Smith

Under negotiation: Price and terms

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Gov. Code § 54956.8

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

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

Negotiating parties: Raquel Contreras

Under negotiation: Price and terms

C. 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. Recognizing Earth Day

2. Honoring the Pinole-Richmond Lions Club in their 100th Year of Service

3. In Support of the Asian American And Pacific Islander Communities

B. Presentations / Recognitions

1. Presentation by Marin Clean Energy (MCE) on Programs for Pinole Residents and Businesses
2. Presentation by Contra Costa Health Services on Recommended Changes to Response to Mental Health Crises

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 February 2, 2021
- B. Receive the April 3, 2021 – April 16, 2021 List of Warrants in the Amount of \$608,094.83 and the April 16, 2021 Payroll in the Amount of \$436,649.25
- C. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Adopt a Resolution Amending the Lease Agreement Between the City of Pinole and the Pinole Community Players for Use Of 601 Tennent Avenue and Authorizing the Waiver of 50% of the 2020 Calendar Year Rent and Monthly Utility Fee in an Amount Not to Exceed \$3,725 **[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. Continuance of Public Hearing for Ordinance Adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code and Resolution Readopting Old Town Design Guidelines **[Action: Approve Staff Recommendation to Continue Item (Casher)]**

9. OLD BUSINESS

- A. Consideration of Revised City Council Norms of Behavior **[Action: Review Reports and Adopt Resolution per Staff Recommendation (Murray)]**
- B. Consideration of Proposed Revisions to City Council Meeting Procedures **[Action: Review Reports and Adopt Resolution per Staff Recommendation (Murray)]**

10. NEW BUSINESS

- A. Updated Park Rules and Park Bathroom Hours Policy [Action: Adopt Resolution per Staff Recommendation (Miller)]
- B. Adopt a Resolution Approving the Adoption of a Complete Streets Policy [Action: Adopt Resolution per Staff Recommendation (Miller)]

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 May 4, 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: April 15, 2021 at 4:00 P.M.

Heather Iopu, CMC
City Clerk

**CITY COUNCIL MEETING
MINUTES
February 2, 2021**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

The City Council Meeting was held via Zoom videoconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Martínez-Rubin called the Regular Meeting of the City Council to order at 6:03 p.m. and led the Pledge of Allegiance.

2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Andrew Murray, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Tamara Miller, Development Services Director/City Engineer
David Hanham, Planning Manager

Assistant City Manager De La Rosa announced that the agenda was posted on January 28, 2021 at 4:00 p.m. All legally required notice was provided.

Following an inquiry to the Council, the Council reported there were no conflicts with any items on the agenda.

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 SCHEDULED

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.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Bill and Lisa Ancira, Cordell Hindler, David Ruport, David Long, Irma Ruport, Rafael Menis, Roy Swearingen**

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. In Honor of the City of Pinole Police Officer of the Year Kyle Breckenridge
Mayor Martinez-Rubin read the proclamation and presented it to the Officer of The Year. Officer Breckenridge thanked the City Council for the honor. Council members made comments in recognition of his hard work and dedication to Pinole.

2. In Honor of the City of Pinole Firefighter of the Year Cory Higgins

Mayor Martinez-Rubin read the proclamation and presented it to the Firefighter of the year, Cory Higgins. Fire Chief Wynkoop accepted the proclamation on his behalf and thanked Council for their recognition. Council members made comments in recognition of Mr. Higgins.

3. Recognizing February as Black History Month

Together, the City Council read the proclamation into the record. Council members made comments, recognized staff, and highlighted the importance of the proclamation.

B. Presentations / Recognitions

1. Certificate of Recognition for Emmanuel Soto, Pinole Valley High School Student, for Being Named to the California All State Honor Band

Mayor Martinez-Rubin read the Certificate and presented it to Emmanuel Soto. Emmanuel Soto thanked the Council for the recognition. Council members made comments honoring Emmanuel Soto.

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 October 20, 2020

B. Receive the January 9, 2021 – January 29, 2021 List of Warrants in the Amount of \$706,272.56 and the January 22, 2021 Payroll in the Amount of \$490,950.75

- C. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Adopt a Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of the Annual Engineer's Report for the Pinole Valley Road Landscape and Lighting Assessment District for Fiscal Year 2021/22 **[Action: Adopt Resolution per Staff Recommendation (Miller)]**

ACTION: Motion by Councilmembers Tave/Murphy to Approve Consent Calendar Items A, B, C, D,

Vote:	Passed	5-0
	Ayes:	Martinez-Rubin, Salimi, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	None

The following item was pulled by Council member Salimi for further discussion.

- E. Adopt a Resolution Authorizing the City Manager to Execute a Contract with CSW/Stuber-Stroeh Engineering Group, Inc. for Preliminary Engineering and Design Services in an Amount Not to Exceed \$450,458 **[Action: Award Contract and Adopt Resolution per Staff Recommendation (Miller)]**

Council member Salimi asked staff for clarification of details in the staff report. Director Miller responded to the questions.

ACTION: Motion by Councilmembers Salimi/Toms to Adopt a Resolution Authorizing the City Manager to Execute a Contract with CSW/Stuber-Stroeh Engineering Group, Inc. for Preliminary Engineering and Design Services in an Amount Not to Exceed \$450,458

Vote:	Passed	5-0
	Ayes:	Martinez-Rubin, Salimi, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	None

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. Receive a Presentation of the Findings and Recommendations of the Citywide Organizational Assessment [**Action: Receive Report (Murray)**]

City Manager Murray introduced Dan Keen of Management Partners. Mr. Keen presented the findings of the Organizational Assessment in a report to the Council.

Council members asked questions of the consultant and staff. Mr. Keen and City Manager Murray and department heads responded to the questions.

The City Council held discussion regarding the report.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Cordell Hindler, Rafael Menis**

The City Council gave its consensus to receive the report.

10. NEW BUSINESS

- A. Consider a Resolution Appropriating Funding for City Membership in the Local Chamber of Commerce and Sponsorship of a Local Visitor's Guide [**Action: Consider Approval of Resolution per Staff Recommendation (Murray)**]

City Manager Murray presented a report with an overview of the staff report. Executive Director Sylvia Villa-Serrano of the Bay Front Chamber of Commerce along with staff answered questions of the City Council.

The following speaker submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Ivette Ricco**

ACTION: Motion by Councilmembers Toms/ to Adopt a Resolution Appropriating Funding for City Membership at the \$1000 level in the Local Chamber of Commerce and Sponsorship of a Local Visitor's Guide

Vote:	Passed	5-0
	Ayes:	Martinez-Rubin, Salimi, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	None

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
1. Announcements

Mayor Martinez-Rubin reported attendance at League of Cities Legislative Committee meeting and reported that District Director Dean Wallace reported on behalf of Assemblymember Wicks regarding pressing issues including housing and vaccinations. Attended project team leader meeting of the Friends of Pinole Creek Watershed and provided and announced an expansion of the community engagement efforts. Encouraged the public to look up more information and

get involved. Announced attendance at the West County Mayor's meeting; asked that vaccination distribution remain an agenda item to continue to share information and support the local effort to immunize the public.

The Mayor made a comment correcting a past announcement that she made regarding the origins of the AMBER alert.

B. Mayoral & Council Appointments

C. City Council Committee Reports & Communications

Mayor Pro Tem Salimi announced attendance at a recent WCCTAC meeting and the CA League of Cities East Bay Division meeting. Provided statistics regarding the status of COVID-19 immunizations of Pinole Residents.

Council member Tave reported attendance at the CA League of Cities Committee for Governance, Transparency and Labor Relations; labor protections, CALPERS impacts due to pandemic effect on revenue, Brown Act modernization. Announced attendance of other meetings; local legislative bodies to discuss broadband service, and topics regarding environmental concerns and related initiatives.

Reached out to BART to arrange a meeting to discuss regional transportation issues.

Council member asked City Attorney Casher to advise on how to report from a committee closed session back to the City Council. City Attorney Casher provided procedural advice on how to approach making that type of report.

Council member Murphy thanked the Council and the staff for their support and collaboration. Announced CCHearth.org as a resource for pandemic safety information.

Announced upcoming meeting of CA League of Cities Environmental Quality Legislative Policy Committee. Announced being sworn in as Board Director for MCE and upcoming technical committee to discuss green hydrogen.

Discussed creation of community environmental task force; PEST and announced topics of interest; green school yards, outdoor recreation and education opportunities, reduction of plastic waste, indigenous land acknowledgement practices, increased public signage, more clean up, and community gardening.

Announced upcoming County food bank event, East Bay Regional Parks updates, hosting listening sessions on small business support and economic growth in Pinole, and Rotarian clean-up day.

Council member Toms attended a WestCat Board meeting where organization of transportation agencies throughout the Bay Area was discussed; attended League of CA Cities New Mayor and Councilor Training; attended East Bay Division of League of CA Cities, Housing Community and Economic Development Policy Committee and highlighted housing legislation being reviewed. Announced CCHearth.org website as a great resource for pandemic related health information.

D. Council Requests for Future Agenda Items

Council member Tave requested a future agenda item to discuss the format of the Council Committee Reports section of the meeting agenda. Mayor Martinez-Rubin and City Manager Murray stated that this issue will be addressed with a staff proposal to amend Council procedures at an upcoming meeting.

Council member Toms requested a future agenda item to appoint a City Council liaison to the Chamber of Commerce. Consensus given.

Council member Murphy requested a future agenda item for a presentation from Marin Clean Energy regarding current projects related to Pinole. Consensus given.

Mayor Pro Tem Salimi requested a future agenda item to receive a report back from the Code Enforcement program since being placed in the Community Development Department. Consensus given.

Mayor Martinez-Rubin requested a future agenda item to discuss how to follow up with the recommendations of the Beautification Ad Hoc Committee. City Manager Murray stated that the work recommended by the Committee will be addressed through the upcoming budget process.

Council member Tave requested an item to discuss the potential to conduct a community poll to assess satisfaction levels with regard to City services. Council members stated that the work plan of the City has just been approved and it may not be the best timing.

E. City Manager Report / Department Staff

City Manager Murray reported that the Small Business Assistance Grant applications had opened. Announced Black History month and encouraged the public to look at City communications for more information on related activities.

F. City Attorney Report

City Attorney Casher announced the extension of the County-wide eviction moratorium through June 30, 2021 for residential tenants and March 31, 2021 for commercial tenants. Directed residents to the City's website with links to more information.

12. ADJOURNMENT to the Special City Council Meeting of February 9, 2021 in Remembrance of Amber Swartz.

At 10: 21 p.m. Mayor Martinez-Rubin adjourned to the Special City Council Meeting of February 9, 2021 in Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council:



City of Pinole, CA

7B WARRANT LISTING By Vendor Name

Payment Dates 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: ALA07 - ALAMEDA COUNTY FIRE DEPARTMENT					
2020-21-380	96184	04/16/2021	100-231-42107	FIRE APPARATUS REPAIR AND SERVICE	15,563.73
Vendor ALA07 - ALAMEDA COUNTY FIRE DEPARTMENT Total:					15,563.73
Vendor: ALL09 - ALLIED PROPANE SERVICE					
18143	96185	04/16/2021	200-342-42514	PROPANE CYLINDER FILL	74.56
Vendor ALL09 - ALLIED PROPANE SERVICE Total:					74.56
Vendor: ALL14 - ALLSTAR FIRE EQUIPMENT, INC.					
230539	96140	04/09/2021	100-231-47104	HOSE/WRENCH HOLDER/HYDRANT WRENCH	1,753.79
Vendor ALL14 - ALLSTAR FIRE EQUIPMENT, INC. Total:					1,753.79
Vendor: AME41 - AMERICAN LEGAL PUBLISHING					
7550	96186	04/16/2021	100-112-42101	2021 S-24 FOLIO/INTERNET SUPPLEMENT PAGES	70.39
Vendor AME41 - AMERICAN LEGAL PUBLISHING Total:					70.39
Vendor: AME52 - AMERICAN MESSAGING SERVICE, LLC					
W4102378VD	96187	04/16/2021	525-118-43101	FD SERVICE APRIL 2021	43.82
Vendor AME52 - AMERICAN MESSAGING SERVICE, LLC Total:					43.82
Vendor: 2005 - ANIMAL DAMAGE MANAGEMENT, INC					
4031C	96141	04/09/2021	100-345-42108	FERNANDEZ/PV PARK FIELDS BIMONTHLY PEST CONTROL	250.00
Vendor 2005 - ANIMAL DAMAGE MANAGEMENT, INC Total:					250.00
Vendor: ARA01 - ARAMARK UNIFORM SERVICES					
033121 860022857	96142	04/09/2021	100-221-44410	PD 3/31/21 STATEMENT	43.08
939388000 033121 STATEMENT	96142	04/09/2021	100-231-42108	UNIFORM SERVICES WPCP AND FD 3/1-3/31/21	264.90
939388000 033121 STATEMENT	96142	04/09/2021	500-641-44410	UNIFORM SERVICES WPCP AND FD 3/1-3/31/21	1,874.74
Vendor ARA01 - ARAMARK UNIFORM SERVICES Total:					2,182.72
Vendor: ATT01 - AT&T					
287274105793X03282021	96188	04/16/2021	215-341-43101	PW I80 MOBILITY PROJECT 2/21-3/20/21	77.22
287277095767X03282021	96188	04/16/2021	215-341-43101	PW I80 MOBILITY PROJECT 2/21-3/20/21	77.22
Vendor ATT01 - AT&T Total:					154.44
Vendor: BAY04 - BAY AREA BARRICADE SVC.					
0020609	96143	04/09/2021	500-641-44410	KNEE BOOT 13 ONGUARD	39.10
Vendor BAY04 - BAY AREA BARRICADE SVC. Total:					39.10
Vendor: BAY34 - BAY AREA NEWS GROUP- EAST BAY					
0001289078	96189	04/16/2021	100-112-42514	LEGAL CLASSIFIED ADS MARCH 2021	419.40
0001289078	96189	04/16/2021	212-461-42514	LEGAL CLASSIFIED ADS MARCH 2021	580.50
Vendor BAY34 - BAY AREA NEWS GROUP- EAST BAY Total:					999.90
Vendor: 1654 - BRINK'S INCORPORATED					
11522373	96190	04/16/2021	100-115-42101	TRANSPORTATION APR 2021	186.09
Vendor 1654 - BRINK'S INCORPORATED Total:					186.09
Vendor: CAL20 - CALIFORNIA ASSOCIATION OF PROFESSIONAL FIREFIGHTERS					
APR 2021	96191	04/16/2021	100-231-41008	FIREFIGHTERS LONG TERM DISABILITY APR 2021	324.50
Vendor CAL20 - CALIFORNIA ASSOCIATION OF PROFESSIONAL FIREFIGHTERS Total:					324.50

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: CAL97 - CALIFORNIA BUILDING STANDARDS COMMISSION					
1ST QUARTER PAYMENT	96144	04/09/2021	212-462-34211	BUILDING STANDARDS ADMIN SPECIAL REVOLVING FUND	178.20
Vendor CAL97 - CALIFORNIA BUILDING STANDARDS COMMISSION Total:					178.20
Vendor: PER03 - CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTM					
100000016383205	96192	04/16/2021	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY PLAN ID 674	96,163.89
100000016383213	96192	04/16/2021	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY PLAN ID 675	108,287.08
100000016383225	96192	04/16/2021	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY PLAN ID 25717	445.96
100000016383233	96192	04/16/2021	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY PLAN ID 27205	294.19
100000046383219	96192	04/16/2021	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY PLAN ID 25716	184.47
Vendor PER03 - CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTM Total:					205,375.59
Vendor: 2169 - CARAHSOFT TECHNOLOGY CORPORATION					
24341616INV	96145	04/09/2021	100-115-42510	SUBSCRIPTION/LICENSE COST ALLOCATION/INDIRECT COST	3,644.75
Vendor 2169 - CARAHSOFT TECHNOLOGY CORPORATION Total:					3,644.75
Vendor: CAR30 - CAROLLO ENGINEERS INC					
0197420	96193	04/16/2021	500-642-47201	SANITARY SEWER COLLECTION SYSTEM MASTER PLAN	25,861.00
Vendor CAR30 - CAROLLO ENGINEERS INC Total:					25,861.00
Vendor: CCP03 - CCP INDUSTRIES					
IN02738934	96146	04/09/2021	500-641-44410	NITRILE POWDER FREE EXAM GLOVES	775.05
IN02738939	96146	04/09/2021	100-343-44410	NITRILE POWDER FREE EXAM GLOVES	199.88
IN02739279	96146	04/09/2021	500-641-44410	BREATHABLE FLUORESCENT YELL- GRN JACKET/PANTS	112.23
Vendor CCP03 - CCP INDUSTRIES Total:					1,087.16
Vendor: 2060 - CENTRAL CONCRETE SUPPLY CO., INC.					
17844423	96194	04/16/2021	200-342-47205	BASE ROCK	76.37
Vendor 2060 - CENTRAL CONCRETE SUPPLY CO., INC. Total:					76.37
Vendor: CIT08 - CITY MECHANICAL, INC					
71587	96147	04/09/2021	209-554-42108	PYC HVAC - PM AGREEMENTS	1,075.33
71593	96147	04/09/2021	100-343-42108	CITY HALL HVAC - PM AGREEMENTS	593.63
72244	96195	04/16/2021	209-552-42108	HVAC-PM AGREEMENTS SENIOR CENTER	593.63
Vendor CIT08 - CITY MECHANICAL, INC Total:					2,262.59
Vendor: COM20 - COMCAST					
040121I80MOBILITY	96196	04/16/2021	215-341-43101	I80 MOBILITY PROJECT BUSINESS INTERNET	236.31
Vendor COM20 - COMCAST Total:					236.31
Vendor: CON42 - CONTRA COSTA COUNTY CLERK					
NOTICE OF EXEMPTION	96149	04/09/2021	212-461-42201	8 N. RANCHO CT, PINOLE CA	50.00
NOTICE OF EXEMPTION.	96150	04/09/2021	212-461-42201	2525 BRANDT CT, PINOLE CA	50.00
Vendor CON42 - CONTRA COSTA COUNTY CLERK Total:					100.00
Vendor: CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT					
703776	96197	04/16/2021	200-342-42101	TRAFFIC SIGNAL MAINTENANCE FEBRUARY 2021	11,967.32
703776	96197	04/16/2021	310-347-42101	TRAFFIC SIGNAL MAINTENANCE FEBRUARY 2021	632.32
Vendor CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT Total:					12,599.64

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1616 - CONTRA COSTA COUNTY					
13879	96148	04/09/2021	100-231-47104	TELECOMMUNICATION/RADIO SERVICES FEB 2021	3,645.00
Vendor 1616 - CONTRA COSTA COUNTY Total:					3,645.00
Vendor: 2143 - CRYSTAL CLEAN LAUNDRY					
INV0006055	96151	04/09/2021	100-111-42514	SMALL BUSINESS ASSISTANCE RELIEF PROGRAM	1,315.78
Vendor 2143 - CRYSTAL CLEAN LAUNDRY Total:					1,315.78
Vendor: 2172 - CUEHIT, INC.					
1008	96198	04/16/2021	100-221-42514	ENTERPRISE SUBSCRIPTION	1,500.00
Vendor 2172 - CUEHIT, INC. Total:					1,500.00
Vendor: DEP02 - DEPARTMENT OF CONSERVATION					
1ST QUARTER FEE	96152	04/09/2021	212-462-33215	STRONG MOTION INSTRUMENTATION AND SEISMIC HAZARD	369.89
Vendor DEP02 - DEPARTMENT OF CONSERVATION Total:					369.89
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
83964592	96153	04/09/2021	500-10601	WPCP DIESEL FUEL 999.6 GALLONS	3,809.90
83973207	96153	04/09/2021	100-10601	CORP YARD UNLEADED GAS 500.7 GALLONS	1,844.10
Vendor 1443 - DIESEL DIRECT WEST, INC. Total:					5,654.00
Vendor: DIV06 - DIVISION OF THE STATE ARCHITECT					
JAN-MAR 2021 AB1186	96199	04/16/2021	226-000-34224	AB1186 STATE MANDATED DISABILITY ACCESS/EDUCATION	0.60
JAN-MAR 2021 AB1379	96199	04/16/2021	226-000-34223	AB1379 STATE MANDATED DISABILITY ACCESS/EDUCATION	378.00
Vendor DIV06 - DIVISION OF THE STATE ARCHITECT Total:					378.60
Vendor: EBM01 - EBMUD					
13648-030321	96154	04/09/2021	100-343-43102	2161 Plum St--Parking Lot Irrigation	84.20
24589-030421	96154	04/09/2021	100-345-43102	592 Marlesta Rd--Irrigation Use Only	155.36
29821-030421	96154	04/09/2021	209-552-43102	2500 Charles St--Senior Center	903.11
29852-030421	96154	04/09/2021	209-552-43102	2500 Charles St--Senior Center	347.68
31771-030421	96154	04/09/2021	100-343-43102	2691 APPALOOSA TRAIL-IRRIGATION USE ONLY	155.36
31772-030421	96154	04/09/2021	100-343-43102	2785 SIMAS AVE--IRRIGATION USE ONLY	155.36
31774-030321	96154	04/09/2021	100-343-43102	3001 Simas Ave--Irrigation Use Only	84.20
31775-030321	96154	04/09/2021	100-343-43102	3061 Simas Ave--Irrigation Use Only	84.20
32000-030421	96154	04/09/2021	201-343-43102	2361 San Pablo Ave--Offices--Old Bank Building	565.60
32187-030321	96154	04/09/2021	100-343-43102	2601 Charles St--Irrigation Use Only	55.74
39199-031021	96154	04/09/2021	500-642-43102	05005 HYDRAND PERMIT-CONSTRUCTION	910.90
40499-030321	96154	04/09/2021	100-343-43102	1230 Pinole Valley Rd--Irrigation Use Only	55.74
40787-030321	96154	04/09/2021	201-343-43102	2361 San Pablo Ave--Irrigation Use Only	55.74
41397-030321	96154	04/09/2021	100-343-43102	1601 Marlesta Rd--Irrigation Use Only	55.74
44461-030421	96154	04/09/2021	100-110-43102	2131 Pear St--Offices--City Hall	2.68
44461-030421	96154	04/09/2021	100-111-43102	2131 Pear St--Offices--City Hall	6.45
44461-030421	96154	04/09/2021	100-112-43102	2131 Pear St--Offices--City Hall	5.92
44461-030421	96154	04/09/2021	100-115-43102	2131 Pear St--Offices--City Hall	17.54

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Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
44461-030421	96154	04/09/2021	100-116-43102	2131 Pear St--Offices--City Hall	5.92
44461-030421	96154	04/09/2021	100-117-43102	2131 Pear St--Offices--City Hall	47.34
44461-030421	96154	04/09/2021	100-343-43102	2131 Pear St--Offices--City Hall	84.34
44461-030421	96154	04/09/2021	200-342-43102	2131 Pear St--Offices--City Hall	15.06
44461-030421	96154	04/09/2021	212-461-43102	2131 Pear St--Offices--City Hall	5.70
44461-030421	96154	04/09/2021	212-462-43102	2131 Pear St--Offices--City Hall	15.17
44461-030421	96154	04/09/2021	285-464-43102	2131 Pear St--Offices--City Hall	4.52
44461-030421	96154	04/09/2021	505-119-43102	2131 Pear St--Offices--City Hall	4.52
45474-030421	96154	04/09/2021	100-110-43102	2131 Pear St--Offices--City Hall	7.07
45474-030421	96154	04/09/2021	100-111-43102	2131 Pear St--Offices--City Hall	16.97
45474-030421	96154	04/09/2021	100-112-43102	2131 Pear St--Offices--City Hall	15.55
45474-030421	96154	04/09/2021	100-115-43102	2131 Pear St--Offices--City Hall	46.10
45474-030421	96154	04/09/2021	100-116-43102	2131 Pear St--Offices--City Hall	15.55
45474-030421	96154	04/09/2021	100-117-43102	2131 Pear St--Offices--City Hall	124.43
45474-030421	96154	04/09/2021	100-343-43102	2131 Pear St--Offices--City Hall	221.72
45474-030421	96154	04/09/2021	200-342-43102	2131 Pear St--Offices--City Hall	39.59
45474-030421	96154	04/09/2021	212-461-43102	2131 Pear St--Offices--City Hall	14.99
45474-030421	96154	04/09/2021	212-462-43102	2131 Pear St--Offices--City Hall	39.87
45474-030421	96154	04/09/2021	285-464-43102	2131 Pear St--Offices--City Hall	11.88
45474-030421	96154	04/09/2021	505-119-43102	2131 Pear St--Offices--City Hall	11.88
54167-030321	96154	04/09/2021	100-345-43102	1600 Primrose Lane--Irrigation Use Only	84.20
54625-030421	96154	04/09/2021	209-558-43102	601 Tennent Ave--Memorial Hall	289.34
56324-033021	96154	04/09/2021	100-345-43102	3790 PINOLE VALLEY ROAD IRRIGATION USE ONLY	330.40
64589-030321	96154	04/09/2021	100-345-43102	659 Tennent Ave--Parks & Gardens--Blackies Storage	55.74
64595-030421	96154	04/09/2021	209-554-43102	635 Tennent Ave--Pinole Youth Center/CTV	63.75
64595-030421	96154	04/09/2021	505-119-43102	635 Tennent Ave--Pinole Youth Center/CTV	63.75
64596-030421	96154	04/09/2021	100-345-43102	2310 Park St--Fernandez Park Baseball Field	300.50
65167-030321	96154	04/09/2021	201-343-43102	2100 San Pablo Ave--Offices--Faria House	55.74
65168-030321	96154	04/09/2021	201-343-43102	2100 San Pablo Ave--Irrigation Use Only	55.74
65169-030421	96154	04/09/2021	201-343-43102	2100 San Pablo Ave--Offices--Faria House	101.46
65183-030421	96154	04/09/2021	201-343-43102	2361 San Pablo Ave--Old Bank Building	55.74
65190-030321	96154	04/09/2021	201-343-43102	813 Fernandez Ave--Irrigation Use Only	55.74
65422-030421	96154	04/09/2021	500-641-43102	80 TENNENT AVE--WASTE WATER TREATMENT PLANT	677.24
65553-030321	96154	04/09/2021	100-343-43102	2301 1/2 San Pablo Ave--Irrigation Use Only	84.20
65569-030421	96154	04/09/2021	209-558-43102	601 Tennent Ave--Memorial Hall	90.18
65922-030321	96154	04/09/2021	100-343-43102	636 Tennent Ave--Irrigation Use Only	55.74
65923-030421	96154	04/09/2021	100-231-43102	880 Tennent Ave--Public Safety Facility/Building	565.60
65924-030421	96154	04/09/2021	100-222-43102	880 Tennent Ave--Public Safety Facility/Building	759.28
65924-030421	96154	04/09/2021	100-223-43102	880 Tennent Ave--Public Safety Facility/Building	168.73
65924-030421	96154	04/09/2021	100-231-43102	880 Tennent Ave--Public Safety Facility/Building	759.27
66363-030421	96154	04/09/2021	100-345-43102	1818 Canyon Dr--Irrigation Use Only	192.54

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
66529-030321	96154	04/09/2021	100-345-43102	656 Pinole Shores Dr--Irrigation Use Only	84.20
66531-030421	96154	04/09/2021	100-343-43102	800 PINOLE SHORES DR-IRRIGATION USE ONLY	155.36
66532-030321	96154	04/09/2021	100-343-43102	901 Pinole Shores Dr--Irrigation Use Only	84.20
66535-030321	96154	04/09/2021	100-343-43102	1001 Pinole Shores Dr--Irrigation Use Only	84.20
66536-030421	96154	04/09/2021	100-343-43102	2401 Del Monte Way--Irrigation Use Only	55.74
66640-030321	96154	04/09/2021	100-343-43102	726 San Pablo Ave--Irrigation Use Only	84.20
66641-030321	96154	04/09/2021	100-343-43102	880 San Pablo Ave--Irrigation Use Only	84.20
66642-030521	96154	04/09/2021	100-343-43102	1400 San Pablo Ave--Irrigation Use Only	84.20
66643-030321	96154	04/09/2021	100-343-43102	2000 San Pablo Ave--Irrigation Use Only	84.20
70108-030321	96154	04/09/2021	310-347-43102	1303 Pinole Valley Rd--Irrigation Use Only	55.74
71919-030321	96154	04/09/2021	100-343-43102	2329 Orleans Dr--Irrigation Use Only	55.74
Vendor EBM01 - EBMUD Total:					10,226.55
Vendor: FAS02 - FASTENAL					
CAS1721080	96200	04/16/2021	500-641-42107	8" 2-SPEED BLOWER	1,414.78
Vendor FAS02 - FASTENAL Total:					1,414.78
Vendor: FIS01 - FISHER SCIENTIFIC					
6806703	96157	04/09/2021	500-641-44303	ACETATE BUFF	206.17
Vendor FIS01 - FISHER SCIENTIFIC Total:					206.17
Vendor: 1979 - GALAXY PRESS					
34221	96201	04/16/2021	100-115-42201	CITY OF PINOLE FINANCE DEPT WINDOW ENVELOPES	282.58
Vendor 1979 - GALAXY PRESS Total:					282.58
Vendor: GRA13 - GRAFIX SHOPPE					
138239	96202	04/16/2021	100-221-42107	PD LETTERING 2017 FORD EXPLORER	63.31
Vendor GRA13 - GRAFIX SHOPPE Total:					63.31
Vendor: HAC01 - HACH COMPANY					
12376684	96158	04/09/2021	500-641-44305	NITRIFICATION INHIBITOR/IODIDE/IODINE	376.41
12379412	96158	04/09/2021	500-641-44305	SULFURIC ACID CONC	164.65
12380105	96203	04/16/2021	500-641-44303	STARCH INDICATOR/IODINE/DISSOLVED OXYGEN	264.15
Vendor HAC01 - HACH COMPANY Total:					805.21
Vendor: HEA01 - HEALTH CARE DENTAL TRUST					
013021 STATEMENT	96159	04/09/2021	100-110-41002	DENTAL TRUST FEB 2021 PREMIUMS	498.18
013021 STATEMENT	96159	04/09/2021	100-111-41002	DENTAL TRUST FEB 2021 PREMIUMS	518.03
013021 STATEMENT	96159	04/09/2021	100-112-41002	DENTAL TRUST FEB 2021 PREMIUMS	134.47
013021 STATEMENT	96159	04/09/2021	100-113-41002	DENTAL TRUST FEB 2021 PREMIUMS	114.62
013021 STATEMENT	96159	04/09/2021	100-115-41002	DENTAL TRUST FEB 2021 PREMIUMS	268.94
013021 STATEMENT	96159	04/09/2021	100-116-41002	DENTAL TRUST FEB 2021 PREMIUMS	53.45
013021 STATEMENT	96159	04/09/2021	100-221-41002	DENTAL TRUST FEB 2021 PREMIUMS	1,570.56

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Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
013021 STATEMENT	96159	04/09/2021	100-221-41002	DENTAL TRUST FEB 2021 PREMIUMS	81.02
013021 STATEMENT	96159	04/09/2021	100-222-41002	DENTAL TRUST FEB 2021 PREMIUMS	53.45
013021 STATEMENT	96159	04/09/2021	100-222-41002	DENTAL TRUST FEB 2021 PREMIUMS	302.54
013021 STATEMENT	96159	04/09/2021	100-223-41002	DENTAL TRUST FEB 2021 PREMIUMS	1,433.37
013021 STATEMENT	96159	04/09/2021	100-231-41002	DENTAL TRUST FEB 2021 PREMIUMS	1,137.20
013021 STATEMENT	96159	04/09/2021	100-341-41002	DENTAL TRUST FEB 2021 PREMIUMS	302.54
013021 STATEMENT	96159	04/09/2021	100-343-41002	DENTAL TRUST FEB 2021 PREMIUMS	921.44
013021 STATEMENT	96159	04/09/2021	100-465-41002	DENTAL TRUST FEB 2021 PREMIUMS	114.62
013021 STATEMENT	96159	04/09/2021	105-221-41002	DENTAL TRUST FEB 2021 PREMIUMS	686.10
013021 STATEMENT	96159	04/09/2021	105-231-41002	DENTAL TRUST FEB 2021 PREMIUMS	53.45
013021 STATEMENT	96159	04/09/2021	106-222-41002	DENTAL TRUST FEB 2021 PREMIUMS	134.47
013021 STATEMENT	96159	04/09/2021	106-231-41002	DENTAL TRUST FEB 2021 PREMIUMS	114.62
013021 STATEMENT	96159	04/09/2021	204-227-41002	DENTAL TRUST FEB 2021 PREMIUMS	134.47
013021 STATEMENT	96159	04/09/2021	209-551-41002	DENTAL TRUST FEB 2021 PREMIUMS	134.47
013021 STATEMENT	96159	04/09/2021	209-552-41002	DENTAL TRUST FEB 2021 PREMIUMS	88.19
013021 STATEMENT	96159	04/09/2021	209-554-41002	DENTAL TRUST FEB 2021 PREMIUMS	121.02
013021 STATEMENT	96159	04/09/2021	212-461-41002	DENTAL TRUST FEB 2021 PREMIUMS	134.47
013021 STATEMENT	96159	04/09/2021	212-462-41002	DENTAL TRUST FEB 2021 PREMIUMS	187.92
013021 STATEMENT	96159	04/09/2021	500-641-41002	DENTAL TRUST FEB 2021 PREMIUMS	915.34
013021 STATEMENT	96159	04/09/2021	500-642-41002	DENTAL TRUST FEB 2021 PREMIUMS	241.37
013021 STATEMENT	96159	04/09/2021	505-119-41002	DENTAL TRUST FEB 2021 PREMIUMS	268.94
013021 STATEMENT	96159	04/09/2021	998-20105	DENTAL TRUST FEB 2021 PREMIUMS	146.78
013021 STATEMENT	96159	04/09/2021	998-20105	DENTAL TRUST FEB 2021 PREMIUMS	322.39
031121 STATEMENT	96159	04/09/2021	100-110-41002	DENTAL TRUST MAR 2021 PREMIUMS	498.18
031121 STATEMENT	96159	04/09/2021	100-111-41002	DENTAL TRUST MAR 2021 PREMIUMS	518.03
031121 STATEMENT	96159	04/09/2021	100-112-41002	DENTAL TRUST MAR 2021 PREMIUMS	134.47
031121 STATEMENT	96159	04/09/2021	100-113-41002	DENTAL TRUST MAR 2021 PREMIUMS	114.62
031121 STATEMENT	96159	04/09/2021	100-115-41002	DENTAL TRUST MAR 2021 PREMIUMS	268.94
031121 STATEMENT	96159	04/09/2021	100-116-41002	DENTAL TRUST MAR 2021 PREMIUMS	53.45
031121 STATEMENT	96159	04/09/2021	100-221-41002	DENTAL TRUST MAR 2021 PREMIUMS	1,436.09
031121 STATEMENT	96159	04/09/2021	100-221-41002	DENTAL TRUST MAR 2021 PREMIUMS	134.47
031121 STATEMENT	96159	04/09/2021	100-222-41002	DENTAL TRUST MAR 2021 PREMIUMS	53.45

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
031121 STATEMENT	96159	04/09/2021	100-222-41002	DENTAL TRUST MAR 2021 PREMIUMS	302.54
031121 STATEMENT	96159	04/09/2021	100-223-41002	DENTAL TRUST MAR 2021 PREMIUMS	1,433.37
031121 STATEMENT	96159	04/09/2021	100-231-41002	DENTAL TRUST MAR 2021 PREMIUMS	1,137.20
031121 STATEMENT	96159	04/09/2021	100-341-41002	DENTAL TRUST MAR 2021 PREMIUMS	302.54
031121 STATEMENT	96159	04/09/2021	100-343-41002	DENTAL TRUST MAR 2021 PREMIUMS	921.44
031121 STATEMENT	96159	04/09/2021	100-465-41002	DENTAL TRUST MAR 2021 PREMIUMS	114.62
031121 STATEMENT	96159	04/09/2021	105-221-41002	DENTAL TRUST MAR 2021 PREMIUMS	686.10
031121 STATEMENT	96159	04/09/2021	105-231-41002	DENTAL TRUST MAR 2021 PREMIUMS	53.45
031121 STATEMENT	96159	04/09/2021	106-222-41002	DENTAL TRUST MAR 2021 PREMIUMS	134.47
031121 STATEMENT	96159	04/09/2021	106-231-41002	DENTAL TRUST MAR 2021 PREMIUMS	114.62
031121 STATEMENT	96159	04/09/2021	204-227-41002	DENTAL TRUST MAR 2021 PREMIUMS	134.47
031121 STATEMENT	96159	04/09/2021	209-551-41002	DENTAL TRUST MAR 2021 PREMIUMS	134.47
031121 STATEMENT	96159	04/09/2021	209-552-41002	DENTAL TRUST MAR 2021 PREMIUMS	88.19
031121 STATEMENT	96159	04/09/2021	209-554-41002	DENTAL TRUST MAR 2021 PREMIUMS	121.02
031121 STATEMENT	96159	04/09/2021	212-461-41002	DENTAL TRUST MAR 2021 PREMIUMS	134.47
031121 STATEMENT	96159	04/09/2021	212-462-41002	DENTAL TRUST MAR 2021 PREMIUMS	187.92
031121 STATEMENT	96159	04/09/2021	500-641-41002	DENTAL TRUST MAR 2021 PREMIUMS	915.34
031121 STATEMENT	96159	04/09/2021	500-642-41002	DENTAL TRUST MAR 2021 PREMIUMS	241.37
031121 STATEMENT	96159	04/09/2021	505-119-41002	DENTAL TRUST MAR 2021 PREMIUMS	268.94
031121 STATEMENT	96159	04/09/2021	998-20105	DENTAL TRUST MAR 2021 PREMIUMS	146.78
031121 STATEMENT	96159	04/09/2021	998-20105	DENTAL TRUST MAR 2021 PREMIUMS	322.39
032921 STATEMENT	96159	04/09/2021	100-110-41002	DENTAL TRUST APR 2021 PREMIUMS	498.18
032921 STATEMENT	96159	04/09/2021	100-111-41002	DENTAL TRUST APR 2021 PREMIUMS	518.03
032921 STATEMENT	96159	04/09/2021	100-112-41002	DENTAL TRUST APR 2021 PREMIUMS	134.47
032921 STATEMENT	96159	04/09/2021	100-113-41002	DENTAL TRUST APR 2021 PREMIUMS	114.62
032921 STATEMENT	96159	04/09/2021	100-115-41002	DENTAL TRUST APR 2021 PREMIUMS	383.56
032921 STATEMENT	96159	04/09/2021	100-116-41002	DENTAL TRUST APR 2021 PREMIUMS	53.45
032921 STATEMENT	96159	04/09/2021	100-221-41002	DENTAL TRUST APR 2021 PREMIUMS	1,515.49
032921 STATEMENT	96159	04/09/2021	100-221-41002	DENTAL TRUST APR 2021 PREMIUMS	134.47
032921 STATEMENT	96159	04/09/2021	100-222-41002	DENTAL TRUST APR 2021 PREMIUMS	53.45
032921 STATEMENT	96159	04/09/2021	100-222-41002	DENTAL TRUST APR 2021 PREMIUMS	302.54
032921 STATEMENT	96159	04/09/2021	100-223-41002	DENTAL TRUST APR 2021 PREMIUMS	1,433.37

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Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
032921 STATEMENT	96159	04/09/2021	100-231-41002	DENTAL TRUST APR 2021 PREMIUMS	1,137.20
032921 STATEMENT	96159	04/09/2021	100-341-41002	DENTAL TRUST APR 2021 PREMIUMS	302.54
032921 STATEMENT	96159	04/09/2021	100-343-41002	DENTAL TRUST APR 2021 PREMIUMS	921.44
032921 STATEMENT	96159	04/09/2021	100-465-41002	DENTAL TRUST APR 2021 PREMIUMS	114.62
032921 STATEMENT	96159	04/09/2021	105-221-41002	DENTAL TRUST APR 2021 PREMIUMS	686.10
032921 STATEMENT	96159	04/09/2021	105-231-41002	DENTAL TRUST APR 2021 PREMIUMS	53.45
032921 STATEMENT	96159	04/09/2021	106-222-41002	DENTAL TRUST APR 2021 PREMIUMS	134.47
032921 STATEMENT	96159	04/09/2021	106-231-41002	DENTAL TRUST APR 2021 PREMIUMS	114.62
032921 STATEMENT	96159	04/09/2021	204-227-41002	DENTAL TRUST APR 2021 PREMIUMS	134.47
032921 STATEMENT	96159	04/09/2021	209-551-41002	DENTAL TRUST APR 2021 PREMIUMS	134.47
032921 STATEMENT	96159	04/09/2021	209-552-41002	DENTAL TRUST APR 2021 PREMIUMS	88.19
032921 STATEMENT	96159	04/09/2021	209-554-41002	DENTAL TRUST APR 2021 PREMIUMS	121.02
032921 STATEMENT	96159	04/09/2021	212-461-41002	DENTAL TRUST APR 2021 PREMIUMS	134.47
032921 STATEMENT	96159	04/09/2021	212-462-41002	DENTAL TRUST APR 2021 PREMIUMS	187.92
032921 STATEMENT	96159	04/09/2021	500-641-41002	DENTAL TRUST APR 2021 PREMIUMS	915.34
032921 STATEMENT	96159	04/09/2021	500-642-41002	DENTAL TRUST APR 2021 PREMIUMS	241.37
032921 STATEMENT	96159	04/09/2021	505-119-41002	DENTAL TRUST APR 2021 PREMIUMS	268.94
032921 STATEMENT	96159	04/09/2021	998-20105	DENTAL TRUST APR 2021 PREMIUMS	429.29
032921 STATEMENT	96159	04/09/2021	998-20105	DENTAL TRUST APR 2021 PREMIUMS	146.78
Vendor HEA01 - HEALTH CARE DENTAL TRUST Total:					33,704.17
Vendor: 1161 - HINDERLITER, DE LLAMAS & ASSOCIATES					
SIN007827	96204	04/16/2021	106-115-42101	AUDIT SERVICES-TRANSACTION TAX Q3/2020 AREA 60140	527.85
SIN007828	96204	04/16/2021	106-115-42101	AUDIT SERVICES-TRANSACTION TAX Q3/2020 AREA 60384	527.85
Vendor 1161 - HINDERLITER, DE LLAMAS & ASSOCIATES Total:					1,055.70
Vendor: HOM01 - HOME DEPOT CREDIT SERVICE					
6035 3225 0315 0413 032121	96160	04/09/2021	100-343-42108	AGENCY WIDE HOME DEPOT PURCHASES	173.20
6035 3225 0315 0413 032121	96160	04/09/2021	100-345-42108	AGENCY WIDE HOME DEPOT PURCHASES	69.48
6035 3225 0315 0413 032121	96160	04/09/2021	209-554-42108	AGENCY WIDE HOME DEPOT PURCHASES	28.21
6035 3225 0315 0413 032121	96160	04/09/2021	500-641-42107	AGENCY WIDE HOME DEPOT PURCHASES	213.57
6035 3225 0315 0413 032121	96160	04/09/2021	500-642-42514	AGENCY WIDE HOME DEPOT PURCHASES	39.99
Vendor HOM01 - HOME DEPOT CREDIT SERVICE Total:					524.45
Vendor: IMA01 - IMAGE SALES, INC.					
0069951-IN	96161	04/09/2021	100-116-42201	EQUIPMENT/SUPPLIES FOR EMPLOYEE BADGES/IDS	4,102.77
Vendor IMA01 - IMAGE SALES, INC. Total:					4,102.77

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Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: CUL03 - ISING'S CULLIGAN-LIVERMORE					
379X05581108	96205	04/16/2021	500-641-44305	DEIONIZATION/EXCHANGE SERVICE APR 2021	442.55
Vendor CUL03 - ISING'S CULLIGAN-LIVERMORE Total:					442.55
Vendor: JWE01 - J. W. ENTERPRISES - NORTH					
230510	96206	04/16/2021	100-117-42511	PORTABLE TOILET RENTAL 4/8- 5/1/21	137.70
Vendor JWE01 - J. W. ENTERPRISES - NORTH Total:					137.70
Vendor: 1626 - JOE BINGAMAN					
040621 REIMBURSEMENT	96162	04/09/2021	100-343-42401	REIMBURSE FOR MEMBERSHIP DUES	140.25
4/6/21 REIMBURSEMENT	96162	04/09/2021	100-343-42301	CPWP CERTIFICATION TRAINING MATERIALS	280.00
Vendor 1626 - JOE BINGAMAN Total:					420.25
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000030003	96163	04/09/2021	500-641-44302	WPCP SLUDGE REMOVAL 3/16- 3/31/21	6,978.05
Vendor KEL09 - KELLER CANYON LANDFILL Total:					6,978.05
Vendor: KUB00 - KUBWATER RESOURCES, INC.					
10217	96207	04/16/2021	500-641-44303	ZETAG TOTES	4,208.20
Vendor KUB00 - KUBWATER RESOURCES, INC. Total:					4,208.20
Vendor: LEA01 - LEAGUE OF CALIFORNIA CITIES					
640835	96164	04/09/2021	100-110-42401	2021 MEMBERSHIP DUES	7,105.00
Vendor LEA01 - LEAGUE OF CALIFORNIA CITIES Total:					7,105.00
Vendor: CUR03 - LN CURTIS & SONS					
CM25895	96208	04/16/2021	100-231-42107	S54RL STORZ TO SWIVEL FEMALE ADAPTER	-190.91
INV477475	96208	04/16/2021	100-231-42107	HURST EDRAULIC SERVICE	1,200.00
Vendor CUR03 - LN CURTIS & SONS Total:					1,009.09
Vendor: 1566 - MANAGEMENT PARTNERS, INC.					
INV09275	96165	04/09/2021	100-110-42101	REPORT RESULTS 100% COMPLETE	8,700.00
Vendor 1566 - MANAGEMENT PARTNERS, INC. Total:					8,700.00
Vendor: 1152 - MARIA PICAZO					
033121 REIMBURSEMENT	96166	04/09/2021	209-554-42514	REIMBURSE FOR SPRING EVENT SUPPLIES	19.48
Vendor 1152 - MARIA PICAZO Total:					19.48
Vendor: MET06 - METTLER-TOLEDO, INC.					
654938183	96209	04/16/2021	500-641-44305	FULL PREVENTIVE MAINTENANCE ON SITE/BASIC TEST REP	414.87
Vendor MET06 - METTLER-TOLEDO, INC. Total:					414.87
Vendor: MEY01 - MEYERS NAVE, A PROFESSIONAL CORPORATION					
2021010553	96167	04/09/2021	100-114-42102	CITY ATTORNEY SERVICES	17,764.33
2021010554	96167	04/09/2021	100-114-42102	CITY COUNCIL MEETINGS	1,196.00
2021010555	96167	04/09/2021	100-114-42102	GENERAL SERVICES-PUBLIC WORKS	2,451.00
2021010556	96167	04/09/2021	100-114-42102	GENERAL SERVICES-POLICE	2,101.00
2021010558	96167	04/09/2021	100-114-42102	GENERAL SERVICES-CODE ENFORCEMENT	902.67
2021010560	96167	04/09/2021	100-114-42102	PUBLIC RECORDS ACT REQUESTS	3,248.00
2021010561	96167	04/09/2021	100-114-42102	RISK MANAGEMENT	420.00
2021010562	96167	04/09/2021	100-114-42102	GENERAL SERVICES-FINANCE DEPARTMENT	1,341.00
2021010563	96167	04/09/2021	100-114-42102	GENERAL SERVICES-CITY CLERK	1,170.00
2021010564	96167	04/09/2021	100-114-42102	CITY GENERAL MATTERS-WPCP	567.00
2021010565	96167	04/09/2021	100-114-42102	SUCCESSOR AGENCY- ADMINISTRATIVE MATTERS	3,785.50

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
2021010566	96167	04/09/2021	100-114-42102	HOUSING SUCCESSOR-RDA AFFORDABLE HOUSING	1,587.00
2021010567	96167	04/09/2021	100-114-42102	SALE OF PINOLE SENIOR VILLAGE-CR	231.00
2021010569	96167	04/09/2021	100-114-42102	PINOLE SQUARE SHOPPING CENTER-CR	1,100.00
2021010570	96167	04/09/2021	100-114-42102	CLAIM AGAINST PG&E DELAYS TO PROJECT CONSTRUCTION	433.50
2021010571	96167	04/09/2021	100-114-42102	COVID-19	8,891.00
2021010572	96167	04/09/2021	100-114-42102	MVP CONSTRUCTION LLC DISPUTE	593.15
Vendor MEY01 - MEYERS NAVE, A PROFESSIONAL CORPORATION Total:					47,782.15
Vendor: MUN10 - MUNICIPAL EMERGENCY SERVICES INC.					
IN1564989	96210	04/16/2021	100-231-42101	FIT TEST SERVICE	175.00
Vendor MUN10 - MUNICIPAL EMERGENCY SERVICES INC. Total:					175.00
Vendor: MYE01 - MYERS STEVENS & TOOHEY CO					
1358327	96169	04/09/2021	100-221-41008	POLICE LTD PREMIUMS APR 2021	504.90
1358327	96169	04/09/2021	100-223-41008	POLICE LTD PREMIUMS APR 2021	258.00
1358327	96169	04/09/2021	105-221-41008	POLICE LTD PREMIUMS APR 2021	148.50
1358327	96169	04/09/2021	204-227-41008	POLICE LTD PREMIUMS APR 2021	29.70
Vendor MYE01 - MYERS STEVENS & TOOHEY CO Total:					941.10
Vendor: O'R01 - O'REILLY AUTOMOTIVE, INC					
032821 STATEMENT	96170	04/09/2021	100-343-42107	CITY AUTO PARTS/SUPPLIES ACCOUNT PAID IN FULL	32.76
032821 STATEMENT	96170	04/09/2021	500-642-42107	CITY AUTO PARTS/SUPPLIES ACCOUNT PAID IN FULL	151.32
Vendor O'R01 - O'REILLY AUTOMOTIVE, INC Total:					184.08
Vendor: 1555 - OWEN EQUIPMENT					
00052259	96211	04/16/2021	207-344-42108	BEARING FLANGE/EXTENSION BROOM	490.41
Vendor 1555 - OWEN EQUIPMENT Total:					490.41
Vendor: 2022 - PB LOADER CORPORATION					
IN0017706	96212	04/16/2021	200-342-47205	PHPM 20/BANANA SLIDE	3,424.12
Vendor 2022 - PB LOADER CORPORATION Total:					3,424.12
Vendor: PET08 - PET FOOD EXPRESS CORP					
26-2103PN	96213	04/16/2021	100-221-42514	PD DOG FOOD	55.70
35-2104PN	96213	04/16/2021	100-221-42514	PD DOG FOOD	49.37
41-2103PN	96213	04/16/2021	100-221-42514	PD DOG FOOD	14.74
47-2103PN	96213	04/16/2021	100-221-42514	PD DOG FOOD	49.15
49-2104PN	96213	04/16/2021	100-221-42514	PD DOG FOOD	47.73
Vendor PET08 - PET FOOD EXPRESS CORP Total:					216.69
Vendor: PGE01 - PG&E					
032321-0466	96171	04/09/2021	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	23.51
032321-0466	96171	04/09/2021	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	35.27
032321-2222	96171	04/09/2021	100-345-43103	STREET AND HIGHWAY LIGHTING	49.39
032321-2222	96171	04/09/2021	200-342-43103	STREET AND HIGHWAY LIGHTING	15,580.19
032321-2222	96171	04/09/2021	310-347-43103	STREET AND HIGHWAY LIGHTING	280.00
032321-2222	96171	04/09/2021	310-348-43103	STREET AND HIGHWAY LIGHTING	400.00
032321-6747	96171	04/09/2021	200-342-43103	RAMONA & PINOLE VALLEY-TRAFFIC SIGNAL & ST LIGHT	210.30

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
032621-8511	96171	04/09/2021	100-345-43103	W/S PINOLE SHORES DR- SPRINKLER CONTROLLER	11.91
032621-9929	96171	04/09/2021	201-343-43103	790 PINOLE SHORES DR-NEW METAL BUILDING	65.40
Vendor PGE01 - PG&E Total:					16,655.97
Vendor: PIN16 - PINOLE SEALS SWIM CLUB					
PINOLE SEALS ADVANCE	96172	04/09/2021	209-557-42101	ADVANCE PAYMENT PER CONTRACT	9,500.00
Vendor PIN16 - PINOLE SEALS SWIM CLUB Total:					9,500.00
Vendor: 1009 - PRECISION IT CONSULTING					
11445	96173	04/09/2021	525-118-42101	RECONCILIATION \$2,000 MONTHLY INCREASE 1/20-3/21	30,000.00
11457	96214	04/16/2021	525-118-42101	AGREEMENT PRECISION 360 GOLD MAY 2021	14,500.00
11457	96214	04/16/2021	525-118-42105	AGREEMENT PRECISION 360 GOLD MAY 2021	1,815.00
11457	96214	04/16/2021	525-118-42106	AGREEMENT PRECISION 360 GOLD MAY 2021	414.40
11470	96214	04/16/2021	525-118-42510	PRECISION 360 OFFICE 365	2,660.00
Vendor 1009 - PRECISION IT CONSULTING Total:					49,389.40
Vendor: 2025 - RAY MORGAN COMPANY, LLC.					
3263909	96215	04/16/2021	525-118-42107	COPIER CONTRACT BASE/USAGE CHARGES 2/15-3/14/21	532.60
Vendor 2025 - RAY MORGAN COMPANY, LLC. Total:					532.60
Vendor: 1747 - RETAIL ACQUISITION & DEVELOPMENT, INC.					
27070133 RI	96174	04/09/2021	100-231-42107	FD BATTERIES	549.32
Vendor 1747 - RETAIL ACQUISITION & DEVELOPMENT, INC. Total:					549.32
Vendor: ROS08 - RSG, INC.					
I007139	96216	04/16/2021	285-464-42101	AFFORDABLE HOUSING RFP AND DEVELOPER SELECTION	903.75
I007154	96216	04/16/2021	750-463-42101	REAL ESTATE OPEN LISTING BROKER SERVICES MAR 2021	7,007.50
Vendor ROS08 - RSG, INC. Total:					7,911.25
Vendor: J&O01 - RUBBER DUST INC.					
138818	96175	04/09/2021	207-344-42107	AUTOCAR XPERT SWEEPER TIRE REPLACEMENT/REPAIR	1,509.23
Vendor J&O01 - RUBBER DUST INC. Total:					1,509.23
Vendor: 1204 - S & L BODY AND FRAME					
040121 PD	96176	04/09/2021	100-221-42107	APRIL 2021 FLEET WASH	450.00
040321 PD	96176	04/09/2021	100-221-42101	2017 FORD EXPLORER PD UNIT 811 LIFTGATE	3,041.87
Vendor 1204 - S & L BODY AND FRAME Total:					3,491.87
Vendor: 1679 - SAFEBUILT, LLC					
67559	96177	04/09/2021	105-231-42101	PLAN CHECK SERVICES FEB 2021	1,320.00
67559	96177	04/09/2021	212-462-42101	PLAN CHECK SERVICES FEB 2021	1,671.56
Vendor 1679 - SAFEBUILT, LLC Total:					2,991.56
Vendor: 1390 - SMARTGEOTECH, INC.					
1584	96217	04/16/2021	100-222-42101	SMART GUARDIAN ANNUAL LICENSE FEES 2021	11,000.00
Vendor 1390 - SMARTGEOTECH, INC. Total:					11,000.00
Vendor: 2048 - SONIC.NET, LLC					
1002399162	96218	04/16/2021	525-118-43101	MAY 2021 ETHERNET SERVICE	449.00
Vendor 2048 - SONIC.NET, LLC Total:					449.00

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: SQU00 - SQUARE DEAL GARAGE					
34572	96219	04/16/2021	500-642-42108	2006 FORD PICKUP F250 OIL CHANGE/BRAKE JOB	1,333.92
Vendor SQU00 - SQUARE DEAL GARAGE Total:					1,333.92
Vendor: STA56 - STAILING S&S RV REPAIRS					
6685	96220	04/16/2021	100-221-42107	PD FORD FUSION LIC 7ZVZ982 OIL CHANGE	34.95
6686-801	96220	04/16/2021	100-221-42107	PD FORD VIN 801 OIL CHANGE	34.95
Vendor STA56 - STAILING S&S RV REPAIRS Total:					69.90
Vendor: STA25 - STATE WATER RESOURCES CONTROL BOARD					
OIT 1 APPLICATION	96221	04/16/2021	500-641-42401	OPERATOR IN TRAINING CERTIFICATE	125.00
Vendor STA25 - STATE WATER RESOURCES CONTROL BOARD Total:					125.00
Vendor: STE20 - STERICYCLE, INC.					
3005495256	96222	04/16/2021	100-222-42101	STERI-SAFE ECONOMY MONTHLY	57.88
Vendor STE20 - STERICYCLE, INC. Total:					57.88
Vendor: SUN08 - SUNRISE ENVIRONMENTAL SCIENTIFIC					
119490	96178	04/09/2021	500-641-44305	SUNRISE TOTAL DISINFECTANT	123.43
Vendor SUN08 - SUNRISE ENVIRONMENTAL SCIENTIFIC Total:					123.43
Vendor: SYA01 - SYAR INDUSTRIES, INC.					
820155	96223	04/16/2021	200-342-47205	1/2" HMA TYPE A/B PG 64-16	267.59
Vendor SYA01 - SYAR INDUSTRIES, INC. Total:					267.59
Vendor: SIE04 - THATCHER COMPANY, INC					
282623	96179	04/09/2021	500-641-44303	FERRIC CHLORIDE 38-42%	6,600.39
Vendor SIE04 - THATCHER COMPANY, INC Total:					6,600.39
Vendor: OFF11 - THE OFFICE CITY					
IN-1682458	96180	04/09/2021	100-117-42201	LYSOL WIPES/MASKS	63.29
IN-1685691	96180	04/09/2021	500-641-42201	BADGE HOLDERS/ID CARDS/TAPE/BINDERS	49.11
Vendor OFF11 - THE OFFICE CITY Total:					112.40
Vendor: TRA20 - TRANSUNION RISK AND ALTERNATIVE DATA					
263397-202103-1	96224	04/16/2021	525-118-42510	PD PERSON SEARCHES MAR 2021	115.60
Vendor TRA20 - TRANSUNION RISK AND ALTERNATIVE DATA Total:					115.60
Vendor: UNI39 - UNITED ROTARY BRUSH CORP.					
CI263873	96181	04/09/2021	207-344-42108	BLUE STEEL 4 SEG PLAS BACK	840.15
Vendor UNI39 - UNITED ROTARY BRUSH CORP. Total:					840.15
Vendor: UNI38 - UNIVAR USA INC					
49046100	96225	04/16/2021	500-641-44303	SOD HYPO 12.5% LIQUICHLOR K2	3,610.53
Vendor UNI38 - UNIVAR USA INC Total:					3,610.53
Vendor: UNIO7 - UNIVERSAL BUILDING SVCS.					
261087	96226	04/16/2021	100-231-42108	PD LINERS	26.81
261088	96226	04/16/2021	100-343-42108	CH LINERS	26.81
Vendor UNIO7 - UNIVERSAL BUILDING SVCS. Total:					53.62
Vendor: USB06 - US BANK					
032221 STATEMENT	96227	04/16/2021	100-20018	CITY CREDIT CARD BILLING	13,734.83
439451154	96228	04/16/2021	525-118-42107	CANON COPIERS PAYMENT	2,491.49
Vendor USB06 - US BANK Total:					16,226.32
Vendor: VAL04 - VALLEJO FIRE EXTINGUISHER					
91057	96229	04/16/2021	100-231-42108	2.5 GAL H2O FIRE EXTINGUISHER	581.43
Vendor VAL04 - VALLEJO FIRE EXTINGUISHER Total:					581.43
Vendor: VIS01 - VISION SERVICE PLAN					
811724559	96182	04/09/2021	100-110-41003	VISION PREMIUMS MAR 2021	74.44
811724559	96182	04/09/2021	100-111-41003	VISION PREMIUMS MAR 2021	74.44

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
811724559	96182	04/09/2021	100-112-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	100-113-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	100-115-41003	VISION PREMIUMS MAR 2021	55.83
811724559	96182	04/09/2021	100-116-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	100-221-41003	VISION PREMIUMS MAR 2021	316.37
811724559	96182	04/09/2021	100-222-41003	VISION PREMIUMS MAR 2021	55.83
811724559	96182	04/09/2021	100-223-41003	VISION PREMIUMS MAR 2021	241.93
811724559	96182	04/09/2021	100-231-41003	VISION PREMIUMS MAR 2021	186.10
811724559	96182	04/09/2021	100-341-41003	VISION PREMIUMS MAR 2021	55.83
811724559	96182	04/09/2021	100-343-41003	VISION PREMIUMS MAR 2021	130.27
811724559	96182	04/09/2021	100-465-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	105-221-41003	VISION PREMIUMS MAR 2021	111.66
811724559	96182	04/09/2021	105-231-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	106-222-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	106-231-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	204-227-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	209-551-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	209-552-41003	VISION PREMIUMS MAR 2021	37.22
811724559	96182	04/09/2021	209-554-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	212-461-41003	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	212-462-41003	VISION PREMIUMS MAR 2021	37.22
811724559	96182	04/09/2021	500-641-41003	VISION PREMIUMS MAR 2021	148.88
811724559	96182	04/09/2021	500-642-41003	VISION PREMIUMS MAR 2021	55.83
811724559	96182	04/09/2021	505-119-41003	VISION PREMIUMS MAR 2021	37.22
811724559	96182	04/09/2021	998-20106	VISION PREMIUMS MAR 2021	18.61
811724559	96182	04/09/2021	998-20106	VISION PREMIUMS MAR 2021	-37.22
811947316	96182	04/09/2021	100-110-41003	VISION PREMIUMS APR 2021	74.44
811947316	96182	04/09/2021	100-111-41003	VISION PREMIUMS APR 2021	74.44
811947316	96182	04/09/2021	100-112-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	100-113-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	100-115-41003	VISION PREMIUMS APR 2021	55.83
811947316	96182	04/09/2021	100-116-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	100-221-41003	VISION PREMIUMS APR 2021	372.20
811947316	96182	04/09/2021	100-222-41003	VISION PREMIUMS APR 2021	55.83
811947316	96182	04/09/2021	100-223-41003	VISION PREMIUMS APR 2021	241.93
811947316	96182	04/09/2021	100-231-41003	VISION PREMIUMS APR 2021	186.10
811947316	96182	04/09/2021	100-341-41003	VISION PREMIUMS APR 2021	55.83
811947316	96182	04/09/2021	100-343-41003	VISION PREMIUMS APR 2021	130.27
811947316	96182	04/09/2021	100-465-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	105-221-41003	VISION PREMIUMS APR 2021	111.66
811947316	96182	04/09/2021	105-231-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	106-222-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	106-231-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	204-227-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	209-551-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	209-552-41003	VISION PREMIUMS APR 2021	37.22
811947316	96182	04/09/2021	209-554-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	212-461-41003	VISION PREMIUMS APR 2021	18.61
811947316	96182	04/09/2021	212-462-41003	VISION PREMIUMS APR 2021	37.22
811947316	96182	04/09/2021	500-641-41003	VISION PREMIUMS APR 2021	148.88
811947316	96182	04/09/2021	500-642-41003	VISION PREMIUMS APR 2021	55.83
811947316	96182	04/09/2021	505-119-41003	VISION PREMIUMS APR 2021	37.22
811947316	96182	04/09/2021	998-20106	VISION PREMIUMS APR 2021	37.22

Vendor VIS01 - VISION SERVICE PLAN Total: 3,722.00

Vendor: 2050 - VSS INTERNATIONAL, INC.

20018365RR	96230	04/16/2021	200-342-47205	CA PINOLE 2019-20 RESIDENTIAL SLURRY SEAL	37,191.09
20018441	96230	04/16/2021	200-342-47205	CA PINOLE 2019-20 RESIDENTIAL SLURRY SEAL	5,415.66

Vendor 2050 - VSS INTERNATIONAL, INC. Total: 42,606.75

WARRANT LISTING

Payment Dates: 4/3/2021 - 4/16/2021

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: VWR01 - VWR INTERNATIONAL, LLC.					
8804119743	96183	04/09/2021	500-641-44305	VWR LEAD FREE AUTOCLAV TAPE	37.82
8804125366	96183	04/09/2021	500-641-44305	VWR TONGS	108.74
8804137087	96183	04/09/2021	500-641-44305	BOTTLE BOD 97-120 300ML	674.71
Vendor VWR01 - VWR INTERNATIONAL, LLC. Total:					821.27
Vendor: WCC01 - WCCTAC					
FY Q3 STMP FEE	96231	04/16/2021	212-462-34210	STMP FEE COLLECTED JAN-MAR 2021	5,744.00
Vendor WCC01 - WCCTAC Total:					5,744.00
Vendor: 1520 - WEX BANK					
71102499	96232	04/16/2021	100-221-44301	CHEVRON/TEXACO FUEL PURCHASES	140.10
Vendor 1520 - WEX BANK Total:					140.10
Grand Total:					608,094.83

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	368,679.01
105 - Measure S -2006	3,947.69
106 - MEASURE S-2014	1,877.41
200 - Gas Tax Fund	74,261.85
201 - Restricted Real Estate Maintenance Fund	1,011.16
204 - Police Grants	470.33
207 - NPDES Storm Water Fund	2,839.79
209 - Recreation Fund	14,114.14
212 - Building & Planning	9,798.71
215 - Measure C and J Fund	390.75
226 - CASp Certification and Training Fund	378.60
285 - Housing Land Held for Resale	920.15
310 - Lighting & Landscape Districts	1,368.06
500 - Sewer Enterprise Fund	65,478.07
505 - Cable Access TV	996.68
525 - Information Systems	53,021.91
750 - Recognized Obligation Retirement Fund	7,007.50
998 - Payroll Clearing	1,533.02
Grand Total:	608,094.83

Account Summary

Account Number	Account Name	Payment Amount
100-10601	Gas Tanks/Corp Yard	1,844.10
100-110-41002	Emp Benefits/Dental	1,494.54
100-110-41003	Emp Benefits/Vision Care	148.88
100-110-42101	Prof Svcs/Professional Ser...	8,700.00
100-110-42401	Dues & Pub/Memberships	7,105.00
100-110-43102	Utilities/Water	9.75
100-111-41002	Emp Benefits/Dental	1,554.09
100-111-41003	Emp Benefits/Vision Care	148.88
100-111-42514	Admin Exp/Special Depart	1,315.78
100-111-43102	Utilities/Water	23.42
100-112-41002	Emp Benefits/Dental	403.41
100-112-41003	Emp Benefits/Vision Care	37.22
100-112-42101	Prof Svcs/Professional Ser...	70.39
100-112-42514	Admin Exp/Special Depart	419.40
100-112-43102	Utilities/Water	21.47
100-113-41002	Emp Benefits/Dental	343.86
100-113-41003	Emp Benefits/Vision Care	37.22
100-114-42102	Prof Svcs/Attorney Servic...	47,782.15
100-115-41002	Emp Benefits/Dental	921.44
100-115-41003	Emp Benefits/Vision Care	111.66
100-115-42101	Prof Svcs/Professional Ser...	186.09
100-115-42201	Office Expense	282.58
100-115-42510	Admin Exp/Software Purch	3,644.75
100-115-43102	Utilities/Water	63.64
100-116-41002	Emp Benefits/Dental	160.35
100-116-41003	Emp Benefits/Vision Care	37.22
100-116-42201	Office Expense	4,102.77
100-116-43102	Utilities/Water	21.47
100-117-41004	Emp Benefits/PERS Retir...	205,375.59
100-117-42201	Office Expense	63.29
100-117-42511	Admin Exp/Equipment Re...	137.70
100-117-43102	Utilities/Water	171.77
100-20018	Accounts Payable/CalCard	13,734.83
100-221-41002	Emp Benefits/Dental	4,872.10
100-221-41003	Emp Benefits/Vision Care	688.57

Account Summary

Account Number	Account Name	Payment Amount
100-221-41008	Emp Benefits/Long Term ...	504.90
100-221-42101	Prof Svcs/Professional Ser...	3,041.87
100-221-42107	Prof Svcs/Equipment Mai...	583.21
100-221-42514	Admin Exp/Special Depart	1,716.69
100-221-44301	Other Materials Supp/Fuel	140.10
100-221-44410	Safety Clothing	43.08
100-222-41002	Emp Benefits/Dental	1,067.97
100-222-41003	Emp Benefits/Vision Care	111.66
100-222-42101	Prof Svcs/Professional Ser...	11,057.88
100-222-43102	Utilities/Water	759.28
100-223-41002	Emp Benefits/Dental	4,300.11
100-223-41003	Emp Benefits/Vision Care	483.86
100-223-41008	Emp Benefits/Long Term ...	258.00
100-223-43102	Utilities/Water	168.73
100-231-41002	Emp Benefits/Dental	3,411.60
100-231-41003	Emp Benefits/Vision Care	372.20
100-231-41008	Emp Benefits/Long Term ...	324.50
100-231-42101	Prof Svcs/Professional Ser...	175.00
100-231-42107	Prof Svcs/Equipment Mai...	17,122.14
100-231-42108	Prof Svcs/Building-Structu...	873.14
100-231-43102	Utilities/Water	1,324.87
100-231-47104	FF&E/Vehicles	5,398.79
100-341-41002	Emp Benefits/Dental	907.62
100-341-41003	Emp Benefits/Vision Care	111.66
100-343-41002	Emp Benefits/Dental	2,764.32
100-343-41003	Emp Benefits/Vision Care	260.54
100-343-42107	Prof Svcs/Equipment Mai...	32.76
100-343-42108	Prof Svcs/Building-Structu...	793.64
100-343-42301	Travel & Training/Conf-Re...	280.00
100-343-42401	Dues & Pub/Memberships	140.25
100-343-43102	Utilities/Water	1,948.58
100-343-44410	Safety Clothing	199.88
100-345-42108	Prof Svcs/Building-Structu...	319.48
100-345-43102	Utilities/Water	1,202.94
100-345-43103	Utilities/Electricity & Pow...	61.30
100-465-41002	Emp Benefits/Dental	343.86
100-465-41003	Emp Benefits/Vision Care	37.22
105-221-41002	Emp Benefits/Dental	2,058.30
105-221-41003	Emp Benefits/Vision Care	223.32
105-221-41008	Emp Benefits/Long Term ...	148.50
105-231-41002	Emp Benefits/Dental	160.35
105-231-41003	Emp Benefits/Vision Care	37.22
105-231-42101	Prof Svcs/Professional Ser...	1,320.00
106-115-42101	Prof Svcs/Professional Ser...	1,055.70
106-222-41002	Emp Benefits/Dental	403.41
106-222-41003	Emp Benefits/Vision Care	37.22
106-231-41002	Emp Benefits/Dental	343.86
106-231-41003	Emp Benefits/Vision Care	37.22
200-342-42101	Prof Svcs/Professional Ser...	11,967.32
200-342-42514	Admin Exp/Special Depart	74.56
200-342-43102	Utilities/Water	54.65
200-342-43103	Utilities/Electricity & Pow...	15,790.49
200-342-47205	Improvements/Streets	46,374.83
201-343-43102	Utilities/Water	945.76
201-343-43103	Utilities/Electricity & Pow...	65.40
204-227-41002	Emp Benefits/Dental	403.41
204-227-41003	Emp Benefits/Vision Care	37.22
204-227-41008	Emp Benefits/Long Term ...	29.70

Account Summary

Account Number	Account Name	Payment Amount
207-344-42107	Prof Svcs/Equipment Mai...	1,509.23
207-344-42108	Prof Svcs/Building-Structu...	1,330.56
209-551-41002	Emp Benefits/Dental	403.41
209-551-41003	Emp Benefits/Vision Care	37.22
209-552-41002	Emp Benefits/Dental	264.57
209-552-41003	Emp Benefits/Vision Care	74.44
209-552-42108	Prof Svcs/Building-Structu...	593.63
209-552-43102	Utilities/Water	1,250.79
209-554-41002	Emp Benefits/Dental	363.06
209-554-41003	Emp Benefits/Vision Care	37.22
209-554-42108	Prof Svcs/Building-Structu...	1,103.54
209-554-42514	Admin Exp/Special Depart	19.48
209-554-43102	Utilities/Water	63.75
209-554-43103	Utilities/Electricity & Pow...	23.51
209-557-42101	Prof Svcs/Professional Ser...	9,500.00
209-558-43102	Utilities/Water	379.52
212-461-41002	Emp Benefits/Dental	403.41
212-461-41003	Emp Benefits/Vision Care	37.22
212-461-42201	Office Expense	100.00
212-461-42514	Admin Exp/Special Depart	580.50
212-461-43102	Utilities/Water	20.69
212-462-33215	Permit/Seismic (Strong M...	369.89
212-462-34210	Fees/STMP Fee	5,744.00
212-462-34211	Fees/CA State Building Fee	178.20
212-462-41002	Emp Benefits/Dental	563.76
212-462-41003	Emp Benefits/Vision Care	74.44
212-462-42101	Prof Svcs/Professional Ser...	1,671.56
212-462-43102	Utilities/Water	55.04
215-341-43101	Utilities/Telephone	390.75
226-000-34223	Fees/CASp Fee \$4	378.00
226-000-34224	Fees/CASp Fee \$1	0.60
285-464-42101	Prof Svcs/Professional Ser...	903.75
285-464-43102	Utilities/Water	16.40
310-347-42101	Prof Svcs/Professional Ser...	632.32
310-347-43102	Utilities/Water	55.74
310-347-43103	Utilities/Electricity & Pow...	280.00
310-348-43103	Utilities/Electricity & Pow...	400.00
500-10601	Gas Tanks/Corp Yard	3,809.90
500-641-41002	Emp Benefits/Dental	2,746.02
500-641-41003	Emp Benefits/Vision Care	297.76
500-641-42107	Prof Svcs/Equipment Mai...	1,628.35
500-641-42201	Office Expense	49.11
500-641-42401	Dues & Pub/Memberships	125.00
500-641-43102	Utilities/Water	677.24
500-641-44302	Other Materials Supp/Slu...	6,978.05
500-641-44303	Other Materials Supp/Ch...	14,889.44
500-641-44305	Other Materials Supp/Lab...	2,343.18
500-641-44410	Safety Clothing	2,801.12
500-642-41002	Emp Benefits/Dental	724.11
500-642-41003	Emp Benefits/Vision Care	111.66
500-642-42107	Prof Svcs/Equipment Mai...	151.32
500-642-42108	Prof Svcs/Building-Structu...	1,333.92
500-642-42514	Admin Exp/Special Depart	39.99
500-642-43102	Utilities/Water	910.90
500-642-47201	Improvements/Building	25,861.00
505-119-41002	Emp Benefits/Dental	806.82
505-119-41003	Emp Benefits/Vision Care	74.44
505-119-43102	Utilities/Water	80.15

Account Summary

Account Number	Account Name	Payment Amount
505-119-43103	Utilities/Electricity & Pow...	35.27
525-118-42101	Prof Svcs/Professional Ser...	44,500.00
525-118-42105	Prof Svcs/Network Maint...	1,815.00
525-118-42106	Prof Svcs/Software Maint...	414.40
525-118-42107	Prof Svcs/Equipment Mai...	3,024.09
525-118-42510	Admin Exp/Software Purch	2,775.60
525-118-43101	Utilities/Telephone	492.82
750-463-42101	Prof Svcs/Professional Ser...	7,007.50
998-20105	Sal & Ben Payable/Dental ...	1,514.41
998-20106	Sal & Ben Payable/Vision ...	18.61
	Grand Total:	608,094.83

Project Account Summary

Project Account Key	Payment Amount
None	608,094.83
	Grand Total:
	608,094.83

Approved By:  Date: 4/15/2021



CITY COUNCIL REPORT

7C

DATE: APRIL 20, 2021

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

BY: ALEX MOG, ASSISTANT CITY ATTORNEY

SUBJECT: RESOLUTION CONFIRMING CONTINUED EXISTENCE OF LOCAL
EMERGENCY

RECOMMENDATION

Staff recommends that the City Council adopt a resolution confirming the continued existence of a local emergency.

BACKGROUND

On March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The emergency declaration was based on public health and safety concerns for persons and property within the City as a consequence of the global spread of novel coronavirus 2019 ("COVID-19"), including confirmed cases in Contra Costa County, as well as, the Contra Costa County Department of Health's shelter in place order dated March 16, 2020. The City Council subsequently adopted a resolution affirming the City Manager's emergency declaration.

The California Emergency Services Act requires the City Council to review the need for continuing the local emergency at least once every 60 days. Although the local emergency does not end until terminated by the City Council, the Pinole Municipal Code requires the City Council to review the need for continuing the local emergency every 14 days. The City Council has confirmed the continued existence of the local emergency multiple times since the emergency was first declared, most recently on April 6, 2021.

Additional statistical information regarding COVID-19 within the County is available on the County's website at <https://www.coronavirus.cchealth.org/overview>. Additional health information regarding COVID-19, including vaccines, is available from the County's COVID-19 website at <https://www.coronavirus.cchealth.org/>. Information specific to the City of Pinole is available on the City's website at https://www.ci.pinole.ca.us/city_government/coronavirus_covid_19.

DISCUSSION

There have been significant developments in the containment of COVID-19 over the last two months, which are summarized below.

Current Case Trends

There have now been over 67,500 cases of COVID-19 within the County and approximately 765 deaths. In Pinole, the rate of new cases over the last 14 days is approximately 100 new cases per 100,000 people. This rate is in the middle third of cities in Contra Costa County. That rate is significantly lower than the rate that existed in late January, which was 718 new cases per 100,000 people over a 14 day period. However, this rate is approximately the same as it was two weeks ago, which means that after months of steadily falling, the case rate is holding steady.

This is consistent with trends throughout Contra Costa County and California. After the extreme surge that occurred over the winter months, there was a rapid decline in case numbers in late winter and early spring. Case numbers now appear to be flat or slightly increasing.

Currently the estimated rate of infection in Contra Costa County is approximately 1.10. This means that each person with COVID-19 causes 1.10 new infections. When the infection rate is above 1.0, the spread of the diseases is increasing, and when it is below 1.0 the spread of the disease is slowing. The rate of infection has been slowly, but steadily, increasing since early February, when it was 0.8. While this trend is potentially concerning, public health officials advise that widespread administration of the COVID-19 vaccine and continuing to practice social distancing will help prevent a new surge.

Vaccines

There has also been significant progress in the administration of the COVID-19 vaccine, with the rate of inoculation significantly increasing. The County estimates that over 60% of residents over the age of 16 have now received the first dose of the vaccine, and around 40% are fully vaccinated. Approximately 15,000 people are vaccinated every day in the County. In Pinole more than 35% of adults have been fully vaccinated, which is similar to the County average. The success of the vaccination administration has allowed the County to update its target date of vaccinating 1 million people from July 4th to May 31st.

As of April 15 everyone over the age of 16 is eligible to receive a COVID-19 vaccine in California. Appointments can be made through the County at cchealth.org/coronavirus or by calling 1-833-829-2626, as well as at <https://myturn.ca.gov/>. In addition, individuals can make appointments through their health care provider or certain local pharmacies, including Walgreens and CVS.

On April 13, the FDA and CDC recommended a pause in administration of the Johnson & Johnson vaccine to give health authorities time to study potentially serious side effects of that vaccine in a very small number of individuals. While this pause will result in some delays regarding vaccine administration, it will not have a significant impact because the Johnson & Johnson vaccine makes up only about 5% of the overall number of vaccines administered.

Blue Print for Reopening

California's "Blueprint for a Safer Economy" establishes criteria for loosening and tightening restrictions on activities based on the level of spread of COVID-19. There are currently four tiers. As of the time of publication of the agenda for this meeting, Contra Costa County remains within "moderate" or orange tier. This is the second lowest of the four tiers. The lowest tier is known as the "minimal" or yellow tier. In order to move to the yellow tier, the current cases rate in the County would need to drop by at least 65%. Once the County is in the yellow tier, most indoor business operations will be allowed to open, but modifications will continue to be required. For example, indoor capacity at restaurants would still be limited to 50%. The Governor has announced June 15 as a goal for the date that all restrictions will be lifted, as low as long as: 1) vaccine supply is sufficient for Californians 16 years and older who wish to be inoculated to receive a vaccine; and 2) hospitalization rates are stable and low.

Role of Emergency Declaration

Under State law and the Municipal Code, the City may declare an emergency to respond to conditions of disaster or of extreme peril to the safety of persons and property within Pinole. There are three main reasons for a City to adopt an emergency declaration. First, an emergency declaration gives the City the power to adopt emergency rules and waive certain otherwise applicable procedural requirements. For example, the City has used this power to allow businesses to obtain temporary use permits to operate outside without going through the normal process established by the Zoning Code. The City also used these powers to adopt an eviction moratorium, prior to the enactment of a similar moratorium by the County and State.

Second, an emergency declaration is usually necessary for the City to access certain types of State and Federal emergency funding. This requirement is common for natural disasters and other types of localized emergencies. Because of the widespread nature of the COVID-19 pandemic, State and Federal financial assistance related to COVID-19 has been provided without a requirement that the City maintain a general emergency declaration.

Third, an emergency declaration sends a message to the public that unusual conditions exist that actively threaten the public health, safety or welfare in the community. This is a primary reason for continuing the COVID-19 local emergency declaration. Continuing to renew the emergency declaration helps communicate to

the public that the COVID-19 emergency persists. Although case rates are decreasing, and the rate of vaccine administration is increasing, public health officials have advised that this progress is vulnerable to reversal. Public health officials state that it is critical for the public to continue to practice pandemic safety measures, such as wearing masks and practicing social distancing when in public, even if vaccinated.

Terminating the City's declaration of emergency could send a message to the public that the pandemic is over, or that it is okay to stop COVID-19 safety measures. The declaration of emergency issued by the State of California and Contra Costa County remain in place, and we are not aware that any jurisdiction in the Bay Area has terminated its emergency declaration. At this time, public health and safety concerns for persons and property within the City as a consequence of the global spread of novel coronavirus 2019 continue to exist. We recommend the City Council continue to renew the emergency declaration at this time and reconsider when to terminate the local emergency once Contra Costa County advances to the "minimal" (yellow) tier in the Blueprint for Reopening.

If the proposed resolution is adopted, the City Council will confirm the continued existence of the local emergency. In accordance with state law and the Municipal Code, the City Council will review the emergency declaration periodically until the conditions warrant a termination of the emergency declaration.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of the resolution ratifying a local emergency.

ATTACHMENTS

- A. Resolution Confirming Continued Existence of Local Emergency

RESOLUTION NO. 2020-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE CONFIRMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY DUE TO COVID-19

WHEREAS, Government Code Section 8630 and Pinole Municipal Code Section 2.32.060 authorize the Director of Emergency Service to proclaim a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist if the City Council is not in session and provides that the City Council shall ratify the proclamation within seven days thereafter; and

WHEREAS, in accordance with Government Code Section 8630 and Pinole Code Section 2.32.060, the Director of Emergency Services proclaimed the existence of a local emergency caused by the Novel Coronavirus (COVID-19), a respiratory disease first identified in China that may result in serious illness or death that is easily transmissible from person to person, on March 18, 2020; and

WHEREAS, on March 24, 2020, the City Council ratified and confirmed the proclamation of the existence of a local emergency issued by the Director of Emergency Services; and

WHEREAS, pursuant to Government Code Section 8630 and Pinole Municipal Code Section 2.32.060, the City Council must periodically review the need for continuing the local emergency; and

WHEREAS, the conditions that prompted the original declaration of a local emergency continue to exist; and

WHEREAS, the recitals contained in Resolution No. 2020-13, adopted by the City Council on March 24, 2020, are incorporated into this Resolution as if stated herein; and

WHEREAS, while the rate of new cases of COVID-19 has decreased from previous highs throughout California, including within Contra Costa County, but the rate of new cases remains steady and may be increasing slightly; and

WHEREAS, there have now been over 66,000 cases of COVID-19 and approximately 765 deaths within the County; and

WHEREAS, the rate of new cases in Pinole over the last 14 days is approximately 100 per 100,000 people, which is the same as it was two weeks ago; and

WHEREAS, Contra Costa County remains within the “moderate” tier in the State’s four tier blueprint for a safer economy due to the significant prevalence of COVID-19; and

WHEREAS, administration of the COVID-19 vaccine is progressing rapidly, but approximately 40% of the adult population in the County has been fully vaccinated; and

ATTACHMENT A

WHEREAS, in order to maintain progress in containing the spread of COVID-19, the public must continue to practice appropriate safety measures; and

WHEREAS, the public health and safety concerns for persons and property within the City as a consequence of the global spread of COVID-19 continue to exist; and

WHEREAS, the health, safety, and welfare of Pinole residents, businesses, visitors, and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, the City may require additional assistance in the future, and a formal declaration of emergency allows the City to access resources in a timely manner in a timely fashion; and

WHEREAS, the City Council finds that conditions of extreme peril to the safety of persons and property within the territorial limits of the City related to COVID-19 pandemic continue in existence; and

WHEREAS, the City Council finds that extraordinary measures are required to protect the public health, safety, and of persons and property within the City that are or are likely to be beyond the control or capability of the services, personnel, equipment, and facilities of the City; and

WHEREAS, the City Council have continued existence of a local emergency periodically since it was first declared on March 18, 2020; and

WHEREAS, the City Council desires to confirm the continued existence of a local emergency within Pinole due to COVID-19.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pinole hereby declares as follows:

1. The local emergency declared by Resolution No. 2020-13 due to the COVID-19 Pandemic continues to exist within the City of Pinole.
2. During the existence of the declared local emergency, the powers, functions, and duties of the City Manager, acting as Director of Emergency Services, and the emergency organization of this City shall be those prescribed by State law and by ordinances and resolutions of the City of Pinole.
3. The declaration of local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated.

ATTACHMENT A

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 20th day of April, 2021, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed, and adopted on the 20th day of April, 2021.

Heather Iopu, CMC
City Clerk



CITY COUNCIL REPORT

7D

DATE: APRIL 20, 2021

TO: MAYOR AND COUNCIL MEMBERS

FROM: HECTOR DE LA ROSA, ASSISTANT CITY MANAGER

SUBJECT: ADOPT A RESOLUTION AMENDING THE LEASE AGREEMENT BETWEEN THE CITY OF PINOLE AND THE PINOLE COMMUNITY PLAYERS FOR USE OF 601 TENNENT AVENUE AND AUTHORIZING THE WAIVER OF 50% OF THE 2020 CALENDAR YEAR RENT AND MONTHLY UTILITY FEE IN AN AMOUNT NOT TO EXCEED \$3,725

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving an amendment to the lease agreement between the City of Pinole and the Pinole Community Players for use of 601 Tennent avenue and authorizing the waiver of 50% of the 2020 calendar year rent and monthly utility fee in an amount not to exceed \$3,725.

BACKGROUND

Since 1995, both the City of Pinole and the Pinole Community Players operated separate but concurrent arts programs out of the Memorial Hall Center (or the Performing Arts Building). The City's Recreation Department operated the Pinole School of Performing Arts. This program included a Children's Theatre for youth ages 7 - 12, as well as annual Broadway style productions. The Children's program was run by Dave Clark.

The Pinole Community Players also conducted performing arts program including theatrical performance, rehearsals, teaching and theatrical training for adults. Through a lease agreement with the City, the Pinole Community Players used the Memorial Hall Center for their productions. The adult theatre program was run by Patti Clark.

Following the passing of Dave Clark in May 2018, Patti Clark took over administration of the City's Children's Theatre. After several months of operating both the City's and the Pinole Players programs, on September 18, 2018, the City received a proposal from the Pinole Community Players requesting that the City's Children Theatre program be consolidated under the umbrella of the Pinole Community Players. The Clark's having jointly run the programs over the years were very familiar with the operations and time commitment to make the Theatre a success.

Following a discussion, the City Council approved the Pinole Players proposal to fold the City's Children's Theatre under their umbrella, at no cost to the City. In essence, the City ceased offering a children's theatre program. Additionally, effective June 2019, the City Manager entered into a new lease agreement with the Pinole Players for use of Memorial Center so that they could continue to offer Performing Arts programs.

The lease agreement, which was approved by the Council on June 19, 2019, was for a term of five (5) years, at an annual rent of \$5,000 and payment of utilities in the amount of \$186 per month. Both the rent and the utilities amount increase by 5% each year.

REVIEW AND ANALYSIS

Each year, the Pinole Community Players offer three Broadway style productions and two class programs. These programs are typically offered in Winter, Summer and Fall. Through these programs, the Pinole Community Players generate their revenues to pay for operating expenses as well as the rent and utilities for use of the Memorial Hall Center.

At the time the Pinole Community Players entered into the lease agreement with the City, they were unaware of the pending impacts of COVID and how this pandemic would affect their programs and specifically their revenues.

With the issuance of a Shelter in Place order on March 16, 2020, due to the COVID pandemic, the Pinole Community Players had to postpone their Summer, Fall and Winter programming and performances. During the limited period in 2020, when the State was reopening, the Summer and Fall 2020 season programs enrolled 12 and 19 students, respectively. Enrollment was only a fraction (27%) of their 2019 enrollment. As an additional means to retain interest in their programs and generate revenues to pay for fixed costs, the Pinole Community Players started a "Keep Our Lights On" fundraising campaign. They also implemented virtual productions. However, while these efforts did generate some revenues, for the year, the Pinole Community Players experienced a 38% decrease in their revenues or \$33,600 compared to 2019.

The decrease in revenues for the 2020 season coupled with ongoing expenses resulted in a year end net loss of \$15,120. To address the shortfall, the Pinole Community Players had to use funds they had in reserve. As the pandemic restrictions continue into the 2021 programming season, the Pinole Community Players have cancelled their Spring program resulting in a projected revenue loss of \$13,442. The loss in revenues may result in a depletion of the Players reserves.

Given the net loss in 2020, projected loss of revenues in 2021, lack of use of the Memorial Hall Center in 2020 and 2021, and the need to pay ongoing costs, the Pinole Community Players are requesting a waiver of 50% of the 2020 annual lease payment and 50% of their 2020 monthly utility fee. The waiver request totals \$3,725. The approval of the waiver will provide some savings to the Players to ride out the pandemic with the hope that they can start offering programs in Summer 2021 and pay upfront programming costs.

FISCAL IMPACT

In FY 2020-21, a total of \$12,993 in revenues was budgeted in the Memorial Hall department with expenditures totaling \$12,441. Expenditures include building maintenance, fire alarm services, pest control, plumbing and sanitary supplies totaling \$9,641 and utilities totaling \$2,800.

The annual rent and utility fee for the 2020 Calendar Year totaled \$7,449.94 (\$5,152.84 for rent and \$2,297.10 for utilities). Waiver of 50% of the rent and utility fees will result in a projected shortfall in the Memorial Hall budget in the amount of \$3,725.

ATTACHMENTS

- A. Resolution w/Exhibit A-Amendment
- B. Lease Agreement

ATTACHMENT A

RESOLUTION NO. 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE AMENDING THE LEASE AGREEMENT BETWEEN THE CITY OF PINOLE AND THE PINOLE COMMUNITY PLAYERS FOR USE OF 601 TENNENT AVENUE AND AUTHORIZING THE WAIVER OF 50% OF THE 2020 CALENDAR YEAR RENT AND MONTHLY UTILITY FEE OF IN AN AMOUNT NOT TO EXCEED \$3,725

WHEREAS, since 1995, both the City of Pinole and the Pinole Community Players have operated separate but concurrent arts programs out of the Memorial Hall Center; and

WHEREAS, effective June 2019, the City Council approved a proposal from the Pinole Players to take over the City's Children's Theatre; and

WHEREAS, in June 2019, the City also entered into a lease agreement with the Pinole Community Player for use of Memorial Center to continue to offer the community Performing Arts programs; and

WHEREAS, the lease agreement term is for five (5) years, rent of \$5,000 per year, and payment of utilities in the amount of \$186 per month with an annual 5% increase on the anniversary date of the Agreement; and

WHEREAS, due to the COVID pandemic, the Pinole Community Players had to postpone their 2020 Summer, Fall and Winter programming and performance; and

WHEREAS, the postponement of programs and performances has caused a decrease in revenues for the 2020 season resulted in a year end net loss of \$15,120; and

WHEREAS, the Pinole Community Players have requesting a waiver of 50% of the 2020 annual lease payment and 50% of their 2020 monthly utility fee, totaling \$3,725; and

WHEREAS, approval of a waiver will provide the Players with reserves to pay upfront costs for the Summer 2021 programs.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Pinole does hereby approve an amendment to the Lease Agreement, hereunto attached as Exhibit A, between the City of Pinole and the Pinole Community Players for use of 601 Tennent Avenue and authorizes the waiver of 50% of the 2020 calendar year rent and monthly utility fees in an amount not to exceed \$3,725.

ATTACHMENT A

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the 20th day of April 2021, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 20th day of April, 2021.

Heather Iopu, CMC

EXHIBIT A

AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF PINOLE AND THE PINOLE COMMUNITY PLAYERS FOR USE OF 601 TENNENT AVE.

This Amendment to the Lease Agreement dated June 1, 2019 (the "Agreement"), between the City of Pinole, a municipal corporation (the "City" or the "Landlord") and the Pinole Community Players, Inc. ("Tenant") (together sometimes referred to as "Parties") is approved as of the date executed below.

Effect of Amendment. The terms and conditions of this Amendment are intended by the Parties to modify Section 2.2 and 3.1 of the Agreement in its entirety. To the extent there is any inconsistency between the terms of this Amendment and the terms of the Agreement and/or its Appendix, the terms of this Amendment shall control.

2.2 Rent

Rent. Effective the Commencement Date, the Tenant shall pay to the City Five Thousand Dollars (\$5,000) in annual rent ("**Rent**"). Rent shall be paid in four (4) equal payments of One Thousand Two Hundred Fifty Dollars (\$1,250). Payments shall be due on June 1, September 1, December 1, and March 1 of each year. Rent will increase by 5% on each anniversary of the Commencement Date, so long as this Agreement remains in effect. However, for the calendar year commencing January 1, 2020 and ending December 31, 2020, the Tenant shall pay Two Thousand Five Hundred Dollars (\$2,576.42) in Rent.

Rent payments are due to the City at the address shown in Section 11.4.2 or such other place as the City may designate in writing. In the event the Tenant fails to pay Rent by the close of business by 5th of the month in which rent is due or the Tenant's check is returned by the financial institution on which it is drawn for insufficient funds, the Tenant shall pay the City Twenty-Five Dollars (\$25) as a late fee (the "**Late Payment Penalty**"), which shall be included with the payment of Rent.

If the Term is extended the Parties shall enter into an amendment to this Agreement in order to establish Rent for lease of the Premises during such extended Term.

3.1 Monthly Fee

3.1 Monthly Fee. Commencing one month following the Effective Date and continuing through the term of this Agreement, Tenant shall pay a monthly fee to City of One Hundred Eighty Six Dollars (\$186) (the "**Monthly Fee**"). The monthly fee will cover City's costs of water, gas and electric utility services at the Premises, and the restroom supplies that serve the Premises. The Monthly Fee will increase by 5% on each anniversary of the Effective Date, so long as this Agreement remains in effect. However, for the calendar year commencing January 1, 2020 and ending December 31, 2020 Tenant shall pay Eighty Six Dollars (\$1,148.55) for the Fee.

EXHIBIT A

The Parties have executed this Amendment to the Agreement as of the date signed by the Authority.

City of Pinole

Consultant

Andrew Murray
City Manager

Patti Clark
President, Pinole Community Players

Dated: _____

Dated: _____

Approved as to Form

Eric S. Casher City Attorney

Dated: _____

LEASE AGREEMENT

This LEASE AGREEMENT (this "**Lease**" or this "**Agreement**"), dated as of June 1, 2019 (the "**Effective Date**"), is entered into by and between the City of Pinole, a municipal corporation (the "**City**" or the "**Landlord**") and Pinole Community Players, a California non-profit corporation (the "**Tenant**"). Landlord and Tenant are hereafter each referred to as a "**Party**" and collectively referred to as the "**Parties**."

RECITALS

A. The City is the owner in fee title to real property known as Assessor's Parcel Number 401-141-014 located at 601 Tennent Avenue, City of Pinole (the "**Property**"), as more particularly described in Exhibit A attached hereto and incorporated herein by this reference.

B. Previously, the City provided a license to Tenant to use a portion of the Property (the "**Premises**"), as depicted in Exhibit B attached hereto and incorporated herein by this reference, to use the Premises for Tenant's programs.

C. The City and Tenant desire to enter into this Agreement based on the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Tenant hereby agree as of the Effective Date as follows.

ARTICLE I DEMISE OF PREMISES

1.1 Incorporation of Recitals. The Parties acknowledge the truth of the Recitals set forth above, and all such Recitals are hereby incorporated into this Agreement.

1.2 Creation of Lease. City hereby leases to Tenant, and Tenant hereby leases from City, the Premises for the Term subject to the terms and conditions and for the purposes set forth in this Agreement. Except as otherwise set forth in this Agreement, the Premises and this Agreement explicitly exclude any use of the property at 635 Tennent Avenue including but not limited to the kitchen, main hall, meeting rooms, restrooms (located on the 1st floor) and any rooms on the second floor.

ARTICLE II TERM OF LEASE; RENT; SECURITY DEPOSIT

2.1 Term; Extension of Term. The term of this Agreement (the "**Term**") shall commence on June 1, 2019 (the "**Commencement Date**"), and unless terminated earlier pursuant to the provisions hereof, shall expire on the on the fifth (5th) anniversary of the Commencement Date (the "**Expiration Date**"), unless otherwise extended in

writing by the Parties. The expiration of the Term or the sooner termination of this Agreement shall be referred to as "**Lease Termination.**" The Parties may extend the Term upon a written amendment to this Agreement. The Tenant may terminate this agreement with six (6) months written notice to City.

2.2 Rent. Effective the Commencement Date, the Tenant shall pay to the City Five Thousand Dollars (\$5,000) in annual rent ("**Rent**"). Rent shall be paid in four (4) equal payments of One Thousand Two Hundred Fifty Dollars (\$1,250). Payments shall be due on June 1, September 1, December 1, and March 1 of each year. Rent will increase by 5% on each anniversary of the Commencement Date, so long as this Agreement remains in effect.

Rent payments are due to the City at the address shown in Section 11.4.2 or such other place as the City may designate in writing. In the event the Tenant fails to pay Rent by the close of business by 5th of the month in which rent is due or the Tenant's check is returned by the financial institution on which it is drawn for insufficient funds, the Tenant shall pay the City Twenty-Five Dollars (\$25) as a late fee (the "**Late Payment Penalty**"), which shall be included with the payment of Rent.

If the Term is extended the Parties shall enter into an amendment to this Agreement in order to establish Rent for lease of the Premises during such extended Term.

ARTICLE III REQUIREMENTS OF LANDLORD

3.1 Monthly Fee. Commencing one month following the Effective Date and continuing through the term of this Agreement, Tenant shall pay a monthly fee to City of One Hundred Eighty Six Dollars (\$186) (the "**Monthly Fee**"). The monthly fee will cover City's costs of water, gas and electric utility services at the Premises, and the restroom supplies that serve the Premises. The Monthly Fee will increase by 5% on each anniversary of the Effective Date, so long as this Agreement remains in effect.

3.2 Other Fees. Tenant may use the kitchen, the main hall and other meeting rooms within the Youth Center Premises by paying to the City the usual rental rate for the rental of such facilities. A schedule of the rental fees is attached as Exhibit C to this Agreement but may change periodically. Because of the long-standing relationship between the Pinole Players and the City of Pinole, including the many years the Players managed the program on behalf of the City, the Tenant will not be required to pay the Booking Fee or the Minimum Clean Up Time. Tenant must check the City's website for the most current rental fees and availability.

3.3 Other City Cost Reimbursement. Should it be necessary to dispatch Public Works employees to remedy oversights on the part of Tenant such as failure to lock the Premises or to repair any damage that is the responsibility of the Tenant and remains unrepaired following a 30-day notice, Tenant will be billed the billing rate for such labor

costs. The current average billing rate is \$87.00 per hour per employee. Tenant will be responsible for janitorial services.

3.4 No Right to Rent. Tenant shall have no right to sublease the Premises to a third party for any reason during the Term. Notwithstanding the foregoing, Tenant may sponsor performances on the Premises that are provided by theater groups other than Tenant. Tenant hereby agrees that Tenant's sponsor of an outside theater group does not convey any interest in the Premises. Tenant's insurance and indemnity requirements under this Agreement still apply to Tenant for any groups that Tenant may sponsor.

3.5 Alcoholic Beverages. Alcoholic beverages are only allowed with special consent of the City. In addition, Tenant may serve alcoholic beverages at the Premises only for performances and special events. An alcohol permit must be obtained from the Alcohol, Beverage Control office, signed by Pinole Police Department with a copy given to the Recreation Manager or his/her designee.

ARTICLE IV ALTERATIONS

4.1 Construction of Improvements. During the Term of this Agreement, Tenant shall not make any alteration or addition to the Premises (collectively, the "**Improvements**") that would materially alter the function or exterior appearance of the Premises without the prior written consent of the City. All alterations and additions shall be made at the sole cost and expense of Tenant and shall comply with all of the following:

(a) The change or alteration shall not materially impair the value or structural integrity of the Improvements.

(b) The change or alteration shall be for a use which is permitted hereunder.

(c) No change, alteration or addition shall be undertaken until Tenant shall have obtained and paid for all required permits and authorizations of any federal, state or local government or departments or subdivisions of any of them, having jurisdiction.

(d) Any change, alteration or addition shall be made in a good and workmanlike manner and in accordance with all applicable permits and all applicable laws.

(e) During the period of initial construction of the Improvements or the construction of any change, alteration or addition in, to or of, the Improvements, new construction or any restoration, Tenant shall comply with the insurance requirements set forth in this Agreement, which policy or policies by endorsement thereto, if not then covered, shall also insure any change, alteration or addition or new construction, including all materials and equipment incorporated in, on or about the Improvements or the Property.

(f) Prior to commencement of any construction, change, alteration or repair Tenant shall deliver to City not later than ten (10) business days written notice of the proposed work and a general description of the proposed work. Such work shall not proceed until City has approved (which approval shall not be unreasonably withheld or delayed) in writing: (i) Tenant's contractor; (ii) the amount and coverage of public liability and property damage insurance, with City named as an additional insured, carried by Tenant's contractor; (iii) complete and detailed plans and specifications for such work, and; (iv) a schedule for the work.

4.2 No Right to Demolish. Notwithstanding any other provisions of this Agreement, Tenant shall have no right to demolish any Improvement, once built, without prior written consent of City.

ARTICLE V USE, NONDISCRIMINATION AND OPERATION OF THE PROPERTY

5.1 Use. The Premises shall be used during the term for the sole purpose of conducting the business of a non-profit performing arts program including theatrical performances, rehearsals, teaching, and theatrical training.

Tenant may charge for performances, concessions, registration and class fees or other related fees to the public during use of the Premises. The income incurred during Tenant programs and activities shall remain the property of Tenant.

A representative of the City may enter upon the Premises at all reasonable times to inspect and determine that Tenant is in compliance with this Agreement and applicable Building and Fire codes.

5.2 Signs and Marketing. Existing signs at the Premises shall be maintained by the City to identify the Premises as the Pinole Community Playhouse. Tenant may post appropriate event signs and banners that are non-permanent. Any additional signage is subject to approval of the Recreation Manager or his/her designee.

The City will provide one page at no charge in the City's community guide to advertise Tenant theatrical events.

5.3 Premises Access. Tenant shall be provided with keys and alarm codes to the Premises.

5.4 Nondiscrimination. The Tenant herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions: that there shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and

Section 12955.2 of the Government Code, in the leasing, use, occupancy, tenure or enjoyment of the premises herein leased nor shall the Tenant himself or herself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of in the premises herein leased.

5.5 Easements; Reservation of Rights. The City reserves the right to locate and construct its own utilities and to grant nonexclusive easements across the Property for utility and other purposes including the installation, maintenance, repair and replacement of utilities; provided that the exercise of such rights do not unreasonably interfere with the Tenant's use of the Premises for the purposes set forth herein.

5.6 Maintenance and Inspection of the Premises.

5.6.1 Maintenance. At Tenant's sole cost and expense throughout the Term, Tenant shall operate, maintain, and manage the Premises including all Improvements thereon in good order and repair and in neat, clean, sanitary and safe condition in compliance with all local, state and federal laws, statutes and regulations relating to the use, occupancy or operation of the Premises. Tenant shall keep and maintain all portions of the Premises in a clean and orderly condition, free of accumulation of dirt, rubbish, and graffiti. Tenant shall be responsible for arranging and payment for the provision of janitorial services to the Premises.

5.6.2 Repairs. Tenant shall notify the City of all repairs required at the property. Minor repairs will be reviewed jointly by Tenant and City representatives to determine a plan for repair and whether the Tenant or the City shall be responsible. Any replacements required of Tenant shall be made with equipment and/or materials equal to the specification and quality of the original. Major repairs shall be completed by the City. For this Section, "major repairs" involve exterior walls, plumbing, electrical, fire sprinklers, windows, the roof, the HVAC system, and all other structural and/or capital projects.

Tenant's failure to maintain the Premises in accordance with Section 5.6.1 and 5.6.2 of this Agreement shall, in the City's discretion, be grounds for termination of this Agreement.

5.6.3 Inspection. At any time during the Term, upon reasonable advance notice and during normal business hours, the City may conduct interior and/or exterior inspections of the Premises to confirm that it is being properly maintained as required herein. Following its inspection, the City may deliver to the Tenant written notification of any portions of the Premises which the City has determined are not being properly maintained, and the Tenant shall promptly prepare and deliver to the City the Tenant's proposed plan for remedying the indicated deficiencies. The Tenant's failure to deliver a remedial plan and to complete remedial work within a reasonable time as determined by the City in its reasonable discretion shall be a default under this Agreement.

The failure of the City to inspect or to notify the Tenant of any deficiency shall not be a waiver of default or of the City's right to enforce the Tenant's maintenance and repair obligations. The Tenant shall defend (with counsel reasonably acceptable to the City), indemnify and hold the Indemnitees harmless from and against any and all Claims arising out of the Tenant's failure to fully and timely fulfill its obligations to maintain and repair the Premises as required hereunder.

5.7 City Use of Premises. The City will be permitted to use the Premises three (3) times in each calendar year solely for City purposes. The City does not have the right to rent the Premises to a third party. The City must coordinate with Tenant as to the scheduling of times to use the Premises that do not interfere with the Tenant's use of the Premises.

ARTICLE VI CONDITION OF THE PREMISES;

6.1 Condition of the Premises.

6.1.1 AS-IS Condition. The Tenant will lease the Premises in its "AS IS" condition as such condition exists as of the Commencement Date.

6.1.2 No Representations. The Tenant acknowledges that except as expressly set forth herein, the City makes no representations or warranties expressed or implied regarding the condition of the Premises or the fitness or suitability thereof for the Tenant's purposes. The Tenant shall rely solely on its own independent investigation and judgment as to all matters relating to the Premises. The Tenant acknowledges and agrees that prior to the Effective Date it has made such investigations of the Premises as they have deemed necessary and shall lease the Premises in its condition as of the Effective Date "AS-IS" "WHERE-IS" AND WITH ALL FAULTS. The Tenant further acknowledges that the City has made available all data and information requested about the Property available to the City, but without warranty or representation by the City as to the completeness, correctness or validity of such data and information, except as otherwise set forth in this Agreement.

6.2 Tenant's Covenants. The Tenant hereby covenants and agrees that throughout the Term:

(a) The Premises, and the use and operation thereof, shall be in compliance with all Hazardous Materials Laws, and the Tenant shall not cause or permit the Premises or any portion thereof to be in violation of any Hazardous Materials Laws (as defined on Exhibit D, attached hereto).

(b) The Tenant shall not permit the Premises or any portion thereof to be a site for the use, generation, treatment, manufacture, storage, disposal or transportation of Hazardous Materials (as defined on Exhibit D, attached hereto) nor shall the Tenant knowingly permit the presence or release of Hazardous Materials in, on, under, about or

from the Premises with the exception of materials customarily used in construction, provided such materials are used, stored and disposed of in compliance with Hazardous Materials Laws.

ARTICLE VII INDEMNITY AND INSURANCE

7.1 Indemnity. The Tenant shall indemnify, defend (with counsel reasonably acceptable to the City) and hold the Indemnitees harmless from and against any and all Claims arising during the Term and arising from or in connection with any of the following: (i) the operation or management of the Premises, (ii) any work or thing done on or in the Premises, (iii) any condition of any alteration or addition constructed by the Tenant on the Premises, (iv) any breach or default by the Tenant in the performance of any covenant or agreement to be performed by the Tenant pursuant to the terms of this Agreement, (v) any negligence of the Tenant, or any of its agents, contractors, subcontractors, employees, or licensees, (vi) any accident, injury or damage caused to any person occurring during the Term in or on the Premises, and (vii) the furnishing of labor or materials by the Tenant or its contractors, subcontractors, employees, or agents. In the event any such action or proceeding is brought against the City by reason of any such Claim, the Tenant, upon notice from the City, covenants to defend such action or proceeding by counsel reasonably satisfactory to the City. If an insurer under insurance required to be maintained by the Tenant hereunder shall undertake to defend the City under a reservation of rights with respect to ultimate coverage and the City shall reasonably deem it necessary to retain independent counsel with respect to such matter, the Tenant shall pay the reasonable fees of such counsel. The obligations of the Tenant under this Article VII shall not apply to any Claim or other matter to the extent such arises as a result of the gross negligence or willful misconduct of the Indemnitees. This Section shall survive the expiration or earlier termination of this Agreement.

7.2 Insurance Requirements. The Tenant shall procure, at its sole expense, and maintain in full force and effect during the Term, the following insurance naming the City as additional insured and/or loss payee:

a. Comprehensive General Liability insurance against claims for bodily and personal injury, death and property damage caused by or occurring in conjunction with the operation of the Premises with a policy limit of at least Two Million Dollars (\$2,000,000) per occurrence.

b. Workers' compensation insurance that complies with the statutory requirements of the state of California, as applicable.

ARTICLE VIII DAMAGE AND DESTRUCTION

8.1 Damage or Destruction. In the event of any damage to or destruction of the Premises due to Tenant's use during the Term, the Tenant shall elect by written notice delivered to City within thirty (30) days following the date of the occurrence of the damage to either remove the Improvements or restore and rebuild the Premises as nearly as possible to their condition immediately prior to such damage or destruction, subject to any restrictions imposed by changes in any Applicable Law. If the Tenant elects to restore the Premises, the Tenant shall commence diligently and continuously to carry out such rebuilding to full completion as soon as possible and shall commence reconstruction of the Premises within the earlier of ninety (90) days following the date of occurrence of the damage or the date upon which insurance proceeds are made available for such work.

ARTICLE IX ASSIGNMENT, TRANSFER, QUIET ENJOYMENT

9.1 Restrictions on Transfer, Assignment and Encumbrance. The Tenant shall have no right to sell, transfer, sublet, assign, encumber, hypothecate or otherwise convey ("**Transfer**") its leasehold interest hereunder or any portion of its interest in the Premises, any Improvements or this Agreement voluntarily, involuntarily, by operation of law, or otherwise, without the City's prior written consent. No voluntary or involuntary assignee, subtenant, or successor in interest of the Tenant shall acquire any rights or powers under this Agreement absent such consent.

9.2 Sale by City. Nothing contained in this Agreement shall be deemed in any way to limit, restrict or otherwise affect the right of the City to sell, transfer, assign or convey all or any portion of the right, title and estate of the City in the Property and in this Agreement. At such time as the City shall sell, transfer, assign or convey the entire right, title and estate of the City in the Property and in this Agreement, all obligations and liability on the part of the City arising under this Agreement after the effective date of such sale, transfer, assignment or conveyance shall terminate as to the City, and thereupon all such liabilities and obligations shall be binding upon the transferee.

9.3 Quiet Enjoyment. The City covenants and agrees that the Tenant, upon keeping and performing the covenants and agreements herein contained, shall, at all times during the Term, peaceably and quietly have, hold, and enjoy the Leased Premises.

ARTICLE X DEFAULT, REMEDIES AND TERMINATION

10.1 Event of Default. The Tenant shall be in default under this Agreement upon the occurrence of any of the following ("**Events of Default**"):

(a) Monetary and Non-Monetary Obligation. The Tenant at any time is in default hereunder as to any monetary obligation, including without limitation, the payment of Rent, and such default continues for thirty (30) days or the Tenant defaults in the performance of any term, provision, covenant or agreement contained in this Agreement other than an obligation enumerated in this Section 10.1, and unless a shorter cure period is specified for such default, the default continues for thirty (30) days after the date upon which the City shall have given written notice of the default to the Tenant (provided however, if the default is of a nature that it cannot be cured within thirty (30) days, an Event of Default shall not arise hereunder if the Tenant commences to cure the default within thirty (30) days and thereafter prosecutes the curing of such default with due diligence and in good faith to completion and in no event later than one hundred and eighty (180) days after receipt of a Notice of Default);

(b) Insurance. The Tenant fails to obtain and maintain any insurance required pursuant to Section 7.2 of this Agreement, and the Tenant fails to cure such default within ten (10) days following receipt of Notice of Default;

(c) Abandonment. The Tenant abandons the Premises and ceases to use it for the purposes authorized hereby for a period of ninety (90) days or more or as established pursuant to Section 1951.3 of the California Civil Code.

(d) Transfer. A voluntary or involuntary Transfer of all or any portion of the Tenant's interest in this Agreement occurs in violation of the provisions of Article IX;

10.2 Notice and Opportunity to Cure.

10.2.1 Notice of Default. Upon the occurrence of a default hereunder, the non-defaulting party shall deliver a notice to the nonperforming party (the "**Notice of Default**"), stating the nature of the obligation which such nonperforming party has failed to perform, and stating the applicable period of time, if any, permitted to cure the default.

10.2.2 Failure to Give Notice; No Waiver. Failure to give, or delay in giving, the Notice of Default shall not constitute a waiver of any obligation, requirement or covenant required to be performed hereunder. No failure or delay by either party in asserting any rights and remedies as to any breach shall operate as a waiver of any breach or of any such rights or remedies. Delay by either party in asserting any of its rights and remedies shall not deprive such party of the right to institute and maintain any action or proceeding which it may deem appropriate to protect, assert or enforce any such rights or remedies.

10.3 Remedies Upon Default. Upon the occurrence of any Event of Default and in addition to any and all other rights or remedies of the City hereunder and/or provided by law, the City shall have the right to terminate this Agreement and/or the Tenant's possessory rights hereunder. The City's re-entry or taking of possession of the Premises shall not be construed as an election on the City's part to terminate this

Agreement unless the City shall have given written notice of such intention to the Tenant. In no event shall this Agreement be treated as an asset of the Tenant after any final adjudication in bankruptcy except at the City's option so to treat the same but no trustee, receiver, or liquidator of the Tenant shall have any right to disaffirm this Agreement.

10.4 Remedies Cumulative. No remedy specified in this Article X shall be considered exclusive of any other remedy, but the same shall be cumulative and shall be in addition to every other remedy provided hereunder or now or hereafter existing at law or in equity or by statute, and every power and remedy provided by this Agreement may be exercised from time to time and as often as occasion may arise or as may be deemed expedient, subject to any limitations set forth herein.

ARTICLE XI GENERAL PROVISIONS

11.1 Non-Subordination of Fee. Nothing in this Agreement shall be construed as an agreement by the City to subordinate its fee interest in the Property or its right to rent payments hereunder or any other right of the City herein. The Tenant shall not mortgage its interest in the Premises and the City not encumber or otherwise subordinate its fee interest in the Property or approve any mortgage of the Tenant's leasehold estate.

11.2 Ownership of Equipment. It is agreed that any and all equipment owned by the Tenant in the Premises is and remains the property of the Tenant, and may be removed by the Tenant upon the termination of this Agreement.

11.3 Representations of City and Tenant.

11.3.1 The Tenant hereby represents and warrants that as of the Effective Date the following are true and correct: (a) this Agreement constitutes the legally valid and binding obligation of the Tenant, enforceable against the Tenant in accordance with its terms, except as it may be affected by bankruptcy, insolvency or similar laws or by legal or equitable principles relating to or limiting the rights of contracting parties generally; and (b) the person executing this Agreement is authorized to do so; and (c) the execution of this Agreement and the acceptance of the obligations set forth herein do not violate any court order or ruling binding upon the Tenant or any agreement to which Tenant is a party or may be bound.

11.3.2 City hereby represents and warrants that as of the Effective Date the following are true and correct: (a) this Agreement constitutes the legally valid and binding obligation of the City, enforceable against the City in accordance with its terms, except as it may be affected by bankruptcy, insolvency or similar laws or by legal or equitable principles relating to or limiting the rights of contracting parties generally, and (b) the person executing this Agreement is authorized to do so.

11.4 Miscellaneous.

11.4.1 Severability. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

11.4.2 Notices. Except as otherwise specified herein, all notices to be sent pursuant to this Agreement shall be made in writing, and sent to the Parties at their respective addresses specified below or to such other address as a Party may designate by written notice delivered to the other parties in accordance with this Section. All such notices shall be sent by (i) personal delivery, in which case notice is effective upon delivery; (ii) certified or registered mail, return receipt requested, in which case notice shall be deemed delivered on receipt if delivery is confirmed by a return receipt; (iii) nationally recognized overnight courier, with charges prepaid or charged to the sender's account, in which case notice is effective on delivery if delivery is confirmed by the delivery service; or (iv) facsimile transmission, in which case notice shall be deemed delivered upon transmittal, provided that (a) a duplicate copy of the notice is promptly delivered by first-class or certified mail or by overnight delivery, or (b) a transmission report is generated reflecting the accurate transmission thereof. Any notice given by facsimile shall be considered to have been received on the next business day if it is received after 5:00 p.m. recipient's time or on a non-business day.

City of Pinole
Attn: City Manager
2131 Pear Street
Pinole, CA 94564

Pinole Community Players
Attn: Patti Clark, President
P.O. Box 182
Pinole, CA 94564

11.4.3 Captions; Construction. The section headings and captions used herein are solely for convenience and shall not be used to interpret this Agreement. The Parties acknowledge that this Agreement is the product of negotiation and compromise on the part of both Parties, and the Parties agree that since both Parties have participated in the negotiation and drafting of this Agreement with the advice of counsel, this Agreement shall not be construed as if prepared by one of the Parties, but rather according to its fair meaning as a whole, as if both Parties had prepared it.

11.4.4 Successors and Assigns. Subject to the restrictions on transfer set forth in Article IX, this Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns. Any reference in this Lease to a specifically named Party shall be deemed to apply to any permitted successor and assign of such Party who has acquired an interest in compliance with this Agreement as if in every case so expressed.

11.4.5 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California without regard to principles of conflicts of laws. Any action to enforce or interpret this Agreement shall be filed in the Superior Court of Contra Costa County, California.

11.4.6 Attorney's Fees. If either Party commences an action against the other to enforce any obligation contained herein, or to interpret any provision hereof, the prevailing party shall be entitled to recover from the other Party reasonable counsel fees, costs and necessary disbursements, as determined by the court having jurisdiction over the action.

11.4.7 Indemnity Includes Defense Costs. In any case where either Party is obligated under an express provision of this Lease, to indemnify and to save the other Party harmless from any damage or liability, the same shall be deemed to include defense of the Indemnitees by the Tenant, such defense to be through legal counsel reasonably acceptable to the City.

11.4.8 No Third-Party Beneficiaries; Disclaimer of Partnership, Lender/Borrower Relationship. Nothing contained in this Agreement is intended to or shall be deemed to confer upon any person, other than the Parties any rights or remedies hereunder. The relationship of the parties under this Agreement is solely that of landlord and tenant, and it is expressly understood and agreed that the City does not as a result of this Agreement in any way nor for any purpose become a partner of the Tenant or a joint venturer with the Tenant in the conduct of the Tenant's business or otherwise. This Agreement is not intended to, and shall not be construed to, create the relationship of principal and agent, partnership, joint venture, or association as between the City and the Tenant.

11.4.9 Entire Agreement. This Agreement, together with all Exhibits, contains the entire agreement between the Parties relative to the transactions covered hereby. All previous correspondence, communications, discussions, agreements, understandings or proposals and acceptances thereof between the Parties or their representatives, whether oral or written, are deemed to have been integrated into and superseded by this Agreement and are of no further force and effect except as expressly provided in this Agreement.

11.4.10 Waiver; Modification. No waiver of any breach of any covenant or provision of this Agreement shall be deemed a waiver of any subsequent breach of the same or any other covenant or provision hereof. No waiver shall be valid unless in writing and executed by the waiving party. An extension of time for performance of any obligation or act shall not be deemed an extension of the time for performance of any other obligation or act, and no extension shall be valid unless in writing and executed by the waiving party. This Agreement may be amended or modified only by a written instrument executed by the Parties.

11.4.11 Time is of the Essence. Time is of the essence of this Agreement and of each provision hereof.

11.4.12 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument.

11.4.13 Action by the Parties. Except as may be otherwise specifically provided herein, whenever any approval, notice, direction, consent or request by the City in its capacity as landlord hereunder is required or permitted under this Agreement, such action shall be in writing, and such action may be given, made or taken by the City's City Manager or by any person who shall have been designated by the City Manager, without further approval by the City Council unless the City Manager determines in his or her discretion that such matter requires consideration by the City Council.

11.4.14 Non-Liability of Officials, Employees and Agents. No member, official, employee or agent of the City or the City shall be personally liable to Tenant or its successors in interest in the event of any default or breach by the City or for any amount which may become due to the Tenant or the Tenant's permitted successors in interest pursuant to this Agreement.

SIGNATURES ON THE NEXT PAGE

IN WITNESS WHEREOF, the Parties have entered into this Lease as of the Effective Date.

CITY OF PINOLE:

BY: Michelle Fitzer
Michelle Fitzer, City Manager

ATTEST:

Heather Iopu
Heather Iopu, City Clerk

Approved as to form:

Eric S. Casher
Eric S. Casher, City Attorney

PINOLE COMMUNITY PLAYERS

BY: Patricia L. Clark
~~Patti Clark~~, President

Patricia L. Clark pcc

Exhibit A

PROPERTY
(Attach legal description.)

A-1

PROPERTY
(Attach legal description.)

THAT CERTAIN PARCEL OF LAND SITUATED WITHIN THE CITY OF PINOLE, COUNTY OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING LOTS 2, 3, 6 AND A PORTION OF LOT 7, OF BLOCK H, AS SHOWN IN THE "FERNANDEZ ADDITION TO THE TOWN OF PINOLE", RECORDED SEPTEMBER 11, 1893, IN VOLUME B OF MAPS, AT PAGE 32, CONTRA COSTA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, AND ALSO BEING THE EAST LINE OF TENNENT AVENUE, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 2 NORTH 61° EAST 100.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 29° WEST 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 29° WEST 50.00 FEET TO THE SOUTHERLY LINE OF SAID LOT 7; THENCE SOUTH 61° WEST 50.00 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 29° WEST 200.00 FEET TO THE TRUE POINT OF BEGINNING.

THE PROPERTY LEASED WITHIN THE LEGAL DESCRIPTION IS KNOWN AS 601 TENNENT AVE.

Exhibit B

THE PREMISES
[Attach map of the Premises]

B-1

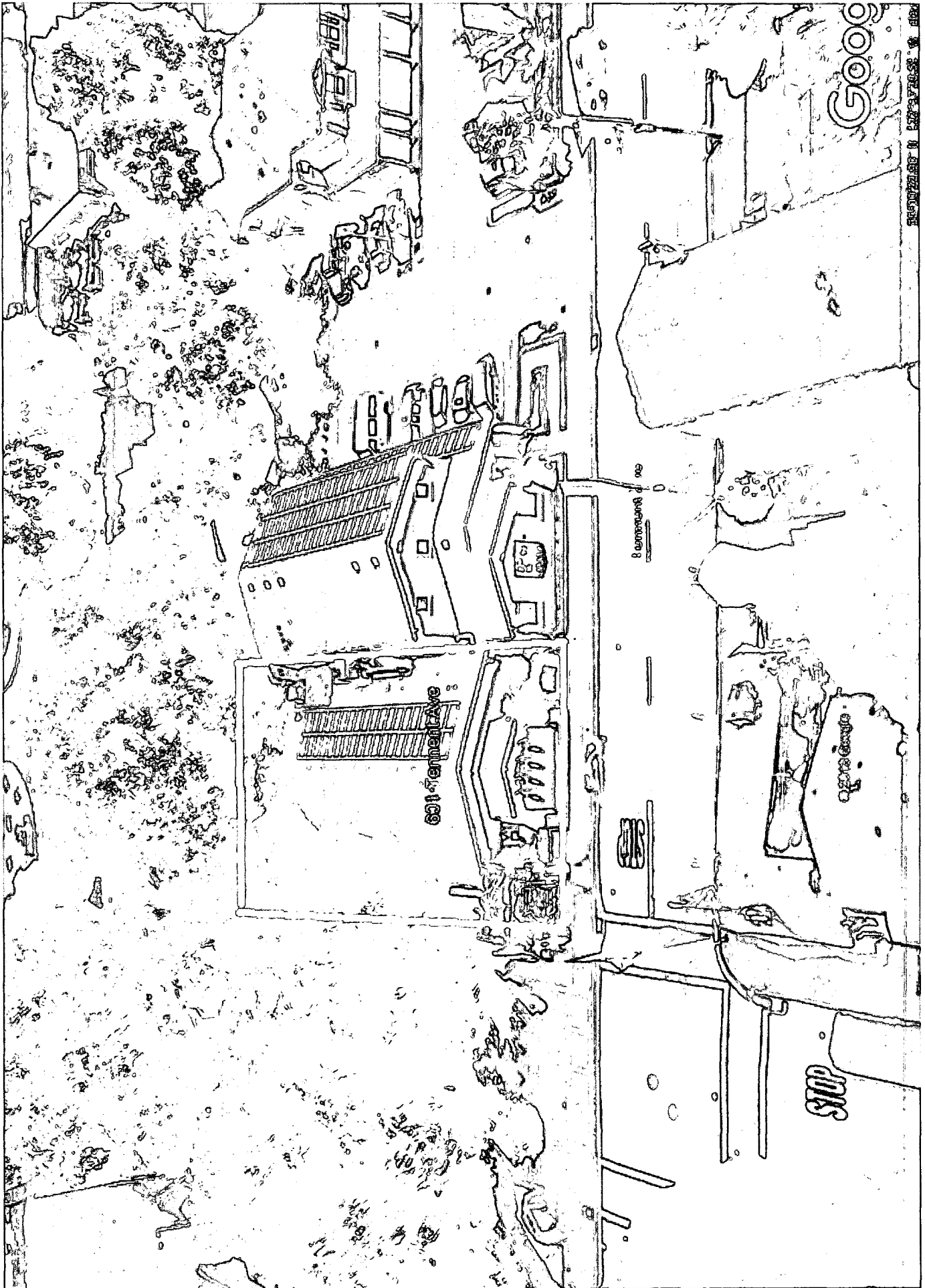


EXHIBIT C

CITY FEES



City of Pinole Master Fee Schedule

Facility Rental		
Non-Profit Rates Apply to 501(c)3 Nonprofits, Faith Organizations and Schools only		
Alcohol Permit		\$50.00
Certificate of Insurance Purchase		\$160.00
<i>Certificate required but may be provided by renter's insurance company at no cost</i>		
Certificate of Insurance Purchase (for Quinceaneras only/per Diversified Risk Mgmt)		\$525.00
Alcohol Use Insurance		\$35.00
<i>Must be purchased in conjunction with Certificate of Insurance or provided by renter's insurance at no cost</i>		
City Holiday Rental Fee		10% Rental Fee
Senior Center Main Hall		
100-250 Capacity	Booking	\$50.00
	Deposit without alcohol permit	\$500.00
	Deposition with Alcohol Permit	\$750.00
	Table and Chair Setup	\$50.00
	Decoration/Clean Up Time (up to 2 hrs)	\$45.00
	Resident (5 hours)	\$625.00
	Non-resident (5 hours)	\$775.00
	Resident for each add'l hour	\$90.00
	Non-resident for each add'l hour	\$120.00
	Change of Date Fee	\$200.00
	Change of Date Fee (Less than 75 Days)	\$300.00
Senior Center Main Hall		
Non-Profit Rates (Weekends)	Booking	\$50.00
	Deposit	\$250.00
	Table and Chair Setup	\$50.00
	Decoration/Clean Up Time (up to 2 hrs)	\$45.00
	Pinole Organization (5 hours)	\$400.00
	Non-Pinole Organization (5 hours)	\$500.00
	Pinole Org. each add'l hour	\$50.00
	Non-Pinole Org. each add'l hour	\$70.00
Senior Center Main Hall & Youth Center		
	Hourly (Per Number of Staff/Hour)	\$35.00
Non-Profit Rates (Weekdays)	Deposit	\$250.00
	Table and Chair setup	\$50.00
Senior Center		
	Computer, Arts/Crafts, & Board Room – M-F 8:30am– 4:30pm	
	Non-Profit Organizations	\$35/rental Includes 2 hours \$15/hr after
	Private or Commercial Organizations	\$50/rental Includes 2 hours \$25/hr after
Senior Center		
	Computer, Arts/Crafts, & Board Room – M-F 4:30pm– 7:30pm	
	Non-Profit Organizations	\$55/rental Includes 2 hours \$20/hr after
	Private or Commercial Organizations	\$75/rental Includes 2 hours \$35/hr after
Deposit	Non-Profit Only (Weekday only)	\$40



City of Pinole Master Fee Schedule

Memorial Hall	Hourly (Per Number of Staff/Hour)	\$35.00
75-100 Capacity	Security Deposit	\$250.00
Nonprofit Theatre use only		
Youth Center Main Area	Booking	\$50.00
120 Person Capacity	Deposit	\$250.00
	Resident (4 Hours)	\$250.00
	Non-Resident (4 Hours)	\$325.00
	Resident for Each Add'l hour	\$65.00
	Non-Resident for Each Add'l Hour	\$85.00
	Decoration Time (up to 2 hours)	\$45.00/hr
	Change of Date/Late Fee	\$75.00
Youth Center Workshop Room	Booking	\$50.00
40 Person Capacity	Deposit	\$150.00
	Resident (2 hours)	\$70.00
	Non-resident (2 hours)	\$100.00
	Resident for each add'l hour	\$35.00
	Non-resident for each add'l hour	\$50.00
	Decoration Time (up to 2 hours)	\$25.00/hr
	Change of Date/Late Fee	\$50.00
Babysitting Service for Youth Center Rentals (Max 20)	1-10 children 11-20 children	N/A
	Per Child-Min of 6 and Max of 20	\$5.00
Youth Center Main Area	Booking	\$50.00
Non-Profit Rates (Weekends)	Deposit	\$250.00
	Pinole Organization (4 hours)	\$180.00
	Non-Pinole Organization (4 hours)	\$260.00
	Pinole Organization each add'l hour	\$40.00
	Non-Pinole Organization each add'l hour	\$60.00
	Decoration Time (up to 2 hours)	\$40.00/hr
Alex Clark Room	Security Deposit	\$150.00
50 Capacity	Pinole Organization	\$10.00/2 hr. mtg
Nonprofit meetings only	Non-Pinole Organization	\$25.00/2 hr. mtg
	Key Replacement Fee	\$50.00



City of Pinole Master Fee Schedule

Pinole Sports and Fitness Center Facility Rental		
Main Gym	Booking	\$50.00
600 person room capacity	Deposit	\$250.00
	Resident (2 Hours)	\$120.00
	Non-Resident (2 Hours)	\$160.00
	Resident for each additional hour	\$60.00
	Non-Resident for each additional hour	\$80.00
Dance or Weight Room	Resident (2 hours)	\$70.00
35 person room capacity	Non-Resident (2 hours)	\$100.00
	Resident for each additional hour	\$35.00
	Non-Resident for each additional hour	\$50.00
Entire Facility	Resident (2 hours)	\$230.00
	Non-Resident (2 hours)	\$290.00
	Resident for each additional hour	\$115.00
	Non-Resident for each additional hour	\$145.00
Main Gym-Non-Profit Rate	Pinole Organization-Hourly	\$45.00
	Non-Pinole Organization-Hourly	\$50.00
	Deposit	\$250.00
Memorial Hall/Pinole Community Playhouse--User Groups		
Pinole Community Players	Annual Fee	\$5,000.00
Other Performing Arts User Groups		\$35/hour
PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS PROGRAMMING FEE		
Resolution No. 2006-41		\$0.88 per subscriber per



City of Pinole Master Fee Schedule

WASTEWATER (SEWER) UTILITY FEES
Pinole Municipal Code Section 13.05.420
Resolution No. 2013-47 / July 2, 2013

Residential Users – Per Dwelling Unit

	July 1, 2013	July 1, 2014	July 1, 2015	July 1, 2016	July 1, 2017
Single-Family	\$54.10	\$56.74	\$58.62	\$60.55	\$60.55
Multiple-Family	\$45.20	\$47.41	\$48.97	\$50.59	\$50.59

Commercial Users - Rates are per 100 cubic feet (CCF) of water consumed, as provided by East Bay Municipal Utility District

Auto Steam Cleaning	\$18.16	\$19.05	\$19.68	\$20.33	\$21.00
Bars without Dining Facilities	\$6.41	\$6.73	\$6.95	\$7.18	\$7.41
Commercial Laundries	\$8.24	\$8.65	\$8.93	\$9.23	\$9.53
Restaurants	\$17.03	\$17.86	\$18.45	\$19.06	\$19.69
Gas & Oil Dealers /Service Stations	\$7.33	\$7.69	\$7.94	\$8.21	\$8.48
Hospitals / Health Services	\$5.03	\$5.28	\$5.45	\$5.63	\$5.82
Hotels with Food Services	\$12.01	\$12.60	\$13.02	\$13.45	\$13.89
Hotels without Food Services	\$5.44	\$5.70	\$5.89	\$6.08	\$6.28
Office	\$5.95	\$6.25	\$6.45	\$6.66	\$6.88
Retail/Department Store	\$5.00	\$5.25	\$5.42	\$5.60	\$5.79
General Commercial (All Other)	\$6.49	\$6.81	\$7.04	\$7.27	\$7.51

Institutional Users – Rates are per 100 cubic feet (CCF) of water consumed, as provided by East Bay Municipal Utility District

Schools	\$3.59	\$3.77	\$3.89	\$4.02	\$4.15
General Institutional (All Other)	\$5.38	\$5.64	\$5.82	\$6.02	\$6.22

Sewer Lateral Video Inspection			\$85.00		
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Exhibit D

Hazardous Materials. As used herein, "**Hazardous Materials**" means any substance, material, or waste which is or becomes regulated by any local, state or federal authority, agency or governmental body, including any material or substance which is: (i) defined as a "hazardous waste," "extremely hazardous waste," or "restricted hazardous waste" under Sections 25115, 25117 or 25122.7, or listed pursuant to Section 25140 of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law); (ii) defined as a "hazardous substance" under Section 25316 of the California Health and Safety Code, Division 20, Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act); (iii) defined as a "hazardous material," "hazardous substance," or "hazardous waste" under Section 25501 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory); (iv) defined as a "hazardous substance" under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances); (v) petroleum; (vi) friable asbestos; (vii) polychlorinated biphenyls; (viii) listed under Article 9 or defined as "hazardous" or "extremely hazardous" pursuant to Article 11 of Title 22 of the California Administrative Code, Division 4, Chapter 20; (ix) designated as "hazardous substances" pursuant to Section 311 of the Clean Water Act (33 U.S.C. §1317); (x) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901, *et seq.* (42 U.S.C. §6903); or (xi) defined as "hazardous substances" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601, *et seq.*, as the foregoing statutes and regulations now exist or may hereafter be amended.

Hazardous Materials Laws. As used herein "**Hazardous Materials Laws**" means all federal, state and local laws, ordinances, regulations, orders and directives pertaining to Hazardous Materials, including without limitation, the laws, statutes and regulations, as any of the foregoing may be amended from time to time.



CITY COUNCIL REPORT

8A

DATE: APRIL 20, 2021

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

**SUBJECT: CONTINUANCE OF PUBLIC HEARING FOR ORDINANCE ADDING
CHAPTER 17.28, HISTORIC PRESERVATION OVERLAY, TO THE
MUNICIPAL CODE AND RESOLUTION READOPTING OLD TOWN
DESIGN GUIDELINES**

RECOMMENDATION

Staff recommends the City Council continue this item to the May 4, 2021 City Council meeting.

BACKGROUND & DISCUSSION

The City Council previously considered this item during a public hearing on March 16, 2021 and subsequently continued the hearing to a date uncertain with direction to staff to provide notice to the owners of all properties included within the proposed historic preservation overlay zone. As directed, notice of this meeting was mailed to all property owners in the historic preservation overlay zone on April 7th, and was also published in the West County Times.

During the March 16th City Council meeting, two Councilmembers recused themselves from consideration of this item due to potential conflicts of interest. The Mayor has indicated that she will need to leave the April 20th City Council meeting early, before this item can be heard. Accordingly, only two Councilmembers will be available to hear this item during the April 20th meeting, which is less than a quorum of the City Council. For this reason, staff is recommending the City Council continue this item to the May 4th City Council meeting. Staff further recommends that the City Council take this item out of order, immediately following public comment or presentations, so that a quorum of the City Council is still available to continue the item.

If the City Council continues this item to May 4th new notices for that meeting are not legally required, but can be provided at the Council's direction.

FISCAL IMPACT

There is no direct fiscal impact from continuing the item. If the City Council directs for the item to be noticed again, there will be minimal publication and mailing costs.



CITY COUNCIL REPORT

9A

DATE **APRIL 20, 2021**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **ANDREW MURRAY, CITY MANAGER**

SUBJECT: CONSIDERATION OF REVISED CITY COUNCIL NORMS OF BEHAVIOR

RECOMMENDATION

City staff recommends that the City Council consider proposed revisions to the City Council Norms of Behavior, amend as desired, and adopt by resolution.

BACKGROUND

The City Council adopted Norms of Behavior by resolution in August 2019 (attached) subsequent to a Council teambuilding workshop in June 2019. The City Council held a special meeting, in a workshop format, on January 30, 2021 during which the Council reviewed the Norms of Behavior and discussed potential updates. The meeting facilitator, Management Partners, assembled a Workshop Report summarizing the meeting (attached), including a summary of the discussion regarding the Norms of Behavior and recommended revisions to the norms for the Council's consideration. Staff recommends that the City Council review the recommended revised Norms of Behavior, amend them as desired, and adopt them by resolution.

REVIEW & ANALYSIS

The City Council Norms of Behavior adopted in August 2019 are the following:

- Work for the common good, not for personal interest.
- Communicate through the City Manager.
- Work for “win/win” solutions by striving for consensus and seeking common ground.
- The Council's policy deliberation process will be performed in the following order:
 - o Council questions;
 - o Public questions;
 - o Council deliberations;
 - o Motion(s);
 - o A decision made by majority vote.
- Praise Council and staff decision(s) in public and offer corrective comment(s) in private.
- Share information with each other early in the process to avoid surprises.

- Address one another by role and last name and shake hands once the meeting concludes.
- Establish a structure where the Mayor calls on members.

The Council discussed the Norms of Behavior at the January 30, 2021 workshop. The attached Workshop Report contains a summary of the discussion. Based on the discussion, Management Partners has recommended the following revised Norms of Behavior:

1. Work for the common good, not for personal interest.
2. (Revised) Empower and communicate through the City Manager.
3. Work for “win/win” solutions by striving for consensus and seeking common ground.
4. The Council’s policy deliberation process will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.
5. Praise Council and staff decision(s) in public and offer corrective comment(s) in private.
6. Share information with each other early in the process to avoid surprises.
7. Address one another by role and last name and shake hands once the meeting concludes.
8. Establish a structure where the Mayor calls on members.
9. (New) Prior to a Council vote, where there may be confusion, the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
10. (New) Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

The attached resolution includes the revised Norms of Behavior recommended by Management Partners. City staff recommends that the Council consider the recommended revised Norms of Behavior, amend them as desired, and adopt them by resolution.

FISCAL IMPACT

There would be no fiscal impact to the City created by revising the City Council Norms of Behavior as proposed by Management Partners

ATTACHMENTS

Attachment A	City Council Norms of Behavior Adopted August 2019
Attachment B	January 30, 2021 Special City Council Meeting Workshop Report
Attachment C	Resolution

**CITY COUNCIL
REPORT****9C****DATE: AUGUST 20, 2019****TO: MAYOR AND COUNCIL MEMBERS****FROM: MICHELLE FITZER, CITY MANAGER****SUBJECT: APPROVING THE COUNCIL NORMS OF BEHAVIOR
ESTABLISHED DURING THE CITY COUNCIL TEAM BUILDING
WORKSHOP**

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the Council Norms of Behavior established during the City Council Team Building workshop.

BACKGROUND

In April the City Council awarded a contract to Management Partners to conduct Council Team Building and Community Strategic Planning processes. The Council Team Building workshop was held on Saturday, June 29, 2019.

REVIEW AND ANALYSIS

At the Council Team Building workshop the Council discussed and agreed upon Council Norms of Behavior to follow in general and at Council meetings moving forward. This item is being brought before the Council to formally approve these Council Norms.

FISCAL IMPACT

None.

ATTACHMENTS

A. Resolution, with the Council Norms as Exhibit A

ATTACHMENT A

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING THE COUNCIL NORMS OF BEHAVIOR ESTABLISHED DURING THE CITY COUNCIL TEAM BUILDING WORKSHOP

WHEREAS, the City Council hired Management Partners to conduct Council Team Building; and

WHEREAS, the Council participated in a full-day of Team Building on June 29, 2019; and

WHEREAS, out of that workshop the Council established a list of Council Norms of Behavior that they wish to follow, attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pinole that it does hereby approve the Council Norms and agrees to adhere to them.

PASSED AND ADOPTED this 20th day of August, 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 20th day of August, 2019.

Heather Iopu, CMC
City Clerk

What are the Pinole Council norms?

- Work for the common good, not for personal interest.
- Communicate through the City Manager.
- Work for “win/win” solutions by striving for consensus and seeking common ground.
- The Council’s policy deliberation process will be performed in the following order:
 - o Council questions;
 - o Public questions;
 - o Council deliberations;
 - o Motion(s);
 - o A decision made by majority vote.
- Praise Council and staff decision(s) in public and offer corrective comment(s) in private.
- Share information with each other early in the process to avoid surprises.
- Address one another by role and last name and shake hands once the meeting concludes.
- Establish a structure where the Mayor calls on members.



**City of Pinole
City Council Workshop
Held January 30, 2021**

February 2021

**Management
Partners**



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Workshop Report

The City of Pinole held a Council workshop on Saturday, January 30, 2021 via Zoom, from 10:00 a.m. to 2:00 p.m. The workshop provided an opportunity for the Councilmembers to discuss attributes of effective governance, review, and update Council norms, strengthen teamwork, discuss the City's work plan, and review the City Manager's proposed process of intake and disposition of the Council's special projects list. This report contains a summary of the results of the workshop.

Christine Butterfield, Senior Manager with Management Partners, facilitated the workshop. Ashley Garcia, Senior Management Advisor with Management Partners, assisted with the session and acted as recorder.

Workshop Overview

Objectives

- Review and discuss governance roles and practices of effective councils.
- Discuss and update the City of Pinole Council norms.
- Review and discuss the City's work plan (strategic plan strategies, core services and Council referrals) for the remainder of the fiscal year and identify key priorities.
- Discuss Council communications with staff (review the Council referral intake and status reporting process)

Agenda

- Call to order and welcome by the Mayor
- Public comments
- Consultant introductions and agenda review
- Ice breaker exercise
- Discuss governance roles and practices of effective councils
- Review article about high-performance governance
- Review Pinole City Council norms
- Review recent accomplishments, the City's work plan and discuss Council requests and the related disposition process
- Wrap up and next steps.

Participants

City Council

**Mayor Norma
Martinez-Rubin**



**Mayor Pro Tem
Vincent Salimi**



**Council Member
Anthony Tave**



**Council Member
Maureen Toms**



**Council Member
Devin Murphy**



Executive Staff

- City Manager Andrew Murray
- City Attorney Eric Casher
- City Clerk Heather Iopu

Workshop Ground Rules

At the start of the workshop, the facilitator suggested several ground rules to help the group have a successful workshop.



- Listen to understand each other's point of view.
- Seek consensus.
- Assume good intent.
- Speak up if we need course correction.
- Stay focused.

Bike Rack

The facilitator explained that items that were raised but would not receive immediate attention would be recorded on a "bike rack." The following item was added to the bike rack during the workshop:

- Request to see 2019 Council workshop report for reference.
(Management Partners subsequently provided a copy of the report to City staff.)

Workshop Preparation

In preparation for the workshop, Christine Butterfield held a conference call with the City Manager to discuss the workshop goals and flow. An agenda, handouts, and PowerPoint presentation were prepared.



Opening Comments

The workshop kicked-off with a call to order and a welcome by Mayor Martinez-Rubin. She reviewed the purpose of the workshop and thanked the Council and staff for participating in the day's discussions. The Mayor then opened the session up to public comments.

Christine Butterfield provided an overview of the day to help develop a shared understanding of the workshop's purpose and objectives. She reviewed the ground rules, agenda, and the purpose of the bike rack.

Ice Breaker Exercise

The Councilmembers participated in an icebreaker exercise to help foster a better understanding among the members, as they begin to govern together. Councilmembers shared a headline that they would hope to read about Pinole several years in the future. The headlines that were mentioned are listed below.

Headlines of the Future

- Pinole is Outside of Pandemic; City is Healthy and Safe; City Improves Revenues to Provide Services
- Pinole has Established a Thriving, Sustainable Community; Pinole is a Model City
 - ✓ Net Zero community, cutting edge technology, adequate resources, infrastructure, waste management, emergency planning, valued perspectives
- Pinole Recovers from COVID while Launching a Green Economy
 - ✓ Fight the climate crisis
- Businesses at New Development in Downtown Pinole are Open
 - ✓ More restaurants, full parking lots, safe for pedestrians
- Pinole Remains Fiscally Solvent, Makes List of Healthy Places to Live
 - ✓ Pinole balances wants and needs
- Pinole Delivers on Inclusivity Reflective of the Populations' Interests

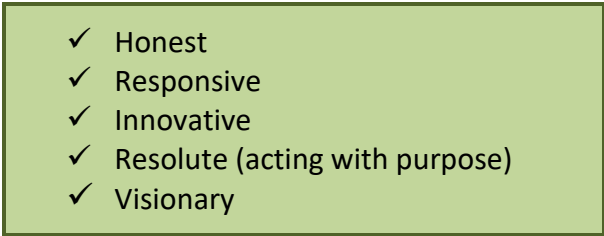


Governance Roles and Effective Councils

The facilitator led a discussion about the practices of effective councils, including teamwork principles, how to build working relationships, fostering productive communication, and how to disagree with a colleague and commit to civility in the process. The Councilmembers received reading materials in advance of the workshop and discussed two articles from the Institute of Local Government (ILG). Christine asked Council to reflect on what stood out to them in the discussion about governance practices and the ILG articles. The comments that were offered are listed below.

- Uphold values, focus on interests, not positions
- Speak to the issue not the person; engage in continuous personal learning and growth/development
- Need to spend time to define: *what does accountability look like?*
- Celebrate success, acknowledge differences within our team
- Community focus and needs identification; understand each other's perspectives; emphasize trust and openness; acknowledge that some items require a deeper dive for adequate discussion; once a decision is made, accept the will of the body
- Partnership is the most important thing for team effectiveness

Councilmembers were asked how they would like the community to view the Pinole City Council *in one word*. Councilmember responses are listed below.

- 
- ✓ Honest
 - ✓ Responsive
 - ✓ Innovative
 - ✓ Resolute (acting with purpose)
 - ✓ Visionary

City Council Norms

Councilmembers spent the next portion of the workshop reviewing and discussing the Pinole City Council norms which were created at the Council workshop in June 2019 and approved in August 2019.

The current norms are listed below.

1. Work for the **common good**, not for personal interest.
2. Communicate through the **City Manager**.
3. Work for “win/win” solutions by striving for consensus and **seeking common ground**.

4. The Council's **policy deliberation process** will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.
5. **Praise** Council and staff decision(s) in **public** and offer **corrective comment(s) in private**.
6. Share information with each other early in the process to **avoid surprises**.
7. Address one another by **role and last name** and shake hands once the meeting concludes.
8. Establish a structure where the **Mayor calls on members**.

Summary of Comments

A summary of the Council's discussion about norms is provided below.

Sharing information. Councilmembers discussed sharing information with each other early in the process to avoid surprises. It was suggested that better interagency coordination would help prevent confusion related to interagency informational meetings such as the recent meeting request initiated by the school district to the Mayor and City Manager. The Mayor clarified that the meeting was solely informational. However, if policy issues or questions were a component of any future session involving outside agencies, the matter would be shared with the entire City Council.

Communicating through the City Manager. Councilmembers noted that weekly meetings with the City Manager are examples of communicating effectively through the City Manager. Council discussed adding the term "empowerment" to the norm to allow the City Manager to act administratively. Furthermore, Council noted that direct communication with Department Directors is important and committed to keeping the City Manager informed.

Accountability. The Council also explored the issues of accountability, constructive feedback, and positive affirmation regarding the norm of praise in public, correct in private. Additionally, it was noted that the norm number 7 is important to ensure Councilmembers titles and full names are used.

Policy deliberation. Other issues were raised related to the policy deliberation process. A need for clarity was brought up regarding Council deliberations so that each Councilmember has the opportunity to address the item with initial thoughts as well as follow up questions once they have heard from their colleagues to promote a better policy dialogue. Conducting meetings via Zoom is particularly challenging for

the deliberation process, so it would be helpful if a member of Council would summarize what the Council is voting on prior to the vote.

Liaison assignments. The Council discussed the ideas of submitting written reports to the City Clerk summarizing each Councilmembers' liaison assignments to City advisory boards and committees along with regional entities; increased use of Council workshops and study sessions to provide more time to explore policy issues; and a public-facing preview summary of upcoming agenda topics in the pipeline to forecast to Council and citizens what to expect in the future (i.e., two to three month).

Management Partners offered to return suggested edits to the norms based on the discussion, noting that some would pertain to Council norms and other items are process related. The suggested changes are listed below.

Summary of Suggested Amendments to Council's Norms

The following items were discussed as potential amendments to the City of Pinole Council norms for consideration at a future meeting.

- Prior to Council vote the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
- Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meeting will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.
- Add the word "empower" to norm number 2 to read, "*Empower and communicate through the **City Manager**.*"

Final Revised Set of Norms

For the Council's convenience, we have provided the final list of norms. This includes a revision to the second norm and two new ones added (numbers 9 and 10).

1. Work for the **common good**, not for personal interest.
2. (*Revised*) Empower and communicate through the **City Manager**.
3. Work for "win/win" solutions by striving for consensus and **seeking common ground**.
4. The Council's **policy deliberation process** will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.

5. **Praise** Council and staff decision(s) in **public** and offer **corrective comment(s) in private**.
6. Share information with each other early in the process to **avoid surprises**.
7. Address one another by **role and last name** and shake hands once the meeting concludes.
8. Establish a structure where the **Mayor calls on members**.
9. *(New)* Prior to a Council vote, where there may be confusion, the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
10. *(New)* Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

Administrative Practice Refinements

The following section includes refinements in administrative processes to improve customer service to the Council and community.

- The City Manager will work with Council to identify Council meeting items that would benefit from more time for discussion than would normally be provided during a regular meeting. He/she will schedule workshops and study sessions as needed to provide sufficient time to explore such policy issues.
- The City Manager will prepare a multi-month Council agenda forecast that will list topics “in the pipeline” for consideration at future meetings. This will be made available to both the Council and public, with the intention of improving information for all about upcoming items.

Roles

The Council and staff reviewed the respective roles of the City Council, the City Manager, advisory committees, and the City Attorney. There was agreement on the roles and no additional clarifying questions.



Accomplishments, Work Plan and Council Referrals

After breaking for lunch, the group reconvened to review the City's recent accomplishments, staff work plan, Council referrals and the disposition process related to the referrals. (See Attachment A.) The City Manager provided an overview of these items.

The City's four strategic plan goals are:

- Safe and resilient,
- Financially stable,
- Vibrant and beautiful, and
- High performance.

Timelines. The City Manager presented proposed updated timelines for the start and completion of Strategic Plan strategies. The Council agreed with the proposed updated timelines. Staff will publish the timelines on the City's strategic plan webpage. Council concurred with the City Manager's suggestion for quarterly reporting by staff on progress on strategies. The City Manager noted that the work plan is a living document. Council agreed to the City Manager's suggestion that Council conduct a thorough review of the Strategic Plan on an annual basis as part of the annual budget process in the spring.

Council Requests and Referrals

The Council discussed its “future agenda items” requests and referrals list that they use for assigning projects and tasks to staff. The City Manager noted that staff has limited capacity to take on extra items and is looking for direction and concurrence from Council in better managing these requests.

The City Manager proposed a new process for handling the Council’s list of requests and referrals from 2018 to the present. The new process involves sorting them into categories, as follows:

- Budget and capital improvement program (CIP) process,
- Informational memorandums to Council,
- Future Council meeting topics,
- Strategic plan updates, and
- Elimination of duplicate requests.

For several requests requiring funding, the City Manager suggested determining during the budget process whether or not to move forward and, if so, to allocate resources as needed.

The Council concurred with the categorization and process presented by the City Manager.

The City Manager recommended, and Council agreed, that staff return to Council with specific proposed revisions to the Council meeting procedures to update the requests for future agenda item portion of the procedures to illustrate that Council can task staff with numerous types of follow up, not just assignment of future agenda items.

Council also asked that when items come back for regular discussion that staff include the date that the item will appear on a future Council meeting agenda.

Other Process Comments and Clarifications

Staff clarified that Councilmember requests for proclamations go through the City Clerk’s Office. The City Attorney explained that the process to add and remove items from the future Council agenda item list is by a majority vote of the City Council during a Council meeting, but that the action has not normally identified a time certain, and no discussion of the item can take place when the item is originally added based on the Brown Act requirements. The Council reiterated the interest that staff schedule more workshops or listening sessions from complex policy review.

The Council also asked if there are other steps to improve and increase efficiencies across the organization as well as methods to build capacity.

The City Manager said he would direct staff to provide a thoughtful assessment of possible efficiency improvements, including potential investments in technology and/or equipment, as part of the budget process.



Wrap Up and Next Steps

The facilitator explained that Management Partners would prepare this workshop summary report.

To conclude the workshop, each Councilmember was asked to offer one thing that was useful from the day's discussions. Highlights of comments made are listed below.

- We have a lot on our plate. Glad we can all seek solutions to tackle the list together. Proud of the ground covered so far.
- Good discussion to have at the beginning of the year and lay the foundation moving forward. Miss in-person discussion.
- Diverse Council and honored to work with you; filled with optimism.
- Coming together, common direction; review and reiterate of what is key to us.
- Proud to work with the Council; it was helpful to specify goals and lines of communication. Now we can implement and move forward.
- Despite a challenging year, we are making significant progress.
- Appreciate thoughtful discussion and direction provided to staff; great to revisit norms.

- Engaged and diverse Council has the community's best interest at heart. We will move to become a model organization and do innovative things.

Attachment A: City Manager's Presentation



January 30, 2021 Council Workshop

Item 4.B. Review and Direction on Scheduling of Strategic Plan 2020– 2025 Strategies and Pending Future Council Agenda Items

We Will Cover...



- Review of City services
- Review proposed updated timelines for Strategic Plan strategies
- Review proposed process and timelines for completing “future Council agenda items”

Review of City Services



- We're going to start with BIG picture to provide context for Strategic Plan timeline, Council requests timeline, and future work planning and budget discussions

Review of City Services Cont'd



- Many levels of government, distinct responsibilities (federal, state, county, city, and special districts)
- Cities primarily responsible for public safety, land use, and public works. Also often recreation, sometimes utility services (clean water, wastewater, and power)
- In many communities, recreation, utility services, and aspects of public safety are provided by special districts

Review of City Services Cont'd



- Pinole is considered a “full service” city
 - Provides all traditional municipal services to its residents, opposed to county or special district
- Provides some services (fire protection and sewer) that are provided by special districts in many other cities
- We are really “full service plus”
- Pinole does a lot for a small city!
 - A source of pride, and a challenge...

Review of City Services Cont'd



- Majority of City staff is dedicated to providing core public-facing City services
 - Police and fire
 - Land use management
 - Building safety
 - Local transportation infrastructure (streets, signals, bike lanes, etc.)
 - Sewer

Review of City Services Cont'd



- Other City staff provides additional public-facing services
 - Outdoor recreation space and facilities
 - Recreational and educational programs
 - Cable television programming
 - Childcare programming
 - Senior services
 - Others

Review of City Services Cont'd



- Additional City staff provides internal services to support the public-facing operations
 - Finance
 - Legal
 - Human resources
 - Information technology
 - Records management
 - Facilities and equipment

City Staff Activities



- Performing routine functions consumes most of staff's time

City Staff Activities



- Routine Activities

Function	Sub-Function
Police	Prevention and Engagement, Patrol, Response, Investigations
Fire	Prevention, Suppression, Emergency Preparedness
Land Use Management	Current Planning, Long -Term Planning, and Code Enforcement
Building Safety	Building Plan Review and Inspections
Local Transportation Infrastructure	Roads, Bridges, Sidewalks, Traffic Control Devices
Sewer	Collection System and Treatment Plant

City Staff Activities



- Routine Activities Cont'd

Function	Sub-Function
Stormwater and Solid Waste Management	Storm drain management program and garbage, recycling, and green waste collection contract
Other "Community Services" Functions	Outdoor Recreation Space and Facilities, Recreational and Educational Programs and Events, Cable Television Programming, Childcare Program, Senior Services, Food Support

Internal Process Improvement Projects



- In addition to routine functions, staff works on internal process improvement projects as time permits
 - They ensure that we are operating efficiently and meeting evolving regulatory requirements
- Completed in first half of fiscal year (FY) 2020-21
 - Telecommuting policy
 - Electronic signature system
 - Updated procurement policy
 - Online payment system

Internal Process Improvement Projects

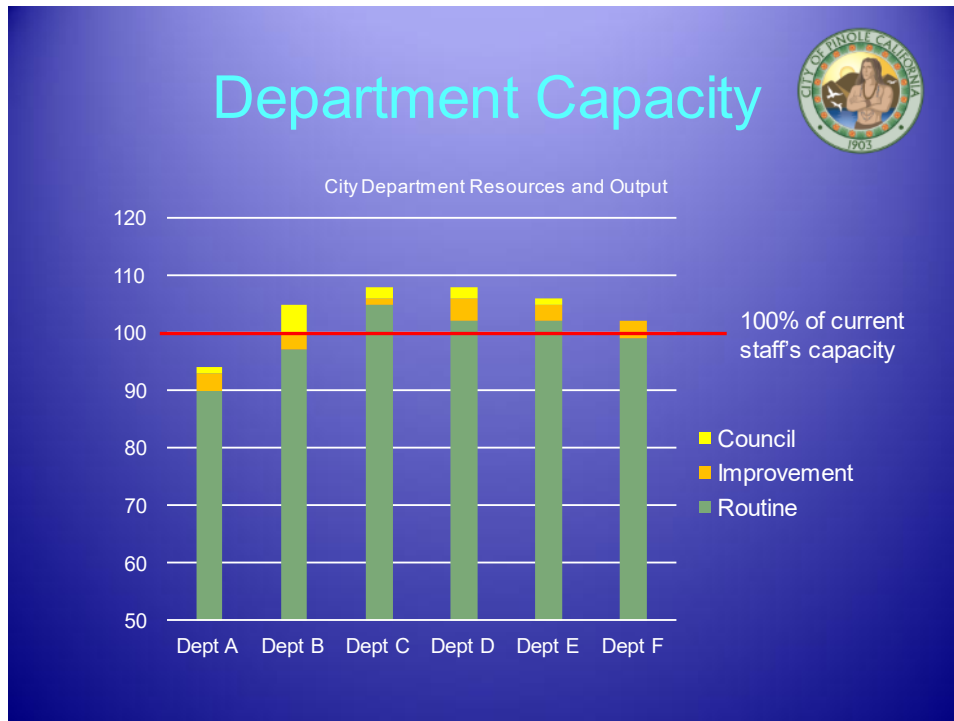


- Completed in first half of fiscal year (FY) 2020-21
Cont'd
 - Updated finance procedures
 - Pilot program for implicit bias screening
 - New information systems for incident response
 - Additional wildland fire mitigation strategies
 - Enhanced turf management program
 - Use of electronic capital project bidding platform

City Staff Activities



- Some departments need additional resources to perform routine activities and process improvements
 - Will be discussed during presentation of Citywide Organizational Assessment at February 2, 2021 Council meeting
- After addressing routine functions and process improvements, staff has limited ability to work on Council-assigned tasks and special projects (Strategic Plan “strategies” and other Council requests (future agenda items))



City Staff Activities

- Department Workload

	Routine Activities	Internal Process Improvement	Council Strategic Plan Project ("Strategy")	Other Council Tasks
Dept A				
Dept B				
Dept C				

Strategic Plan



- That was the BIG picture on City services and staff activities...
...now Council-assigned tasks and special projects (Strategic Plan “strategies” and other Council requests (future agenda items))

Strategic Plan



- City of Pinole Strategic Plan 2020 – 2025
- Adopted in February 2020
- Identifies four major goals
 - Safe and resilient, financially stable, vibrant and beautiful, and high performance
- Directs staff to undertake 22 individual “strategies” (special projects) over five years
- Strategies are foundational efforts that will significantly improve City services and the community

Strategic Plan Cont'd



- Strategic Plan Implementation Action Plan (IAP) issued August 2020
 - Identified year in which staff would start work on each strategy
- Staff has reviewed IAP and proposes updated timelines for strategies (in packet)
- Staff proposes to begin work on 15 of the 22 strategies, and complete work on six of them, in the current fiscal year (FY), 2020-21
 - One more strategy proposed to begin in current FY than in original IAP

Strategic Plan Cont'd



- Any questions or concerns about proposed updated timelines?
- Staff proposes to provide quarterly update to Council on status
- Staff recommends that Council conduct thorough review of Strategic Plan, and make any desired changes to goals and strategies, annually in conjunction with budget process
- Does Council approve proposal & recommendation?
- Staff excited to work on these thoughtful, foundational projects!

Other Council Requests



- There are many other good ideas out there to explore...
- Council has “future agenda items” mechanism to assign tasks and projects to staff
- Under current staffing levels, staff has very limited ability to work on these given responsibilities for routine work, process improvement projects, and strategies

Other Council Requests



- From December 2018 through January 2021, Council approved 140 future agenda items
- Staff has completed 79, including:
 - Temporary eviction moratorium
 - Temporary outdoor dining permits
 - City food drive
 - Downtown holiday tree lights
 - Basketball court renovation for David Patrick Underwood
 - COVID -19 small business assistance program

Other Council Requests



- Staff does not have the bandwidth to complete the remaining 61 items as standalone Council agenda items in the foreseeable future
- Staff proposes process for categorizing items and addressing most before the end of the current fiscal year

Other Council Requests



- Proposed process for disposition
 - Address in FY 2021 -22 budget process (6)
 - Address in FY 2021 -22 CIP process (9)
 - Staff provide info to Council via memorandum (9)
 - Schedule for future Council meeting (20)
 - Address through next budget process or Strategic Plan update (9)
 - Remove duplicates from list (8)
- Proposed process will enable staff to efficiently and expeditiously complete items
- Is the proposed process acceptable to Council?

Other Council Requests



- Staff proposes to provide quarterly update to Council on status
- Staff believes that Council should have the opportunity, as part of regular Council meetings, to assign tasks to staff, both future Council agenda items and other types of staff follow up
 - Staff proposes to return to Council with proposed revisions to Council procedures for broader Council task assignment process
- Does Council approve proposal?

Next Steps



- If staff has increased bandwidth, it can work on additional special projects
- The consultants that are completing the Citywide Organizational Assessment will recommend some changes to organizational structure and additional staffing
- City staff will seek Council's approval of additional staffing as part of the FY 2021-22 budget

Thank You and Questions



Thank you for providing direction on timelines and how staff can efficiently and expeditiously complete the full range of Council -assigned tasks.

?’s

Attachment B: Management Partners Presentation



City of Pinole City Council Workshop

January 30, 2021
10:00 a.m. to 2:00 p.m.
Via Zoom

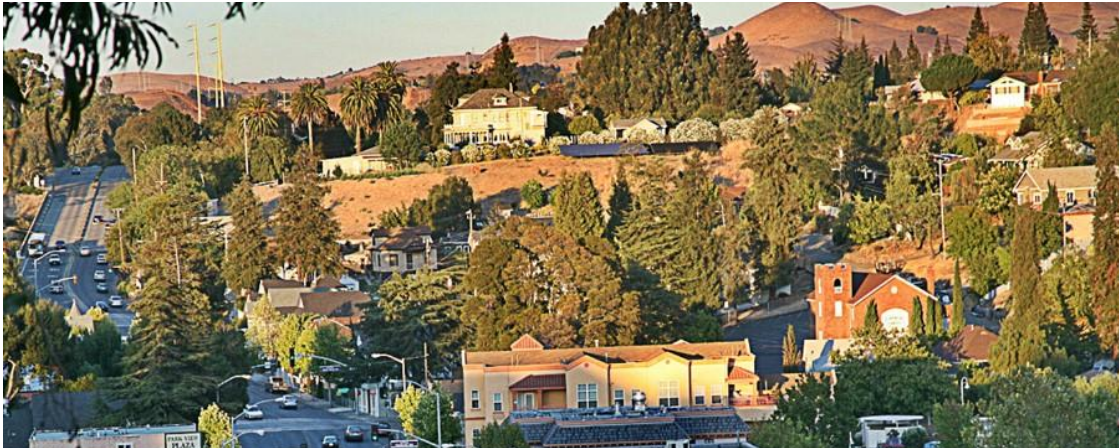
Christine Butterfield, Senior Manager
Ashley Garcia, Senior Management Advisor



Mayor's Welcome



Public Comment



Management
Partners

3



Today's Objectives

- Review and discuss **practices of effective councils** and **Council norms**.
- Review and discuss Pinole **governance roles**.
- Review and discuss the City's work plan (strategic plan strategies, core services and Council referrals) for the remainder of the fiscal year.

Management
Partners

4



Today's Agenda



Management
Partners

- Welcome and Public Comment
- Discuss Practices of Effective Councils and Pinole's Council Norms
- Review Governance Roles
- Review Recent Accomplishments and Highlights of the City Work Plan
- Review Council Special Projects for Fiscal 2020/2021
- Wrap Up and Next Steps

5



Suggested Ground Rules



Listen to
understand
each other's
point of view



Seek
consensus



Assume good
intent



Speak up if we
need course
correction



Stay focused

Management
Partners

6



Bike Rack

- Things to discuss at another time will be tracked separately
- Time management tool



7

Thoughts for the Future

What headline do you most hope to read about Pinole in the next several years?



8

Refresher of Effective Practices for Elected Officials



Management
Partners

9



TEAMWORK

- Getting things done for the community as a team makes us all look good
- Accomplishments build relationships... which lead to other successes



Attributes of High-Performing Councils

- Commit to partnering among Councilmembers, City Manager and staff
- Exhibit clarity and respect for roles and responsibilities
- Demonstrate civility and respect for all
- Conduct effective meetings
- Hold themselves and the City Manager accountable
- Practice continuous learning and remain curious



Good Governance Is About...



Building relationships through:

- Effective leadership by the Mayor and Council
- Responsive management and leadership by the City Manager
- Meaningful communication that is honest, direct, respectful, proactive
- Understanding roles and fulfilling expectations
- Fostering mutual respect and building trust
- Ethics

More About Communication

Focus on outcomes

- Be attentive
- Ask clarifying questions

Separate people from the problem

- Focus on interests, not positions
- Invent options for mutual gain
- Insist on using objective criteria



Disagree in a Way That Maintains the Team

What if I disagree with a colleague on an issue?

- That's fine! *Just do it with...*



Dignity



Support



Respect



Inclusiveness



14



Effective Governance Practices: Council Discussion



What **stood out** to you in this discussion and the ILG articles?



15



Have Fun!



Celebrate successes



See the humor in your spectacular failures



Enjoy your experiences —you worked hard to get here!



16



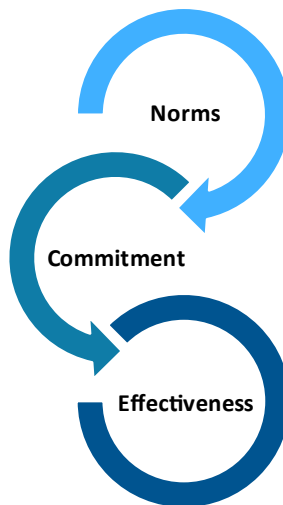
*In one word, how do
you want the
community to view the
Pinole City Council?*



17



Council Norms



18



Pinole Council Norms



- Work for the **common good**, not for personal interest.
- Communicate through the **City Manager**.
- Work for “win/win” solutions by striving for consensus and **seeking common ground**.
- The Council’s **policy deliberation process** will be performed in the following order: Council questions; public questions; Council deliberations; motion(s); decision made by majority vote.

19



Pinole Council Norms (continued)



- **Praise** Council and staff decision(s) in **public** and offer **corrective comment(s) in private**.
- Share information with each other early in the process to **avoid surprises**.
- Address one another by **role and last name** and shake hands once the meeting concludes.
- Establish a structure where the **Mayor calls on members**.

20



Council Norms Discussion



- *What do these look like in practice?*
- *Which of these works well?*
- *Any changes you would like to see?*



21

Review Governance Roles

City Council
City Manager
Commissions and Committees
City Attorney

- Policy role
- Administrative role
- Advisory role
- Legal role



22

City Council – City Manager Relationships

- **Council**
 - ✓ Sets policy and overall direction
 - ✓ Determines service areas and special projects
 - ✓ Keeps in touch with community concerns
- **City Manager**
 - ✓ Implements Council policy, service areas and special projects
 - ✓ Handles day-to-day operations
 - ✓ Offers policy advice
 - ✓ Manages staff



City Council – City Manager Relationships

- Important to find the line and stay within your area of responsibility
- Yes, it is often complicated, but...
 - ✓ Best if the Council is not involved in staff and administrative matters; and
 - ✓ Best for the City Manager to not dominate public discussions.



Council Member Role

- Do what is in the best **long-term interest** of the community
- **Respect** the chain of command
- Work through the City Manager (or department heads with copy to CM)
- **Meet** with the City Manager on a regular basis



Mayor's Role

- Run **Council meetings**
- Serve as **initial point of contact** for external agencies for the City Council
- Serve as a **sounding board** for the City Manager on policy and key programmatic matters
- Carry out all roles listed for **Council members**



Commissions and Committees

- **Advise** Council on issues related to their respective field
- Hold **public meetings** to hear how the public feels about issues
- **Gather information** and analyze issues
- **Recommend** policies and procedures



City Attorney's Role

- **Represent the whole organization**, not individual Council members or members of the public
- Provide clear and accurate **legal advice** on a myriad of complex laws
- Be **fair and impartial**
- Provide **full disclosure**
- Use **candor and diplomacy**



City Attorney's Role

- **Represent the whole organization**, not individual Council members or members of the public
- Provide clear and accurate **legal advice** on a myriad of complex laws
- Be **fair and impartial**
- Provide **full disclosure**
- Use **candor and diplomacy**



Council – City Manager and Staff Partnership





Review City Work Plan



33



City Manager Comments

- 1. Review City work plan highlights (strategic plan and service area initiatives)**
- 2. Review Council requests slated for action in the current fiscal year**
- 3. Review staff's proposed process for disposition of Council requests going forward**



Wrap Up and Next Steps

*Management Partners will
prepare a workshop summary*

*What is one takeaway from
today's workshop?*



35



City of Pinole Council Workshop

Thank you!



Attributes of Exceptional Councils

Leading public organizations and governing with colleagues on a council is a challenging art of community service. The Institute recognizes that many aspects of leadership and governance are not intuitive. This piece is intended to provide councilmembers and city managers insight into the attributes of exceptional councils as well as provide practical tips to help them become exceptional.

1. Exceptional councils develop a sense of team – a partnership with the city manager to govern and manage the city

The mayor, councilmembers and city manager see themselves and work as a team as they undertake a series of tasks to further their common purpose. The individual team members work in a coordinated and collaborative manner with a high degree of respect, trust and openness. The team values diversity in style and perspective. The team thinks and acts strategically as it examines issues/situations and decides on a course of action serving their city's mission and goals.

KEY CHARACTERISTICS

- Successfully transition from candidate to a member of the council.
- Become a champion of the city. Make decisions based on the needs and interests of the community at-large / the greater good.
- Develop, communicate and support policy goals and council decisions.
- Demonstrate a willingness to work collaboratively (as a team) and have a citywide perspective.

BEST PRACTICE TIPS

Build capacity to create a more effective team. The governance team (mayor, councilmembers and city manager) should get to know each other; how each person approaches issues, decision making style and so on. This can be accomplished at annual meetings or workshops through-out the year. In the event that councilmembers disagree, clear ground rules (norms of behavior and practice) can help quell acrimony before it becomes a problem. It's important to remember that trust is built around understanding and respect, not necessarily agreement.

2. Exceptional councils have clear roles and responsibilities that are understood and adhered.

Exceptional councils understand their role is to serve as policy maker - to represent the values, beliefs and priorities of their community while serving in the community's best interest. They carry out a variety of responsibilities including: developing and adopting a vision for the city; focusing and aligning plans, policies, agreements and budgets in furtherance of this vision; and holding themselves and the city manager accountable for results.

Exceptional councils understand that the city manager is responsible for the day-to-day operations of the city. The city manager is responsible for undertaking and accomplishing the policy objectives of the council. Exceptional councils recognize the subject matter expertise of staff and utilize their knowledge and experience to guide and inform decision making.

KEY CHARACTERISTICS

- Understand the role of local government and their responsibilities.
- Know their role- to set vision and policy, avoid micromanagement.
- Councilmembers should strive to be informed about the issues facing the city and be prepared to ask questions of staff and each other.

BEST PRACTICE TIPS

Create a shared understanding of the city manager's role and the council's expectations to optimize the working relationships. This shared understanding is informed by local charter and ordinance provisions that provide the overall framework for the relationship. The council should make time to have conversations during retreats and or study sessions to define and/or reveal and refine their role and responsibilities. Since role clarity between the city council and city management is critical to mutual success, having clear protocols helps avoid misunderstandings.

3. Exceptional councils honor the relationship with staff and each other

Exceptional councils understand that a good working relationship with staff is vital for the city to be run successfully. Exceptional councils treat each other and staff with dignity and respect. They act with civility and a high level of professional decorum. Councilmembers build trust by not playing the “gotcha game” and strive to have a no secrets, no surprises approach as an operating norm. Finally, they respect the diversity of styles and perspectives among their colleagues and staff and are open to new ideas.

KEY CHARACTERISTICS

- Councilmembers have the ability to respectfully disagree (to disagree without being disagreeable). They are able to leave it at the dais; debates are about policy, not personality.
- Exceptional councilmembers reflect positive decorum/model of leadership by providing respectful tone with colleagues.
- Establish a set of behaviors ahead of time, potentially documented in a code of conduct, to help promote civility and respect.

BEST PRACTICE TIPS

Set council priorities and strategic goals at an annual meeting; these goals and priorities are a tool to guide the city manager and staff on where to focus their efforts. This annual meeting provides time for the council to reflect on community priorities as well as offer an opportunity to discuss their decorum and their relationship among each other and the relationship between the city manager/staff and the council.

4. Exceptional councils routinely conduct effective meetings

Open and public meetings are central to democratic decision-making. Exceptional councils master the art of effective meetings. They develop and adhere to meeting protocols and processes. They spend time planning and organizing the agenda with the aim of having a more focused meeting. They allocate the council’s time and energy appropriately (focused on the council’s role and responsibilities) and meeting short- and long-term priorities. They honor the public’s participation and engagement and they generally start on time and are held during reasonable hours.

Exceptional councils use public meetings not only for their intended purpose, information sharing and decision-making,

KEY CHARACTERISTICS

- Councilmembers are respectful of each other, the public and everyone’s time.
- Councilmembers use engaging body language as a way to demonstrate respect.
- Issues are not personalized, thoughtful dialogue is the objective.
- Agenda packets are read, councilmembers come prepared and have an open mind
- Respect is demonstrated for varied opinions.
- Everyone strives to be civil and act with decorum.

but they also use the meeting to demonstrate respect and civility for each other, staff and the public. Exceptional councilmembers prepare in advance of the meeting, remain focused on the city goals and objectives and mindful of their role and responsibilities.

BEST PRACTICE TIPS

Develop and adopt (with regular reviews and updates), guidelines for conducting meetings and making decisions. These governance protocols typically address meeting procedures (agenda preparation, how to put issues on the agenda, debate and voting procedures (parliamentary rules) and standards of decorum (civility)). As part of a regular self-assessment, councils should evaluate their meetings and their effectiveness and adjust behavior and practices for better results.

5. Exceptional councils hold themselves and the city accountable

Exceptional councils operate openly, ethically and work to engage the community in a myriad of decisions impacting the prosperity and well-being of their community. Toward that end, exceptional councils consistently provide short- and long-term strategic direction and goals, as well as provide budget, program and policy oversight.

Exceptional councils hold themselves accountable for the conduct, behavior and effectiveness of the council. They establish clear priorities and goals and hold the city manager accountable for results. And finally, they embrace accountability as a process and tool to calibrate ongoing efforts to address and meet policy and program objectives.

KEY CHARACTERISTICS

- Councilmembers operate ethically and with integrity.
- Councils conduct team building / goal setting exercise to track progress towards mutually agreed upon goals
- Councils taking responsibility for the results (good and bad).
- Councils celebrate success.
- Councilmembers hold themselves responsible for adhering to operating protocols and codes of conduct.

BEST PRACTICE TIPS

Annually evaluate council and city manager performance toward achieving the city's priorities and goals (consider having this be part of an annual goal setting meeting). Council should consider assessing its own behavior and effectiveness as part of its annual self-assessment.

6. Exceptional councils have members who practice continuous personal learning and development

Governance is not intuitive. In addition, the policy and economic environment impacting cities are ever changing. Exceptional councils continually provide the opportunity to build their knowledge and skills, to enhance their understanding of key issues, increase their awareness of best practices and sharpen their leadership and governance skills.

KEY CHARACTERISTICS

- Stay informed on key issues
- Gain key insights and knowledge on all aspects of governing, from budgets to plans and everything in between.
- Learning to listen is sometimes more important than learning to give a speech.

BEST PRACTICE TIPS

Seek out national, state and local professional growth and educational opportunities. These opportunities can focus on the nuts and bolts of governing to helping you gain valuable information and/or insights on key policy issues facing your city. In addition, city run orientations for newly elected officials provide a good way to acclimate new members to the council's norms and protocols as well as the budget and key policy issues.

Strategies for Creating a More Collaborative, Effective Council

This whitepaper originally appeared as an article in the September 2011 issue of Western City magazine.



Running local government successfully is hard work. City officials know that it requires serious commitment, time and knowledge on the part of local officials and staff as well as community members. Local policy-making is also a collaborative activity. The current economic and political challenges facing California exert tremendous pressure on mayors and council members to work together collaboratively and effectively. Issues that affect the future well-being of their cities also spur local officials to have conversations and collaborate with members of the public about the kind of community they envision for themselves and their children.

The need for collaboration — between individual council members, among councils as a whole and between local officials and the community — prompted the League to ask the Institute for Local Government (ILG) to conduct an Advanced Leadership Workshop on this topic during the League's Legislative Action Days in May 2011.

Nearly 40 mayors and council members participated in this interactive, highly rated session titled "Creating More Collaborative Councils: Strategies for Effective Communication, Meeting Management and Public Engagement." The workshop explored key issues related to the work of elected local officials and provided participants with the skills and strategies to more effectively:

- Communicate and problem-solve with colleagues;
- Maintain collaborative relationships with fellow council members;
- Preside over and participate in city council meetings;
- Interact with and respond to members of the public; and
- Design effective and inclusive processes for engaging the public.

This article presents some of the workshop's highlights.

Communication and Problem-Solving

On any given day, we all may do a better or worse job in effectively communicating information with others in our work, civic and family lives. The quality of communication with others can present a challenge for local elected officials, who work largely in the public sphere and must deal with multiple audiences, limited time and a broad range of content. The issue of communicating with council colleagues is no exception.

Proponents of effective communication suggest a few simple rules to help us keep our speaking and listening skills well honed, thus supporting our goals and relationships.

Be attentive. Whether with an individual colleague or in council chambers before a packed house, paying attention to the speaker, the subject at hand and (as appropriate) the interpersonal dynamics involved will make you a more effective communicator and help you to be perceived as a respectful, effective colleague and public servant.

Ask clarifying questions. This shows a desire to better understand the speaker and demonstrates both attentiveness and an interest in learning more. Typically this is a better communication choice than a quick emotional retort or an immediate explanation of your own views. Asking clarifying questions helps increase the likelihood of a more productive conversation or exchange.

Let people know you are listening. Two very simple ways to do this include paraphrasing and using a perception check.

Paraphrasing is repeating the essence of the speaker's remark, thus conveying that you've heard the substantive content of what he or she has said; for example, "So you're saying that you believe this would kill all the fish in the stream — is that right?" A perception check involves acknowledging the emotional content of a speaker's comment; for example, "I can hear that you're very worried about the safety of neighborhood residents if we remove that stoplight," or "I want you to know that I hear how angry you are about this and how important the issue is to you." Both paraphrasing and a perception check can be important communication tools for council members. Neither suggests you are necessarily agreeing with the speaker or expressing your own opinion on the issue at hand.

Distinctions between Values, Interests and Positions

Your conversations with other individual council members or residents often concern topics that they (and perhaps you) feel very strongly about. It may seem there is no way to even begin to have a useful discussion about such topics. However, understanding the distinction between a value, an interest and a position can be helpful when tackling this type of situation. Consider these examples:

- "Children are our community's most important resource." This is a *value*;
- "I want a park and open space where our children can play." This is an *interest*; and
- "I want a park and skateboarding area at the corner of Palm and Main with the city contributing all the funds." This is a *position*.

Listen for and ask about values and interests that underlie speakers' expressed positions. People can more readily understand each other's values and interests than they can accept different positions. Typically there are more ways to satisfy interests than to bridge conflicting positions. A conversation about values or interests can often reduce or clarify differences.

The following basic principles of collaborative problem-solving (or "principled negotiation"), developed by Roger Fisher and William Ury and presented in their book *Getting to Yes*, also offer helpful guidelines for working through a knotty issue with a colleague or guiding group discussions.

Separate the people from the problem. It's not unusual for emotions to cloud problem-solving when people feel strongly about an issue. However, it is far more effective to attack the problem together, not each other. It's also a much better way to preserve an important working relationship.

Focus on interests, not positions. Taking a hard negotiating position can obscure what is really wanted. A conversation about interests, which tend to be broader than positions, creates more opportunities for coming up with an idea that appeals to all participants. Discussing interests rather than focusing on positions means that there's a lot more to talk about and improves the chances of success.

Invent options for mutual gain. In the typical back and forth of "making your case" there is often little opportunity to jointly think about and creatively invent new ideas that may be in the interests of both (or all) negotiators. However, this type of creative thinking probably won't occur unless it's given a time and a place to happen, and making time for this step is especially important when addressing polarized local issues.

Insist on using objective criteria. This is perhaps the hardest problem-solving guideline to follow — but perhaps the most important — in what is often a challenging political environment. Working to creatively solve a problem or reach an accord can be advanced if the participants can agree on some sort of common standard or a result that they think makes sense.

Civility and Council Member Behavior

Much media attention has focused lately on the question of civility in public discourse, and many city councils are grappling with the challenge of how to ensure civility among council members in their own deliberations.

Highlighting the current interest in this topic, the New Jersey State League of Municipalities recently published an article titled "The Need for Civility in Local Government Dialogue" (www.njslom.org/need_for_civility.html). The article presents author John

C. Gillespie's 10 commandments of public civility, which include these admonishments:

- Thou shalt not allow legitimate critique of policy and practice to become a personal attack aimed at the person who devised the policy or implements the practice;
- Thou shalt not rudely interrupt a colleague midsentence nor "speak over" a colleague while he or she is speaking;
- Thou shalt not pretend something is much more important than it really is simply to score points with an audience; and
- Thou shalt always recognize that your colleagues were also elected, just as you were, and deserve the same level of respect for having run and won.

Gillespie's 10 commandments serve as useful guidelines for councils striving to improve the tone of discussions. Another helpful resource, the Institute for Local Government's *Promoting Civility at Public Meetings: Concepts and Practices* (www.ca-ilg.org/civility), examines civility in conceptual and ethical terms and offers practical strategies for achieving greater civility in public discourse.

A growing number of cities are creating handbooks that help council members (and the public) better understand city government and council members' roles and responsibilities. In addition, cities are adopting ground rules for council meetings that extend beyond procedural rules and address expectations and guidelines for council member conduct. One example of such rules comes from the City of Davis:

Council members should actively pay attention while others are talking. Council members should be aware that side conversations, note writing and nonverbal expressions made by council members can be distracting to the meeting. Be aware that other council members, staff and the public in attendance can hear and see these actions.

The City of Hayward's *Council Member Handbook* includes the following:

Council members shall accord the utmost courtesy to each other, to city employees and to the public appearing before the council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

Other sections of Hayward's handbook address sanctions for violating the various rules of procedure.

Beyond Robert's Rules of Order

Whether you serve on a board, council, commission or other governing body, it is helpful to understand how to conduct public meetings. To simplify the rules of parliamentary procedure for those who participate in public meetings, Judge David Rosenberg created a video titled "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century." Prior to becoming a Yolo County Superior Court judge, Rosenberg served as mayor and council member for the City of Davis and as a Yolo County supervisor. (The video is based on a two-part article written by Rosenberg and originally published in *Western City* magazine in 2003. A newly revised pocket guide of Rosenberg's Rules will be available later this year.)

As part of the Institute for Local Government's service to local officials, the video and accompanying downloadable documents are available at www.ca-ilg.org/rosenbergrules. Test your knowledge of parliamentary procedure rules of order by taking the quiz (below).

Effective Public Engagement

The ability to effectively involve the public in decision-making is an essential skill for local officials. Many local agencies are facing serious challenges on issues ranging from budgeting and fiscal policy to climate change and public safety. Public engagement comprises a broad range of methods to inform members of the public about decisions that affect them and to invite their participation in the process. Such methods include but are not limited to public information and outreach efforts, public consultation and public deliberation (for more information, visit www.ca-ilg.org/PEbasics).

Successful public engagement can help local agencies manage challenges by contributing to the following outcomes:

- **Better identification of the public’s values, ideas and recommendations.** Well-executed public engagement can provide more nuanced views about an issue from a broader spectrum of residents than a simple “yes” or “no” election.
- **Residents who are more fully informed about issues and local agencies.** Public engagement presents opportunities for residents to better understand the issues and challenges impacting their community, grapple with practical problems and real trade-offs, and see local agency challenges as their own.
- **Improved local agency decision-making and actions with better results.** Members of the public provide rich sources of information regarding their community history and needs. This information can inform local agency decision-making and potentially produce superior results.
- **Enhanced community buy-in and support.** Involving members of the community in a meaningful way can build a sense of ownership and greater support for the local agency decision. It can also reduce contentiousness.
- **Faster project implementation with less need to revisit issues again.** Mutually agreed-upon decisions are less likely to continually reappear as issues of concern both for local agencies and community members.
- **More trust — in each other and in local government.** Open dialogue, shared interests and mutual problem-solving can bring disparate groups of people together, potentially resulting in increased trust in the others’ ability to solve problems and make good decisions.
- **Increased community participation and leadership development.** Positive experiences with public engagement can lead to better informed residents who are more likely to participate in other community activities and have the confidence and skills to become future local government leaders.

Additional Resources

For additional resources, visit:

- www.ca-ilg.org/engagement
- www.ca-ilg.org/civility
- www.westerncity.com/Western-City/December-2010/Transparency-In-Local-GovernmentProtecting-Your-Community-Against-Corruption/
- www.westerncity.com/Western-City/October-2009/Meeting-Great-Expectations-Dealing-With-Emotional-Audiences/

Rosenberg’s Parliamentary Procedure Quiz

Choose the correct response for each item. Answers appear at the end of this page.

1. You are a city council member. At a council meeting, you can’t hear the discussion due to noise made by the heating system. You should raise your hand and, when recognized, say, “Point of order — I can’t hear what’s being discussed.”

True False

1. A vote on hotly contested Agenda Item 5 has passed by a vote of 3 to 2. You were one of the two council members who voted against the item. Later in the meeting you ask for reconsideration of Agenda Item 5, because you have thought of something you believe will convince one of the majority votes to change his or her mind. The mayor rules you “Out of order” and refuses to allow a vote on reconsideration. The mayor’s ruling is:

Correct Incorrect

1. It’s 11:00 p.m. by the time the city council reaches Agenda Item 25. The mayor asks for a show of hands to indicate how many members of the public wish to speak on the item, and 32 people raise their hands. The mayor announces that she will limit each speaker to two minutes each. Can the mayor properly do so?

Yes No

1. Joe makes a motion to hold a council retreat in May, and Mary seconds the motion. Sally then moves an amendment to have the retreat in June, and Fred seconds the motion. Esteban then moves a substitute motion to have no retreat this year, and Fred seconds the motion. The mayor announces that discussion will begin on the motion to amend. Is this the correct ruling?

Yes No

1. On a highly controversial agenda item in a meeting attended by many members of the public, the audience becomes engaged in the discussion and members of the audience applaud in support or hiss in opposition following the remarks of the first speaker who addresses the city council. The mayor states that no vocal expressions of support or opposition will be tolerated at the meeting and asks the public not to applaud or hiss after speakers conclude their remarks. May the mayor do so?

Yes No

1. A member of the city council continually interrupts other council members while they are speaking on agenda items. The mayor refuses to stop the offending council member from interrupting. As a member of the city council, you have the right to make a motion to challenge the mayor's ruling and have your motion voted on by the council.

True False

1. After a very long discussion and debate on a motion you made to approve a street repair schedule, which was duly seconded, you want to move ahead with voting on the item, so you say, "I call for the question." The mayor responds, "OK, let's proceed with the vote on the pending motion to approve the proposed street repair schedule." Did the mayor handle your call for the question properly?

Yes No

1. If the maker of a pending motion accepts a proposed change and incorporates the change into her motion, and the person who seconded the motion also accepts the change, this is called a "friendly amendment."

True False

1. Sam moves and receives a second on a motion to create a seven-member Police Oversight Commission. Mariko moves and receives a second on a motion to make the commission 15 members. Helen moves and receives a second on a motion to create an ombudsman position in lieu of the commission. The mayor schedules discussion and a vote on the third motion (Helen's), which passes. The mayor should then schedule discussion and a vote on the second motion (Mariko's motion).

True False

1. In the middle of a meeting the mayor recognizes Maria, a council member, who moves to adjourn the meeting. Frank seconds her motion. The mayor calls for discussion prior to the vote. Maria raises a point of order and says that the motion should be voted on immediately. Who is correct?

The mayor Maria

Answers to Quiz

1-False. 2-Correct. 3-Yes. 4-No. 5-Yes. 6-True. 7-Yes. 8-True. 9-False. 10-Maria.

DOCUMENTS & RESOURCES

[Strategies for Creating More Collaborative, Effective Councils](#)

ATTACHMENT C

RESOLUTION NO. 2021- XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE ADOPTING REVISED CITY COUNCIL NORMS OF BEHAVIOR

WHEREAS, the City Council adopted Norms of Behavior in August 2019 subsequent to a Council teambuilding workshop in June 2019; and

WHEREAS, the City Council held a special meeting, in a workshop format, in January 2021 during which the City Council reviewed and discussed the Norms of Behavior; and

WHEREAS, based on the discussion, the meeting facilitator, Management Partners, has created a recommended revised set of norms;

NOW, THEREFORE, BE IT RESOLVED that the Pinole City Council does hereby establish the following revised set of Norms of Behavior:

1. Work for the common good, not for personal interest.
2. Empower and communicate through the City Manager.
3. Work for “win/win” solutions by striving for consensus and seeking common ground.
4. The Council’s policy deliberation process will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.
5. Praise Council and staff decision(s) in public and offer corrective comment(s) in private.
6. Share information with each other early in the process to avoid surprises.
7. Address one another by role and last name and shake hands once the meeting concludes.
8. Establish a structure where the Mayor calls on members.
9. Prior to a Council vote, where there may be confusion, the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
10. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 20th day of April 2021 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 20th day of April 2021.

Heather Iopu, CMC

City Clerk



CITY COUNCIL REPORT

9B

DATE **APRIL 20, 2021**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **ANDREW MURRAY, CITY MANAGER**
 HEATHER IOPU, CITY CLERK

**SUBJECT: CONSIDERATION OF PROPOSED REVISIONS TO CITY COUNCIL
MEETING PROCEDURES**

RECOMMENDATION

City staff recommends that the City Council consider revisions to the City Council Meeting Procedures based on discussion at the January 30, 2021 special Council meeting and to clarify the agenda setting process, amend as desired, and adopt by resolution.

BACKGROUND

The City Council held a special meeting, in a workshop format, on January 30, 2021 during which the Council conducted team building and discussed the Strategic Plan strategies and list of future Council agenda items. The meeting facilitator, Management Partners, has provided a Workshop Report summarizing the meeting (attached).

During discussion of the future agenda items, City staff recommended a change to the process outlined in the City Council Meeting Procedures (attached) through which staff receives Council direction on staff follow-up activities. At the meeting, City staff noted that the current mechanism included in the City Council Meeting Procedures to assign follow-up tasks to staff, Council Requests for Future Agenda Items, does not address the full breadth of staff follow-up that Council might like to request. Staff sought Council's approval, which Council granted, for staff to return to Council with proposed revisions to that portion of the meeting procedures.

During the meeting, the Council also discussed the practices and procedures regarding the agenda item City Council Committee Reports & Communications. The Council expressed an interest in reviewing those procedures and potentially amending them.

REVIEW & ANALYSIS

As noted above, at the January 30, 2021 workshop, City staff noted that the current mechanism included in the City Council Meeting Procedures for City Council to assign follow-up tasks to staff, Council Requests for Future Agenda Items, does not address the full breadth of staff follow-up that Council might like to request. Staff has created proposed revisions to that portion of the procedures as well as revisions to the agenda setting section of the procedures to clearly reflect historic and current practice. Attached find a

clean and redlined (from the current procedures adopted in December 2020) version of the proposed revised meeting procedures.

At the January 30, 2021 workshop, the City Council also discussed the Meeting Procedures regarding the City Council Committee Reports & Communications agenda item. Council Members offered different ideas about how this portion of the agenda could be reconfigured. The attached proposed revised Meeting Procedures include one change to this portion of the procedures, to reflect a new City Council Norm of Behavior recommended as a result of the workshop. City staff has not proposed any other revisions to this portion of the Meeting Procedures, but rather is leaving it to the City Council to discuss any other changes to that section.

FISCAL IMPACT

There would be no fiscal impact to the City created by revising the City Council Meeting Procedures as proposed by City staff.

ATTACHMENTS

- A January 30, 2021 Special City Council Meeting Workshop Report
- B City Council Meeting Procedures Adopted December 8, 2020
- C Proposed Revised City Council Meeting Procedures (Clean)
- D Proposed Revised City Council Meeting Procedures (Redline)



**City of Pinole
City Council Workshop
Held January 30, 2021**

February 2021

**Management
Partners**



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Workshop Report

The City of Pinole held a Council workshop on Saturday, January 30, 2021 via Zoom, from 10:00 a.m. to 2:00 p.m. The workshop provided an opportunity for the Councilmembers to discuss attributes of effective governance, review, and update Council norms, strengthen teamwork, discuss the City's work plan, and review the City Manager's proposed process of intake and disposition of the Council's special projects list. This report contains a summary of the results of the workshop.

Christine Butterfield, Senior Manager with Management Partners, facilitated the workshop. Ashley Garcia, Senior Management Advisor with Management Partners, assisted with the session and acted as recorder.

Workshop Overview

Objectives

- Review and discuss governance roles and practices of effective councils.
- Discuss and update the City of Pinole Council norms.
- Review and discuss the City's work plan (strategic plan strategies, core services and Council referrals) for the remainder of the fiscal year and identify key priorities.
- Discuss Council communications with staff (review the Council referral intake and status reporting process)

Agenda

- Call to order and welcome by the Mayor
- Public comments
- Consultant introductions and agenda review
- Ice breaker exercise
- Discuss governance roles and practices of effective councils
- Review article about high-performance governance
- Review Pinole City Council norms
- Review recent accomplishments, the City's work plan and discuss Council requests and the related disposition process
- Wrap up and next steps.

Participants

City Council

**Mayor Norma
Martinez-Rubin**



**Mayor Pro Tem
Vincent Salimi**



**Council Member
Anthony Tave**



**Council Member
Maureen Toms**



**Council Member
Devin Murphy**



Executive Staff

- City Manager Andrew Murray
- City Attorney Eric Casher
- City Clerk Heather Iopu

Workshop Ground Rules

At the start of the workshop, the facilitator suggested several ground rules to help the group have a successful workshop.



- Listen to understand each other's point of view.
- Seek consensus.
- Assume good intent.
- Speak up if we need course correction.
- Stay focused.

Bike Rack

The facilitator explained that items that were raised but would not receive immediate attention would be recorded on a "bike rack." The following item was added to the bike rack during the workshop:

- Request to see 2019 Council workshop report for reference.
(Management Partners subsequently provided a copy of the report to City staff.)

Workshop Preparation

In preparation for the workshop, Christine Butterfield held a conference call with the City Manager to discuss the workshop goals and flow. An agenda, handouts, and PowerPoint presentation were prepared.



Opening Comments

The workshop kicked-off with a call to order and a welcome by Mayor Martinez-Rubin. She reviewed the purpose of the workshop and thanked the Council and staff for participating in the day's discussions. The Mayor then opened the session up to public comments.

Christine Butterfield provided an overview of the day to help develop a shared understanding of the workshop's purpose and objectives. She reviewed the ground rules, agenda, and the purpose of the bike rack.

Ice Breaker Exercise

The Councilmembers participated in an icebreaker exercise to help foster a better understanding among the members, as they begin to govern together. Councilmembers shared a headline that they would hope to read about Pinole several years in the future. The headlines that were mentioned are listed below.

Headlines of the Future

- Pinole is Outside of Pandemic; City is Healthy and Safe; City Improves Revenues to Provide Services
- Pinole has Established a Thriving, Sustainable Community; Pinole is a Model City
 - ✓ Net Zero community, cutting edge technology, adequate resources, infrastructure, waste management, emergency planning, valued perspectives
- Pinole Recovers from COVID while Launching a Green Economy
 - ✓ Fight the climate crisis
- Businesses at New Development in Downtown Pinole are Open
 - ✓ More restaurants, full parking lots, safe for pedestrians
- Pinole Remains Fiscally Solvent, Makes List of Healthy Places to Live
 - ✓ Pinole balances wants and needs
- Pinole Delivers on Inclusivity Reflective of the Populations' Interests

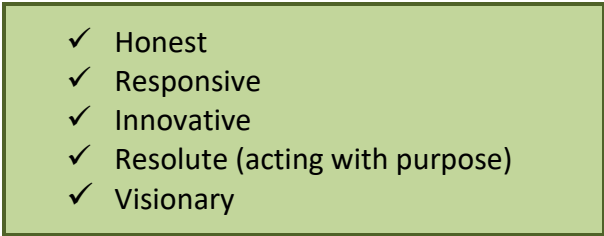


Governance Roles and Effective Councils

The facilitator led a discussion about the practices of effective councils, including teamwork principles, how to build working relationships, fostering productive communication, and how to disagree with a colleague and commit to civility in the process. The Councilmembers received reading materials in advance of the workshop and discussed two articles from the Institute of Local Government (ILG). Christine asked Council to reflect on what stood out to them in the discussion about governance practices and the ILG articles. The comments that were offered are listed below.

- Uphold values, focus on interests, not positions
- Speak to the issue not the person; engage in continuous personal learning and growth/development
- Need to spend time to define: *what does accountability look like?*
- Celebrate success, acknowledge differences within our team
- Community focus and needs identification; understand each other's perspectives; emphasize trust and openness; acknowledge that some items require a deeper dive for adequate discussion; once a decision is made, accept the will of the body
- Partnership is the most important thing for team effectiveness

Councilmembers were asked how they would like the community to view the Pinole City Council *in one word*. Councilmember responses are listed below.

- 
- ✓ Honest
 - ✓ Responsive
 - ✓ Innovative
 - ✓ Resolute (acting with purpose)
 - ✓ Visionary

City Council Norms

Councilmembers spent the next portion of the workshop reviewing and discussing the Pinole City Council norms which were created at the Council workshop in June 2019 and approved in August 2019.

The current norms are listed below.

1. Work for the **common good**, not for personal interest.
2. Communicate through the **City Manager**.
3. Work for “win/win” solutions by striving for consensus and **seeking common ground**.

4. The Council's **policy deliberation process** will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.
5. **Praise** Council and staff decision(s) in **public** and offer **corrective comment(s) in private**.
6. Share information with each other early in the process to **avoid surprises**.
7. Address one another by **role and last name** and shake hands once the meeting concludes.
8. Establish a structure where the **Mayor calls on members**.

Summary of Comments

A summary of the Council's discussion about norms is provided below.

Sharing information. Councilmembers discussed sharing information with each other early in the process to avoid surprises. It was suggested that better interagency coordination would help prevent confusion related to interagency informational meetings such as the recent meeting request initiated by the school district to the Mayor and City Manager. The Mayor clarified that the meeting was solely informational. However, if policy issues or questions were a component of any future session involving outside agencies, the matter would be shared with the entire City Council.

Communicating through the City Manager. Councilmembers noted that weekly meetings with the City Manager are examples of communicating effectively through the City Manager. Council discussed adding the term "empowerment" to the norm to allow the City Manager to act administratively. Furthermore, Council noted that direct communication with Department Directors is important and committed to keeping the City Manager informed.

Accountability. The Council also explored the issues of accountability, constructive feedback, and positive affirmation regarding the norm of praise in public, correct in private. Additionally, it was noted that the norm number 7 is important to ensure Councilmembers titles and full names are used.

Policy deliberation. Other issues were raised related to the policy deliberation process. A need for clarity was brought up regarding Council deliberations so that each Councilmember has the opportunity to address the item with initial thoughts as well as follow up questions once they have heard from their colleagues to promote a better policy dialogue. Conducting meetings via Zoom is particularly challenging for

the deliberation process, so it would be helpful if a member of Council would summarize what the Council is voting on prior to the vote.

Liaison assignments. The Council discussed the ideas of submitting written reports to the City Clerk summarizing each Councilmembers' liaison assignments to City advisory boards and committees along with regional entities; increased use of Council workshops and study sessions to provide more time to explore policy issues; and a public-facing preview summary of upcoming agenda topics in the pipeline to forecast to Council and citizens what to expect in the future (i.e., two to three month).

Management Partners offered to return suggested edits to the norms based on the discussion, noting that some would pertain to Council norms and other items are process related. The suggested changes are listed below.

Summary of Suggested Amendments to Council's Norms

The following items were discussed as potential amendments to the City of Pinole Council norms for consideration at a future meeting.

- Prior to Council vote the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
- Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meeting will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.
- Add the word "empower" to norm number 2 to read, "*Empower and communicate through the **City Manager**.*"

Final Revised Set of Norms

For the Council's convenience, we have provided the final list of norms. This includes a revision to the second norm and two new ones added (numbers 9 and 10).

1. Work for the **common good**, not for personal interest.
2. (*Revised*) Empower and communicate through the **City Manager**.
3. Work for "win/win" solutions by striving for consensus and **seeking common ground**.
4. The Council's **policy deliberation process** will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.

5. **Praise** Council and staff decision(s) in **public** and offer **corrective comment(s) in private**.
6. Share information with each other early in the process to **avoid surprises**.
7. Address one another by **role and last name** and shake hands once the meeting concludes.
8. Establish a structure where the **Mayor calls on members**.
9. *(New)* Prior to a Council vote, where there may be confusion, the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
10. *(New)* Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

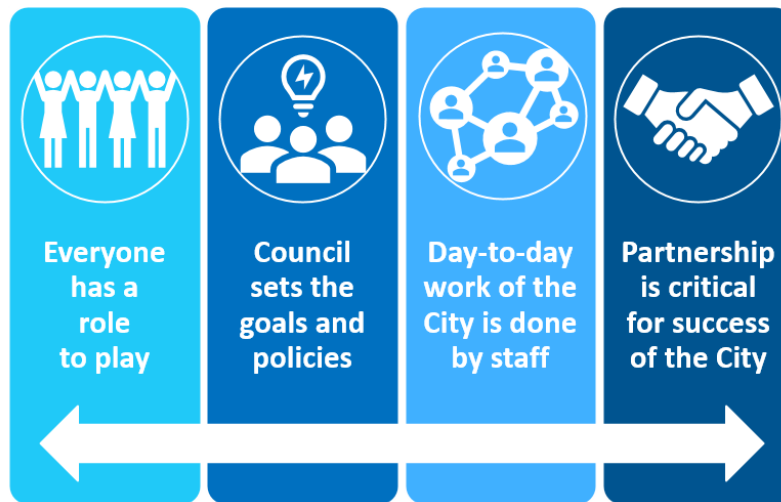
Administrative Practice Refinements

The following section includes refinements in administrative processes to improve customer service to the Council and community.

- The City Manager will work with Council to identify Council meeting items that would benefit from more time for discussion than would normally be provided during a regular meeting. He/she will schedule workshops and study sessions as needed to provide sufficient time to explore such policy issues.
- The City Manager will prepare a multi-month Council agenda forecast that will list topics “in the pipeline” for consideration at future meetings. This will be made available to both the Council and public, with the intention of improving information for all about upcoming items.

Roles

The Council and staff reviewed the respective roles of the City Council, the City Manager, advisory committees, and the City Attorney. There was agreement on the roles and no additional clarifying questions.



Accomplishments, Work Plan and Council Referrals

After breaking for lunch, the group reconvened to review the City's recent accomplishments, staff work plan, Council referrals and the disposition process related to the referrals. (See Attachment A.) The City Manager provided an overview of these items.

The City's four strategic plan goals are:

- Safe and resilient,
- Financially stable,
- Vibrant and beautiful, and
- High performance.

Timelines. The City Manager presented proposed updated timelines for the start and completion of Strategic Plan strategies. The Council agreed with the proposed updated timelines. Staff will publish the timelines on the City's strategic plan webpage. Council concurred with the City Manager's suggestion for quarterly reporting by staff on progress on strategies. The City Manager noted that the work plan is a living document. Council agreed to the City Manager's suggestion that Council conduct a thorough review of the Strategic Plan on an annual basis as part of the annual budget process in the spring.

Council Requests and Referrals

The Council discussed its “future agenda items” requests and referrals list that they use for assigning projects and tasks to staff. The City Manager noted that staff has limited capacity to take on extra items and is looking for direction and concurrence from Council in better managing these requests.

The City Manager proposed a new process for handling the Council’s list of requests and referrals from 2018 to the present. The new process involves sorting them into categories, as follows:

- Budget and capital improvement program (CIP) process,
- Informational memorandums to Council,
- Future Council meeting topics,
- Strategic plan updates, and
- Elimination of duplicate requests.

For several requests requiring funding, the City Manager suggested determining during the budget process whether or not to move forward and, if so, to allocate resources as needed.

The Council concurred with the categorization and process presented by the City Manager.

The City Manager recommended, and Council agreed, that staff return to Council with specific proposed revisions to the Council meeting procedures to update the requests for future agenda item portion of the procedures to illustrate that Council can task staff with numerous types of follow up, not just assignment of future agenda items.

Council also asked that when items come back for regular discussion that staff include the date that the item will appear on a future Council meeting agenda.

Other Process Comments and Clarifications

Staff clarified that Councilmember requests for proclamations go through the City Clerk’s Office. The City Attorney explained that the process to add and remove items from the future Council agenda item list is by a majority vote of the City Council during a Council meeting, but that the action has not normally identified a time certain, and no discussion of the item can take place when the item is originally added based on the Brown Act requirements. The Council reiterated the interest that staff schedule more workshops or listening sessions from complex policy review.

The Council also asked if there are other steps to improve and increase efficiencies across the organization as well as methods to build capacity.

The City Manager said he would direct staff to provide a thoughtful assessment of possible efficiency improvements, including potential investments in technology and/or equipment, as part of the budget process.



Wrap Up and Next Steps

The facilitator explained that Management Partners would prepare this workshop summary report.

To conclude the workshop, each Councilmember was asked to offer one thing that was useful from the day's discussions. Highlights of comments made are listed below.

- We have a lot on our plate. Glad we can all seek solutions to tackle the list together. Proud of the ground covered so far.
- Good discussion to have at the beginning of the year and lay the foundation moving forward. Miss in-person discussion.
- Diverse Council and honored to work with you; filled with optimism.
- Coming together, common direction; review and reiterate of what is key to us.
- Proud to work with the Council; it was helpful to specify goals and lines of communication. Now we can implement and move forward.
- Despite a challenging year, we are making significant progress.
- Appreciate thoughtful discussion and direction provided to staff; great to revisit norms.

- Engaged and diverse Council has the community's best interest at heart. We will move to become a model organization and do innovative things.

Attachment A: City Manager's Presentation



January 30, 2021 Council Workshop

Item 4.B. Review and Direction on Scheduling of Strategic Plan 2020– 2025 Strategies and Pending Future Council Agenda Items

We Will Cover...



- Review of City services
- Review proposed updated timelines for Strategic Plan strategies
- Review proposed process and timelines for completing “future Council agenda items”

Review of City Services



- We're going to start with BIG picture to provide context for Strategic Plan timeline, Council requests timeline, and future work planning and budget discussions

Review of City Services Cont'd



- Many levels of government, distinct responsibilities (federal, state, county, city, and special districts)
- Cities primarily responsible for public safety, land use, and public works. Also often recreation, sometimes utility services (clean water, wastewater, and power)
- In many communities, recreation, utility services, and aspects of public safety are provided by special districts

Review of City Services Cont'd



- Pinole is considered a “full service” city
 - Provides all traditional municipal services to its residents, opposed to county or special district
- Provides some services (fire protection and sewer) that are provided by special districts in many other cities
- We are really “full service plus”
- Pinole does a lot for a small city!
 - A source of pride, and a challenge...

Review of City Services Cont'd



- Majority of City staff is dedicated to providing core public-facing City services
 - Police and fire
 - Land use management
 - Building safety
 - Local transportation infrastructure (streets, signals, bike lanes, etc.)
 - Sewer

Review of City Services Cont'd



- Other City staff provides additional public-facing services
 - Outdoor recreation space and facilities
 - Recreational and educational programs
 - Cable television programming
 - Childcare programming
 - Senior services
 - Others

Review of City Services Cont'd



- Additional City staff provides internal services to support the public-facing operations
 - Finance
 - Legal
 - Human resources
 - Information technology
 - Records management
 - Facilities and equipment

City Staff Activities



- Performing routine functions consumes most of staff's time

City Staff Activities



- Routine Activities

Function	Sub-Function
Police	Prevention and Engagement, Patrol, Response, Investigations
Fire	Prevention, Suppression, Emergency Preparedness
Land Use Management	Current Planning, Long -Term Planning, and Code Enforcement
Building Safety	Building Plan Review and Inspections
Local Transportation Infrastructure	Roads, Bridges, Sidewalks, Traffic Control Devices
Sewer	Collection System and Treatment Plant

City Staff Activities



- Routine Activities Cont'd

Function	Sub-Function
Stormwater and Solid Waste Management	Storm drain management program and garbage, recycling, and green waste collection contract
Other "Community Services" Functions	Outdoor Recreation Space and Facilities, Recreational and Educational Programs and Events, Cable Television Programming, Childcare Program, Senior Services, Food Support

Internal Process Improvement Projects



- In addition to routine functions, staff works on internal process improvement projects as time permits
 - They ensure that we are operating efficiently and meeting evolving regulatory requirements
- Completed in first half of fiscal year (FY) 2020-21
 - Telecommuting policy
 - Electronic signature system
 - Updated procurement policy
 - Online payment system

Internal Process Improvement Projects

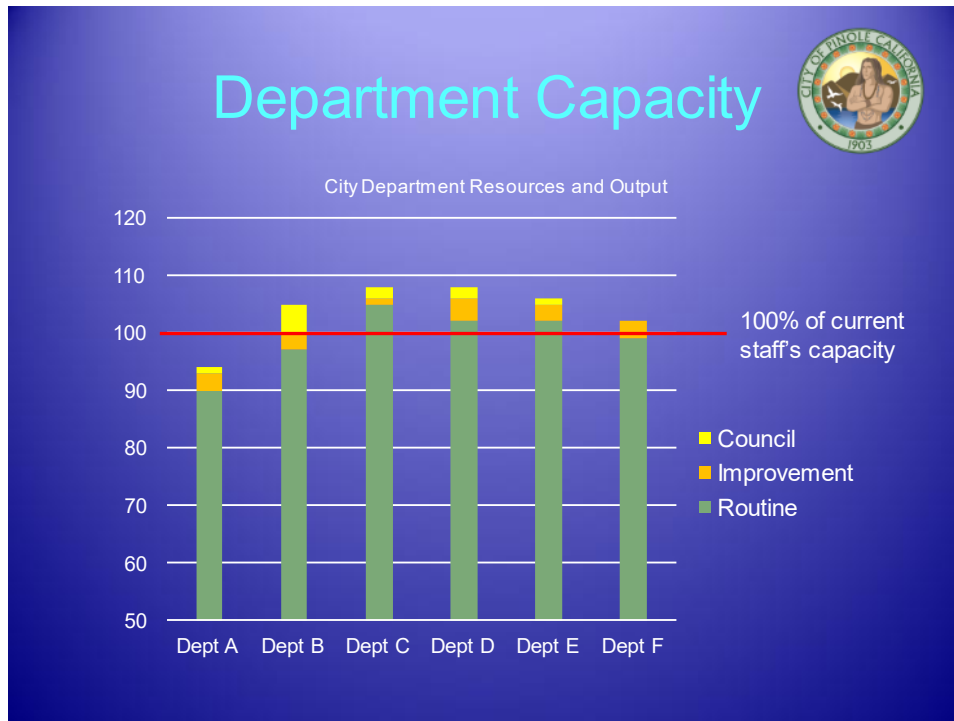


- Completed in first half of fiscal year (FY) 2020-21
Cont'd
 - Updated finance procedures
 - Pilot program for implicit bias screening
 - New information systems for incident response
 - Additional wildland fire mitigation strategies
 - Enhanced turf management program
 - Use of electronic capital project bidding platform

City Staff Activities



- Some departments need additional resources to perform routine activities and process improvements
 - Will be discussed during presentation of Citywide Organizational Assessment at February 2, 2021 Council meeting
- After addressing routine functions and process improvements, staff has limited ability to work on Council-assigned tasks and special projects (Strategic Plan “strategies” and other Council requests (future agenda items))



City Staff Activities

- Department Workload

	Routine Activities	Internal Process Improvement	Council Strategic Plan Project ("Strategy")	Other Council Tasks
Dept A				
Dept B				
Dept C				

Strategic Plan



- That was the BIG picture on City services and staff activities...
...now Council-assigned tasks and special projects (Strategic Plan “strategies” and other Council requests (future agenda items))

Strategic Plan



- City of Pinole Strategic Plan 2020 – 2025
- Adopted in February 2020
- Identifies four major goals
 - Safe and resilient, financially stable, vibrant and beautiful, and high performance
- Directs staff to undertake 22 individual “strategies” (special projects) over five years
- Strategies are foundational efforts that will significantly improve City services and the community

Strategic Plan Cont'd



- Strategic Plan Implementation Action Plan (IAP) issued August 2020
 - Identified year in which staff would start work on each strategy
- Staff has reviewed IAP and proposes updated timelines for strategies (in packet)
- Staff proposes to begin work on 15 of the 22 strategies, and complete work on six of them, in the current fiscal year (FY), 2020-21
 - One more strategy proposed to begin in current FY than in original IAP

Strategic Plan Cont'd



- Any questions or concerns about proposed updated timelines?
- Staff proposes to provide quarterly update to Council on status
- Staff recommends that Council conduct thorough review of Strategic Plan, and make any desired changes to goals and strategies, annually in conjunction with budget process
- Does Council approve proposal & recommendation?
- Staff excited to work on these thoughtful, foundational projects!

Other Council Requests



- There are many other good ideas out there to explore...
- Council has “future agenda items” mechanism to assign tasks and projects to staff
- Under current staffing levels, staff has very limited ability to work on these given responsibilities for routine work, process improvement projects, and strategies

Other Council Requests



- From December 2018 through January 2021, Council approved 140 future agenda items
- Staff has completed 79, including:
 - Temporary eviction moratorium
 - Temporary outdoor dining permits
 - City food drive
 - Downtown holiday tree lights
 - Basketball court renovation for David Patrick Underwood
 - COVID -19 small business assistance program

Other Council Requests



- Staff does not have the bandwidth to complete the remaining 61 items as standalone Council agenda items in the foreseeable future
- Staff proposes process for categorizing items and addressing most before the end of the current fiscal year

Other Council Requests



- Proposed process for disposition
 - Address in FY 2021 -22 budget process (6)
 - Address in FY 2021 -22 CIP process (9)
 - Staff provide info to Council via memorandum (9)
 - Schedule for future Council meeting (20)
 - Address through next budget process or Strategic Plan update (9)
 - Remove duplicates from list (8)
- Proposed process will enable staff to efficiently and expeditiously complete items
- Is the proposed process acceptable to Council?

Other Council Requests



- Staff proposes to provide quarterly update to Council on status
- Staff believes that Council should have the opportunity, as part of regular Council meetings, to assign tasks to staff, both future Council agenda items and other types of staff follow up
 - Staff proposes to return to Council with proposed revisions to Council procedures for broader Council task assignment process
- Does Council approve proposal?

Next Steps



- If staff has increased bandwidth, it can work on additional special projects
- The consultants that are completing the Citywide Organizational Assessment will recommend some changes to organizational structure and additional staffing
- City staff will seek Council's approval of additional staffing as part of the FY 2021-22 budget

Thank You and Questions



Thank you for providing direction on timelines and how staff can efficiently and expeditiously complete the full range of Council -assigned tasks.

?’s

Attachment B: Management Partners Presentation



City of Pinole City Council Workshop

January 30, 2021
10:00 a.m. to 2:00 p.m.
Via Zoom

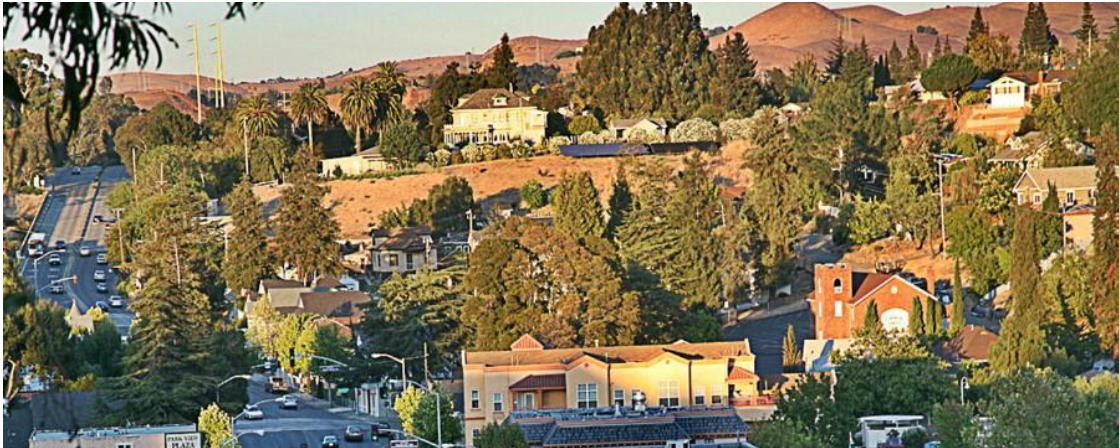
Christine Butterfield, Senior Manager
Ashley Garcia, Senior Management Advisor



Mayor's Welcome



Public Comment



Management
Partners

3



Today's Objectives

- Review and discuss **practices of effective councils** and **Council norms**.
- Review and discuss Pinole **governance roles**.
- Review and discuss the City's work plan (strategic plan strategies, core services and Council referrals) for the remainder of the fiscal year.

Management
Partners

4



Today's Agenda



Management
Partners

- Welcome and Public Comment
- Discuss Practices of Effective Councils and Pinole's Council Norms
- Review Governance Roles
- Review Recent Accomplishments and Highlights of the City Work Plan
- Review Council Special Projects for Fiscal 2020/2021
- Wrap Up and Next Steps

5



Suggested Ground Rules



Listen to
understand
each other's
point of view



Seek
consensus



Assume good
intent



Speak up if we
need course
correction



Stay focused

Management
Partners

6



Bike Rack

- Things to discuss at another time will be tracked separately
- Time management tool



7

Thoughts for the Future

What headline do you most hope to read about Pinole in the next several years?



8

Refresher of Effective Practices for Elected Officials



Management
Partners

9



TEAMWORK

- Getting things done for the community as a team makes us all look good
- Accomplishments build relationships... which lead to other successes



Attributes of High-Performing Councils

- Commit to partnering among Councilmembers, City Manager and staff
- Exhibit clarity and respect for roles and responsibilities
- Demonstrate civility and respect for all
- Conduct effective meetings
- Hold themselves and the City Manager accountable
- Practice continuous learning and remain curious



Good Governance Is About...



Building relationships through:

- Effective leadership by the Mayor and Council
- Responsive management and leadership by the City Manager
- Meaningful communication that is honest, direct, respectful, proactive
- Understanding roles and fulfilling expectations
- Fostering mutual respect and building trust
- Ethics

More About Communication

Focus on outcomes

- Be attentive
- Ask clarifying questions

Separate people from the problem

- Focus on interests, not positions
- Invent options for mutual gain
- Insist on using objective criteria



Disagree in a Way That Maintains the Team

What if I disagree with a colleague on an issue?

- That's fine! *Just do it with...*



Dignity



Support



Respect



Inclusiveness



14



Effective Governance Practices: Council Discussion



What **stood out** to you in this discussion and the ILG articles?



15



Have Fun!



Celebrate successes



See the humor in your spectacular failures



Enjoy your experiences —you worked hard to get here!



16



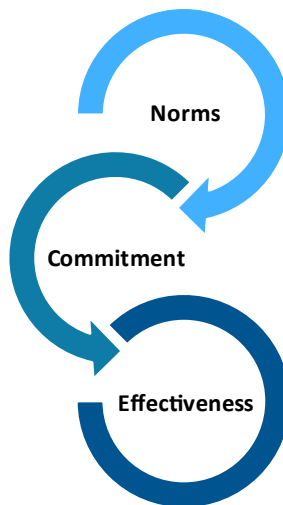
*In one word, how do
you want the
community to view the
Pinole City Council?*



17



Council Norms



18



Pinole Council Norms



- Work for the **common good**, not for personal interest.
- Communicate through the **City Manager**.
- Work for “win/win” solutions by striving for consensus and **seeking common ground**.
- The Council’s **policy deliberation process** will be performed in the following order: Council questions; public questions; Council deliberations; motion(s); decision made by majority vote.

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Pinole Council Norms (continued)



- **Praise** Council and staff decision(s) in **public** and offer **corrective comment(s) in private**.
- Share information with each other early in the process to **avoid surprises**.
- Address one another by **role and last name** and shake hands once the meeting concludes.
- Establish a structure where the **Mayor calls on members**.

20



Council Norms Discussion



- *What do these look like in practice?*
- *Which of these works well?*
- *Any changes you would like to see?*



21

Review Governance Roles

City Council
City Manager
Commissions and Committees
City Attorney

- Policy role
- Administrative role
- Advisory role
- Legal role



22

City Council – City Manager Relationships

- **Council**
 - ✓ Sets policy and overall direction
 - ✓ Determines service areas and special projects
 - ✓ Keeps in touch with community concerns
- **City Manager**
 - ✓ Implements Council policy, service areas and special projects
 - ✓ Handles day-to-day operations
 - ✓ Offers policy advice
 - ✓ Manages staff



City Council – City Manager Relationships

- Important to find the line and stay within your area of responsibility
- Yes, it is often complicated, but...
 - ✓ Best if the Council is not involved in staff and administrative matters; and
 - ✓ Best for the City Manager to not dominate public discussions.



Council Member Role

- Do what is in the best **long-term interest** of the community
- **Respect** the chain of command
- Work through the City Manager (or department heads with copy to CM)
- **Meet** with the City Manager on a regular basis



Mayor's Role

- Run **Council meetings**
- Serve as **initial point of contact** for external agencies for the City Council
- Serve as a **sounding board** for the City Manager on policy and key programmatic matters
- Carry out all roles listed for **Council members**



Commissions and Committees

- **Advise** Council on issues related to their respective field
- Hold **public meetings** to hear how the public feels about issues
- **Gather information** and analyze issues
- **Recommend** policies and procedures



City Attorney's Role

- **Represent the whole organization**, not individual Council members or members of the public
- Provide clear and accurate **legal advice** on a myriad of complex laws
- Be **fair and impartial**
- Provide **full disclosure**
- Use **candor and diplomacy**



City Attorney's Role

- **Represent the whole organization**, not individual Council members or members of the public
- Provide clear and accurate **legal advice** on a myriad of complex laws
- Be **fair and impartial**
- Provide **full disclosure**
- Use **candor and diplomacy**



Council – City Manager and Staff Partnership





Review City Work Plan



33



City Manager Comments

- 1. Review City work plan highlights (strategic plan and service area initiatives)**
- 2. Review Council requests slated for action in the current fiscal year**
- 3. Review staff's proposed process for disposition of Council requests going forward**



Wrap Up and Next Steps



35



City of Pinole Council Workshop

Thank you!



Attributes of Exceptional Councils

Leading public organizations and governing with colleagues on a council is a challenging art of community service. The Institute recognizes that many aspects of leadership and governance are not intuitive. This piece is intended to provide councilmembers and city managers insight into the attributes of exceptional councils as well as provide practical tips to help them become exceptional.

1. Exceptional councils develop a sense of team – a partnership with the city manager to govern and manage the city

The mayor, councilmembers and city manager see themselves and work as a team as they undertake a series of tasks to further their common purpose. The individual team members work in a coordinated and collaborative manner with a high degree of respect, trust and openness. The team values diversity in style and perspective. The team thinks and acts strategically as it examines issues/situations and decides on a course of action serving their city's mission and goals.

KEY CHARACTERISTICS

- Successfully transition from candidate to a member of the council.
- Become a champion of the city. Make decisions based on the needs and interests of the community at-large / the greater good.
- Develop, communicate and support policy goals and council decisions.
- Demonstrate a willingness to work collaboratively (as a team) and have a citywide perspective.

BEST PRACTICE TIPS

Build capacity to create a more effective team. The governance team (mayor, councilmembers and city manager) should get to know each other; how each person approaches issues, decision making style and so on. This can be accomplished at annual meetings or workshops through-out the year. In the event that councilmembers disagree, clear ground rules (norms of behavior and practice) can help quell acrimony before it becomes a problem. It's important to remember that trust is built around understanding and respect, not necessarily agreement.

2. Exceptional councils have clear roles and responsibilities that are understood and adhered.

Exceptional councils understand their role is to serve as policy maker - to represent the values, beliefs and priorities of their community while serving in the community's best interest. They carry out a variety of responsibilities including: developing and adopting a vision for the city; focusing and aligning plans, policies, agreements and budgets in furtherance of this vision; and holding themselves and the city manager accountable for results.

Exceptional councils understand that the city manager is responsible for the day-to-day operations of the city. The city manager is responsible for undertaking and accomplishing the policy objectives of the council. Exceptional councils recognize the subject matter expertise of staff and utilize their knowledge and experience to guide and inform decision making.

KEY CHARACTERISTICS

- Understand the role of local government and their responsibilities.
- Know their role- to set vision and policy, avoid micromanagement.
- Councilmembers should strive to be informed about the issues facing the city and be prepared to ask questions of staff and each other.

BEST PRACTICE TIPS

Create a shared understanding of the city manager's role and the council's expectations to optimize the working relationships. This shared understanding is informed by local charter and ordinance provisions that provide the overall framework for the relationship. The council should make time to have conversations during retreats and or study sessions to define and/or reveal and refine their role and responsibilities. Since role clarity between the city council and city management is critical to mutual success, having clear protocols helps avoid misunderstandings.

3. Exceptional councils honor the relationship with staff and each other

Exceptional councils understand that a good working relationship with staff is vital for the city to be run successfully. Exceptional councils treat each other and staff with dignity and respect. They act with civility and a high level of professional decorum. Councilmembers build trust by not playing the “gotcha game” and strive to have a no secrets, no surprises approach as an operating norm. Finally, they respect the diversity of styles and perspectives among their colleagues and staff and are open to new ideas.

KEY CHARACTERISTICS

- Councilmembers have the ability to respectfully disagree (to disagree without being disagreeable). They are able to leave it at the dais; debates are about policy, not personality.
- Exceptional councilmembers reflect positive decorum/model of leadership by providing respectful tone with colleagues.
- Establish a set of behaviors ahead of time, potentially documented in a code of conduct, to help promote civility and respect.

BEST PRACTICE TIPS

Set council priorities and strategic goals at an annual meeting; these goals and priorities are a tool to guide the city manager and staff on where to focus their efforts. This annual meeting provides time for the council to reflect on community priorities as well as offer an opportunity to discuss their decorum and their relationship among each other and the relationship between the city manager/staff and the council.

4. Exceptional councils routinely conduct effective meetings

Open and public meetings are central to democratic decision-making. Exceptional councils master the art of effective meetings. They develop and adhere to meeting protocols and processes. They spend time planning and organizing the agenda with the aim of having a more focused meeting. They allocate the council’s time and energy appropriately (focused on the council’s role and responsibilities) and meeting short- and long-term priorities. They honor the public’s participation and engagement and they generally start on time and are held during reasonable hours.

Exceptional councils use public meetings not only for their intended purpose, information sharing and decision-making,

KEY CHARACTERISTICS

- Councilmembers are respectful of each other, the public and everyone’s time.
- Councilmembers use engaging body language as a way to demonstrate respect.
- Issues are not personalized, thoughtful dialogue is the objective.
- Agenda packets are read, councilmembers come prepared and have an open mind
- Respect is demonstrated for varied opinions.
- Everyone strives to be civil and act with decorum.

but they also use the meeting to demonstrate respect and civility for each other, staff and the public. Exceptional councilmembers prepare in advance of the meeting, remain focused on the city goals and objectives and mindful of their role and responsibilities.

BEST PRACTICE TIPS

Develop and adopt (with regular reviews and updates), guidelines for conducting meetings and making decisions. These governance protocols typically address meeting procedures (agenda preparation, how to put issues on the agenda, debate and voting procedures (parliamentary rules) and standards of decorum (civility)). As part of a regular self-assessment, councils should evaluate their meetings and their effectiveness and adjust behavior and practices for better results.

5. Exceptional councils hold themselves and the city accountable

Exceptional councils operate openly, ethically and work to engage the community in a myriad of decisions impacting the prosperity and well-being of their community. Toward that end, exceptional councils consistently provide short- and long-term strategic direction and goals, as well as provide budget, program and policy oversight.

Exceptional councils hold themselves accountable for the conduct, behavior and effectiveness of the council. They establish clear priorities and goals and hold the city manager accountable for results. And finally, they embrace accountability as a process and tool to calibrate ongoing efforts to address and meet policy and program objectives.

KEY CHARACTERISTICS

- Councilmembers operate ethically and with integrity.
- Councils conduct team building / goal setting exercise to track progress towards mutually agreed upon goals
- Councils taking responsibility for the results (good and bad).
- Councils celebrate success.
- Councilmembers hold themselves responsible for adhering to operating protocols and codes of conduct.

BEST PRACTICE TIPS

Annually evaluate council and city manager performance toward achieving the city's priorities and goals (consider having this be part of an annual goal setting meeting). Council should consider assessing its own behavior and effectiveness as part of its annual self-assessment.

6. Exceptional councils have members who practice continuous personal learning and development

Governance is not intuitive. In addition, the policy and economic environment impacting cities are ever changing. Exceptional councils continually provide the opportunity to build their knowledge and skills, to enhance their understanding of key issues, increase their awareness of best practices and sharpen their leadership and governance skills.

KEY CHARACTERISTICS

- Stay informed on key issues
- Gain key insights and knowledge on all aspects of governing, from budgets to plans and everything in between.
- Learning to listen is sometimes more important than learning to give a speech.

BEST PRACTICE TIPS

Seek out national, state and local professional growth and educational opportunities. These opportunities can focus on the nuts and bolts of governing to helping you gain valuable information and/or insights on key policy issues facing your city. In addition, city run orientations for newly elected officials provide a good way to acclimate new members to the council's norms and protocols as well as the budget and key policy issues.

Strategies for Creating a More Collaborative, Effective Council

This whitepaper originally appeared as an article in the September 2011 issue of Western City magazine.



Running local government successfully is hard work. City officials know that it requires serious commitment, time and knowledge on the part of local officials and staff as well as community members. Local policy-making is also a collaborative activity. The current economic and political challenges facing California exert tremendous pressure on mayors and council members to work together collaboratively and effectively. Issues that affect the future well-being of their cities also spur local officials to have conversations and collaborate with members of the public about the kind of community they envision for themselves and their children.

The need for collaboration — between individual council members, among councils as a whole and between local officials and the community — prompted the League to ask the Institute for Local Government (ILG) to conduct an Advanced Leadership Workshop on this topic during the League's Legislative Action Days in May 2011.

Nearly 40 mayors and council members participated in this interactive, highly rated session titled "Creating More Collaborative Councils: Strategies for Effective Communication, Meeting Management and Public Engagement." The workshop explored key issues related to the work of elected local officials and provided participants with the skills and strategies to more effectively:

- Communicate and problem-solve with colleagues;
- Maintain collaborative relationships with fellow council members;
- Preside over and participate in city council meetings;
- Interact with and respond to members of the public; and
- Design effective and inclusive processes for engaging the public.

This article presents some of the workshop's highlights.

Communication and Problem-Solving

On any given day, we all may do a better or worse job in effectively communicating information with others in our work, civic and family lives. The quality of communication with others can present a challenge for local elected officials, who work largely in the public sphere and must deal with multiple audiences, limited time and a broad range of content. The issue of communicating with council colleagues is no exception.

Proponents of effective communication suggest a few simple rules to help us keep our speaking and listening skills well honed, thus supporting our goals and relationships.

Be attentive. Whether with an individual colleague or in council chambers before a packed house, paying attention to the speaker, the subject at hand and (as appropriate) the interpersonal dynamics involved will make you a more effective communicator and help you to be perceived as a respectful, effective colleague and public servant.

Ask clarifying questions. This shows a desire to better understand the speaker and demonstrates both attentiveness and an interest in learning more. Typically this is a better communication choice than a quick emotional retort or an immediate explanation of your own views. Asking clarifying questions helps increase the likelihood of a more productive conversation or exchange.

Let people know you are listening. Two very simple ways to do this include paraphrasing and using a perception check.

Paraphrasing is repeating the essence of the speaker's remark, thus conveying that you've heard the substantive content of what he or she has said; for example, "So you're saying that you believe this would kill all the fish in the stream — is that right?" A perception check involves acknowledging the emotional content of a speaker's comment; for example, "I can hear that you're very worried about the safety of neighborhood residents if we remove that stoplight," or "I want you to know that I hear how angry you are about this and how important the issue is to you." Both paraphrasing and a perception check can be important communication tools for council members. Neither suggests you are necessarily agreeing with the speaker or expressing your own opinion on the issue at hand.

Distinctions between Values, Interests and Positions

Your conversations with other individual council members or residents often concern topics that they (and perhaps you) feel very strongly about. It may seem there is no way to even begin to have a useful discussion about such topics. However, understanding the distinction between a value, an interest and a position can be helpful when tackling this type of situation. Consider these examples:

- "Children are our community's most important resource." This is a *value*;
- "I want a park and open space where our children can play." This is an *interest*; and
- "I want a park and skateboarding area at the corner of Palm and Main with the city contributing all the funds." This is a *position*.

Listen for and ask about values and interests that underlie speakers' expressed positions. People can more readily understand each other's values and interests than they can accept different positions. Typically there are more ways to satisfy interests than to bridge conflicting positions. A conversation about values or interests can often reduce or clarify differences.

The following basic principles of collaborative problem-solving (or "principled negotiation"), developed by Roger Fisher and William Ury and presented in their book *Getting to Yes*, also offer helpful guidelines for working through a knotty issue with a colleague or guiding group discussions.

Separate the people from the problem. It's not unusual for emotions to cloud problem-solving when people feel strongly about an issue. However, it is far more effective to attack the problem together, not each other. It's also a much better way to preserve an important working relationship.

Focus on interests, not positions. Taking a hard negotiating position can obscure what is really wanted. A conversation about interests, which tend to be broader than positions, creates more opportunities for coming up with an idea that appeals to all participants. Discussing interests rather than focusing on positions means that there's a lot more to talk about and improves the chances of success.

Invent options for mutual gain. In the typical back and forth of "making your case" there is often little opportunity to jointly think about and creatively invent new ideas that may be in the interests of both (or all) negotiators. However, this type of creative thinking probably won't occur unless it's given a time and a place to happen, and making time for this step is especially important when addressing polarized local issues.

Insist on using objective criteria. This is perhaps the hardest problem-solving guideline to follow — but perhaps the most important — in what is often a challenging political environment. Working to creatively solve a problem or reach an accord can be advanced if the participants can agree on some sort of common standard or a result that they think makes sense.

Civility and Council Member Behavior

Much media attention has focused lately on the question of civility in public discourse, and many city councils are grappling with the challenge of how to ensure civility among council members in their own deliberations.

Highlighting the current interest in this topic, the New Jersey State League of Municipalities recently published an article titled "The Need for Civility in Local Government Dialogue" (www.njslom.org/need_for_civility.html). The article presents author John

C. Gillespie's 10 commandments of public civility, which include these admonishments:

- Thou shalt not allow legitimate critique of policy and practice to become a personal attack aimed at the person who devised the policy or implements the practice;
- Thou shalt not rudely interrupt a colleague midsentence nor "speak over" a colleague while he or she is speaking;
- Thou shalt not pretend something is much more important than it really is simply to score points with an audience; and
- Thou shalt always recognize that your colleagues were also elected, just as you were, and deserve the same level of respect for having run and won.

Gillespie's 10 commandments serve as useful guidelines for councils striving to improve the tone of discussions. Another helpful resource, the Institute for Local Government's *Promoting Civility at Public Meetings: Concepts and Practices* (www.ca-ilg.org/civility), examines civility in conceptual and ethical terms and offers practical strategies for achieving greater civility in public discourse.

A growing number of cities are creating handbooks that help council members (and the public) better understand city government and council members' roles and responsibilities. In addition, cities are adopting ground rules for council meetings that extend beyond procedural rules and address expectations and guidelines for council member conduct. One example of such rules comes from the City of Davis:

Council members should actively pay attention while others are talking. Council members should be aware that side conversations, note writing and nonverbal expressions made by council members can be distracting to the meeting. Be aware that other council members, staff and the public in attendance can hear and see these actions.

The City of Hayward's *Council Member Handbook* includes the following:

Council members shall accord the utmost courtesy to each other, to city employees and to the public appearing before the council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

Other sections of Hayward's handbook address sanctions for violating the various rules of procedure.

Beyond Robert's Rules of Order

Whether you serve on a board, council, commission or other governing body, it is helpful to understand how to conduct public meetings. To simplify the rules of parliamentary procedure for those who participate in public meetings, Judge David Rosenberg created a video titled "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century." Prior to becoming a Yolo County Superior Court judge, Rosenberg served as mayor and council member for the City of Davis and as a Yolo County supervisor. (The video is based on a two-part article written by Rosenberg and originally published in *Western City* magazine in 2003. A newly revised pocket guide of Rosenberg's Rules will be available later this year.)

As part of the Institute for Local Government's service to local officials, the video and accompanying downloadable documents are available at www.ca-ilg.org/rosenbergrules. Test your knowledge of parliamentary procedure rules of order by taking the quiz (below).

Effective Public Engagement

The ability to effectively involve the public in decision-making is an essential skill for local officials. Many local agencies are facing serious challenges on issues ranging from budgeting and fiscal policy to climate change and public safety. Public engagement comprises a broad range of methods to inform members of the public about decisions that affect them and to invite their participation in the process. Such methods include but are not limited to public information and outreach efforts, public consultation and public deliberation (for more information, visit www.ca-ilg.org/PEbasics).

Successful public engagement can help local agencies manage challenges by contributing to the following outcomes:

- **Better identification of the public’s values, ideas and recommendations.** Well-executed public engagement can provide more nuanced views about an issue from a broader spectrum of residents than a simple “yes” or “no” election.
- **Residents who are more fully informed about issues and local agencies.** Public engagement presents opportunities for residents to better understand the issues and challenges impacting their community, grapple with practical problems and real trade-offs, and see local agency challenges as their own.
- **Improved local agency decision-making and actions with better results.** Members of the public provide rich sources of information regarding their community history and needs. This information can inform local agency decision-making and potentially produce superior results.
- **Enhanced community buy-in and support.** Involving members of the community in a meaningful way can build a sense of ownership and greater support for the local agency decision. It can also reduce contentiousness.
- **Faster project implementation with less need to revisit issues again.** Mutually agreed-upon decisions are less likely to continually reappear as issues of concern both for local agencies and community members.
- **More trust — in each other and in local government.** Open dialogue, shared interests and mutual problem-solving can bring disparate groups of people together, potentially resulting in increased trust in the others’ ability to solve problems and make good decisions.
- **Increased community participation and leadership development.** Positive experiences with public engagement can lead to better informed residents who are more likely to participate in other community activities and have the confidence and skills to become future local government leaders.

Additional Resources

For additional resources, visit:

- www.ca-ilg.org/engagement
- www.ca-ilg.org/civility
- www.westerncity.com/Western-City/December-2010/Transparency-In-Local-GovernmentProtecting-Your-Community-Against-Corruption/
- www.westerncity.com/Western-City/October-2009/Meeting-Great-Expectations-Dealing-With-Emotional-Audiences/

Rosenberg’s Parliamentary Procedure Quiz

Choose the correct response for each item. Answers appear at the end of this page.

1. You are a city council member. At a council meeting, you can’t hear the discussion due to noise made by the heating system. You should raise your hand and, when recognized, say, “Point of order — I can’t hear what’s being discussed.”

True False

1. A vote on hotly contested Agenda Item 5 has passed by a vote of 3 to 2. You were one of the two council members who voted against the item. Later in the meeting you ask for reconsideration of Agenda Item 5, because you have thought of something you believe will convince one of the majority votes to change his or her mind. The mayor rules you “Out of order” and refuses to allow a vote on reconsideration. The mayor’s ruling is:

Correct Incorrect

1. It’s 11:00 p.m. by the time the city council reaches Agenda Item 25. The mayor asks for a show of hands to indicate how many members of the public wish to speak on the item, and 32 people raise their hands. The mayor announces that she will limit each speaker to two minutes each. Can the mayor properly do so?

Yes No

1. Joe makes a motion to hold a council retreat in May, and Mary seconds the motion. Sally then moves an amendment to have the retreat in June, and Fred seconds the motion. Esteban then moves a substitute motion to have no retreat this year, and Fred seconds the motion. The mayor announces that discussion will begin on the motion to amend. Is this the correct ruling?

Yes No

1. On a highly controversial agenda item in a meeting attended by many members of the public, the audience becomes engaged in the discussion and members of the audience applaud in support or hiss in opposition following the remarks of the first speaker who addresses the city council. The mayor states that no vocal expressions of support or opposition will be tolerated at the meeting and asks the public not to applaud or hiss after speakers conclude their remarks. May the mayor do so?

Yes No

1. A member of the city council continually interrupts other council members while they are speaking on agenda items. The mayor refuses to stop the offending council member from interrupting. As a member of the city council, you have the right to make a motion to challenge the mayor's ruling and have your motion voted on by the council.

True False

1. After a very long discussion and debate on a motion you made to approve a street repair schedule, which was duly seconded, you want to move ahead with voting on the item, so you say, "I call for the question." The mayor responds, "OK, let's proceed with the vote on the pending motion to approve the proposed street repair schedule." Did the mayor handle your call for the question properly?

Yes No

1. If the maker of a pending motion accepts a proposed change and incorporates the change into her motion, and the person who seconded the motion also accepts the change, this is called a "friendly amendment."

True False

1. Sam moves and receives a second on a motion to create a seven-member Police Oversight Commission. Mariko moves and receives a second on a motion to make the commission 15 members. Helen moves and receives a second on a motion to create an ombudsman position in lieu of the commission. The mayor schedules discussion and a vote on the third motion (Helen's), which passes. The mayor should then schedule discussion and a vote on the second motion (Mariko's motion).

True False

1. In the middle of a meeting the mayor recognizes Maria, a council member, who moves to adjourn the meeting. Frank seconds her motion. The mayor calls for discussion prior to the vote. Maria raises a point of order and says that the motion should be voted on immediately. Who is correct?

The mayor Maria

Answers to Quiz

1-False. 2-Correct. 3-Yes. 4-No. 5-Yes. 6-True. 7-Yes. 8-True. 9-False. 10-Maria.

DOCUMENTS & RESOURCES

[Strategies for Creating More Collaborative, Effective Councils](#)

RESOLUTION NO. 2020-114**RESOLUTION OF THE CITY COUNCIL OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING AND SETTING FORTH COUNCIL MEETING PROCEDURES FOR THE PREPARATION AND POSTING OF AGENDAS AND THE CONDUCT OF MEETINGS**

The Pinole City Council hereby repeals all prior resolutions related to the conduct of meetings, including Resolution 103-2003; 178-2003, 2005-02, 2007-07, 2007-86, 2008-74, 2009-124, 2012-08, 2012-127, 2014-67, and 2015-109, 2016-100, 2017-13, 2017-72, 2018-113, 2019-03 and resolves as follows:

1. Regular Meetings. Pursuant to Section 2.12.010 of the Municipal Code, a regular meeting of the Pinole City Council shall be held at 6:00 p.m. on the first and third Tuesdays of every month at the Council Chambers, 2131 Pear Street in Pinole, California. Items are placed on the agenda under the respective section headings. Public Hearings are scheduled to commence on or around 7 p.m. pursuant to the Municipal Code.

2. Closed Sessions of the Pinole City Council will customarily be held at 6 p.m. before the regular business items on the City Council agenda. The Closed Session is scheduled to be concluded by or before 7 p.m. If all business cannot be completed during that time, the items will either be held over to the next meeting, or Council may convene back into Closed Session following all the business items that evening.

3. Posting of Meeting Agenda. At least seventy-two (72) hours before a regular meeting, and twenty-four (24) hours before a special meeting of the City Council, the City Clerk shall post on the bulletin board located outside of City Hall, the agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

4. Council Action Limited. The Council shall not take action on any item not appearing on the posted agenda unless:

- A. It is determined by a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the Council is present, the unanimous vote of the members present, that the need to take action arose after the posting of the agenda.
- B. It is determined by a majority vote of the Council that an emergency situation as described in Government Code Section 54956.5 necessitated prompt action due to the disruption or threatened disruption of public facilities.
- C. The item was posted for a prior meeting less than five (5) days previously and continued to the meeting where action is being taken.

5. Posting Notices for Special Meetings. The call and notice of special meetings shall be posted at least twenty-four (24) hours on the bulletin board located outside of City Hall.

6. Agenda Preparation Deadline. Cut-off time for placing items on the agenda shall be Wednesday, thirteen days preceding each regular Tuesday meeting, with the final agenda to be prepared by 5:00 pm of the Thursday preceding the meeting.

7. Order of Business. Promptly at the hour appointed for each regular meeting, the members of the Council, the City Clerk, City Attorney and City Manager, the Police Chief or his designee and such other staff members as are necessary shall assemble in the Council Chambers or some other publicly announced location. A statement of conflict must be disclosed by an official who has a conflict prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).

AGENDA FORMAT

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

2. ROLL CALL, CITY CLERK 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.

EXAMPLES:

- A. CONFERENCE WITH LABOR NEGOTIATOR
Pursuant to GC §54597.6
City Labor Negotiator:
Employee Organizations:
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to GC §54597
Public Employee Performance Evaluation:

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. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. *The time limit is 3 minutes for City Council items 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 meeting.*

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

- A. Proclamations
- B. Presentations/Recognitions

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.

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.***

9. OLD BUSINESS

AGENDA FORMAT

10. NEW BUSINESS

11. REPORTS & COMMUNICATIONS

- A. Mayor
 - 1. Announcements
- B. Mayoral and Council Appointments
- C. City Council Reports and Communications
- D. Council Requests for future agenda items
- E. City Manager and Department Staff
- F. City Attorney Report

12. ADJOURNMENT

END OF AGENDA FORMAT

ORDER OF BUSINESS

The foregoing order of business may be suspended at any Council meeting by a majority vote of the members in attendance.

1. Approval of Minutes. A true copy of the minutes of proceedings of regular and special meetings not theretofore approved, as the same shall be entered in the journal of proceedings, shall be provided by the City Clerk to each Council member at least twenty-four (24) hours before regular meetings. Unless otherwise ordered by the Council, the City Clerk shall prepare and produce action minutes of the meetings, which may be approved without a public reading of the same. The minutes as approved by the Council shall be the permanent official record of the proceedings of the City Council.

2. Tape Recordings. Council meetings are televised live on Pinole's Local Community Access Channel (Channel 26). Tape recordings of Council meetings are kept in order to assist in the preparation of minutes. After the prepared minutes have been approved, video tape recordings shall be retained pursuant to the Citywide Records Retention Policy.

3. Rules of Order. The following definitions and rules shall govern the proceedings and order of business of the Council:

a. Reports. Under the item of business entitled "Reports", the Council may receive reports from Council members or the City Manager, which are intended to be limited to approximately two (2) minutes from each individual.

b. Consent Calendar. Items listed under the "Consent Calendar" are considered to be routine and noncontroversial and will be enacted, approved, received or adopted by one motion in the form as shown on the agenda. A member of the public or Council member(s) wishing to comment on an item, may do so before action is taken. If an item is removed from the Consent Calendar for discussion or response to questions, the items shall be removed from the Consent Calendar, and an action taken to approve the balance of the Consent Calendar. Immediately following, the items removed for discussion should be considered separately for action by Council.

c. Citizens To Be Heard. Members of the public may address the Council on any item of interest that is within the jurisdiction of the Council. Individuals who want to speak should complete a card giving his/her name and the item number or description. Individuals will be heard during the Council's consideration of the item. If the item is not listed on the agenda, describe the subject matter on the card and it will be called under Citizens to be Heard, (Public Comment). Time limit is 3 minutes, subject to modification by the Mayor. Individuals may not share or offer time to another speaker.

d. Public Hearings shall consist of matters wherein published notice has been given and where public hearings are required by law and such matters as the Council may deem necessary or desirable to schedule for public hearings. Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. Individuals may not share or offer time to another speaker. The order

of business for Public Hearings is as follows:

- I. All persons wishing to speak for or against a matter which has been set for Public Hearing are requested to complete a card giving his/her name and address, and to hand the card to the City Clerk as early as possible in the meeting. The cards can be found on the Clerk's desk or on a table located in the back of the Council Chambers.
- II. The speakers shall address remarks to and through the Mayor.
- III. Persons addressing the Council shall state their name, the city in which they reside, the interest they represent, if any, and shall state on which side of the argument they wish to be heard
- IV. Prior to opening the Public Hearing, the Mayor may request a staff report and presentation.
- V. All persons wishing to be heard shall confine their remarks to the merits of the matter being considered and shall refrain from references to personalities.
- VI. Applicant/Appellant (10 minutes), subject to adjustment by the Mayor - The applicant or his/her representative shall first address the Council and shall, in his/her first address, state all relevant reasons and present all relevant evidence on behalf of the application.
- VII. Opponent (5 minutes), subject to adjustment by the Mayor – The primary opponent representative to a project/application shall address the Council second and shall state all relevant reasons and present all relevant evidence on behalf of the opposition.
- VIII. The Mayor shall next request the Clerk to read or acknowledge any written communication received on the application.
- IX. Public Comments will be (3 minutes per speaker), subject to adjustment by the Mayor. Any persons wishing to speak either in favor of, in opposition to, or simply to comment on the application shall next be recognized by the Mayor in the order in which they present themselves.
- X. After all persons desiring to speak on the application have completed their presentation and any written communications have been acknowledged, the applicant will be permitted 5 minutes to close the argument by presenting matter in rebuttal on presentation made in opposition to the application.
- XI. If the applicant, in rebuttal, presents new evidence not covered in the original presentation, persons who have previously spoken on the application may be granted an opportunity to comment on the new

evidence only.

XII. The applicant shall have the right to close the argument.

XIII. The Public Hearing shall then be concluded on the part of the public and brought to the Council level for discussion and decision. There is no further comment permitted from the audience unless requested by the Council.

XIV. In matters set for Public Hearing before the City Council, the Mayor reserves the right to limit the length of time for argument.

e. Appeals. Appeals shall be presented to the Council through the City Clerk and/or as required by law. Persons other than parties to the appeal may speak only by permission of the Council. The process for appellant/opposition speakers shall be the same as outlined above for Public Hearings.

f. Public Discussion

I. Permission - Any person addressing the Council shall first secure the permission of the presiding officer.

II. Not A Debate - Public discussion should not be used to elicit a debate between Council members or staff and the public.

III. Time Limits - The Council may establish time limits for the consideration of any agenda item as well as establish an overall time period for the consideration of any matter.

IV. Public Discussion During Council Deliberation - Public discussion shall be allowed following the staff report and Council questions and discussion. Speakers shall be allowed three minutes each, subject to modification by the Mayor.

V. Limit on Public Discussion After Motion to Terminate Deliberation - No discussion shall be permitted after a motion, which would terminate further deliberation, has been adopted.

4. Council Deliberation.

I. Presiding Officer May Deliberate - The Mayor may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his/her acting as the Mayor.

II. Getting the Floor - Improper References to be Avoided - Every member desiring to speak shall address the Mayor, and upon recognition shall confine himself/herself to the question under deliberation, avoiding negative references to personalities and indecorous language.

- III. Interruptions - A Council member, once recognized, shall not be interrupted when speaking unless it is to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question or order be determined, and if in order, said member shall be permitted to proceed.
- IV. Motion to Reconsider - A motion to reconsider any action taken by the Council may be made only on the date such action was taken or the next meeting of the Council. Such motion must be made by one who voted on the prevailing side, and may be made at any time or while a member has the floor and have precedence over all other motions; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same other motion at a subsequent meeting of the Council or a motion to rescind.
- V. Repeal or Amendment of Action Requiring More Than a Majority Vote - Any ordinance or resolution which is passed or adopted and which, as part of its terms, requires more than a majority vote of the Council in order to pass, a motion pursuant to such an ordinance or resolution shall require a vote of the same percent of the Council to repeal or amend the ordinance or resolution.
- VI. Motion to Table - A motion to lay on the table is not debatable and shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.
- VII. Motion to Call for Question or Continue to a Date Specific - A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- VIII. Statement of Position - When a motion to call for the question is adopted, each member of the Council may briefly state his/her position on the matter before roll call or call for the next item of business.
- IX. Privilege of Closing Deliberation - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the deliberations or making the final statement. Further, it shall be the privilege of the Mayor to close debate where the Mayor determines that further debate is not advancing deliberations.
- X. Division of Question - If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.

XI. Second Required - All motions except for nominations and a point of order shall require a second.

XII. Miscellaneous - All other matters not covered by these rules shall be decided by a majority of the Council. Roberts' Rules of Order may be used for guidance. Further, this Resolution supersedes any prior resolutions relating to the conduct of Council meetings.

5. Future Agenda Items – Items/topics requested by a Council member to be scheduled for future discussion shall be first raised at a Council meeting under this Agenda section and approved by a majority vote.
6. Meetings will be adjourned at 11:00 p.m., unless Council approves a motion to extend the meeting to address specific items not yet taken up on the agenda.

PASSED AND ADOPTED this 8th day of **December 2020**, by the following vote:

AYES:	COUNCILMEMBERS: Martinez-Rubin, Murphy, Salimi, Tave, Toms
NOES:	COUNCILMEMBERS: None
ABSENT:	COUNCILMEMBERS: None
ABSTAIN:	COUNCILMEMBERS: None

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 8th day of December 2020.

Heather Iopu, CMC
City Clerk

RESOLUTION NO. 2020-XX

RESOLUTION OF THE CITY COUNCIL OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING AND SETTING FORTH COUNCIL MEETING PROCEDURES FOR THE PREPARATION AND POSTING OF AGENDAS AND THE CONDUCT OF MEETINGS

The Pinole City Council hereby repeals all prior resolutions related to the conduct of meetings, including Resolution 103-2003; 178-2003, 2005-02, 2007-07, 2007-86, 2008-74, 2009-124, 2012-08, 2012-127, 2014-67, and 2015-109, 2016-100, 2017-13, 2017-72, 2018-113, 2019-03, and 2020-114 and resolves as follows:

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4. Council Action Limited. The Council shall not take action on any item not appearing on the posted agenda unless:

- A. It is determined by a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the Council is present, the unanimous vote of the members present, that the need to take action arose after the posting of the agenda.
- B. It is determined by a majority vote of the Council that an emergency situation as described in Government Code Section 54956.5 necessitated prompt action due to the disruption or threatened disruption of public facilities.
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5. Posting Notices for Special Meetings. The call and notice of special meetings shall be posted at least twenty-four (24) hours on the bulletin board located outside of City Hall.

6. Agenda Preparation. The City Manager will identify the items that will be included on each specific City Council agenda. Items may include those requested as future agenda items by the City Council and those needed by City staff to carry out City functions. Staff will endeavor not to include more items on a single agenda than the Council can reasonably address during a single meeting. Items requested as future agenda items by the City Council will be placed on a Council meeting agenda as soon as staff has had sufficient time to conduct any necessary preparations for the item. The City Manager may schedule items requested by Council as future agenda items based on specific time sensitivity or natural timing of the item. The City Council can establish a date certain for a future agenda item when it approves a future agenda item. Cut-off time for placing items on the agenda shall be Wednesday, thirteen days preceding each regular Tuesday meeting, with the final agenda to be prepared by 5:00 pm of the Thursday preceding the

meeting.

7. Order of Business. Promptly at the hour appointed for each regular meeting, the members of the Council, the City Clerk, City Attorney and City Manager, the Police Chief or his designee and such other staff members as are necessary shall assemble in the Council Chambers or some other publicly announced location. A statement of conflict must be disclosed by an official who has a conflict prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).

AGENDA FORMAT

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

2. ROLL CALL, CITY CLERK REPORT & STATEMENT OF CONFLICT

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EXAMPLES:

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Pursuant to GC §54597.6
City Labor Negotiator:
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- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
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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.

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9. OLD BUSINESS

AGENDA FORMAT

10. NEW BUSINESS

11. REPORTS & COMMUNICATIONS

- A. Mayor
 - 1. Announcements
- B. Mayoral and Council Appointments
- C. City Council Reports and Communications
- D. Council Requests for Future Agenda Items and Other Staff Follow-Up
- E. City Manager and Department Staff
- F. City Attorney Report

12. ADJOURNMENT

END OF AGENDA FORMAT

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to assist in the preparation of minutes. After the prepared minutes have been approved, video tape recordings shall be retained pursuant to the Citywide Records Retention Policy.

3. Rules of Order. The following definitions and rules shall govern the proceedings and order of business of the Council:

a. Reports. Under the item of business entitled "Reports", the Council may receive reports from Council Members or the City Manager, which are intended to be limited to approximately two (2) minutes from each individual. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted by Council Members to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

b. Consent Calendar. Items listed under the "Consent Calendar" are considered to be routine and noncontroversial and will be enacted, approved, received or adopted by one motion in the form as shown on the agenda. A member of the public or Council member(s) wishing to comment on an item, may do so before action is taken. If an item is removed from the Consent Calendar for discussion or response to questions, the items shall be removed from the Consent Calendar, and an action taken to approve the balance of the Consent Calendar. Immediately following, the items removed for discussion should be considered separately for action by Council.

c. Citizens To Be Heard. Members of the public may address the Council on any item of interest that is within the jurisdiction of the Council. Individuals who want to speak should complete a card giving his/her name and the item number or description. Individuals will be heard during the Council's consideration of the item. If the item is not listed on the agenda, describe the subject matter on the card and it will be called under Citizens to be Heard, (Public Comment). Time limit is 3 minutes, subject to modification by the Mayor. Individuals may not share or offer time to another speaker.

d. Public Hearings shall consist of matters wherein published notice has been given and where public hearings are required by law and such matters as the Council may deem necessary or desirable to schedule for public hearings. Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. Individuals may not share or offer time to another speaker. The order of business for Public Hearings is as follows:

- I. All persons wishing to speak for or against a matter which has been set for Public Hearing are requested to complete a card giving his/her name and address, and to hand the card to the City Clerk as early as possible in the meeting. The cards can be found on the Clerk's desk or on a table located in the back of the Council Chambers.
- II. The speakers shall address remarks to and through the Mayor.
- III. Persons addressing the Council shall state their name, the city in which they reside, the interest they represent, if any, and shall state on which side of the argument they wish to be heard
- IV. Prior to opening the Public Hearing, the Mayor may request a staff report and presentation.

- V. All persons wishing to be heard shall confine their remarks to the merits of the matter being considered and shall refrain from references to personalities.
 - VI. Applicant/Appellant (10 minutes), subject to adjustment by the Mayor - The applicant or his/her representative shall first address the Council and shall, in his/her first address, state all relevant reasons and present all relevant evidence on behalf of the application.
 - VII. Opponent (5 minutes), subject to adjustment by the Mayor – The primary opponent representative to a project/application shall address the Council second and shall state all relevant reasons and present all relevant evidence on behalf of the opposition.
 - VIII. The Mayor shall next request the Clerk to read or acknowledge any written communication received on the application.
 - IX. Public Comments will be (3 minutes per speaker), subject to adjustment by the Mayor. Any persons wishing to speak either in favor of, in opposition to, or simply to comment on the application shall next be recognized by the Mayor in the order in which they present themselves.
 - X. After all persons desiring to speak on the application have completed their presentation and any written communications have been acknowledged, the applicant will be permitted 5 minutes to close the argument by presenting matter in rebuttal on presentation made in opposition to the application.
 - XI. If the applicant, in rebuttal, presents new evidence not covered in the original presentation, persons who have previously spoken on the application may be granted an opportunity to comment on the new evidence only.
 - XII. The applicant shall have the right to close the argument.
 - XIII. The Public Hearing shall then be concluded on the part of the public and brought to the Council level for discussion and decision. There is no further comment permitted from the audience unless requested by the Council.
 - XIV. In matters set for Public Hearing before the City Council, the Mayor reserves the right to limit the length of time for argument.
- e. Appeals. Appeals shall be presented to the Council through the City Clerk and/or as required by law. Persons other than parties to the appeal may speak only by permission of the Council. The process for appellant/opposition speakers shall be the same as outlined above for Public Hearings.

f. Public Discussion

- I. Permission - Any person addressing the Council shall first secure the permission of the presiding officer.
- II. Not A Debate - Public discussion should not be used to elicit a debate between Council members or staff and the public.
- III. Time Limits - The Council may establish time limits for the consideration of any agenda item as well as establish an overall time period for the consideration of any matter.
- IV. Public Discussion During Council Deliberation - Public discussion shall be allowed following the staff report and Council questions and discussion. Speakers shall be allowed three minutes each, subject to modification by the Mayor.
- V. Limit on Public Discussion After Motion to Terminate Deliberation - No discussion shall be permitted after a motion, which would terminate further deliberation, has been adopted.

4. Council Deliberation.

- I. Presiding Officer May Deliberate - The Mayor may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his/her acting as the Mayor.
- II. Getting the Floor - Improper References to be Avoided - Every member desiring to speak shall address the Mayor, and upon recognition shall confine himself/herself to the question under deliberation, avoiding negative references to personalities and indecorous language.
- III. Interruptions - A Council member, once recognized, shall not be interrupted when speaking unless it is to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question or order be determined, and if in order, said member shall be permitted to proceed.
- IV. Motion to Reconsider - A motion to reconsider any action taken by the Council may be made only on the date such action was taken or the next meeting of the Council. Such motion must be made by one who voted on the prevailing side, and may be made at any time or while a member has the floor and have precedence over all other motions; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same other motion at a subsequent meeting of the Council or a motion to rescind.
- V. Repeal or Amendment of Action Requiring More Than a Majority Vote - Any ordinance or resolution which is passed or adopted and which, as part of its terms, requires more than a majority vote of the Council in order to pass,

a motion pursuant to such an ordinance or resolution shall require a vote of the same percent of the Council to repeal or amend the ordinance or resolution.

- VI. Motion to Table - A motion to lay on the table is not debatable and shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.
 - VII. Motion to Call for Question or Continue to a Date Specific - A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
 - VIII. Statement of Position - When a motion to call for the question is adopted, each member of the Council may briefly state his/her position on the matter before roll call or call for the next item of business.
 - IX. Privilege of Closing Deliberation - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the deliberations or making the final statement. Further, it shall be the privilege of the Mayor to close debate where the Mayor determines that further debate is not advancing deliberations.
 - X. Division of Question - If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.
 - XI. Second Required - All motions except for nominations and a point of order shall require a second.
 - XII. Miscellaneous - All other matters not covered by these rules shall be decided by a majority of the Council. Roberts' Rules of Order may be used for guidance. Further, this Resolution supersedes any prior resolutions relating to the conduct of Council meetings.
5. Council Requests for Future Agenda Items and Other Staff Follow-Up – Under this agenda item, any Council Member may request that an item be scheduled for discussion at a future City Council meeting or that staff conduct a specific follow-up task. The request must be approved by a majority vote of the Council in order to be carried out. The Council Member raising the request shall specify the type of follow-up they seek, among the following: staff provide information on a topic to Council in a memorandum; staff schedule a presentation to Council by an outside party at a future Council meeting; staff schedule a report to Council by staff at a future Council meeting; staff schedule an agenda item at a future Council meeting for staff to receive direction from Council on an issue; and staff present proposed City legislation/policy (resolution or ordinance) to Council at a future Council meeting. Council requests that staff conduct a special project that would require substantial staff time and/or substantial other City resources will be brought to Council as a future Council agenda item for staff to receive direction from Council

on how to resource and prioritize the special project within the City workplan.

6. Meetings will be adjourned at 11:00 p.m., unless Council approves a motion to extend the meeting to address specific items not yet taken up on the agenda.

PASSED AND ADOPTED this 20th day of **April 2021**, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 20th day of April 2021.

Heather Iopu, CMC
City Clerk

RESOLUTION NO. 2020-~~114~~XX

RESOLUTION OF THE CITY COUNCIL OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING AND SETTING FORTH COUNCIL MEETING PROCEDURES FOR THE PREPARATION AND POSTING OF AGENDAS AND THE CONDUCT OF MEETINGS

The Pinole City Council hereby repeals all prior resolutions related to the conduct of meetings, including Resolution 103-2003; 178-2003, 2005-02, 2007-07, 2007-86, 2008-74, 2009-124, 2012-08, 2012-127, 2014-67, and 2015-109, 2016-100, 2017-13, 2017-72, 2018-113, 2019-03, and 2020-114 and resolves as follows:

1. Regular Meetings. Pursuant to Section 2.12.010 of the Municipal Code, a regular meeting of the Pinole City Council shall be held at 6:00 p.m. on the first and third Tuesdays of every month at the Council Chambers, 2131 Pear Street in Pinole, California. Items are placed on the agenda under the respective section headings. Public Hearings are scheduled to commence on or around 7 p.m. pursuant to the Municipal Code.

2. Closed Sessions of the Pinole City Council will customarily be held at 6 p.m. before the regular business items on the City Council agenda. The Closed Session is scheduled to be concluded by or before 7 p.m. If all business cannot be completed during that time, the items will either be held over to the next meeting, or Council may convene back into Closed Session following all the business items that evening.

3. Posting of Meeting Agenda. At least seventy-two (72) hours before a regular meeting, and twenty-four (24) hours before a special meeting of the City Council, the City Clerk shall post on the bulletin board located outside of City Hall, the agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

4. Council Action Limited. The Council shall not take action on any item not appearing on the posted agenda unless:

- A. It is determined by a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the Council is present, the unanimous vote of the members present, that the need to take action arose after the posting of the agenda.
- B. It is determined by a majority vote of the Council that an emergency situation as described in Government Code Section 54956.5 necessitated prompt action due to the disruption or threatened disruption of public facilities.
- C. The item was posted for a prior meeting less than five (5) days previously and continued to the meeting where action is being taken.

5. Posting Notices for Special Meetings. The call and notice of special meetings shall be posted at least twenty-four (24) hours on the bulletin board located outside of City Hall.

6. Agenda Preparation-Deadline. The City Manager will identify the items that will be included on each specific City Council agenda. Items may include those requested as future agenda items by the City Council and those needed by City staff to carry out City functions. Staff will endeavor not to include more items on a single agenda than the Council can reasonably address during a single meeting. Items requested as future agenda items by the City Council will be placed on a Council meeting agenda as soon as staff has had sufficient time to conduct any necessary preparations for the item. The City Manager may schedule items requested by Council as future agenda items based on specific time sensitivity or natural timing of the item. The City Council can establish a date certain for a future agenda item when it approves a future agenda item. Cut-off time for placing items on the agenda shall be Wednesday, thirteen days preceding each regular Tuesday meeting, with the final agenda to be prepared by 5:00 pm of the Thursday

preceding the meeting.

7. Order of Business. Promptly at the hour appointed for each regular meeting, the members of the Council, the City Clerk, City Attorney and City Manager, the Police Chief or his designee and such other staff members as are necessary shall assemble in the Council Chambers or some other publicly announced location. A statement of conflict must be disclosed by an official who has a conflict prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).

AGENDA FORMAT

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

2. ROLL CALL, CITY CLERK 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.

EXAMPLES:

- A. CONFERENCE WITH LABOR NEGOTIATOR
Pursuant to GC §54597.6
City Labor Negotiator:
Employee Organizations:
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to GC §54597
Public Employee Performance Evaluation:

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. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. *The time limit is 3 minutes for City Council items 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 meeting.*

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

- A. Proclamations
- B. Presentations/Recognitions

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.

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.**

9. OLD BUSINESS

AGENDA FORMAT

10. NEW BUSINESS

11. REPORTS & COMMUNICATIONS

A. Mayor

1. Announcements

B. Mayoral and Council Appointments

C. City Council Reports and Communications

D. Council Requests for Future Agenda Items and Other Staff Follow-Up **Council Requests for future agenda items**

E. City Manager and Department Staff

F. City Attorney Report

12. ADJOURNMENT

END OF AGENDA FORMAT

ORDER OF BUSINESS

The foregoing order of business may be suspended at any Council meeting by a majority vote of the members in attendance.

1. Approval of Minutes. A true copy of the minutes of proceedings of regular and special meetings not theretofore approved, as the same shall be entered in the journal of proceedings, shall be provided by the City Clerk to each Council member at least twenty-four (24) hours before regular meetings. Unless otherwise ordered by the Council, the City Clerk shall prepare and produce action minutes of the meetings, which may be approved without a public reading of the same. The minutes as approved by the Council shall be the permanent official record of the proceedings of the City Council.

2. Tape Recordings. Council meetings are televised live on Pinole's Local

Community Access Channel (Channel 26). Tape recordings of Council meetings are kept in order to assist in the preparation of minutes. After the prepared minutes have been approved, video tape recordings shall be retained pursuant to the Citywide Records Retention Policy.

3. Rules of Order. The following definitions and rules shall govern the proceedings and order of business of the Council:

a. Reports. Under the item of business entitled "Reports", the Council may receive reports from Council ~~M~~members or the City Manager, which are intended to be limited to approximately two (2) minutes from each individual. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted by Council Members to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

b. Consent Calendar. Items listed under the "Consent Calendar" are considered to be routine and noncontroversial and will be enacted, approved, received or adopted by one motion in the form as shown on the agenda. A member of the public or Council member(s) wishing to comment on an item, may do so before action is taken. If an item is removed from the Consent Calendar for discussion or response to questions, the items shall be removed from the Consent Calendar, and an action taken to approve the balance of the Consent Calendar. Immediately following, the items removed for discussion should be considered separately for action by Council.

c. Citizens To Be Heard. Members of the public may address the Council on any item of interest that is within the jurisdiction of the Council. Individuals who want to speak should complete a card giving his/her name and the item number or description. Individuals will be heard during the Council's consideration of the item. If the item is not listed on the agenda, describe the subject matter on the card and it will be called under Citizens to be Heard, (Public Comment). Time limit is 3 minutes, subject to modification by the Mayor. Individuals may not share or offer time to another speaker.

d. Public Hearings shall consist of matters wherein published notice has been given and where public hearings are required by law and such matters as the Council may deem necessary or desirable to schedule for public hearings. Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. Individuals may not share or offer time to another speaker. The order of business for Public Hearings is as follows:

- I. All persons wishing to speak for or against a matter which has been set for Public Hearing are requested to complete a card giving his/her name and address, and to hand the card to the City Clerk as early as possible in the meeting. The cards can be found on the Clerk's desk or on a table located in the back of the Council Chambers.
- II. The speakers shall address remarks to and through the Mayor.
- III. Persons addressing the Council shall state their name, the city in which they reside, the interest they represent, if any, and shall state on which side of the argument they wish to be heard
- IV. Prior to opening the Public Hearing, the Mayor may request a staff report

and presentation.

- V. All persons wishing to be heard shall confine their remarks to the merits of the matter being considered and shall refrain from references to personalities.
 - VI. Applicant/Appellant (10 minutes), subject to adjustment by the Mayor - The applicant or his/her representative shall first address the Council and shall, in his/her first address, state all relevant reasons and present all relevant evidence on behalf of the application.
 - VII. Opponent (5 minutes), subject to adjustment by the Mayor – The primary opponent representative to a project/application shall address the Council second and shall state all relevant reasons and present all relevant evidence on behalf of the opposition.
 - VIII. The Mayor shall next request the Clerk to read or acknowledge any written communication received on the application.
 - IX. Public Comments will be (3 minutes per speaker), subject to adjustment by the Mayor. Any persons wishing to speak either in favor of, in opposition to, or simply to comment on the application shall next be recognized by the Mayor in the order in which they present themselves.
 - X. After all persons desiring to speak on the application have completed their presentation and any written communications have been acknowledged, the applicant will be permitted 5 minutes to close the argument by presenting matter in rebuttal on presentation made in opposition to the application.
 - XI. If the applicant, in rebuttal, presents new evidence not covered in the original presentation, persons who have previously spoken on the application may be granted an opportunity to comment on the new evidence only.
 - XII. The applicant shall have the right to close the argument.
 - XIII. The Public Hearing shall then be concluded on the part of the public and brought to the Council level for discussion and decision. There is no further comment permitted from the audience unless requested by the Council.
 - XIV. In matters set for Public Hearing before the City Council, the Mayor reserves the right to limit the length of time for argument.
- e. Appeals. Appeals shall be presented to the Council through the City Clerk and/or as required by law. Persons other than parties to the appeal may speak only by permission of the Council. The process for appellant/opposition speakers shall be the same as outlined above for

Public Hearings.

f. Public Discussion

- I. Permission - Any person addressing the Council shall first secure the permission of the presiding officer.
- II. Not A Debate - Public discussion should not be used to elicit a debate between Council members or staff and the public.
- III. Time Limits - The Council may establish time limits for the consideration of any agenda item as well as establish an overall time period for the consideration of any matter.
- IV. Public Discussion During Council Deliberation - Public discussion shall be allowed following the staff report and Council questions and discussion. Speakers shall be allowed three minutes each, subject to modification by the Mayor.
- V. Limit on Public Discussion After Motion to Terminate Deliberation - No discussion shall be permitted after a motion, which would terminate further deliberation, has been adopted.

4. Council Deliberation.

- I. Presiding Officer May Deliberate - The Mayor may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his/her acting as the Mayor.
- II. Getting the Floor - Improper References to be Avoided - Every member desiring to speak shall address the Mayor, and upon recognition shall confine himself/herself to the question under deliberation, avoiding negative references to personalities and indecorous language.
- III. Interruptions - A Council member, once recognized, shall not be interrupted when speaking unless it is to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question or order be determined, and if in order, said member shall be permitted to proceed.
- IV. Motion to Reconsider - A motion to reconsider any action taken by the Council may be made only on the date such action was taken or the next meeting of the Council. Such motion must be made by one who voted on the prevailing side, and may be made at any time or while a member has the floor and have precedence over all other motions; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same other motion at a subsequent meeting of the Council or a motion to rescind.
- V. Repeal or Amendment of Action Requiring More Than a Majority Vote - Any ordinance or resolution which is passed or adopted and which, as part of

its terms, requires more than a majority vote of the Council in order to pass, a motion pursuant to such an ordinance or resolution shall require a vote of the same percent of the Council to repeal or amend the ordinance or resolution.

- VI. Motion to Table - A motion to lay on the table is not debatable and shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.
- VII. Motion to Call for Question or Continue to a Date Specific - A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- VIII. Statement of Position - When a motion to call for the question is adopted, each member of the Council may briefly state his/her position on the matter before roll call or call for the next item of business.
- IX. Privilege of Closing Deliberation - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the deliberations or making the final statement. Further, it shall be the privilege of the Mayor to close debate where the Mayor determines that further debate is not advancing deliberations.
- X. Division of Question - If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.
- XI. Second Required - All motions except for nominations and a point of order shall require a second.
- XII. Miscellaneous - All other matters not covered by these rules shall be decided by a majority of the Council. Roberts' Rules of Order may be used for guidance. Further, this Resolution supersedes any prior resolutions relating to the conduct of Council meetings.

- 5. Council Requests for Future Agenda Items and Other Staff Follow-Up – Under this agenda item, any Council Member may request that an item Items/topics requested by a Council member to be scheduled for future discussion at a future City Council meeting or that staff conduct a specific follow-up task. The request must be approved by a majority vote of the Council in order to be carried out. shall be first raised at a Council meeting under this Agenda section and approved by a majority vote. The Council Member raising the request shall specify the type of follow-up they seek, among the following: staff provide information on a topic to Council in a memorandum; staff schedule a presentation to Council by an outside party at a future Council meeting; staff schedule a report to Council by staff at a future Council meeting; staff schedule an agenda item at a future Council meeting for staff to receive direction from Council on an issue; and staff present proposed City legislation/policy (resolution or ordinance) to Council at a future Council

meeting. Council requests that staff conduct a special project that would require substantial staff time and/or substantial other City resources will be brought to Council as a future Council agenda item for staff to receive direction from Council on how to resource and prioritize the special project within the City workplan.

6. Meetings will be adjourned at 11:00 p.m., unless Council approves a motion to extend the meeting to address specific items not yet taken up on the agenda.

PASSED AND ADOPTED this ~~8th~~-20th day of ~~December~~-April ~~2021~~10, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on this ~~8th~~-20th day of ~~December 2020~~April 2021.

Heather Iopu, CMC
City Clerk



CITY COUNCIL REPORT

10A

DATE **APRIL 20, 2021**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR / CITY
ENGINEER
MARIA PICAZO, RECREATION MANAGER**

SUBJECT: UPDATED PARK RULES AND PARK BATHROOM HOURS POLICY

RECOMMENDATION

City staff recommends that the City Council consider an update to the City's park rules and park bathroom hours policy as recommended by the Community Services Commission, amend as desired, and adopt by resolution.

BACKGROUND

Chapter 12.08 of the City's Municipal Code addresses park rules and regulations. Section 12.08.040 states that "the City Council shall, by resolution, adopt rules and regulations pertaining to the hours of use and such other regulations as they deem advisable for the public health, safety and welfare."

Over the years, the City Council has adopted various park rules. These rules are not currently cataloged in a single document, nor do they include all modern best practices for park rules.

Chapter 2.36 of the City's Municipal Code establishes the Community Services Commission. Section 2.36.030 assigns the Commission the duty of serving as the principal advisor to the City Council in all matters pertaining to parks and to review and recommend policies and procedures governing parks for approval by the City Council.

City staff created a unified list of the City's current park rules. Staff proposed revisions to some of the rules and the addition of some rules to the Commission in order to address all of the issues appropriate to a modern park system.

In addition to park rules, which provide guidance to park users, the City follows a number of internal policies regarding the operation of the parks. One significant policy of considerable interest to the public addresses the hours that park restrooms are open.

The City has historically had park restrooms open from 8 am until 4 pm every day, except City holidays. Based on community input and new technology, staff believe that it is desirable and practical to revise park restroom open hours to coincide with the park open

hours, which are from one-half hour before sunrise to one-half hour after sunset each day, including City holidays.

REVIEW & ANALYSIS

The Commission met on March 24, 2021 and April 14, 2021 to review the park rules and policies. The Commission is recommending that the City Council adopt updated park rules and park bathroom hours policy, attached.

The Police Department has also reviewed the proposed park rules and policies. They provided comments which have been incorporated.

City staff reviewed the park rules of several other jurisdictions looking for best practices including East Bay Regional Park District, City of Chico, and City of Hercules. Additionally, staff has recommended revisions to address many of the points of conflict that have arose in applying the existing rules.

FISCAL IMPACT

There would be no significant fiscal impact to the City created by adopting the proposed park rules and policies.

ATTACHMENTS

Attachment A Resolution
 Exhibit 1 – Proposed Park Rules
 Exhibit 2 – Proposed Park Bathroom Hours Policy

RESOLUTION NO. 2021- XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE ADOPTING
UPDATED PARK RULES AND POLICIES

WHEREAS, Chapter 12.08 of the City's Municipal Code addresses park rules and regulations; and

WHEREAS, Section 12.08.040 states that "the City Council shall, by resolution, adopt rules and regulations pertaining to the hours of use and such other regulations as they deem advisable for the public health, safety and welfare;" and

WHEREAS, over the years, the City Council has adopted various park rules, but these rules are not currently cataloged in a single document, nor do they include all modern best practices for park rules; and

WHEREAS, Chapter 2.36 of the City's Municipal Code establishes the Community Services Commission, Section 2.36.030 of which assigns the Commission the duty of serving as the principal advisor to the City Council in all matters pertaining to parks and to review and recommend policies and procedures governing parks for approval by the City Council; and

WHEREAS, City staff proposed revisions to some of the rules and the addition of some rules to the Commission in order to address all of the issues appropriate to a modern park system; and

WHEREAS, in addition to park rules, which provide guidance to park users, the City follows a number of internal policies regarding the operation of the parks, including park restroom open hours; and

WHEREAS, the Commission met on March 24, 2021 and April 14, 2021 to review the park rules and policies and the Commission is recommending that the City Council adopt updated park rules, attached as Exhibit 1 and park bathroom hours policy, attached as Exhibit 2;

NOW, THEREFORE, BE IT RESOLVED that the Pinole City Council does hereby approve the park rules, attached as Exhibit 1 and park bathroom hours policy, attached as Exhibit 2.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 20th day of April 2021 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 20th day of April 2021.

Heather Iopu, CMC
City Clerk

EXHIBIT 1 to RESOLUTION 2021-xx**CITY OF PINOLE PARK RULES**

1. All City Parks, except Fernandez Park, are closed from ½ hour after sunset to ½ hour before sunrise the following day.
2. Fernandez Park is closed from 9:00 PM to 6:00 AM every day.
3. It is unlawful for any person to be in any City Park when the park is closed.
4. Smoking or vaping of any substance is prohibited in all City Parks and within 50 feet of all park entrances. Tobacco use of any kind is prohibited within all parks.
5. Motor vehicles are prohibited within park grounds except on access roadways which are open to the public. Special permits may be available on an as needed basis for special events. Emergency Services and City Vehicles are exempt.
6. Parking is allowed in designated area only.
7. Bicycle use in parks must comply with the California Vehicle Code.
8. Alcoholic beverages, open or closed, are not allowed in any City Park at any time. Persons using linear parks as a means of transportation from shopping destinations may transport closed containers.
9. No glass containers are allowed in any City park.
10. Dogs using the parks must be leashed at all times, except within designated areas. People must immediately remove any animal waste deposited by animals under their care for proper disposal.
11. No animals are allowed within playground areas at any time.
12. Feeding of wild animals within the parks is prohibited.
13. Fishing within any City Park must comply with California Fish and Wildlife Regulations.
14. Horses are allowed only on designated trails. People must immediately remove any animal waste deposited by animals under their care for proper disposal.
15. No fires are allowed within any City Park.
16. No fireworks are allowed within any City Park.
17. City barbeque pits may be used for charcoal burning only. BBQ coals must be fully extinguished before leaving the area.
18. No outside or personal barbeques are allowed.
19. No interfering with person(s) lawfully using or maintaining the park.
20. No person shall modify, damage, or alter any park, or park facility in any way.
21. No person shall destroy, injure, cut or take any natural element of any park including, but not limited to, flowers, shrubs, seeds, wood, rocks, frogs, ducks, and/or crayfish.
22. Swimming in San Pablo Bay is at your own risk.
23. Skateboarding is allowed only within the Skateboarding park. Skateboarding is prohibited in all other park areas.
24. Tennis courts are for playing tennis only.
25. Park users must remove all refuse arising out of their use of the parks for proper disposal.
26. Amplified sound is prohibited within all parks without a permit.

EXHIBIT 1

27. No items may be left unattended within the parks, this includes chairs, animal habitat or food, temporary monuments or memorials, campsites and all other personal property. Any unattended personal property is subject to removal.
28. The use of inflatable jump type play equipment is allowed only as part of a park rental agreement within Fernandez Park.
29. Any picnic, activity or meeting of a group over 30 persons shall be required to have a permit for such activity.
30. Any picnic or meeting of any size group desiring to use priority areas within the parks shall be required to have a reservation.
31. Any person using any park facility for profit, such as personal training, boot camp, filming, or lessons, shall be required to have a permit for such activity.
32. Rental of specific areas of the parks is managed by the City. All rental use must follow the rules provided with their rental agreement.

PARK RESTROOM HOURS

I. PURPOSE

To define the level of service for the City of Pinole Park Restrooms.

II. POLICY

For the benefit of Park Users, park restrooms will be available for park users while parks are open. Park hours are adopted by Council in accordance with the Pinole Municipal Code. Park Restrooms will be open 365 days per year. Park restrooms will be cleaned once per day, excluding holidays. Temporary modifications for extenuating circumstances can be made by the City Manager.

III. SCOPE

This policy shall apply to listed park restroom locations:

1. Pinole Valley Park
2. Adobe Park/Dog Park
3. Fernandez Park
4. Bayfront Park in coordination with East Bay Regional Park District
5. City Tennis Courts in coordination with Contra Costa County

IV. RESPONSIBLE DEPARTMENT

Public Works will be responsible to carry out this policy.

V. DEFINITIONS

Extenuating Circumstances: unpredicted special needs for health and safety, or to correspond to special permitted Park use that extend beyond park hours of operation.



CITY COUNCIL REPORT

10B

DATE: APRIL 20, 2021

TO: MAYOR AND COUNCIL MEMBERS

FROM: TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR / CITY ENGINEER
MISHA KAUR, SR. PROJECT MANAGER

SUBJECT: ADOPT A RESOLUTION APPROVING THE ADOPTION OF A COMPLETE STREETS POLICY

RECOMMENDATION

Staff recommends that the City Council adopt a resolution (Attachment A) approving the adoption of a Complete Street Policy which incorporates the Metropolitan Transportation Commission's required complete streets elements.

BACKGROUND

The term "Complete Streets" describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users. The California Complete Streets Act of 2008 (Assembly Bill 1358, Chapter 657, Statutes of 2008) required that, commencing on January 1, 2011, upon any substantive revision of the circulation element of a City's General Plan, the City must modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, person with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan.

As a condition of the One Bay Area Grant Program (OBAG 2), the Metropolitan Transportation Commission has required local jurisdictions to comply with California's Complete Streets Act of 2008 (Assembly Bill 1358, Chapter 657, Statutes of 2008). To demonstrate compliance, a jurisdiction must have either updated its General Plan to comply with the Complete Streets Act of 2008 or adopted a Complete Streets Resolution that incorporates the required complete streets elements.

On March 17, 2021, the Traffic and Pedestrian Safety Commission (TAPS) reviewed the proposed Complete Streets Policy and Resolution and recommended that City Council adopt a resolution approving the adoption of a Complete Streets Policy.

REVIEW AND ANALYSIS

The purpose of the Complete Streets Policy is to establish guiding principles and practices that ensure all transportation improvements will be planned, designed, constructed, operated, and maintained to encourage walking, bicycling, and transit use while promoting safe operations for all users based upon the following principles:

- **Serve all Uses** – All transportation improvements will be planned, designed, constructed, operated, and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling, and transit use.
- **Context Sensitivity** – The planning and implementation of transportation projects will reflect conditions within and surrounding the project area, whether the area is a residential or business district or urban, suburban or rural. Project planning, design and construction of complete streets projects should include working with residents and businesses to ensure that a strong sense of place is maintained.
- **Complete Streets in Departments** – All departments in the jurisdiction and outside agencies whose work affects the roadway must incorporate a complete streets approach into the review and implementation of their projects and activities. Potential complete streets opportunities could apply to projects such as, transportation projects, road rehabilitation, new development, utilities, etc.
- **Projects/Phases** – The policy will apply to all roadway projects, including those involving construction, new construction, retrofits, repaving, rehabilitation, or other changes in the allocation of pavement space on an existing roadway, as well as those that involve new privately built roads and easements intended for public use.

The City of Pinole's Planning Commission reviewed and recommended approval of the Circulation element of the General Plan which includes goals and policies intended to facilitate the development of a complete street system within Pinole and improve the multi-modal transportation network within the City.

The City was awarded \$586,000 from OBAG2 funds for San Pablo Avenue Rehabilitation Project (CIP Project # RO1801) and satisfied MTC's Complete Streets Policy requirement by demonstrating the City's General Plan includes policies consistent with the Complete Streets Act of 2008.

City staff recently completed a grant application to seek \$350,000 from MTC's Safe and Seamless Mobility Quick-Strike Program, a one-time grant program within the OBAG-2 framework to fund pedestrian and bicycle safety improvements at Appian Way and Marlesta Road.

The proposal before the City Council is to formalize a City Complete Streets Policy that will benefit the community and maintain eligibility for future grant opportunities.

FISCAL IMPACT

Adoption of a Complete Streets Policy ensures that the City will be eligible for grant funding for certain transportation infrastructure improvements through the OBAG 2 program administered by MTC.

ATTACHMENT(S)

Attachment 1 – Resolution with an attachment:

Exhibit A – Complete Streets Policy of City of Pinole

RESOLUTION NO. 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA APPROVING THE ADOPTION OF A COMPLETE STREET POLICY

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated and transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families; and

WHEREAS, the City of Pinole acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation; and

WHEREAS, the City of Pinole recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”; and

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental well-being of their communities; and

WHEREAS, the City of Pinole therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe,

equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Pinole, State of California as follows:

1. That the City of Pinole adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted.
2. That the next substantial revision of the City of Pinole's General Plan circulation shall incorporate Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole, State of California held on this 20th day of April 2021 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 20th day of April 2021.

Heather Iopu
City Clerk

Exhibit A
COMPLETE STREETS POLICY OF CITY OF PINOLE

Complete Streets Principles

1. **Serve all Users** – All transportation improvements will be planned, designed, constructed, operated, and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling and transit use.
2. **Context Sensitivity** – The planning and implementation of transportation projects will reflect conditions within and surrounding the project area, whether the area is a residential or business district or urban, suburban or rural. Project planning, design and construction of complete streets projects should include working with residents and businesses to ensure that a strong sense of place is maintained.
3. **Complete Streets in all Departments** – All departments in the jurisdiction and outside agencies whose work affects the roadway must incorporate a complete streets approach into the review and implementation of their projects and activities. Potential complete streets opportunities include transportation projects, road rehabilitation, new development, and utility work, among others.
4. **All Projects/Phases** – The policy will apply to all roadway projects, including those involving reconstruction, new construction, retrofits, repaving, rehabilitation, or other changes in the allocation of pavement space on an existing roadway, as well as those that involve new privately built roads and easements intended for public use.

Implementation

5. **Plan Consultation** – Any proposed improvements should be evaluated for consistency with all local bicycle, pedestrian, transportation, and other plans that affect the right-of-way.
6. **Street Network/Connectivity** – The transportation system should provide a connected network of facilities accommodating all modes of travel. This includes looking for opportunities for repurposing rights-of-way to enhance connectivity for cyclists, pedestrians and transit users. The network should include non-motorized connectivity to schools, parks, commercial areas, civic destinations, and regional non-motorized networks from publicly owned roads/land and private developments (or redevelopment areas).
7. **BPAC Consultation** – Input shall be solicited from local bicycle and pedestrian

advisory committees (BPACs) or similar advisory group in an early project development phase to verify bicycling and pedestrian needs for projects. (MTC Resolution 875 requires that cities of 10,000 or more create and maintain a BPAC or rely on the county BPAC to receive TDA-3 funds.)

8. **Evaluation** – Cities and counties will establish a means to collect data for the purpose of evaluating each jurisdiction's implementation of complete streets policies. Examples include tracking the mileage of bike lanes and sidewalks, the number of street crossings, or the amount of specific signage.

Exceptions

9. **Process** – Plans or projects that seek exception from the complete streets approach must provide written finding of how exceptional circumstances dictated that accommodations for all modes were not to be included in the project. The memorandum should be signed by the Public Works Director or an equivalently senior staff person. Plans or projects that are granted an exception must be made publicly available for review.

Federal guidance on exceptions can be found from the Federal Highway (FHWA) webpage: *Accommodating Bicycle and Pedestrian Travel*:

https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design.cfm