

**CITY COUNCIL MEETING
MINUTES
December 2, 2025**

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

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Sasai called the Regular Meeting of the City Council to order at 5:00 p.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

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

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

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.

A. COUNCILMEMBERS PRESENT

Cameron Sasai, Mayor
Anthony Tave, Mayor Pro Tem*
Norma Martinez-Rubin, Council Member
Devin Murphy, Council Member
Maureen Toms, Council Member
*Arrived After Roll Call

B. STAFF PRESENT

Melissa Klawuhn, Acting City Manager/Police Chief
Heather Bell-Spears, City Clerk
Eric Casher, City Attorney
Fiona Epps, Communications Director
Andrea Dwyer, Community Services Director
Heba El-Guindy, Public Works Director
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell-Spears announced the agenda had been posted on November 25, 2025 at 4:55 p.m. with all legally required written notices.

Ms. Bell-Spears stated the agenda had later been amended to correct the titles for Items 4A and 4B. Written comments had been received in advance of the meeting, distributed to the City Council and staff, posted to the City website and made available to the public to view in the Council Chambers.

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

4. CONVENE TO A CLOSED SESSION

Citizens may address the Council regarding a Closed Session item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.

A. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code § 54957.6

Agency designated representatives: Human Resources Director Stacy Shell,
Finance Director Markisha Guillory and Gregory Ramirez, IEDA

Employee organizations: The Pinole Police Employees Association (PPEA)

B. PUBLIC EMPLOYEE APPOINTMENT

Gov. Code § 54957

Title: Acting City Manager

PUBLIC COMMENTS OPENED

Amy Eubanks, President, Pinole Police Employees Association (PPEA), speaking to Item 4A, reported the largest union in the City of Pinole had been out of contract for 154-days due to the City's inability so far to offer terms to meet the needs of one of the most critical professions in any municipality, law enforcement officers. She commented that a raise that merely met the inflation rate was not really a raise. As she had expressed before, the City of Pinole had struggled with the retention of officers for years and at present only nine officers had more than five years of service with the City of Pinole, while eleven officers had less than five years on the job. This level of turnover and the resulting lack of experience had a measurable and potentially detrimental impact on the Pinole Police Department (PPD) to be able to provide high quality policing. A Police Department with a high proportion of novice officers inevitably faced challenges and situations that seasoned officers would solve quickly and confidently. Officers were now taking significantly longer to handle issues, not due to a lack of training since officers were well trained and committed, but there could be no price tag on experience. Experienced officers possessed the judgment, intuition and confidence that only years on the street provided.

Ms. Eubanks added that new officers learned on the beat and relied on the mentorship, guidance and steady presence of veteran officers. When experienced personnel left faster than they could be replaced the entire system would become strained. Retention was just as crucial as recruitment. If expecting to maintain a PPD delivering the best outcome for residents, competitive compensation was not about rewarding officers but ensuring the City could retain the skilled professionals who mentored the next generation, safeguarded the community and kept response times efficient and effective. Without a fair and sustainable contract, the City risked further destabilization of a department already stretched thin. She strongly urged the City Council to prioritize solving the contract and to recognize that maintaining a strong and experienced police force was not only beneficial, but essential for public safety.

Cathy McFarland commented that the two priorities for the City of Pinole had always been public safety and good roads. She was beyond disappointed with the Mayor and Council members who could not, after six months, get police officers and emergency dispatchers a signed contract. There had been a half cent sales tax increase to cover those services and the City Council could still not get it together. She asked the City Council to deliver what had been promised. She asked whether the Mayor's past personal ideology to defund the police was what was taking hold. If that was the case, it was a conflict of interest and not in the best interests of the City, and she suggested the Mayor should excuse himself.

Ms. McFarland also understood the City now wanted to add Chapter 2.68 to Title 2 of the Pinole Municipal Code (PMC), to restrict the use of City-owned and City-controlled property for Federal Civil Immigration Enforcement Activities, which included the Immigration and Customs Enforcement (ICE) agency, and the City wanted to endorse aiding, abetting and welcoming more criminals who wanted a safe harbor, to come into the City. She suggested no criminals in Pinole should be allowed regardless of status. She pointed out taxpayers had paid and maintained what the City owned and it should be residents who decided that issue. If agenda Item 10A was adopted, each member who voted to support the item should be held legally and financially responsible for any incidents created by an illegal criminal against a Pinole resident going forward. Also, since the City wanted transparency, she suggested closed meetings should be open to the public to allow the public to see who was actually supporting the City rather than using the City to further one's own agenda, to allow the public to make informed decisions at the next election.

Rafael Menis speaking to Item 4A, was curious whether the City had data available that compared the overtime costs versus the costs of having a police officer in a given position to allow for cross comparison analyses of pension costs and the like. He recognized the equity concerns from the PPD given the increase in inflation but was concerned if the City adopted an eight percent raise, other City Departments that negotiated for smaller raises may feel they were undercut, making future negotiations in those Departments more difficult. He suggested the dispatchers should at the least receive an equivalent rate to the highest bilingual bonus rate elsewhere in the City given their high-stressed environment and being able to speak in multiple languages, which could make a difference between life and death. This should be the area where the City encouraged multi-lingual capabilities. When moving forward, he hoped the City Council would at least consider an adjustment to dispatchers' pay.

Anthony Vossbrink referenced Item 4A, and asked why the Human Resources and Finance Directors were part of the negotiations rather than the majority for both sides given that the bottom line was the Mayor and City Council made the decision, with the Council majority being the Mayor and his fellow Councilmen. He suggested the PPD deserved the raise but should also be able to secure more officers to be funded within the negotiations. He understood the average Police Departments throughout the nation were staffed with three officers per 1,000 population. He suggested the PPD should have more officers and was understaffed with only two officers on the street at any time. For Item 4B, he asked why the City Manager had left the City and why she was asked to resign. The full story needed to be disclosed to the public before or after the Closed Session. He suggested the City Manager had been doing a good job.

PUBLIC COMMENTS CLOSED

Mayor Sasai advised the City Council would convene to Closed Session and reconvene at approximately 6:30 p.m.

City Clerk Bell-Spears advised there was another speaker wishing to speak under public comment for Item 4, and that speaker was allowed to address the City Council at this time.

Peter Murray referenced the recent departure of the City Manager, who was the second City Manager in three years who had left the City. He was concerned things were being done in Closed Session and the community was not being told why the City Manager had left and whether the reason was the City Manager or the City Council. The City Manager who had served the City prior to the most current City Manager had landed solidly in another community and was doing well, with the latest City Manager someone the community and City staff had supported. He emphasized the City Council should address that issue but not in Closed Session since the community was unaware what was going on, which was a violation of trust with the community. He suggested City Manager Kelcey Young had been very involved in the community but had been let go due to reasons unknown. He urged the City Council to do a deep dive to identify the problem. Having listened to the issues and watching City Council meetings, he found there were some personality issues between the City Manager and Council members and had spoken about that in the past. He urged the City Council to conduct some self-analysis individually and consider what it took to manage a city. The City Council's job was to provide oversight. The City Manager was to provide the management style.

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

At 7:15 p.m., Mayor Sasai reconvened the meeting into open session. He reported the City Council voted unanimously to appoint Police Chief Melissa Klawuhn as the Acting City Manager.

6. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes and is subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting.

Rafael Menis reported on the COVID-19 rates per the latest data from the Centers for Disease Control and Prevention (CDC). Rates in wastewater were low and continued to decline, although rates typically rose during the months of December and January, and he encouraged everyone to get vaccinated and a booster shot if possible. He also wished everyone Happy Holidays and noted the need to come together as a community and celebrate what connected us. He commented when sending out emails people needed to check their email lists since some people may have received an email they did not wish to receive.

Bob Kopp asked for an accounting of Council member Murphy's travel expenses to Washington D.C. and how that benefitted the City of Pinole. He hoped a breakdown could be provided at the next meeting of the City Council.

Mr. Kopp commented on the fact the City Council had given itself a raise this year and increased its travel and training budget and was now soliciting interns to help Council members do their jobs. Council member Murphy was in his second term on the City Council and should have gained experience in his first term.

George Pursley, member of the Contra Costa County Library Commission, reported the County finally had the funds to repair the Pinole Library, which included repair of the roof and HVAC equipment. The library would be closed from March 2026 to January 1, 2027, and library cards would be recognized in neighboring libraries. He added on December 4, 2025, the United Teachers of Richmond (UTR) K-12 and adult teachers planned to go on a sympathy strike in support of the West Contra Costa Unified School District (WCCUSD). He reported that he favored agenda Item 10A.

Irma Ruport reported on her understanding former City Manager Kelcey Young had been pursuing other career opportunities, left the City on her own and based on her Facebook page, resigned her position. She suggested former City Manager Young had not been vetted appropriately for the job by the Human Resources Department or the recruitment consultant. She found public information available on LinkedIn, which had shown for the past 10-years former City Manager Young had not held the same position for more than two years. Shortly after former City Manager Young had come on board, she and her husband met with the City Manager in her office and were informed she was getting other offers. For the last year, former City Manager Young had been missing in action in the office and she understood she had not secured a job in the State of Arizona, but was pending for a position in the State of Arkansas. She emphasized former City Manager Young had the most performance evaluations than any other City Manager in the past.

Ms. Ruport was well aware of the City's history which included the history of City Managers over the years. She also had information about spotting red flags when reviewing résumés and reiterated that former City Manager Young had not planned to stay long in Pinole. She again suggested the recruitment consultant and Human Resources Department had not vetted former City Manager Young properly and the next person to be considered for the position should be vetted properly and want to be in the position. She requested that the new city manager not be someone who was handpicked or a friend, but someone able to lead the City and do their job.

Peter Murray reported on his stance against cannabis dispensaries in Pinole, and commented "if his child or grandchild found themselves living on the street in San Francisco, if they got started here in Pinole, there would be a price to pay." He emphasized Pinole was a community, and everyone should be taken into consideration, from the youngest to the oldest. He suggested cannabis was a stepping stone drug, was not needed, and the City had put much effort into imposing a moratorium to prevent cannabis in Pinole. He suggested the people that made that effort should be recognized. In response to the personalized discussions from the prior speaker, he stated he knew more about hiring and firing of City Managers and the verbiage used and why it was used, and he had spoken with a number of City Attorneys in his lifetime.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Sasai reported he attended the National League of Cities Conference and met with policy experts nationally. Given the changes at the federal level, having that space was exceptional to learn what cities were doing to confront the changes and lobby members of Congress to get funds necessary for communities to succeed. He thanked the City Clerk and others for the discussions and he hoped to attend a future conference. He added the Contra Costa Mayors Conference would be hosted by the City of Pinole on December 4, 2025 at the Pinole Senior Center and he looked forward to meeting with former Mayors and City staff. He also reported the Christmas Tree Lighting ceremony would be held on December 6, 2025 from 3:00 to 6:30 p.m. at the Community Corner in downtown Pinole. He thanked City staff for procuring and making the effort to handpick the tree.

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Council member Martinez-Rubin reported she attended the Ad Hoc Committee to Review Council Procedures to provide feedback on the handbook staff had drafted on Council procedures, and identify items for further discussion including how meetings were run. The next Ad Hoc Committee meeting was scheduled for December 3, 2025.

Council member Murphy reported over the past several weeks he had the opportunity to represent the City in a number of regional and statewide conversations that directly affected residents, local government and the future of energy and economic development in the City. He attended a Marin Clean Energy (MCE) Board of Directors meeting and reported on the Executive Committee's referral to the MCE Board of Directors around the formation of a new Finance Committee. The MCE Executive Board approved the formation of the new committee which would join the Executive and Technical Committees as Standing Committees to provide oversight over the MCE budget. He also announced the City's Sustainability Project Manager, Kapil Amin, had been nominated as one of eight nominees for the Charles F. McGlashan Awards and who had been honored mostly for his work in the City of Pinole and his leadership around innovation, particularly related to the development of the City's Climate Action and Adaptation Plan (CAAP). He congratulated Mr. Amin for his work.

Council member Murphy also reported the Emergency Operations Plan (EOP) Subcommittee met and worked closely with the Acting City Manager/Police Chief to finalize the Draft EOP before it was presented to the City Council for adoption. He participated in the Ad Hoc Committee to Review Council Procedures, and to discuss updates to the City Council procedure rules to ensure the process was more inclusive, clear and accessible. He also participated in a tour of the California Independent System Operator (CAL ISO), and detailed the background and purpose of the agency. He added that MCE, a member of the statewide organization, California Community Choice Association, filed a Petition of Writ Review challenging a recent California Public Utilities (CPU) Commission decision that retroactively changed the methodology used to calculate the power charge indifferent adjustment, with a request for the court to reverse the decision noting the sudden and aftereffect changes to approved rates jeopardized local budgets and eroded public trust in the regulatory process. He planned to follow the issue closely since it had direct implications on the affordability and energy of governments in Pinole and across the State of California.

Council member Murphy also attended an East Bay Economic Development Alliance meeting, with a presentation on the future of work for young people and with the Alliance having adopted an updated legislative platform focused on business competitiveness, economic empowerment education and workforce development. He also represented the Contra Costa Mayors on this Board by way of the City of Pinole, with more information on the Alliance website.

Council member Murphy further reported he attended the National League of Cities Conference joining the Mayor in making sure the City's voice was heard, with more than 2,700 cities across the country represented including the cities of Richmond and El Cerrito. The League adopted national policies addressing issues that mattered to the cities including the preservation of the tax exempt status of municipal bonds, urging federal engagement with local governments on cryptocurrency oversight, calling for resolution of conflicts between state and federal cannabis laws, protecting federal scientific data critical for climate resilience and support for the bipartisan Neighborhood Homes Investment Act (NHIA), to expand affordable home ownership in distressed communities.

Council member Toms reported she attended the Association of Bay Area Governments (ABAG) Executive Committee meeting with a presentation on the Draft Plan Bay Area 2050+, which detailed expected demographic changes. She learned the process for determining the demographic changes would be different than what had been required after a lawsuit from the building industry and since several cities believed the demographic information provided in the last round of Housing Elements had overstated the potential growth for the Bay Area and over-required housing units to be planned for in the area. The Draft Plan was currently out for public review. As the Alternate, she also attended a meeting of the MCE Board of Directors, with one of the big issues being the creation of a Finance Subcommittee, separate from the Executive and Technical Committees.

Council member Toms added on November 21, 2025, Public Works and City staff came together with the family of Robert Walker to dedicate the Maintenance Building in his honor, and she participated in a review of the City's EOP with the Acting City Manager/Police Chief and Council member Murphy, with more information to be provided at a later date.

Mayor Sasai added to his comments and reported he was pleased to have met with Senator Jesse Arreguín who came to City Hall to personally meet with him and he thanked the Senator's Office for updates on work being done in Sacramento, and bills that had passed in the past year including a range of topics from housing, public transit funding, immigration enforcement to police accountability and transparency. He was thankful for Senator Arreguín's leadership.

D. Council Requests for Future Agenda Items: None

E. City Manager Report / Department Staff

Acting City Manager/Police Chief Melissa Klawuhn reported the City Manager's Office hours would resume with the Acting City Manager starting Thursday, December 11, 2025, from 3:00 to 4:00 p.m. at the Police Department. Interested persons were asked to come to the lobby on the second floor, with the office hours to continue each Thursday, with the exception of December 25, 2025 and January 1, 2026.

Acting City Manager/Police Chief Klawuhn also reported a Planning Commission Parklet Workshop would be held on December 8, 2025 starting at 7:00 p.m.; the Sanitary Sewer Rehabilitation Project would be complete by Friday, December 5, 2025 including resurfacing of the work area, with the Public Works Department to team with the pavement subcontractor to perform additional pavement repairs at the intersection of Pinon Avenue, Hutchinson Court and Ramey Court, to be performed during the month of December or early January, with affected residents to be notified in advance. The Public Works Maintenance Operations Team started the installation of holiday decorations and testing of lights in the downtown area in preparation of the Christmas tree lighting scheduled for December 6, 2025, with a traffic detour plan to be published to minimize traffic impacts of the planned road closure on San Pablo Avenue.

Community Services Director Andrea Dwyer invited everyone to the Annual City of Pinole Holiday Tree Lighting ceremony on December 6, 2025 at the Community Corner, located at the intersection of Tennent and San Pablo Avenues, from 3:00 to 6:30 p.m. with family, friends and neighbors encouraged to participate. There would be children's activities, Santa and the Grinch would make a stop, and vendors and businesses would be open for people to shop during the event and enjoy the holiday season. There would also be snow and the lighting of the annual tree. More information was available at pinole.gov/events. She added the holiday breakfast sales were now online as was registration for Glow Pinole.

F. City Attorney Report: None

PUBLIC COMMENTS OPENED (Items 7A through 7F)

Deputy City Clerk Stone reported there were no comments from the public.

PUBLIC COMMENTS CLOSED

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. **Proclamations:** None

B. **Presentations**

1. Contra Costa County Regional Alternative Compliance System Overview

Public Works Director Heba El-Guindy introduced Rinta Perkins, Interim Program Manager, Contra Costa County Clean Water Program, to present information on the Municipal Stormwater Requirements and the possibility of establishing a regional reporting system. Staff was not requesting a decision at this time since the presentation would be provided for informational purposes. The item could be brought back for Council consideration in February or March 2026. Initial feedback and input from the City Council was requested.

Rinta Perkins, Interim Program Manager, Contra Costa County Clean Water Program, provided a PowerPoint presentation on the Contra Costa County Regional Alternative Compliance (RAC) System Overview, which included an overview of the Municipal Regional Stormwater Permit (MRP), issued by the Regional Water Quality Control Board (RWQCB), to be implemented on new development and redevelopment projects.

The purpose was to retrofit a proportion of permittee existing impervious surfaces and to address polychlorinated biphenyls (PCBs)/mercury and Total Maximum Daily Loads (TMDLs) in the San Francisco Bay. The challenges with the existing system, how the RAC could address the challenges, the legal basis for alternative compliance, an overview of the Contra Costa County RAC System and RAC Joint Powers Authority (JPA) and Community Facilities District (CFD), examples of what that could look like in Pinole, next steps for implementation and the implementation steps and timeline were highlighted in depth.

Ms. Perkins reported that fourteen agencies had expressed interest in joining the RAC JPA. If this was something the City of Pinole was interested in, the City Attorney would review and comment on the JPA term sheet. Each agency that was interested in joining the RAC JPA, was asked to send a representative to attend a kick-off meeting, receive follow-up materials and resources such as templates (including a resolution) and adoption of a resolution, and then consider approval of a JPA Agreement by the agency's governing body.

Ms. Perkins responded to comments from the City Council:

- It was anticipated as the county-wide RAC System evolved there would be additional projects, whether in West, Central or East County, with the idea to be able to achieve compliance together in a more cost-economical way since it would offer a regional solution for RAC JPA members. (Toms)
- The same presentation had been made to various stakeholder groups and could be provided to the Contra Costa Mayors Conference, if requested, and there would be communication with the Building Industry Association. Currently there was reliance on the member agencies to share information with their city councils. (Murphy)
- Provided examples of underutilized parking lots where good value could be provided to the community in terms of meeting compliance as part of the requirements of the RAC JPA.
- The Environmental Protection Agency (EPA) awarded the consortium of the Contra Costa Clean Water Program a total of \$2 million in grant funds to set up the RAC System. Contra Costa County was one of the 21 member agencies. Alameda, Santa Clara and San Mateo Counties did not have a RAC and were looking for the RAC System JPA to be formed to see if there were any possibilities for those agencies to join in the RAC JPA so they could then take advantage of regional projects to meet the compliance requirements. Verified that Ms. Perkins' time and others' efforts to build the RAC system were paid by EPA Grant funds. (Murphy)
- Acknowledged concerns with the City's experiences with JPAs and the RWQCB and issues with governance, particularly how projects were selected and the possibility of the City being pinned down to an organization selecting areas in Pinole where the City of Pinole may have other plans, thereby constraining the City as to how it could utilize a particular property. Recognized the City was not the only small city in the County. As an example, the City of Clayton was also a small city with a small downtown where space was limited and where purchasing a "compliance unit" elsewhere might be preferable.

- A current example of properties in process were properties owned by Chevron. In that situation, Chevron planned to leave California and wanted to give up its land and there had been discussions with Chevron for property located in an all-industrial area where an original green stormwater infrastructure facility could be constructed, with preliminary designs showing around 500 acres of all-industrial. This was where Pinole, as an example, could be a member of that project and still reap the benefit of meeting the permit compliance without having to construct a physical facility in the City of Pinole. (Mayor Pro Tem Tave)
- Acknowledged concerns the agencies identified in the PowerPoint presentation could quickly eat up the credits, where Pinole as a smaller city, would move to the bottom of the list. Also acknowledged concerns how that situation would balance across all member agencies and the possibility of larger cities being able to reap more of the benefits than the smaller cities. Those concerns could be brought up with the JPA in that the term sheet was not locked in and more feedback was being sought from the member agencies to help shape the agreement, which could possibly include more regulations and rules that allowed some equal treatment for all communities. (Mayor Pro Tem Tave)
- Acknowledged feedback as follows: provide clarification how parcels for infrastructure were identified to eventually have infrastructure developed given the city may not have the space or topography to create something; how parcels would be identified and who would identify them and how much power/authority each member/organization would have; a better understanding of obtaining credits in-lieu of having the infrastructure and the cost benefit that would be determined for a smaller city that would not have the funds to build the infrastructure anyway and would allow for the management of rainwater for the long-term (at least 20-years); and a request for living examples, with recognition that the City of Pinole had a shoreline and a desire for an urban tree canopy that had been discussed with other parties which could open up possible collaboration. (Martinez-Rubin)
- Acknowledged a request for more discussion and clarification to be provided as part of a future discussion or presentation on the CFD concept, and clarification of who would pay the taxes and how the parcels, whether public or private, were determined along with what determined the terms “buyer” or “seller.” (Martinez-Rubin)
- Clarification that every project whether private or public would be required to treat stormwater runoff improvements on-site, pursuant to the permit requirements. If that was impossible, the property owner could look elsewhere. Examples were provided for an affordable housing project in the downtown area of Pinole where it was not possible to construct treatment on-site, and a good example where the City could consider purchasing a compliance unit. (Martinez-Rubin)
- Clarified interested agencies that had expressed interest in joining the JPA, for one reason or another may have private developers asking for a way “out” to move a project forward, defined as the “sellers” or may have a Capital Improvement Plan (CIP) project where the infrastructure could not be built on-site, again defined as the “sellers.” In that scenario, the City’s circumstances were unknown and the City could be the “buyer” or the “seller.” How the project could be prioritized was voluntary. (Martinez-Rubin)

- An example was provided of a green street project located not far from the City of Pinole, which happened to treat excess runoff that could be sold as a compliance credit. In that example, that entity was the “seller.” Member agencies were being asked to submit their own project that they felt could create the excess compliance units. If a matter of funding, such as if the EPA had money it would like the RAC JPA to construct, the JPA as a legal entity could receive the funds or grant funds from other entities, and in that scenario if given to the JPA, there needed to be an agreement among the members as to the appropriate projects to be funded by the external funding source that would benefit the JPA members. The JPA members should have a say on the priority of the projects. (Martinez-Rubin)
- Clarified the CFD and if the City was interested in joining the JPA it would open the City's CIP projects to be able to participate in the compliance unit exchanges, as well as private developers and nonprofits located within the jurisdictions. CFDs allowed the levy of special taxes, which would go against the “buyers.” A private developer would be responsible for paying the special taxes, not the City of Pinole. This was a voluntary arrangement and the party choosing to participate in the transaction would bear the cost for ongoing operations and maintenance (O&M) as well as the purchase of the prorated share of the compliance unit initially. (Martinez-Rubin)

PUBLIC COMMENTS OPENED

Rafael Menis understood the EPA set up a requirement that a certain number of PCBs and mercury be filtered out of stormwater, and that most of the PCBs and mercury were from areas in the county that were not in the City of Pinole; but each individual site was responsible for its own filtration unless there was a membership in the RAC. Based on the presentation, he suggested the City of Pinole sign up to spread the pool of costs to pay for regional projects that offset the pollutants coming from areas that were sites of pollution, but it would not necessarily mitigate pollutants coming from Pinole itself, but create a resource equivalency that paid for the pollutants, and any pollutants that were generated in Pinole would still enter the stormwater stream and the Bay but be offset by the RAC system. He commented it seemed as if the City of Pinole signed up for the RAC JPA, it would get taxes voluntarily assessed on the properties that took part in the RAC, not every property in the City, but properties that could do the mitigation on-site. Most of the benefit would not necessarily go to the City of Pinole, but to the members of the RAC JPA that were actually generating the PCBs and mercury contaminated stormwater that needed to be treated. Aside from the regulatory compliance, he asked about the benefit that Pinole gained from subsidizing the rest of the region's projects.

Ms. Perkins clarified the requirement to reduce PCBs and mercury was not set by the EPA but the State Water Resources Board. The City of Pinole along with 75 other municipalities shared the same stormwater permit, which indicated that the San Francisco Bay was the watershed. Even though the pollutants were found in other communities, because the permit had been designed over one common watershed, which was the San Francisco Bay, the City of Pinole along with the other 75 other agencies were responsible and the requirement to reduce PCBs and mercury was assigned to Pinole and the other agencies. The RAC system created a regional accounting system, where a regional project could be constructed.

Ms. Perkins explained that there were funding sources available to the JPA to pay to construct a project and the JPA members' obligation would only be limited to the ongoing maintenance of the bioretention, as an example, which in this case would involve bioretention, typically landscaping that would contribute to mowing or pruning the landscaping to ensure that trash was free from inlets and establish any eroded slope of the bioretention. This was one way to help meet the compliance in a more cost-effective way.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Tave thanked Ms. Perkins for the presentation and noted the public speaker could reach out to Ms. Perkins directly as well. He asked Public Works Director El-Guindy whether she had any comments to the questions raised during the presentation.

Public Works Director El-Guindy thanked Ms. Perkins for the presentation and clarified that for the City to participate and be part of the RAC JPA, and based on initial estimates, it would cost the City about \$2,000 initially for the formation of the JPA if the JPA was at least a ten-member agency. The annual cost for membership in the RAC JPA would be another \$2,000. Forming the JPA and establishing a regional system would provide an opportunity for development and CIP projects to either buy or sell credits, but it was not an obligation and would not change the City's practice on how it proceeded with projects. As an example, the Roble Street Widening Project and the addition of a sidewalk had a bioretention component, but if the City proceeded with the RAC JPA option, it would significantly increase the cost of the project, which was a choice the City Council needed to make when bringing the project forward.

When reporting this year, the City was at 80 percent in terms of compliance. The locations still being identified from a regional perspective within Pinole for installation of trash capture devices, were near commercial areas that were currently mostly vacant and the City did not have much influence in making that change. Staff had looked into large-scale trash capture devices in the downflow location, but that itself would cost between \$3,000 to \$4,000. The RAC JPA would not prevent the City from pursuing various options, it would just provide another option for capital and development projects.

In response to the Mayor Pro Tem, Public Works Director El-Guindy confirmed for the installation of the trash capture devices through the RAC JPA, the City would receive credits for installing the devices or someone may want to pay for them as part of credits the City needed for a different area in the region. That type of trading could fill the need for the City of Pinole and solve issues for the region.

Council member Toms understood if a private developer were to ask for some off-site mitigation that would become part of the CFD and the developer would be charged an annual fee on their property tax. But a capital project that needed to find mitigation, such as public streets, would not be taxed. She asked for clarification, and also asked about the funding sources the City received from grant funds or federal funds to pay for infrastructure, and whether or not that was an eligible charge and who paid for the ongoing costs.

Ms. Perkins again cited a green street project which involved two agencies interested in purchasing the project.

Ms. Perkins stated a green street project could not be taxed and for those transactions, there would be one agency as the “seller” and two separate small communities as the “buyers,” two public transactions, and in that scenario, the condition was the three must be part of the JPA to have the facility. A special tax could not be levied under the CFD. For this transaction, the three agencies would enter into a separate agreement to approve the compensation. In terms of the ongoing O&M, the calculation had been computed by a life-cycle of 25-years, with the numbers still being worked out, but the fund would go into the JPA escrow to then be used for ongoing maintenance of the project.

Mayor Pro Tem Tave asked about next steps. He looked forward to a future staff report and how this option would work for the City and possibly could be something the City could start getting into immediately.

Public Works Director El-Guindy advised the terms of the agreement had been provided to the City Attorney for initial feedback. Staff was doing that initial work and review, with the item to return to the City Council in February or March 2026, at which time staff would provide a request for a decision.

Council member Martinez-Rubin thanked staff for inviting Ms. Perkins to make the presentation for this potential option.

9. 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 Regular City Council Meeting on November 18, 2025.
- B. Receive the November 15, 2025 – November 28, 2025, List of Warrants in the Amount of \$683,568.25 and the November 21, 2025 Payroll in the Amount of \$584,043.92.
- C. Approving the Application for and/or Execution of Grant Funds up to \$736,370 from the Ocean Protection Council (OPC) for the Pinole-Hercules Multi-jurisdictional Shoreline Adaptation Plan. **Action: Adopt a Resolution per Staff Recommendation (Lilly Whalen, Kapil Amin)**
- D. Second Reading of an Ordinance to Adopt the 2025 California Building Standards Code and Update the City’s Building and Fire Code and Adoption of a Resolution Approving Findings to Support Local Modifications to the 2025 California Building Code. **Action: Adopt Ordinance on Second Reading and Adopt Resolution (Lilly Whalen, Keith Marks)**

- E. Approve Resolution to Add 1.0 Full-Time Equivalent (FTE) Information Technology Technician. **Action: Adopt Resolution per Staff Recommendation (Fiona Epps)**
- F. FY 2024/25 Development Impact Fee Report (AB 1600). **Action: Receive a Report and Adopt a Resolution (Markisha Guillory)**
- G. Initiate Formation of the Appian Village Residential Lighting Assessment District and Order Preparation of the Required Engineer's Report pursuant to the Landscaping and Lighting Act of 1972 and Section 4 of Article XIII D of the California Constitution. **Action: Adopt Resolution per Staff Recommendation (Lilly Whalen, David Hanham)**
- H. Receive a Report on the Status of the Information Technology (IT) Plan Fiscal Year (FY) 2021/22 through FY 2025/26 and Development of the IT Plan FY 2026/27 through FY 2031/32. **Action: Receive a Report (Fiona Epps)**
- I. Approval of Agreement between the City of Pinole and Diablo Roofing, Inc. – Public Safety Building Roof Replacement Under project #FA1702. **Action: Adopt Resolution per Staff Recommendation (Heba El-Guindy)**

PUBLIC COMMENTS OPENED

Cathy McFarland provided the following comments on the Consent Calendar:

- Item 9E, questioned whether the City had the budget to add one Full-Time Equivalent (FTE) Information Technology (IT) Technician employee.
- Item 9F, understood Development Impact Fees were to be used for related impacts on public streets, facilities and services but none of the slated projects included funds for streets. Funds had been earmarked for Public Safety Building Modernization and City Hall Modernization projects and asked how those projects helped the community other than beautifying the work area. Funds had also been slated for Fernandez Park Improvements and Upgrades to City Pools. Given the City had stated it had minimal funds to run the community, those funds should be spent more wisely and less frivolously.
- Item 9I, the contract stated the work would be only for the Public Safety Building but the prior paperwork had whereas clauses identifying three buildings with the same number for Project FA#1702. Asked whether the City was paying over half a million dollars for one or three roofs.

Public Works Director El-Guindy responded to the public comment and clarified with respect to Item 9I that the cost of the project would be only for the replacement of the roof of the Public Safety Building, which was in poor condition and determined to be an urgent project.

Rafael Menis read into the record written comments he had provided prior to the meeting, updates to the comments and additional comments, as follows:

- Item 9B, Page 54 of 258 of the agenda packet had shown a refund of \$500 to Republic Services. Asked if the refund was linked to the Memorandum of Understanding (MOU) or some other reason. Reported he had received a reply from the Finance Director this was a return of a \$500 contribution that Republic Services had made to the Mayors Conference concerned the City had a business relationship with the firm.
- Item 9C, Page 73 of 258 of the agenda packet. Disappointed the Ocean Protection Council (OPC) cut the data collection segment from the grant since the OPC should have understood the importance of community buy-in. Appreciated the Nations of Lisjan had been willing to partner with the cities of Pinole and Hercules. Reported the Community Development had noted agreement with these comments.
- Item 9D, Page 95 of 258 of the agenda packet, noted major earthquakes with a magnitude of 4 or greater in the City of Concord had been identified in 1958 and 1955, but understood there had been similar magnitude quakes closer to the City of Pinole this year. Pages 151 and 158 of 258 of the agenda packet included a typographical error in the first sentence under Section 15.22.010 California Wildland-Urban Interface Code-Adoption, which should be corrected to read: *The City of Pinole hereby adopts the 2025 California Wildland-Urban Interface Code.* Reported the typographical error had been corrected.
- Item 9H, Page 207 to 208 of 258 of the agenda packet, recognized the IT report was from 2022, and pre-fire contract, and asked to what extent the City was responsible for the Contra Costa County Fire Protection District (CCCYPD) IT expenses under the contract, with Page 224 of 258 of the agenda packet mentioning several benchmarks. Asked if the City had those benchmarks available. Reported separate responses on this inquiry had been received with the benchmark data not yet available, but currently being compiled. The City was also responsible for fire software expenses since the Pinole Fire Department transferred to the CCCYPD in 2023.
- Item 9I, understood the bid accepted was the second lowest bid and asked if the City Council could elaborate why the lowest bidder was not responsive, and whether it covered other areas or whether the bidder was not competent to perform the bid.

Irma Ruport provided the following comments on the Consent Calendar:

- Item 9E, noted the Communications Director just come in to the position that had been created a few months ago by the former City Manager. She was not aware of the Communications Director's background, whether she had IT experience and noted she had recently received a raise. Asked the Acting City Manager/Police Chief to review this request before moving forward. Noted Pinole Community Television (PCTV) had been transferred to the City Manager's Department last year and a Communications Department had been created under the City Manager. Asked that the Acting City Manager/Police Chief consider transferring PCTV back to the Recreation Department. Suggested there were too many inexperienced people in the IT Department.
- Item 9H, commented the status of the IT Plan for Fiscal Year (FY) 2021/22 through FY 2025/26 and Development of the IT Plan for FY 2026/27 through 2031/32, was a very long report and the item should not have been placed on the Consent Calendar.

- The City was shorthanded in the IT Department, with inexperienced employees. Suggested PCTV and the IT position go back to the Recreation Department and the City Council review this area again and ensure things were being done right.

PUBLIC COMMENTS CLOSED

Council member Murphy asked that Items 9E and 9H be pulled for discussion.

ACTION: Motion by Council members Martinez-Rubin/Murphy to approve Consent Calendar Items A, B, C, D, F, G and I, as shown.

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

For Item 9H, Council member Murphy commented on how far the City had come with the IT Plan developed and adopted in 2021/22, and with the City having prioritized the issue of cybersecurity and upgrading technology systems. He thanked Communications Director Fiona Epps for administering the program but he would like to see staff come back with a presentation on the benchmarks noted in FY 2021/22 through FY 2025/26, which warranted a larger discussion. He suggested adding IT staff was necessary and asked staff about the idea around the development of an IT Plan.

Communications Director Fiona Epps reported the City was coming close to the end of the current five-year IT Plan and staff had taken steps towards planning for the strategic development of the next five-year plan. The plan had been included as an attachment to the staff report, and was the existing plan that had been approved by the City Council in 2022, the first IT Plan of its kind. Staff was looking forward to the next five-year IT Plan, and taking a different strategy towards development of the plan to maximize cost effectiveness and move towards greater steps of modernization.

As outlined in the staff report, staff was in the middle of a software evaluation Citywide to gather data and examine in greater depth how various departments were using software and how they could maximize the integrations between the software, reduce redundancies and plan fiscally over the next five-years in a more holistic way. Staff also outlined in the report an update on the status of the development of the IT Plan, and the development of an Artificial Intelligence (AI) Policy, which was not part of the five-year plan the City had currently.

Communications Director Epps also commented on the building of an internal IT Department and transitioning from relying predominantly on consultants and outside expertise to service the entire City for its IT needs. Staff was transitioning to an internal department where it had greater control, greater internal expertise and which cost less, and staff would be able to do more by bringing in internal staffing that would replace consulting fees. The strategy moving forward as part of the next five-year plan was to look at the use of consulting resources and funds and move that over to internal IT staffing where staff could be of greater service to the City's departments.

Council member Murphy commented in terms of adding one FTE for an IT Technician, as part of Item 9E, he understood that position would not have a direct fiscal impact to the current fiscal year budget, with the goal to approve the item for next year's budget. He asked what would be lost if the City Council were to consider the item in the next year's budget as opposed to action being taken now.

Communications Director Epps highlighted the two strongest reasons to bring the item to the City Council now before the mid-year budget cycle, which included the fact the City had one IT Manager who provided support and all of the IT management duties and responsibilities such as strategic planning, IT development, oversight and budget and financial planning and the like. Staff wanted to ensure the City had a sustainable model that did not have an impact on staff morale and did not affect services provided to the City. She reported staff received approximately 60 percent of the help desk tickets from the PPD, and tickets from the PPD were the number one priority to ensure the PPD had what it needed to serve the community. Staff wanted to ensure adequate IT staffing in place to ensure backup coverage and 24/7 help desk support.

The current model being used reduced the budget for using Precision IT Consulting, Inc. as the service provider for IT support, which was providing a fraction of the services prior to the City scaling back on IT support and in preparation for building an IT Department. She described it as a balance of providing the level of support needed across the City and the appropriate management of resources. The consultant budget for Precision IT Consulting, Inc. was due to last through March 2026. The second reason for asking for an FTE IT Technician now was because staff wanted to avoid exhausting that budget prior to the mid-year budget and having to add additional funding for consulting services that would overlap bringing in an IT person. Staff was trying to do this in a way that did not result in the expenditure of any more consulting funds than needed.

Item 9E would not impact the FY 2025/26 budget since it would simply reallocate funds from another source for consulting and move it to an in-house staff person. This explanation had been included in the staff report and highlighted the plans moving forward. For the FY 2026/27 budget, the intent was to move away from having to use additional funding from the Professional Services budget and move the work in-house to provide the best possible service to the City and the community.

Council member Murphy expressed his appreciation to Communications Director Epps for her work. While he understood Item 9E would not impact this fiscal year's budget and he recognized the City had scaled back the work of Precision IT Consulting, Inc., he was unsure how these decisions were being made. He suggested the City had moved far from 2022, when it had no IT support at all, but he was uncomfortable approving a new position that would have an impact eventually in the next budget cycle and with the next budget cycle process to start in the next quarter. While he supported growth in IT, he wanted a better understanding what the City was getting if adding an FTE IT Technician. He also understood a future five-year plan was under development, but was again unsure what the City would get by adding the position. He reiterated it was difficult for him to understand how decisions were being made and resources allocated since the City Council made a point to say that IT was important.

Council member Murphy added in terms of the AI Policy conversation, that was different but under the wheel house of IT and people used AI before it was a common term. He was uncertain what staff was looking for in an AI Policy, with the IT Department having already been using AI technology in different ways. He could not support Item 9E at this time and urged the City Council to forward Items 9E and 9H to the Finance Subcommittee for the next budget cycle and more conversation.

Council member Toms supported Item 9E and noted the City Council discussed the transition from consulting work and bringing the IT work in-house. This had been discussed and planned for with Item 9E, one piece to transition that work in-house. She offered a motion, seconded by Council member Martinez-Rubin to approved Items 9E and 9H, as shown.

Mayor Pro Tem Tave understood Item 9E was one piece, but he asked how many other pieces were being considered, with a full picture of what an IT Plan looked like not having been presented to the City Council. He suggested that was worth coming back to the City Council for a larger discussion. He understood things moved quickly with a lot of development behind the scenes, but oftentimes discussions were fragmented, and he preferred to see the whole picture and stick to the process of adding staff coupled with the staff needs across the entire City. He recognized the need to grow the IT Department but needed to figure out what that looked like.

Mayor Pro Tem Tave also recognized PCTV had a lot of equipment and they were coming up to the time for replacement. He questioned how that replacement plan was going and preferred to see a larger conversation come back to the City Council.

Council member Toms noted as Communications Director Epps stated, the contract for IT work ended in March and it took time to recruit new staff. She suggested there could be a hole in services in the IT Department if deferring the item.

Council member Murphy reiterated this was an important task being brought in-house and he recalled the discussion around cybersecurity, but remained challenged with how they were seeing this as the bigger picture. He pointed out the City Council had approved an extension of the Precision IT Consulting, Inc. contract two to three times already, and asked for clarification from staff if the contract was not extended.

Communications Director Epps clarified the City was currently working with a month-to-month contract with Precision IT Consulting, Inc. and would need to give the firm 30-days to terminate the contract. She also clarified the March 2026 timeline for the contract with the firm had to do with funds budgeted for a certain number of services for this fiscal year, which budget was estimated to be exhausted in and around March 2026, particularly if continuing the trend in the help desk support.

Mayor Sasai understood the contract with Precision IT Consulting, Inc. could be extended between March and June 2026, if needed.

Communications Director Epps confirmed that while the month-to-month contract could be continued, the City would exhaust the budget funds by March 2026, and if needing to extend services beyond that time, they would need to come to the City Council and request additional funding to continue those services without an internal IT person.

Council member Martinez-Rubin commented she had initially asked for a presentation on an IT Plan and had been informed the City had a plan. An IT Plan had been discussed in 2020 and approved by the City Council in 2022. The staff report presented what had been done to date, with indications of progress by fiscal year. The IT Plan helped staff to set ideas and consider the next set of dates. She suggested the City Council could approve Items 9E and 9H without any conflict and also request a presentation. She noted the City did not have an IT Manager in the past, but did have a team of people on contract as consultants who could be called upon when needed. She suggested if the City Council did not individually see the benefits of in-house staff, it was because they were not in-house. Having the IT Manager respond to everything that needed to be attended to in-house, including software in process, legacy systems in place, adoption of new software to integrate AI as it was being used now, and security as required by all staff in each department, was being done by one person. Having an IT Technician would help with the timeliness of all that work and could consider the innovative work required to bring the City to another five-year plan.

Council member Martinez-Rubin supported Items 9E and 9H in tandem, with the knowledge the City Council could have a presentation to hear the comprehensive approach desired to understand better at a later date.

Mayor Sasai asked about the status of the scheduling for Finance Subcommittee meetings, and was informed by City Clerk Bell-Spears that staff was considering initial meetings in January and to go from there.

Mayor Sasai suggesting the consideration of an FTE IT Technician be considered as part of a broader conversation in the context of the annual budget.

Mayor Pro Tem Tave recognized the stress of one person carrying the IT Department between now and June 2026; but he too sought a larger discussion and not one fragmented between City Departments. He suggested Item 9E be considered when it was ready to come to the City Council in its entirety. He could support the motion, but would do so reluctantly if not being able to have the funds during budget discussions for everyone and may have to consider cutting services to support a decision made fragmented throughout the year. He would support the motion rather than having one person do all the work given the critical nature of the IT Department and how much it was interwoven into public safety and the vital functions of the City. He again understood the position had been budgeted for this fiscal year, although the next step was unknown.

ACTION: Motion by Council members Toms/Martinez-Rubin to approve Consent Calendar Items 9E and 9H, as shown.

Vote:	Passed	3-2
	Ayes:	Tave, Martinez-Rubin, Toms
	Noes:	Sasai, Murphy
	Abstain:	None
	Absent:	None

Council member Murphy again was grateful for the report from Communications Director Epps, but asked staff to come back with a presentation and information on the work being done in the IT Department and the budget implications.

Mayor Sasai reiterated his comments and again preferred not to take this action absent having a larger discussion of the budget and a discussion and referral from the Finance Subcommittee.

10. PUBLIC HEARINGS

- A. Public Hearing and Introduction of an Ordinance Adding Chapter 2.68 to Title 2 of the Pinole Municipal Code Restricting the Use of City-Owned or City-Controlled Property for Federal Civil Immigration Enforcement Activities. **Action: Hold a Public Hearing, Waive the First Reading and Introduce an Ordinance Adding Chapter 2.68 to Title 2 of the Pinole Municipal Code (Eric Casher)**

City Attorney Eric Casher and Acting City Manager/Police Chief Klawuhn provided a PowerPoint presentation on the Introduction of an Ordinance Restricting Use of City-Owned Property for Federal Civil Immigration Activities, which included an overview of the background of the future agenda item request; ordinances imposed by neighboring jurisdictions in the Bay Area; the proposed ordinance that would only apply to City-owned and controlled properties that included Bayfront, Fernandez, Louis Francis, Meadow, Pinon, View and Wilson Point Parks, Pinole Senior Center, Pinole Youth Center, Water Pollution Control Plant, Faria House and City Hall; requirements of the proposed ordinance and the typical process for federal law enforcement coordination and enforcement of the ordinance and directives to ICE.

Staff recommended the City Council waive the first reading and introduce an ordinance adding Chapter 2.28 to Title 2 of the PMC restricting the Use of City-Owned or City-Controlled Property for Federal Civil Immigration Enforcement Activities. If approved on the first reading, it would come back for a second reading on December 16, 2025.

City Attorney Casher and Acting City Manager/Police Chief Klawuhn responded to questions from the City Council:

- If the City becomes aware of any federal law enforcement activity that could take place in the City of Pinole, whether being notified by federal agents or through gathering information, the federal agents would be advised of the ordinance and asked for compliance. If compliance did not happen, or if the matter continued to be an ongoing issue, that was when the City would have to consider other options. Clarified if the City were to pursue an injunction to enforce the ordinance, the City Attorney would seek direction from the City Council before taking such action through a Closed Session and possible Special City Council meeting to allow the City Council to provide direction. (Mayor Pro Tem Tave)
- Acknowledged if there was a high likelihood of staging of immigration agents in the City of Pinole, they would likely outnumber PPD officers even if protect and serve was the mission of the PPD. Emphasized the well-being of the public needed to be considered at that time. Again, non-compliance with the ordinance could lead to a more administrative type of action. The last thing anyone wanted to see was a physical confrontation between local law enforcement and federal agents, unless there was a crime committed, and that was not what staff was trying to accomplish. (Martinez-Rubin)

- While the enforcement side of such an ordinance was untested, staff hoped by designating areas within the City, and through an ordinance, possible federal civil immigration enforcement activities could not occur on City-owned or City-controlled properties. If the City had information ahead of time, it was also hoped the City could deter federal agents and ask for compliance with the ordinance at that time. The purpose of the ordinance was a local law where the City would require compliance and adherence to the local laws in place. Non-compliance would result in seeking remedies through judicial intervention. (Martinez-Rubin)
- For federal civil immigration activities happening on non-City-owned properties, clarified the City did not have the ability to regulate private property in the same way. Private property owners or an individual homeowner, as an example, could choose what they want to do or allow on their own property. The rights of residents of the City of Pinole when faced with that type of interaction with law enforcement, was that they were individuals, and if the individual was being detained wrongfully, as an example, there could be a cause of action against the federal government and an individual right of action, not something in which the City could intervene. (Martinez-Rubin)
- For the purposes of the ordinance on City-owned and City-controlled properties, the ordinance would not be required to be amended at this time to include any training that would be needed for City staff, identifying properties and the like, and similar to how the issue came up initially, staff could bring items forward on an as-needed basis. (Murphy)
- As to concerns whether a city ordinance was enforceable to a federal agency was acknowledged, with again the statement that the enforcement was untested, and with jurisdictions having their own authority related to their own property in terms of property rights and police powers provided to cities under the Constitution. Staff understood the challenge would be compliance. (Toms)
- Of the jurisdictions in the Bay Area that had similar ordinances, whether having been adopted or were pending adoption, and whether those ordinances had been tested, it was noted that the cities of San Francisco and Berkeley had Sanctuary City policies which included those types of prohibitions on the use of city-owned property. The Berkeley City Council had directed its city staff to move forward with an ordinance in addition to Sanctuary City policies, which had yet to be acted upon by the Berkeley City Council. Santa Clara County and the City of San Jose may be a bit further along but staff was uncertain of their exact status. (Toms)
- As to whether the federal administration would possibly limit federal funds for designated Sanctuary Cities and cities like that, staff was aware those issues had been tested but had not been resolved. As an example, the City of San Francisco was a Sanctuary City, and yet it still received millions in federal funds and those funds had not yet been restricted. Staff had communicated with the City Attorney for the City of San Francisco and learned the attorney spent most of his time in litigation against the federal government and was actively pushing back against efforts to strip grant funding. The conflict between the federal government and local jurisdictions was an active legal issue. (Toms)

- If the City of Pinole was brought forward as a test case in the enforcement of the ordinance, the legal costs would depend on the form enforcement took. If the City was forced to file a legal injunction, as an example, that involved one brief to be filed in short order, with a hearing typically scheduled between 30 and 60 days and which may involve around 10-hours of City Attorney time. The more expensive longer drawn-out legal challenge/appeal process would be something the City Council would have to discuss in a Closed Session. (Toms)
- Acknowledged there was State legislation restricting ICE access to schools and health care facilities, which laws would go into effect soon along with policies adopted by the Contra Costa County Board of Supervisors restricting ICE access to certain facilities. (Mayor Sasai)
- Staff had no specific conversations with anyone at the Contra Costa County Sheriff's Department in terms of enforcement and training but could reach out and provide that information to the City Council, if so directed. If a state law was passed restricting ICE activities at schools or health care facilities and if the City was enforcing state law, there would then be the protection of state law, with the State Attorney General's Office to step in and defend any violation of state law. The proposed ordinance would be a local ordinance with the City on its own. (Mayor Sasai)
- Clarified again the City-owned and City-controlled properties that would be covered under the proposed ordinance with clarification provided on how PPD staff would be trained, with a request for compliance with the ordinance being the main focus. The intent was for staff to be aware of the ordinance, how and when it applied and having some conversations around engagement with ICE Officers if they were present on City-owned or City-controlled property. (Mayor Sasai)
- Acknowledged the General Assembly of the National League of California Cities Conference recently adopted a resolution, Advancing Federal Immigration Policy to Empower Economic Growth Across Key Industries, including agriculture, construction, hospitality, health care, technology, science and entrepreneurship, and there were economic impacts with those activities in the country. If federal immigration activities were occurring regardless of the ordinance, whether or not the City would expend resources would depend on the activities involved. Historically, there had been some questions about reported sightings of ICE agents and the City had used some staff time and resources to try to confirm whether those sightings were correct. In that regard, the City had already expended limited resources. (Murphy)
- Clarified the City was interested in securing federal funding for projects and in order to so there was a requirement to comply and agree to comply with all executive orders and any future executive orders, presenting a question for any agency interested in securing federal funding, whether to comply with all of the executive orders, and to what extent the proposed action would result in federal funds being clawed back or the loss of federal funds. Clarified the fear among agencies, and the examples throughout the region, and while there had been threats, there had not been a broad sweeping removal and clawing back of federal funds, and that included some sanctuary cities. While staff did not say that would happen, monitoring of the situation continued. (Mayor Sasai)

PUBLIC HEARING OPENED

Cathy McFarland asked that local, county, state and federal laws be honored, while each law may be something different. She expressed concern the ordinance was putting a line between City and private property, which did not make sense and which made a difference in how she was treated.

Rafael Menis supported the ordinance, although it would not do as much as many would hope to protect residents from the arbitrary and capricious actions of federal enforcement agents. He highlighted the surveillance clause in the ordinance, as shown on Page 250 of 258 of the agenda packet pursuant to Section 2, Addition of Chapter 2.68 to Title 2 of the Pinole Municipal Code, Section 2.68.020 Definitions, Surveillance, and he read that section into the record. He understood based on the text of the ordinance that if the ordinance was not adopted, federal agents could through an administrative warrant or other civil procedure, compel the City to turn over information from its camera systems from license plate readers or any drone operations and the City would have no power to object, which would effectively commandeer local resources for federal purposes.

Mr. Menis commented a number of people assumed immigration enforcement would act in a civil manner, but they had seen ICE agents go out of their way to appear masked, go without identification, use weapons of disruption to cause as much disorientation and disruption as possible to install terror as their primary objective, and not just to pick up people they were trying to grab but to strike fear into communities. That fundamentally was not what government was about and the City of Pinole should not take part in these tactics of fear and terror, and to the extent City property was used to implement those tactics, the City at the very least should be able to say you can't do this and we will undertake a legal process to require it to stop. He was not happy it could take up to 30 days for any action to combat non-compliance with the ordinance, to actually occur, but apparently that was the limitation of the process the City could actually undertake.

Bob Kopp was opposed to Pinole being a Sanctuary City given that every Sanctuary City in the United States was where criminals went to get away from law enforcement and they served as a haven for criminals. He cited the City of Oakland as an example. He emphasized the City of Pinole did not have the law enforcement to protect the City now since it did not pay enough to retain police officers in Pinole. He reported one police officer had been beaten badly recently and was unable to get the backup needed for her at the right time to provide assistance. He questioned stirring up something with the federal government and if the federal government deployed enforcement into the City, with only two officers on duty 24/7, he questioned where the City would get the people needed to watch what federal officers were doing. He suggested the federal officers would not care about an ordinance and the City could not afford to have the City Attorney enforce the ordinance since the City did not have the funds. He did not want to see the PPD have to fight with federal agents, be involved with the federal government or be put into a position where they could be injured. He could not see an ordinance would do anything to help the City and if the federal government was angered, it could pull funds from the City.

Gabriel Sandoval, Pinole speaking on behalf of State Senator Jesse Arreguín, reported the Senator was in strong support of the ordinance as was he as a Pinole resident.

Mr. Sandoval spoke to the chaos and disorderly violence from immigration enforcement and the inhumane treatment during enforcement activities. While the City was limited in its ability, this was a good action to protect residents and to make the community feel safe and supported. He did not feel a government agency like ICE was welcome in Pinole and this type of treatment of the immigrant and refugee community should be outright condemned. He suggested that history would not be kind to those who did not step up to prevent this kind of injustice.

Mr. Sandoval referenced Senate Bill (SB) 54, the state sanctuary law, and noted if someone committed a violent crime they could be arrested and handed over to ICE, with a process on the books for those situations. A portion of the ordinance also allowed for a process for this, not just raids or chaos, and a warrant was different than just showing up and kidnapping people. In terms of the effects on federal funding, he suggested that should not be considered since the City would likely lose the funding anyway for being in a blue state. He understood some communities had already had their funding pulled, whether or not they were a sanctuary city or county. Contra Costa County and North Richmond had EPA funds pulled, with the government cutting funding anyway, with cities and counties in the community already hit hard. He urged the City Council to pass the ordinance and possibly go further such as preventing information sharing, such as through license plate reader information or stronger protections for those in the PPD to go a step further and prohibit information sharing with federal agencies.

Ann Moriarty supported the ordinance and described Pinole as a community that brought in all parts, government, organizational and law enforcement, which all worked together to protect the weakest and most vulnerable. She appreciated the comments from the prior speaker, referencing SB 54 and noting that immigrants were not criminals, and the City was not inviting criminals into the City by passing the ordinance. Serving and protecting and looking out for people, was a strong concern the community had with the Police Chief coming from the Contra Costa Sheriff's Department. She thanked the Police Chief for being present and being able to address the issues. She had hoped for a stronger response, but seeing the need to work together, everyone had to do their part and this ordinance was one part the City Council could do.

Peter Murray found this was a red or blue issue, whether Republican or Democrat and the City did not deserve that. As to whether the City should have declared a State of Emergency, he found that suggestion ridiculous given that there was no issue in Pinole, and such declaration was not needed. He had communicated with a member of the PPD who stated the PPD was unable to handle a lot of the things that were going on in the City, and that the City was in a tough situation if someone was hurt when the City was undermanned. He questioned why get involved with this proposal to begin with.

Irma Ruport supported the ordinance and emphasized everyone were immigrants. She asked that the ordinance be advertised and communicated to all residents in Pinole, with signage posted in all public locations including a telephone number to contact the City. She suggested the PPD not be placed between immigrant enforcement activities and suggested the PPD could stand aside. This was a national issue impacting all neighborhoods, with immigrant enforcement agents picking up American citizens, which was not right. If someone did not believe in the ordinance or in the possibility of being affected by immigration enforcement activities, when and if it happened the ordinance would provide some protection from what was occurring daily, nationally.

Ms. Ruport agreed that training should be provided on what the City could or could not do or should or should not do, and suggested the City had the laws and rights behind them and if it cost money, it was the right of protection and citizens were paying for that freedom. She urged the City Council to adopt the ordinance.

Maria Alegria thanked the City Council for considering the ordinance and strongly urged the City Council to support it. As local elected leaders, the City Council's primary responsibility was to ensure the health, safety and wellbeing of those who lived, worked, went to school, shopped and visited the City of Pinole. Cities were being bombarded by the invasion of ICE agents, stopping at nothing to violate basic Constitutional rights and protections. This was the most racist immigration enforcement by ICE she had witnessed in her life as a resident of West County and Pinole, with the agency clearly targeting people who looked like her, people of Mexican descent, whose family were immigrants from Mexico.

Since the 1940s when her family came to the City of Richmond, Ms. Alegria explained the immigration policy had been known as the Family Unification Act. ICE was destroying immigrant families and communities, which was unacceptable. She was proud the school her grandfather and granddaughter attended, Ellerhorst Elementary School, was a safe haven for students and who clearly stated ICE was not allowed on school premises. Contra Costa County had similar policies in place. Pinole needed bold leadership in these dark times, and she urged the City Council to stand united in protecting democracy and human decency in the City. She again urged adoption of the ordinance to ensure public safety so that community members felt safe accessing City services and facilities, and to prevent the voluntary use of City resources to support federal civil immigration enforcement.

Council member Martinez-Rubin left the meeting at this time.

PUBLIC HEARING CLOSED

Mayor Sasai asked the City Attorney to respond to the public comments about surveillance in the ordinance and federal immigration enforcement having access to footage from City equipment.

City Attorney Casher explained the ordinance would prohibit surveillance on City property. The use of federal law enforcement using a drone or surveillance equipment on City property would be prohibited. If there was a request for PPD body camera footage, it would likely be because it was evidence in a federal investigation or crime, accompanied by a warrant or search warrant and not prohibited under the ordinance. In that instance, the City would comply, even if it meant sharing information the City had in evidence but in response to a judicial order or federal warrant.

Mayor Sasai understood information sharing was already covered in sanctuary city state laws and the City could not provide data to federal immigration enforcement unless there was a risk of public safety as well as the judicial warrant or other documentation to request information.

City Attorney Casher clarified he was not familiar with every aspect of SB 54, but believed that was the case as it related to judicial warrants.

Mayor Sasai asked the City Attorney to clarify the difference between the proposed ordinance and sanctuary city policies.

City Attorney Casher clarified the adoption of the ordinance would not make the City of Pinole a sanctuary city, which was a separate and distinct action. The cities of Berkeley, Oakland and San Francisco had taken different steps to become sanctuary cities and a safe haven for the immigrant community. The ordinance was tailored and applied only to City-owned and City-controlled properties in the City of Pinole, as it related to civil and federal immigration enforcement action.

Mayor Sasai thanked the City Attorney and the Acting City Manager/Police Chief for their collaboration over the past few months on this topic, members of the public for their input, Senator Arreguín's Office for support of the ordinance and Assemblymember Buffy Wicks, who issued a formal letter via email that her office supported the ordinance.

Mayor Sasai suggested the City should be proactive in such matters. The first time this issue had come to mind was when the area was under threat of the National Guard being deployed to the San Francisco Bay Area and ICE enforcement within the radius of the San Francisco Bay Area. While the deployment was ultimately canceled, residents expressed fear of the potential. He referenced correspondence received from an educator with the WCCUSD, that was included in the agenda packet, and who had reported students and their families in West County had been very concerned going to school, being in areas that should be a safe haven and the possibility of being arrested, not only for those who were undocumented, but the fact people who were documented had been arrested and detained. He emphasized the importance of due process in this country and highlighted the restrictions in the ordinance, that federal immigration enforcement carry out their duties in a lawful and respectful manner. The ordinance was asking federal law enforcement to do their job lawfully and he recognized the City would have to test how the ordinance proceeded and how other communities had done. He supported the ordinance.

Council member Toms thanked the members of the public who provided comments. She had looked at both sides of the issue. On the negative side, she questioned the need for the City to risk federal funding from an administration that was deeply unfair. She also questioned the timing given that there were deeper pocket jurisdictions like the cities of San Francisco, Santa Clara and Berkeley that could test an ordinance whereas that would be a challenge for the City of Pinole. The other side of the argument was that this ordinance was very narrow and sent an important message to residents.

Council member Toms reported she had become aware of numerous people detained by ICE who were in the country legally including a woman from the City of El Sobrante who was arrested, detained and sent back to India. In that case, the person's family was in the Bay Area and had followed all of the regular check-ins, was here legally and the person detained was threatened with deportation to a country in Africa but ultimately had been sent to India. She recognized the many issues with the ordinance, including the potential financial impacts to the City, but she supported the ordinance as an important message to Pinole residents.

Mayor Pro Tem Tave also commented on the issues that had occurred in 2018 and 2019 when people were put in cages. Now, people were being kidnapped by masked individuals with ICE on their uniform or hoody, or not uniformed at all, and there could be people out there who may believe this will never happen in Pinole, but what happened in Los Angeles, as an example, had been a full-on disaster. He found the ordinance to be fair and a step in the right direction to send a message to Pinole residents, that the City Council was listening and the oath Council members took mattered, and the City Council was there to protect them.

While the ordinance may not go far enough, there was some level of what could or could not be done. Mayor Pro Tem Tave was disheartened that the City had to have this conversation, but given the state of the country, he supported the ordinance but would like more discussion about what it would look like if there were to be an incident and what would happen in terms of City Council direction moving forward. The ordinance showed the City Council was taking this issue seriously and there was a need to protect the most vulnerable which must be aligned somewhere. The state was trying to draw the line on what the federal government could or could not do, with numerous lawsuits filed, and local government had to keep a strong pulse on the community and its concerns.

Mayor Sasai understood some may consider the ordinance to be a nuisance, but this matter was personal for him as someone who worked for a nonprofit that served vulnerable communities facing those issues and as someone from an immigrant family. He detailed his family's ancestry and background with his mother from the Philippines and Japanese-American family members, who although were naturalized citizens had been detained without due process, rounded up and incarcerated in Tule Lake, California for crimes not committed during the period of World War II. This issue was about due process. The City Council should take action, set an example and it could have a ripple effect across the region.

ACTION: Motion by Mayor Sasai/Council member Murphy to waive the first reading and introduce an ordinance adding Chapter 2.28 to Title 2 of the Pinole Municipal Code restricting the Use of City-Owned or City-Controlled Property for Federal Civil Immigration Enforcement Activities.

Vote:	Passed	4-0-1
	Ayes:	Sasai, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	Martinez-Rubin

City Attorney Casher reiterated the item would come back for a second read of the ordinance on December 16, 2025.

Mayor Sasai asked when the item returned that staff provide additional guidance on how the ordinance would be communicated to the public, and he asked about the communication plan around the ordinance, whether a press release or direct communications would be provided to residents.

City Attorney Casher advised some information could include communications strategy for the second read of the item, with staff to come up with suggestions that could be included in the staff report for the City Council to consider.

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Discussion of Process for Establishing the Office of Elected Mayor. **Action: Receive Report and Provide Direction (Eric Casher)**

City Attorney Casher provided a PowerPoint presentation on the process to establish an Elected Mayor in the City of Pinole, which included an overview of the future agenda item request: procedural requirements for establishing an Elected Mayor; election timelines; powers of the Mayor; additional powers of an Elected Mayor; differences between a Strong Mayor and Elected Mayor; neighboring cities who had Elected Mayors and the fiscal impact to place a ballot measure on the 2026 ballot, along with additional staff costs.

City Attorney Casher asked the City Council to receive the presentation on the process for establishing the office of Elected Mayor and provide direction to staff on next steps.

Responding to questions from the City Council, City Attorney Casher clarified:

- The procedural requirements for placing an item on the ballot as outlined in the PowerPoint presentation and the three questions to be potentially asked on the ballot, as outlined in the December 2, 2025 staff report, did not all have to be included on the ballot, in that one question could be posed to the voters asking whether they wanted to have an Elected Mayor, with the decision of the term to be made at a later date. Or, all three questions could be asked together on the ballot. The City Council may decide the term of the Mayorship if the first two questions were included on the ballot. If the item were to move forward, staff would come back with additional information. How the question was shown on the ballot would have to be researched based on how it had been done by other agencies. (Mayor Sasai)
- As to the timeline for a Request for Proposal (RFP) for polling, staff was close to having the RFP go out to bring on a polling consultant. Staff had discussed if the item were to move forward, staff could add the question about potential future options to generate revenue to one of the questions asked by a polling consultant. (Murphy)

PUBLIC COMMENTS OPENED

Kent Moriarty commented on the downside of an Elected Mayor, such as the financial cost, with an estimate of \$25,000 for the ballot measure, unknown legal costs, staff time, consultants and potential additional pay for an Elected Mayor. Another cost could be less representation. He suggested there was a benefit to each Council member rotating into the Mayor position. Each Council member was voted into position by residents and when the Mayor role was rotated, those votes were better represented. He expressed concern with the time being spent to discuss the expenditure of resources and money to solve a problem that did not exist. He saw no benefit other than to a Mayor who had more power, which in his opinion, was the crux of the matter. He was uncomfortable discussing the expenditure of funds for a change that would result in giving one Council member more power and at the same time, the City would be spending lots of money as a result of the two recent City Managers who appeared to have been pushed out by the City Council. There had been little transparency and it appeared the situation was motivated by some Council members seeking more power. He reported the cost to the City for former City Manager Andrew Murray's departure was \$301,228 and the cost due to the recent departure of City Manager Kelcey Young, while unknown could be similar. He characterized the changing of the role of the Mayor as bad optics.

Ann Moriarty was disappointed that the City had to go through this process. It seemed that Pinole bred this kind of “only I can fix it” political environment, similar to the President, which was chilling, and this kind of political ambition sent the City spinning, particularly without transparency. The City lost two competent City Managers in a row, continuity was wrecked and at the same time, some believed an Elected Mayor would maintain continuity. The hubris and entitlement were remarkable, and rather than use City resources to pay staff to produce reports on how one could further their own political ambitions, it would be better to remember the commitment to the citizens of Pinole. She stated this situation was similar to when two Council members attempted to end term limits that voters had approved, which did not go so well for those two Council members, and she did not anticipate this maneuver would go well either.

Rafael Menis appreciated the way the item had been brought forward. It was not being brought forward immediately before the next Mayor was due to be appointed and had been done in a more organized and orderly way as a matter of public policy. He suggested it may be worthwhile to have a longer duration term for Mayor since having the shift between Mayors had resulted in a dramatic shift in terms of policy, how meetings were managed, and the overall flow of discussions and it had been challenging to adjust year after year. There was some merit to that, but he had questions about the costs, and asked if the City would seek an additional salary associated with the Elected Mayor role or whether it would be treated like a regular Council seat, but with additional responsibilities. He also asked whether the Mayor role would be elected at-large and Council members elected in a district-based level, and whether everyone would be elected at-large or at a district-based level.

While not part of the agenda item, Mr. Menis suggested this topic would likely come up if the Council decided to move forward with an Elected Mayor and clarity would be needed how the electorate would be represented in the election process. He was neutral, leaning towards positive on the agenda item question, since he found there was legitimacy to a direct election of a Mayor for a given term but the City could also continue things the way it was and there would not be a huge problem.

ACTION: Motion by Mayor Pro Tem Tave/Mayor Sasai to Extend the City Council meeting to 11:20 p.m.

Vote:	Passed	4-0-1
	Ayes:	Sasai, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	Martinez-Rubin

Irma Ruport, a 50-year resident, commented the City had gone through the voting process for the Mayor and City Council in terms of rotation and during her time in the City, she had seen Council members vote for someone not to be Mayor when it was their time. She suggested the question should be posed to the voters. The City had been in a sink or swim environment on some decisions; many decisions had not been done properly and the City Council made decisions and the public was unaware what was going on. She cited the Faria House as a possible museum as an example. In that case, the current City Council voted that down. She urged the City Council to let the people decide.

Ms. Ruport reiterated that the City did not know what was going on, particularly with respect to the recent loss of the City Manager. She urged the facts be provided, the truth be brought forward, and that the elected City Council look out for residents and make decisions for the benefit of the community and not for special interests. She pointed out three Council seats would be open in 2026, and she planned to be present with everyone's record so that the truth would come out.

Peter Murray had spoken on this issue in the past. The City had a total of five Council members for years with everyone having the opportunity to serve as Mayor. As one who had served on the City Council, he had learned how the process worked and what the constituency was all about. He suggested the process of an Elected Mayor reeked of narcissism, and that someone wanted this badly, while the current process had worked well in the past. He commented there were things not being discussed that were in the documents, such as a Strong Mayor, and suggested someone was bringing that into the equation. A Strong Mayor and a Charter City had been mentioned, and there were people who wanted a Charter City, which would go along with a Strong Mayor where the City would be managed differently. He opposed putting that power into one person's hands. With five Council members, hopefully at least one person would inform the public and save the community from going down a path that could bankrupt the City and place it in a dire situation. He did not support an Elected Mayor.

Debbie Long noted a few years ago a former City Council member tried not to have the established Mayor rotation process followed with the suggestion that only those who received the highest vote could be mayor, but the people protested loud and clear. Shortly thereafter, the City Council wanted the City to become a Charter City, only for the purpose of passing a Real Property Transfer Tax (RPTT). At that time, it had been made known a Charter City would include an Elected or Strong Mayor. The City Council had vehemently denied that was one of its objectives. The City Council was now on that same path, and given the Council majority that always voted 3-2, she assumed this item would move forward. She emphasized it had been determined that a form of a Strong Mayor could be in a General Law City, at least according to her research. Most likely, she suggested that majority would increase their pay and expense accounts and the Mayor would be paid as if full time, and likely seek pension benefits as well. She pointed out a Strong Mayor would have the right to fire and hire Department Heads. Once it had a Strong Mayor, the Council may act in more of a legislative role, with the Mayor responsible for the day-to-day operations. The Mayor would also control the agenda and have the power to appoint and create commissions and commissioners.

Ms. Long suggested the public would likely be told that was not the intention and that this agenda item request was intended to create continuity; however, since Council members may be elected for 12-years, there was already that continuity. She suggested this issue was about power and egos. The City had gotten along for almost 125-years without an Elected Mayor, had done well and had a rotating Mayor, which created checks and balances of those powers being sought.

Ms. Long added that not long ago, a Council member told a Department Head that he disagreed with that "you work for me," and while not true at the time, gave insight as to what would become of the City if it had an Elected or Strong Mayor. She suggested the Council had already made up its mind to approve an Elected Mayor that would be voted upon by the people, but rest assured the Council's spending habits would be put out there for the community to weigh-in on as well as the cost of this new position.

Since the Council favored taxing the public and continued to spend without accountability or safeguards, Ms. Long stated she would continue to inform the public of the Council's tax agenda. She further commented and notified the City Attorney that should this item move forward on the ballot, she would like to be notified when a Statement of Opposition could be submitted, and for any other tax measures that may make it to the ballot.

PUBLIC COMMENTS CLOSED

Council member Toms was opposed to the proposal since the rotating Mayor process worked fine. When she had been Mayor, she had been able to adjust her work schedule to address the additional work as the Mayor. This had been a busy year for the current Mayor and would be busy for the upcoming Mayor. One year at a time would allow adjustment of work schedules to take on the additional work. An Elected Mayor may be looking at someone for two or four years, which may deter some people from running, since they may not be able to take the time needed to modify their work schedule. Also, the process of an Elected Mayor for a two- or four-year cycle could result in the loss of an experienced Council member who might run for mayor and lose, creating a vacancy for which the rest of the Council would have to appoint someone or have a Special Election. For every election cycle, there would be the potential for the creation of vacancies, requiring the City Council to appoint someone to complete a term, which did not promote consistency. Rotation of the Mayor allowed each Council member the opportunity for the experience of running meetings since the position was primarily ceremonial. She suggested there was no need to place an item on the ballot and she opposed the additional costs. She suggested citizens did not want to see this kind of issue on the ballot, which was not meaningful to running a successful City.

Council member Murphy supported the item and allowing residents to decide how they wanted the City to be governed and he was unsure why increasing civic engagement and allowing residents to decide was a problem. As a Council that prided itself on civic and public engagement, he was confused why this continued to be a question. He referred to other cities in the Bay Area and the state that had Elected Mayors. As someone who received a lot of votes from residents, he suggested the City had a mandate to allow residents to decide on things outside of just taxes, and residents should choose both the Mayor and the structure that holds that Mayor accountable to ensure the person making decisions about various issues and essential services was directly answerable to those who experienced those decisions daily.

Council member Murphy added that cities including Pinole, had moved from an archaic approach from a rotational Mayor. Mayors may either be selected through a rotational term process or the public elected the Mayor directly. The current system emphasized shared leadership among Council members, but also meant the residents had no direct role in choosing who represented their City as their Mayor and he suggested the residents deserved the respect of holding their own office accountable to taxpayers.

Council member Murphy suggested the proposed initiative, which he brought up several times for City staff to consider, would change the current system from an internal Council decision to a public election and allow residents an opportunity to vote on this proposal. Rather than choosing a Mayor behind the Council dais, that choice would move into the hands of voters. An Elected Mayor with a public mandate carried clear legitimacy and spoke for the entire City, which was in the ordinance, as the chief spokesperson for the City.

An Elected Mayor would also provide greater transparency and help residents understand exactly who was responsible for results, and if the Mayor failed to deliver, voters not the City Council, had the power to remove them at the next election, which was a direct and powerful accountability. This change would not change the Council/City Manager form of government or the City Manager's responsibility, but determine who selected the Mayor and how that selection was made. For the City Council, it would shift the responsibility of choosing the Mayor from the Council Chambers to the ballot box, and ultimately government and governance should not be something done to a community but be shaped by the community and allow residents the authority to elect their Mayor, which would strengthen leadership, deepen the commitment to civic engagement and ensure that power rested with the people.

Council member Murphy stated he would continue to support this initiative since he believed this was something that would change the City and he noted this same process had been done for the past 100+ years over and over again. He asked that residents consider the decision themselves, which was why he supported this measure.

Vice Mayor Pro Tem Tave asked about the next step if the item moved forward, to which City Attorney Casher advised the next action of the City Council would be for staff to bring forward a staff report and resolution to place the item on the ballot. Staff sought direction on the timing if the item moved forward, whether to consider a ballot measure for the June Primary or November election. He did not believe there would be enough time for polling since the City would need a Council resolution approved by February 2026 to get it on the March 6, 2026 County Election cycle. The City Council already provided direction to put out an RFP to bring on a polling consultant to ask a couple of different questions about property tax measures and bonds, and if the City Council wanted to include a question about an Elected Mayor as part of that effort that could be folded in.

City Attorney Casher stated the RFP was not yet out, and would take a couple of weeks to put out and get responses. Once there was a consultant engaged for the polling around January/February, the consultant would have to then do the polling, get the results and present the data to the City Council, which process would not allow enough time to meet the June Primary. The work could be done to meet the November election. If there was no interest in the polling, it would only involve a staff report and resolution to be approved by the City Council to meet the June Primary.

ACTION: Motion by Mayor Sasai/Mayor Pro Tem Tave to Extend the City Council meeting to 11:30 p.m.

Vote:	Passed	3-1-1
	Ayes:	Sasai, Tave, Murphy
	Noes:	Toms
	Abstain:	None
	Absent:	Martinez-Rubin

Council member Murphy noted in the past polling had been done for financial matters on the ballot primarily to decide what was the most acceptable by residents. In this case, polling was not needed.

Council member Murphy offered a motion, seconded by Mayor Sasai to direct staff to prepare the necessary documents and actions to place a measure on the ballot regarding the method of selecting the Mayor of Pinole. This preparation should include coordination with the County Registrar of Voters to identify the earliest available election date that allowed for consolidation with a County administered election.

Staff was further directed to return to the City Council with the required resolutions, timeline, cost estimates and other procedural steps needed to advance the ballot measure for City Council consideration.

On the motion, Mayor Sasai explained when he first thought of this concept he had been neutral but when he became Mayor his perception of the role quickly shifted. While a lot of the Mayor's responsibilities were ceremonial, there was a significant number of community events and other responsibilities, including heightened community engagement and working closely with the City's Executive Team.

Mayor Sasai stated there were clear Mayoral authorities laid out in the PMC that currently existed, one of which was setting the meeting agendas for City Council meetings and what that looked like for the year as Mayor, including prioritization and what was appropriate for staff. He found the role of Mayor was not, in fact, ceremonial but had a lot of cultural sway in the City and in the region, with each Mayor to decide how to best use that for residents. The role of Mayor was currently a part-time position with a payment of \$7,000 per year. As the Mayor, he also worked full-time and it had been a struggle to answer everyone, to get everything people needed, and he had fallen short in some aspects since he could not be everywhere at once.

Mayor Sasai suggested the City of Pinole deserved someone who could do that and have an office that allowed for that level of engagement. He agreed this should be brought to the voters to decide, which was what democracy was all about. He also clarified the intent was to create the office of an Elected Mayor, not a Strong Mayor, which was something Pinole voters would decide, with the majority to determine the outcome.

Mayor Pro Tem Tave asked whether the intent was for the ballot measure to be on the June 2026 ballot.

Council member Murphy clarified the motion, as stated, included the statement, *include coordination with the County Registrar of Voters to identify the earliest available election date that allows for consolidation with a County administered election*, which would be the June 2026 election.

ACTION: Motion by Council member/ Murphy/Mayor Sasai to direct staff to prepare the necessary documents and actions to place a measure on the ballot regarding the method of selecting the Mayor of Pinole. This preparation should include coordination with the County Registrar of Voters to identify the earliest available election date that allows for consolidation with a County administered election. Staff is further directed to return to the City Council with the required resolutions, timeline, cost estimates and other procedural steps needed to advance the ballot measure for City Council consideration.

Vote:	Passed	3-1-1
	Ayes:	Sasai, Tave, Murphy
	Noes:	Toms
	Abstain:	None
	Absent:	Martinez-Rubin

13. CITIZENS TO BE HEARD (Continued from Item 6) (Public Comments)

Only open to members of the public who did not speak under the first Citizens to be Heard, Agenda Item 6.

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.*

Deputy City Clerk Roxane Stone reported there were no comments from the public.

14. ADJOURN to the Regular City Council Meeting of December 16, 2025 in Remembrance of Amber Swartz.

At 11:20 p.m., Mayor Sasai adjourned to a Regular City Council Meeting on December 16, 2025 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell-Spears CMC

City Clerk

Approved by City Council: December 16, 2025

