



CITY COUNCIL
Anthony Tave, Mayor
Devin T. Murphy, Mayor Pro Tem
Maureen Toms, Council Member
Cameron Sasai, Council Member
Norma Martinez-Rubin, Council Member

PINOLE CITY COUNCIL MEETING AGENDA

March 3, 2026

5:00 PM

Attend in Person: PINOLE CITY COUNCIL CHAMBERS - 2131 PEAR STREET

OR

Attend VIA ZOOM TELECONFERENCE – Details provided below

How to Submit Public Comments:

In Person:

Attend meeting at the Pinole City Council Chambers, fill out a yellow public comment card and submit it to the City Clerk.

Via Zoom:

Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](#). Zoom also allows you to join the meeting by phone.

From a PC, Mac, iPad, iPhone or Android:

<https://us02web.zoom.us/j/89335000272>

Webinar ID: 893 3500 0272

By phone: +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799

- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak (subject to modification by the Mayor)
- Speakers will be muted until their opportunity to provide public comment.

When the Mayor opens the comment period for the item you wish to speak on, please use the “raise hand” feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide and press *6 to unmute. To comment with your video enabled, please let the City Clerk know you would like to turn your camera on once you are called to speak.

Written Comments:

All comments received **before 3:00 pm the day of the meeting** will be posted on the City’s website on the agenda page ([Agenda Page Link](#)) and provided to the City Council prior to the meeting. Written comments will not be read aloud during the meeting. Email comments to comment@pinole.gov Please indicate which item on the agenda you are commenting on in the subject line of your email.

OTHER WAYS TO WATCH THE MEETING

LIVE ON CHANNEL 26. They are retelecast the following week. The Community TV Channel 26 schedule is published on the city's website at www.pinoles.gov.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.pinoles.gov and remain archived on the site for five (5) years.

If none of these options are available to you, or you need assistance with public comment, please contact the Deputy City Clerk, Roxane Stone at (510) 724-8937 or rstone@pinoles.gov.

Americans With Disabilities Act: In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a City Meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the City Clerk's Office at (510) 724-8937. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection on the City Website at www.pinoles.gov. You may also contact the City Clerk via e-mail at rstone@pinoles.gov.

Ralph M. Brown Act. Gov. Code § 54950. In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

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

2. LAND ACKNOWLEDGMENT

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

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

An official who has a conflict must, prior to consideration of the decision: (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself /herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov't Code § 87105.

4. CONVENE TO A CLOSED SESSION

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

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Gov. Code § 54956.9(d)(2) or (d)(3)

Number of Potential Cases: 1

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

6. CITIZENS TO BE HEARD (Public Comments)

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

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

B. Mayoral & Council Appointments

C. City Council Committee Reports & Communications

D. Council Requests for Future Agenda Items

E. City Manager Report / Department Staff

F. City Attorney Report

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. **Proclamations**

1. Prescription Drug Awareness Month
2. American Red Cross Month
3. Developmental Disabilities Awareness Month
4. Multiple Myeloma Awareness Month
5. Honoring Fire Chief Lewis Broschard Upon His Retirement

B. **Presentations**

1. Restrictions on Oversized Vehicles on San Pablo Avenue

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 February 3, 2026 and February 17, 2026.
- B. Receive the February 14, 2026 – February 27, 2026, List of Warrants in the Amount of \$676,045.93 and the February 27, 2026, Payroll in the Amount of \$552,811.23.
- C. Receive and File Annual Progress Report on Housing Element Implementation **Action: Receive report (David Hanham, Justin Shiu)**
- D. Receive and File Housing Successor Annual Report for FY24/25 **Action: Receive and file the Housing Successor Agency Annual Report for Fiscal Year 2024-25 (Lilly Whalen)**
- E. FY 2026/27 Financial and Investment Policies **Action: Adopt Resolution per Staff Recommendation (Markisha Guillory)**
- F. Second Reading of an Ordinance Amending Section 2.12.010 to Modify the Start Time of Regularly Scheduled City Council Meetings **Action: Waive Second Reading and Adopt an Ordinance Amending Section 2.12.010 to Modify the Start Time of Regularly Scheduled City Council Meetings (Eric Casher)**

10. **PUBLIC HEARINGS**

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. **An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.**

- A. Residential Health and Safety Rental Inspection Program: Housing Fellow Update; Amend Administrative Regulations, Authorize 1.0 FTE Housing Inspector, and Adopt new Cost-Recovery Fees **Action: Adopt Resolutions per Staff Recommendation (Lilly Whalen, Jared Murti, Housing Fellow)**

- B. Waive the First Reading and Introduce a Zoning Code and Specific Plan Amendment to Prohibit New Service Stations, Establish Regulations for Existing Legal Nonconforming Service Stations, and Establish Regulations for Alternative Fuel Stations **Action: Waive the First Reading and Introduce Zoning Code (Pinole Municipal Code Chapter 17) and Specific Plan Amendments (David Hanham, Justin Shiu)**

11. OLD BUSINESS

- A. None

12. NEW BUSINESS

- A. None

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

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

- 14. ADJOURNMENT** to the Regular City Council Meeting of March 17, 2026 in Remembrance of Amber Swartz.

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

Roxane Stone, CMC

Deputy City Clerk

POSTED: Thursday, February 26, 2026 at 2:10 pm



Proclamation

PRESCRIPTION DRUG ABUSE AWARENESS MONTH MARCH 2026

***WHEREAS**, Senate Concurrent Resolution 8, passed by the Legislature in 2013, designated March as Prescription Drug Awareness Month and encourages individuals to “spread the word – one pill can kill.”; and*

***WHEREAS**, this designation allows us to raise awareness about America’s prescription drug abuse epidemic through education and community awareness events and actions; and*

***WHEREAS**, in California, opioid overdose deaths and prescription medication misuse continue to impact families, communities, and healthcare systems, highlighting the importance of education and prevention effort; and*

***WHEREAS**, in 2023 Contra Costa County reported there were 447,583 opioid prescriptions given to patients which is an age-adjusted rate of 313.9 per 1,000 residents, higher than the state rate of 345.62; and*

***WHEREAS**, In 2024, a total of 17,083 emergency department visits occurred in California that were related to any opioid overdose, and 332 of those visits occurred in Contra Costa County; and*

***WHEREAS**, According to the Center for Disease Control (CDC), 105,007 drug overdose deaths occurred nationally in 2023, 80,000 were from opioids (76%), and 183 of those opioid related overdose deaths occurred in Contra Costa County; and*

***WHEREAS**, promoting awareness, education, and responsible behaviors regarding prescription medications strengthens the health, safety, and well-being of all Pinole residents.*

***NOW, THEREFORE, I, ANTHONY TAVE**, Mayor of the City of Pinole, County of Contra Costa, State of California, on behalf of the City Council and the City of Pinole, do hereby proclaim **MARCH 2026**, as “**PRESCRIPTION DRUG ABUSE AWARENESS MONTH**” and encourage all citizens to use prescription medications safely, store them responsibly, and dispose of unused medications at local pharmacies.*

ANTHONY TAVE
MAYOR of the City of Pinole

Dated: March 3, 2026





Proclamation

AMERICAN RED CROSS MONTH MARCH 2026

***WHEREAS**, March is American Red Cross month, when we recognize the compassion of people and renew our commitment to lend a helping hand to our neighbors in need; and*

***WHEREAS**, American Red Cross volunteers have stepped up to deliver relief and care across our country and around the world, bringing out the best of humanity in times of crisis as Clara Barton, founder of the American Red Cross, did over 140 years ago; and*

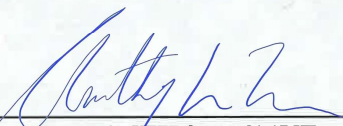
***WHEREAS**, the volunteers, blood and platelet donors, and supporters shine a beacon of hope in people's darkest hours —delivering shelter, food and comfort during disasters; providing critical blood donations for hospital patients; supporting service members, veterans and their families; saving lives with first aid, CPR, AED and other skills; or delivering international aid and reconnecting loved ones separated by global crises; and*

***WHEREAS**, with 1148 volunteers in Contra Costa County, the American Red Cross assisted or responded to 101 disasters, assisting 190 families; and through our Sound the Alarm program, the American Red Cross installed 778 smoke alarms, making 241 homes safer, and trained 425 students through the Youth Preparedness Programs; and*

***WHEREAS**, Contra Costa County residents donated 18,299 units of lifesaving blood; hosted 530 blood drives; and trained 12,164 citizens in first aid, CPR, AED, and aquatics; and provided 463 case services to military members and their families; and provided humanitarian aid internationally; and*

***WHEREAS**, this work to uplift our community is made possible by those who selflessly answer the call to help, whenever and wherever it is needed. We hereby recognize this month of March in honor of their remarkable service, and we ask everyone to join in their commitment to care for one another.*

***NOW, THEREFORE, I, ANTHONY TAVE** Mayor of the City of Pinole, County of Contra Costa, State of California, proclaim **MARCH 2026** as **AMERICAN RED CROSS MONTH** in the City of Pinole, dedicating the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies, and encourage all citizens to support its humanitarian mission.*



ANTHONY TAVE
MAYOR of the City of Pinole



Dated: March 3, 2026



Proclamation

DEVELOPMENTAL DISABILITIES AWARENESS MONTH MARCH 2026

***WHEREAS,** Developmental Disabilities Awareness Month is an annual event that takes place in March and spreads awareness about developmental disabilities; and*

***WHEREAS,** Developmental Disabilities Awareness Month traces its origins back to 1987 when President Ronald Reagan officially declared the observance.; and*

***WHEREAS,** Every March, the National Association of Councils on Developmental Disabilities (NACDD) and its partners collaborate to lead Developmental Disabilities Awareness Month (DDAM). The annual campaign highlights how people with and without disabilities come together to form strong communities; and*

***WHEREAS,** since then, organizations, advocates, and communities have come together annually to promote understanding, inclusion, and the rights of individuals with developmental disabilities, aiming for a more inclusive society; and*

***WHEREAS,** everyone, regardless of their abilities, has the right to be respected, embraced, and provided with opportunities to thrive. Developmental Disabilities Awareness Month serves as a profound reminder of these principles, emphasizing the value, rights, and aspirations of those with developmental disabilities.*

***NOW, THEREFORE, I, ANTHONY TAVE,** Mayor of the City of Pinole, County of Contra Costa, State of California, on behalf of the City Council and the City of Pinole, proudly recognize **MARCH 2026**, as “**DEVELOPMENTAL DISABILITIES AWARENESS MONTH**” and encourage all citizens to recognize the importance of the inclusion of people with developmental disabilities in all areas of society.*

ANTHONY TAVE
MAYOR of the City of Pinole



Dated: March 3, 2026



Proclamation

MULTIPLE MYELOMA AWARENESS MONTH MARCH 2026

WHEREAS, *Multiple Myeloma (or Myeloma) is a cancer of plasma cells in the bone marrow, and is called “multiple” because it can occur at various sites in the body; and*

WHEREAS, *Multiple Myeloma causes a variety of adverse health effects, including a weakened immune system, anemia, kidney damage, and bone deterioration; and*

WHEREAS, *Multiple Myeloma affects approximately 35,000 to 36,000 new cases in the United States annually and globally it is estimated at 188,000 new cases per year; and*

WHEREAS, *this disease is most common in men, and individuals between the ages of 40 to 70, and is more prevalent in African American individuals compared to other racial groups; and*

WHEREAS, *although a cure has not been developed, great strides have been made in the development of the new innovative treatments to effectively manage the disease, leading to remission and improved quality of life in many patients; and*

WHEREAS, *Multiple Myeloma Awareness Month, is an opportunity to provide further education so that new cases can be more readily detected and promptly treated, improving health outcomes and bringing comfort to patients and their families.*

NOW, THEREFORE, I, ANTHONY TAVE, Mayor of the City of Pinole, County of Contra Costa, State of California, on behalf of the City Council and the entire City of Pinole, do hereby proclaim **MARCH 2026 AS MULTIPLE MYELOMA AWARENESS MONTH** and encourage all Pinole citizens to observe this month by raising awareness and educating yourselves and others.

ANTHONY TAVE
MAYOR of the City of Pinole



Dated: March 3, 2026



Proclamation

**HONORING
FIRE CHIEF LEWIS BROSCHARD
UPON HIS RETIREMENT AS
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT'S
FIRE CHIEF**

WHEREAS, Fire Chief Lewis Broschard has a fire service career spanning over 30 years; and

WHEREAS, His experience includes positions and responsibilities in emergency operations, fire prevention, administration, and executive leadership and promoted through the ranks of the Contra Costa County Fire Protection District and was appointed Fire Chief on April 1, 2019; and

WHEREAS, During his tenure as Fire Chief, Contra Costa County Fire expanded the delivery of 911 emergency ambulance services, increased wildland fire programs and resources to include a firefighting helicopter, a Type 2 Hand Crew, staffed bulldozer, a countywide Fire Safe Coordinator, opened a dedicated camp for the hand crew, and implemented a countywide wildland fuel mitigation program; and

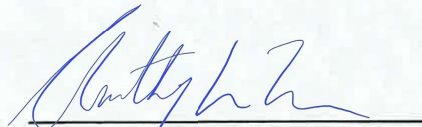
WHEREAS, the Fire District completed two annexations and one contract for service to consolidate fire, rescue, EMS, and fire prevention services in the East Contra Costa Fire Protection District, Rodeo-Hercule Fire Protection District, and the City of Pinole; and

WHEREAS, Chief Broschard holds a BS in Managerial Economics from UC Davis, an MBA from JFK University, and he is a CSAC Credentialed County Executive; and

WHEREAS, He has also been certified by the Office of the State Fire Marshal as a Fire Prevention Officer, Fire Officer, and Chief Officer; and

WHEREAS, Chief Broschard has been married for over 28 years and is the father of twin 21-year-old sons.

NOW, THEREFORE, I, ANTHONY TAVE, Mayor of the City of Pinole, on behalf of the City Council and the entire City of Pinole, commend Fire Chief Lewis Broschard for his exemplary service and wish him the best in his retirement.


ANTHONY TAVE
MAYOR of the City of Pinole



Dated: March 3, 2026

OVERVIEW OF REGULATIONS RELATED TO OVERSIZED VEHICLES ON SAN PABLO AVENUE

Eric Casher, City Attorney



RECOMMENDATION

Staff recommends the City Council receive a presentation on the regulation of trucks and other oversized vehicles on San Pablo Avenue (SPA).

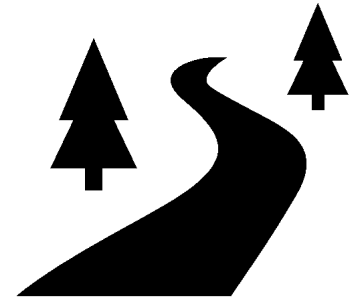
BACKGROUND



- This information is presented at the request of the City Council, which directed staff to prepare a presentation on oversized vehicle restrictions on San Pablo Avenue.

BACKGROUND

- San Pablo Avenue, also known as State Route 123, runs through many East Bay cities and is a highway maintained in part by CalTrans.
- A portion of SPA runs through Pinole and is not part of SR123, making that particular portion a City right-of-way.
- Given that the right of way has portions that are within CalTrans and the City of Pinole's jurisdiction, there will be a need for multiple agencies to be consulted and involved in any decision to restrict use of SPA limiting oversized vehicles.



BACKGROUND

- There was an average daily volume of 318 of medium and heavy-duty trucks on San Pablo Avenue in 2023*.
- *This is the most recent data currently available to the City

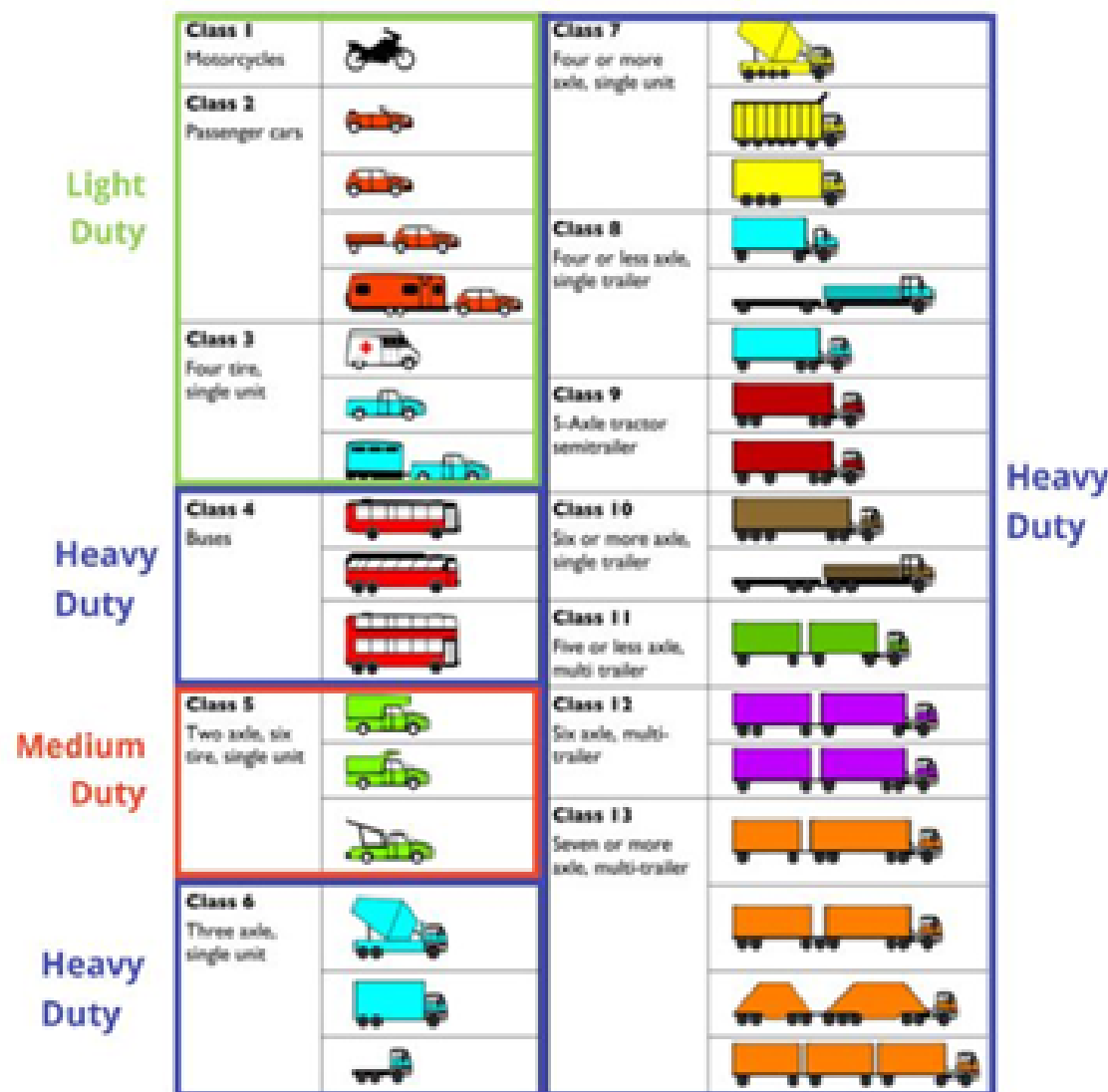
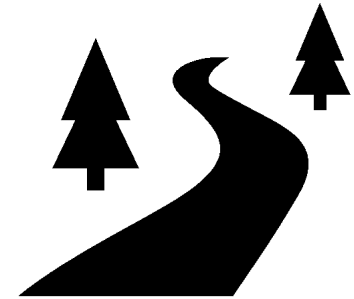


Figure 1: StreetLight's volume estimates are based on the FHWA 13-class axle-based classification system. Heavy-duty (HD) vehicles map to categories 4,6, and 7-13. Medium-duty (MD) maps to category 5. Light-duty encompasses categories 1-3, although we do not currently model LD volumes as part of this process.

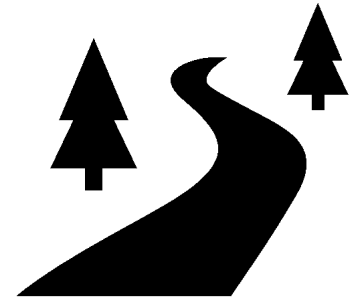
RESTRICTIONS OF USE UNDER LOCAL LAW

- Chapter 10.48 of the Pinole Municipal Code places restrictions on the use of streets.
- Section 10.48.030 allows the City to establish truck routes by resolution for oversized vehicles.
- Section 10.48.040 allows trucks to leave a truck route and use other streets when making pickups and deliveries, and other limited circumstances.

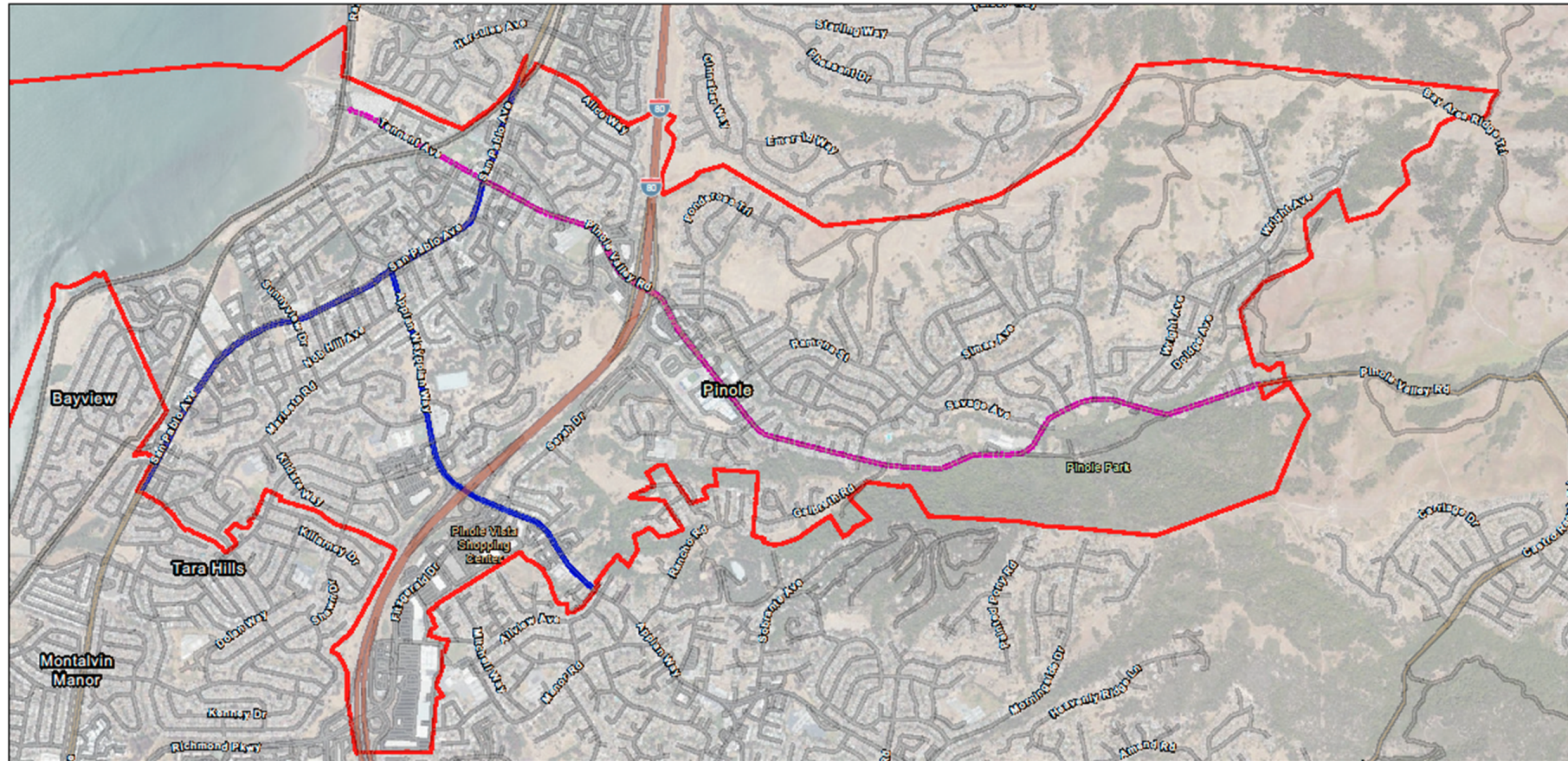


RESTRICTIONS OF USE UNDER LOCAL LAW CONT.

- San Pablo Avenue is an established truck route, along with Pinole Valley Road, Appian Way, and Tennent Avenue. (See map on next slide)
- The truck route permits use of San Pablo Avenue by oversized vehicles and provides drivers with a guide for permitted roads in the City of Pinole.
- Failure to use these established routes could result in citations for an oversized vehicle.

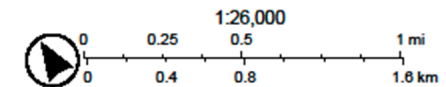


City of Pinole Truck Route



11/7/2025

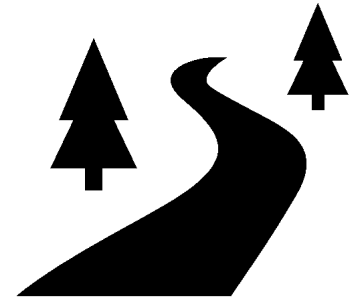
- ▬ City Limits
- ▬ 3 Ton Prohibition
- ▬ Designated Truck Route



Source: Esri, USDA FSA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

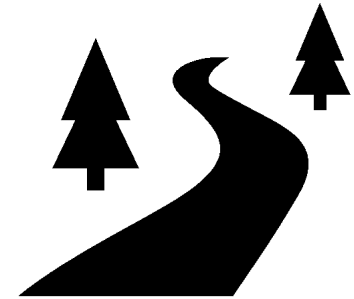
REGIONAL ROUTES

- San Pablo Avenue is an established truck route, not only for the City of Pinole, but for the City of Hercules and Contra Costa County.
- These routes are contiguous throughout multiple jurisdictions and are coordinated in partnership with neighboring local agencies.
- Any change to the route in Pinole would have a broader regional impact and may involve coordination with other agencies.



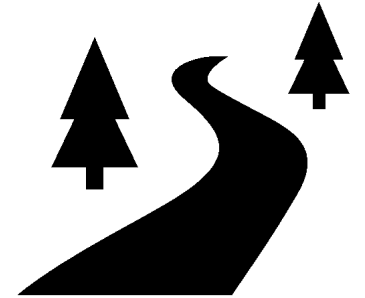
RESTRICTIONS OF USE UNDER STATE LAW

- While Vehicle Code Section 21101(c) provides that local authorities may prohibit the use of certain classes of vehicles from using particular highways, Section 21104 requires Department of Transportation (DOT) approval for such restrictions.
- **CVC 21104:** “No ordinance or resolution proposed to be enacted under Section 21101 or subdivision (d) of Section 21100 is effective as to any highway not under the exclusive jurisdiction of the local authority enacting the same, except that an ordinance or resolution which is submitted to the Department of Transportation by a local legislative body in complete draft form for approval.”



RESTRICTIONS OF USE UNDER STATE LAW

- CalTrans Manual for Uniform Traffic Control Devices:
 - A proposed local ordinance restricting truck travel must:
 - Designate an unrestricted alternate route
 - Investigation of designates alternate routes shall be made with attention to:
 - Geometrics
 - Increase in distance of travel and comparison in time of travel
 - Railroad grade crossings
 - Present traffic and practical capacity of proposed alternates
 - Structural adequacy of pavement for heavy truck traffic
 - Heavy grades
 - Proximity to schools or school routes
 - Developed residential areas



RELEVANT CASE LAW

- *California Dump Truck Owners Ass'n v Davis* (ED Cal 2002) 302 F Supp 2d 1139, 1144
 - Facts: The plaintiffs, a group of dump truck owners, challenged a city ordinance that restricted oversized trucks from certain streets.
 - Rule: local restrictions must be based on a safety concern, or a size/weight restriction.
 - To create a ban on oversized vehicles, the City needs to establish that a safety concern exists, or that the size of the vehicles permitted on the road needs to be adjusted, with a clear reason why.
- *Skyline Materials, Inc. v City of Belmont* (1961) 198 CA2d 449, 454.
 - Facts: Skyline Materials, a concrete supplier, challenged a city ordinance limiting certain industrial vehicles.
 - Rule: Restrictions cannot be arbitrary, unreasonable, or confiscatory.
 - Cities may regulate truck traffic, but the regulations must clearly relate to legitimate concerns and be a reasonable limitation to withstand legal challenge.

RELEVANT CASE LAW

- The City of San Leandro, in the past, attempted to prohibit trucks from using certain city streets. This ordinance was challenged and found to be a violation of both the Fifth Amendment of the U.S. Constitution and the California Constitution Article 1, Section 19.
 - The ordinance deprived a rock company, for which the route was essential, of substantially all of its land and this constituted an excessive regulation of land.
 - There were no reasonable alternative roads for the trucks to their rock quarry.
- The City of Lafayette attempted to shut down a road and only allow traffic to those who has an established need to use the road.
 - The City's reason for closure was because the road was "no longer needed."
 - The First District Court of Appeals held that it was not within the scope of the City's police power to close a road.

CONSIDERATIONS

- If the City Council were to move forward with establishing restrictions on oversized vehicles, a substantial record of findings would need to be prepared to establish the safety concerns and danger presented.
- Alternate routes would need to be established by ordinance as designated truck routes for oversized vehicles traveling through Pinole.
- As an alternative to restricting truck traffic, staff can work to identify the source of the trucks causing complaints and attempt to work with the company or operator on a solution.



NEXT STEPS

- Staff are happy to receive direction from the City Council on any next steps.



QUESTIONS?

City of Pinole



**CITY COUNCIL MEETING
MINUTES
February 3, 2026**

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 Tave 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

Anthony Tave, Mayor
Devin Murphy, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Maureen Toms, Council Member
Cameron Sasai, Council Member

B. STAFF PRESENT

Melissa Klawuhn, Acting City Manager/Police Chief
Eric Casher, City Attorney
Fiona Epps, Communications Director
Markisha Guillory, Finance Director
Roxane Stone, Deputy City Clerk

Deputy City Clerk Roxane Stone announced the agenda had been posted on January 29, 2026 at 3:40 p.m. with all legally required written notices. 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:

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Gov. Code §54956.8

Property: Assessor's Parcel Number: 401-230-016

Agency Negotiators: Community Development Director Lilly Whalen, City Attorney Eric Casher

Negotiating Parties: Patrick Donovan, Project Manager, On Air Communications Inc.

Authorized Agent: Crown Castle

B. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code §54957.6

Agency designated representatives: City Attorney Eric Casher, Human Resources Director Stacy Shell

Unrepresented employee: Interim City Manager

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gov. Code §54956.9(d)(4): Initiation of Litigation

Number of Potential Cases: One

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 6:03 p.m., Mayor Tave reconvened the meeting into open session. There was no reportable action for Closed Session Items 4A and 4B. For Item 4C, direction was given to initiate legal action and the name of the defendants and other particulars could be disclosed to anyone who inquired once the action was formally commenced.

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.

Ann Moriarty, Friends of Pinole Creek Watershed and Jodie Ingals, Pinole Garden Club, described the City of Pinole's Community Services Department's collaboration with the Pinole Garden Club and Friends of Pinole Creek Watershed on the Pinole Pollinator Pathway Project.

The project would be planted with a majority of California natives with a commitment to being pesticide free, the gardens would be both public and private and would welcome pollinators such as birds, butterflies, bumble bees and other native bees and insects. The existing public gardens included the garden at Bay Front Park at the base of the Bay Trail Pedestrian Bridge, a model garden in Fernandez Park, the Pinole Library Native Garden, the Blue Star Garden at I-80 and the Pollinator Garden in the Upper Watershed. The installation of the native pollinator garden would be celebrated on February 7, 2026 at 10:00 a.m. at Fernandez Park. This would be a public garden sponsored by the City of Pinole, planted with keystone species and native plants and located by the children's play structure. Different activities were planned during the event, with garden medallions in two different sizes, to be offered for sale to those who participated. Everyone was encouraged to attend.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements: None

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Council member Toms reported she attended the East Bay Leadership Council Wastewater Testing Webinar, with East Bay Leadership having kicked off 2026 with a Special Joint Task Force meeting co-hosted by the Health, Water, Energy and Environment Task Forces, and with a representative from the California Department of Public Health having shared how the state used wastewater surveillance to track disease outbreaks and guide public health decisions. She reported she had asked why the City of Pinole had not been included as a participant and was informed there was a good sampling throughout Contra Costa County of participants in the program. She was also told there was uncertainty about funding to continue let alone expand the program; however, she indicated the City's willingness to participate if the opportunity came up.

Council member Toms also attended the Road Maintenance Town Hall and thanked the Mayor and City staff for a great job presenting the issues. She reported the East Bay Wildfire Government Coalition had not met since the meeting location at El Cerrito City Hall was under renovation, although a SPUR Report on Bay Area Fire Mitigation Strategies had been posted on the agency website which identified how communities could come together to prepare and recover from wildfire. She also attended the Policy Committee for Housing, with a presentation from the cities of Humboldt and Arcadia, on their 7th Cycle Housing Element, and reported their Regional Housing Needs Allocation (RHNA) numbers were much higher than the 6th Cycle.

Council member Sasai reported he attended a meeting of the West Contra Costa Transportation Commission (WCCTC) and he had been selected as Chair, Rebecca Saltzman representing the City of El Cerrito as Vice-Chair and appointments had been made to the Contra Costa Transportation Authority (CCTA). He added the WCCTC by-laws would be changed at its next meeting to allow for two alternate seats to the CCTA, and WCCTC received a presentation and overview of the Hercules Hub Project, a regional transportation development on the Hercules waterfront. He highlighted the specifics of that project.

Council member Sasai also reported he had recently been appointed to the League of California Cities Policy Committee on Environmental Quality; attended the Contra Costa Immigrant Rights Alliance, and reported on the discussion of the closure of the immigration courts in San Francisco. As a result, an influx of people was expected to go to the nearest immigration court located in the City of Concord. Additional topics had also been discussed during the meeting.

Council member Sasai thanked the City Attorney and the Acting City Manager/Police Chief for their support for the Immigration and Customs Enforcement (ICE) Free Zone Policy, and reported since the City's adoption of an ordinance in December 2025, several cities in the state had used the City's language and proposed their own similar ordinances. He emphasized the importance of the City of Pinole being the first to adopt such an ordinance and others who had followed with the implementation of similar ordinances. The City's ordinance was strong and restricted immigration enforcement on all public property unless there was a court order or judicial warrant.

Council member Sasai also thanked the Acting City Manager/Police Chief for responding to complaints about the traffic signals on Pinole Valley Road and I-80 near Kaiser and Starbucks. The traffic signals had little delay between turning red or green resulting in near misses. He was informed that Caltrans operated the signals and the County also played a part, and once the County had been informed, the County would communicate with Caltrans to address the timing of the lights.

Mayor Pro Tem Murphy wished everyone Happy Black History Month, urged everyone to take a moment to reflect and consider how they may develop a brighter current state, and remember on February 3, 1870 that black men for the first time were granted the right to vote through the ratification of the 15th Amendment. He emphasized that Black History Month was both a celebration of resilience and achievement and a call to remain vigilant to protect civil rights and democratic participation for all.

Mayor Pro Tem Murphy also reported the Pinole Library would close on March 1, 2026, to accommodate important construction improvements. Other libraries would be available outside of Pinole and he would share updates so that residents could be informed accordingly and plan for alternative library services during the closure. He thanked City staff, the Mayor, community partners and the participants who provided feedback during the Roads Maintenance Town Hall. He also reported receiving emails from residents about sidewalk vendors, with greater interest whether or not sidewalk vendors were legal. He encouraged residents to reach out to the Community Development Department, which developed and distributed resources for sidewalk vendors, with the materials clarifying permitting requirements, operational guidelines and available resources.

Mayor Pro Tem Murphy further reported on January 29, 2026, community partners, educators and local leaders in West County had come together for a joint meeting with the West Contra Costa Unified School District (WCCUSD) Community School Support Collaborative and the WCCUSD Systems Change Collaborative. The meeting focused on strengthening partnerships and elevating youth leadership including learning from the City of Richmond's collaboration with West County schools through the Y-Plan Initiative, a collaborative effort between the City of Richmond and the U.C. Berkeley Y-Plan Team, to engage youth in the planning process and address their unique needs. A larger report would be provided at the WCCUSD Board of Trustees' first meeting of the month of March.

Mayor Pro Tem Murphy added that he had been appointed by the President of the League of National Cities, to serve on the Finance Administration and Intergovernmental Relations Committee for 2026, which committee played a critical role in protecting how cities funded essential services and infrastructure. With this appointment, it placed the City of Pinole on the front line of national advocacy, safeguarding federal funding streams and preserving and keeping tools cities relied on, specifically tax-exempt municipal bonds, which he highlighted. He was honored to represent the City in this way and bring all of the issues back to the League of National Cities.

D. Council Requests for Future Agenda Items

Council member Sasai requested staff be directed to provide an overview of a Wage Theft Ordinance and to discuss options to implement such an ordinance for the City of Pinole as a future agenda item.

On the motion, Council member Toms asked whether an ordinance was needed. She asked whether the City should spend the money on an ordinance or whether the City could rely on state law.

City Attorney Eric Casher explained while there were some state laws, this would be unique since it would be the City withholding or refusing to issue a Certificate of Occupancy or final close out of a local project based on prevailing wage violations or if a contractor did not comply with certain labor laws. Staff could look into the matter further if directed to return with a presentation.

ACTION: Motion by Council member Sasai/Mayor Pro Tem Murphy to direct staff to add to a future agenda, an overview of a Wage Theft Ordinance and to discuss options to implement such an ordinance for the City of Pinole.

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

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to direct staff to prepare a proclamation recognizing and honoring Contra Costa County Fire Protection District Fire Chief Lewis Broschard on his retirement.

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

Mayor Pro Tem Murphy offered a motion, seconded by Council member Toms to direct staff to receive a presentation from Marin Clean Energy (MCE) and provide direction, as appropriate.

City Attorney Casher reported a presentation from MCE had been scheduled for the month of June, and the Mayor Pro Tem explained he understood but the motion was intended as a formality.

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to direct staff to receive a presentation from Marin Clean Energy and provide direction, as appropriate.

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

E. City Manager Report / Department Staff

Acting City Manager/Police Chief Melissa Klawuhn reported Bob Hall & Associates had been selected to conduct the nationwide executive search for the City's next City Manager; Probolsky Research had been selected to poll public sentiment about ballot measures and community priorities to move forward in the next several weeks; the Public Works Department had been busy submitting for grant and funding opportunities; a request had been submitted for Transportation Development Act Article 3 (TDA-3) funding for traffic control improvements on San Pablo Avenue, with application made to the Office of Traffic Safety (OTS) for traffic data analytics and community outreach and engagement. The Public Works Department also recently submitted a grant application to the Federal Railroad Administration Federal State Partnership for the Intercity Passenger Rail Program, to assist with the right-of-way (ROW) and construction of the Tennant Avenue at-grade railroad crossing improvements project.

In addition, the Pinole Police Department (PPD) had been invited to the Special Olympics Luncheon on February 12, 2026 in the City of Pleasant Hill. The City of Pinole was one of the top revenue collectors for the Special Olympics and Officers Lewis and Witschi would attend.

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

1. Black History Month

The City Council read into the record a proclamation recognizing the month of February as Black History Month.

PUBLIC COMMENTS OPENED

Sanai Daniels McCockran President and Gerald Davis, Vice-President, African American Student Union, Pinole Valley High School (PVHS), thanked the City Council for the proclamation.

PUBLIC COMMENTS CLOSED

Council member Sasai thanked the student leaders for their participation. He acknowledged the Black History Month proclamation as read into the record, and commented the proclamation should also include the recognition of Nuclear Chemist James Harris, who helped to discover Elements #104 and #105 on the periodic table and who was also the grandfather of Pinole artist Iamsu. He was honored to serve with the City officials listed in the proclamation. He also invited the public to the PVHS Black History Month Jubilee scheduled for February 28, 2026 from 1:00 to 2:30 p.m. at PVHS, with more information at csasai@pinole.gov.

Mayor Tave was excited to celebrate Black History Month and also looked forward to the PVHS Black History Month Jubilee and the celebration of Black History. He too urged everyone to participate.

B. Presentations

1. The State of Artificial Intelligence (AI) in the City of Pinole – Communications Director, Fiona Epps

Communications Director Fiona Epps provided a PowerPoint presentation on the state of Artificial Intelligence (AI), which included an overview of the definition of AI, a software system capable of performing tasks that typically required human intelligence, such as pattern recognition, decision-making, or language understanding, often using algorithms and neural networks to compute; the background of AI technology including federal and state frameworks; an overview of the California AI Accountability Act, Senate Bill (SB) 896; the background of the City's AI approach, generative and AI opportunities and risks and ethical considerations.

The City of Pinole's AI Policy established a comprehensive, yet flexible, governance structure for Artificial Intelligence (AI) systems used by, or on behalf of the City of Pinole. The policy enabled the City of Pinole to use AI systems responsibly for the benefit of the community while safeguarding against potential harms. The City's AI Policy and key objectives when purchasing, configuring, developing, operating, or maintaining AI systems; user-specific rules when engaging in high-risk generative AI use cases; prohibited uses; Department usage of AI; future uses of AI including training and communication and the AI and the Information Technology (IT) Plan 2026-2031 were highlighted in depth.

Communications Director Epps explained that the next steps would include the final review and approval of the AI Policy collection, which would require a draft to be sent to the unions for review. A final draft of the AI Policy would be presented to the City Manager for review and approval since it was an administrative policy, after that would be implementation where external and internal communications would come into play. Monitoring would occur with quarterly revisions to the AI Policy given the ever-and-rapidly changing technology, quarterly revisions of the AI Policy, monitoring of state and federal policies and participation in GovAI Coalition Activities.

Responding to questions from the City Council, Communications Director Epps and Acting City Manager/Police Chief Klawuhn clarified the following:

- Staff used quite a few policy resources in the development of the City's AI Policy, including examples from other cities including Walnut Creek, Concord, Lafayette and a number of Bay Area policies along with shared examples from the Public Managers Association (PMA). The Communications Director attended the GovAI Coalition Conference and connected with other cities and communicated with IT staff who were facing the same issues. Some cities already had approved AI policies and put those policies in place. Templates vetted by both the GovAI Coalition in terms of governance frameworks in municipal settings were used as well as a template from the Municipal Information System Association of California. Bits and pieces of all of this information had been applied to the City of Pinole's specific situation in preparation of an AI Policy that worked for the City of Pinole. (Sasai)
- The City currently did not have any approved AI policies at this time, although the PPD had an AI Policy that was specific to the PPD. Recent legislation that spoke specifically to criminal reports generated by law enforcement went into effect January 1, 2026. The system used by the PPD, Lexipol, was being reviewed to ensure compliance with the new legislation. (Sasai)
- Clarified policies in terms of generational application, with the City having addressed the issue of bias, equity and a human-centered approach in the guiding principles of the AI Policy. There were a lot of predictive analytics that could produce erroneous results, and AI was not always correct. There was also a lot of AI failure occurring since the machine learning algorithms relied on protected information such as race, gender and disability status, which could lead to adverse outcomes due to societal structural inequities built into the system. The City did not have any machine learning technologies that relied on this type of data, but the key themes in the AI Policy had been human oversight and data safeguards, which staff was of the opinion could help to prevent any adverse outcomes. Bias awareness training for staff would also be very important which could help prevent misrepresentation in AI generated imagery. Staff recommended the use of authentic Pinole Community Television (PCTV) photos for communications or stock images. Staff was also exploring the possibility of revising or adding an addendum to the City's branding guidelines that would restrict the use of AI generated imagery in communications. (Sasai)
- AI usage subject to the Public Records Act (PRA) was something staff had yet to better define. Currently, pursuant to the City's records retention guidelines and policies, AI was not clearly defined, but it could be categories according to the records retention schedule, and could include correspondence used for drafts, data, reports dropped into generative AI, but mostly apply to the output when dropping information into CoPilot, as an example. (Sasai)
- Users of the data used could be reminded that the public may request to see the work flow. Staff was uncertain of the exact content that could be applied to the records retention policies, but it could be generative AI as a catch-all and there were many policies that could apply. It was a safe approach to tell people whatever was placed in generative AI, it could be subject to the PRA. (Sasai)

- Staff strongly encouraged, as outlined in the AI Policy, City-approved AI applications, which would be safer, vetted and IT had assessed those applications for risks. Staff would ask that users use City e-mail addresses and accounts, but if one chose to use a generative AI territory, they need to review the terms and conditions and were required to understand those terms and conditions. (Sasai)
- Clarified again the California AI Accountability Act, SB 896. There had been no recent changes in the legislation other than a federal executive order that came out in December 2025, which dealt with White House filings and emphasis on inconsistent state regulations that could create costly compliance burdens for economic growth. SB 896 focused more on government transparency, not so much on private entity regulation. (Sasai)
- Clarified SB 524, Law enforcement agencies: artificial intelligence, which was specific to law enforcement reports. In terms of draft retention, for law enforcement reports drafted through AI, the first draft must also be retained with the final draft of the crime report. The reports were subject to the retention of the crime reports and subject to the same PRA requirements of those crime reports. There were also additional disclaimer requirements, including that the report was generated through AI and that it had been reviewed by an officer. (Sasai)
- The PowerPoint presentation before the City Council at this time was the current state of the City's AI Policy. It was an administrative policy that impacted employees. The typical process was to run the policy by the unions and allow them to provide feedback then move it to the City Manager for approval. If the City Council wanted the AI Policy to be brought back as a Consent Calendar item or a discussion item to allow the City Council to provide feedback, that could be done. (Sasai)
- As to whether AI had improved services to residents and what metric would be used to evaluate the effectiveness of those tools moving forward, staff was in the beginning stages of exploring and using AI. As an example, the recent Town Hall on road maintenance had used public input as part of a hybrid meeting to test out the transcription capabilities which helped to produce an accurate report. Microsoft CoPilot had been used to organize that information into a report the Acting City Manager distributed to the City Council. Another example where AI was a great benefit to the public had also been used at a Town Hall meeting, where the live streaming of the meeting had been able to be transcribed in real time, allowing a member of the public to have that information translated into their language (into any Google language live while watching the Town Hall). That had been a real impactful benefit to the public of the use of AI. (Mayor Pro Tem Murphy)
- As to how the success of AI would be measured moving forward, staff had not established specifics for the use of the AI tools and how they impacted the public. As part of the AI Policy, staff wanted to implement a way for people to give feedback, suggestions and comments around AI since they were still learning how AI could be used to better serve the public. Staff already discovered that using AI internally had helped staff save time, improve productivity and do more with less. When measuring success with the AI applications and the public, that would depend on specific projects or applications when AI was being used to compare, such as the level of engagement of non-English speakers before versus after the use of the AI translation tool. (Mayor Pro Tem Murphy)

- Acknowledged the need to identify the Key Performance Indicators (KPIs) before an AI Policy was adopted whether it was done by the City Manager or the City Council. (Mayor Pro Tem Murphy)
- The AI Policy would apply to employees, interns and volunteers making it an administrative policy, as determined by the City Manager. (Mayor Pro Tem Murphy)
- As to what issues would determine supporting a requirement for the AI Policy to come before the City Council for review and approval prior to administrative/City Manager approval if the City Council requested the policy be brought back, staff would follow the City Council direction. (Mayor Pro Tem Murphy)
- None of the PPD technologies fell under the prohibited uses in the AI Policy. The PPD used the Peach Safety Report Program, which complied with the policies and the requirements of the Department of Justice. (Mayor Pro Tem Murphy)
- Clarified again the user-specific rules of the AI Policy. When opting-out of data collection, if possible, the user-rules applied to staff usage of generative AI. As an example, when opting-out of data collection when possible meant if there was an option to opt-out of the data collection, staff should select that before entering in/dropping data into the generative AI platform. Clarified many of the generative AI platforms such as ChatGPT were opensource platforms where the data would go into the AI abyss. Opting-out, would allow the data that was dropping-in in a little box that would not be shared with the entire world. While not always an option, when there was an option to opt-out, staff would be asked to check that box. (Martinez-Rubin)
- Acknowledged a request to first pose questions before considering KPIs, the usual route before undertaking a process that would yield any potential measures of any process or outcomes and staff was thanked for thinking along those lines. Also, acknowledged the suggestion the AI Policy did not necessarily need to come back to the City Council since it was an administrative policy. Acknowledged the role of the City Council to develop legislative policies and while it would be a bonus to get back that information, it was not essential. (Martinez-Rubin)

PUBLIC COMMENTS OPENED

Rafael Menis argued if the City was considering the use of AI or large language models, it should also consider the following: the substantial harms caused by the creation and ongoing renovation of those models in terms of the raw computational resources required to run those models; the physical land it occupied along with water consumed, power consumed, carbon dioxide emissions created with that power, colossal theft of all knowledge and its reassembly into pseudo-valid statements; and the inherent and unavoidable risk of confabulations or hallucinations or lies and the like where large language models fundamentally could run into issues with simple tasks. As examples, how many “r’s” in the word strawberry and did two plus two equal four. He noted the default assumption about computers was that they would always do the same thing in the same way, but they were deterministic. Large language models were probabilistic and not deterministic; they could make errors, they could be subtle, designed to tell things one wanted to hear even when they were not true, and to use the things that made up matter and style without question.

Mr. Menis added that even in those narrow areas where large language models were matching models or generative AI could do tasks that generated benefit, it still eroded the fundamental capability of the human that used it to undertake the tasks that were being outsourced to AI, even for skilled professionals like doctors, as Bloomberg had noted. There were also numerous harmful uses of AI, as noted in some of the points the City had addressed in its policies, but more broadly, the harm that AI could cause would be in conflict with the City of Pinole's values and the Climate Action and Adaptation Plan (CAAP), and the City should not use AI for any purpose.

PUBLIC COMMENTS CLOSED

Council member Toms commented that during the latest League of California Cities Conference, there had been a live demonstration of AI. While a great tool, it was only a tool and would not replace humans in terms of editing, checking and the like. She found the most important policy the City had was to review and revise, as necessary. She added that since it was administrative, the AI Policy did not need to come back to the City Council for approval and should be kept on the administrative side of things with staff.

Council member Sasai stated there were many productive uses for AI, such as language access. He noted the City of San Jose's City Council had live AI translations for different languages which was a useful AI tool. Many of the City Council members had been approached by different firms and initiatives that used AI, such as community outreach, which could be made more efficient with AI technology. As an example, Google had different applications that were geared more towards cities and towns. He recognized that many lawmakers had embraced AI technology and he recognized it would happen and be a part of the reality for many people. He also recognized that AI was intended as a tool and not a replacement for jobs.

Council member Sasai reported he spoke with the President of Local 1 and people from the Contra Costa Labor Council (but had not spoken with Local 512 or the Pinole Police Employees' Association (PPEA)) about AI. Based on those conversations, they were not grasping all of AI, which was new technology. He commented the takeaways were the concerns with any use of AI that took a significant portion of the work away from staff and the jobs of others, along with privacy concerns. He understood there was an opt-out policy as part of data collection, when possible, and suggested that policy be tightened a bit to be a requirement given the concern that as employee/staff used AI more and more, the data would be used by those companies to learn how to do the employee/staff jobs and it could be a reality in the near future that some jobs across departments could be replaced with AI. He did not want to contribute to that danger. He encouraged staff to continue to reach out to staff and the unions for input on the AI Policy.

Mayor Pro Tem Murphy thanked staff for the presentation for one of the issues many were still learning about. He acknowledged the work of the Communications Director and her team. He also appreciated the transparency on the process as to how staff was recommending moving forward from this moment. He had been a member of the City Council when the City did not have an IT Plan and there had been struggles to have conversations about bringing the City into the 20th century in terms of technology and consider what other cities had done to move forward.

Mayor Pro Tem Murphy found the guiding principles to be a value, which a lot of residents were looking for when discussing AI. The City had wonderful values and the Strategic Plan, which had not talked enough about IT and AI, and he appreciated starting there.

Mayor Pro Tem Murphy emphasized AI had been used as a tool, and he had questions around GovAI and the improvement of productivity through AI. He wanted to know how much more productivity the City was getting through AI and how it would affect organized labor and address workers' fear of losing their jobs to AI. He supported a public review of the process given the number of unanswered questions amid the public's distrust with the use of AI, and wanted to create more trust between the City Council, staff and the public. He added the City should also consider other agencies, such as the CCCFPD since he was unsure the policy integrated the CCCFPD or whether the Fire Chief had been consulted on the AI Policy. He appreciated the process that had been developed thus far, recognized a number of unanswered questions in 2025 when the Mayor had asked for this agenda item, and suggested the answers to more and more questions would be possible through public engagement and review.

Mayor Tave recognized that technology would always influence the community and there had been fears in the past when new technology had been created. He was pleased with the presentation in a public forum and suggested the AI Policy, as outlined, kept human intuition and the human element included. He was also pleased photographs of staff had been included in the PowerPoint presentation. As the City decided how to use AI, he suggested fencing (parameters) be included with AI usage to ensure boundaries were provided while highlighting the human element citizens expected. He supported the item's return to the City Council on the Consent Calendar to allow the information on the public record and to engage public comment.

Council member Sasai agreed with the benefit of placing the item on the Consent Calendar to allow the public and the City Council the opportunity to weigh-in on the fully completed AI policy, which he recognized was an administrative policy to be approved by the City Manager.

ACTION: Motion by Mayor Pro Tem Murphy/Mayor Tave to direct staff to release the Draft Artificial Intelligence Policy for public review and return with a Final Artificial Intelligence Policy for City Council consideration; establish an annual reporting process on the City's use of Artificial Intelligence, including approved applications, compliance with Artificial Intelligence Policy, any incidents and upcoming regulatory changes; and direct staff to finalize and implement Artificial Intelligence requirements for vendors including disclosure, compliance with the City's Artificial Intelligence Policy and Incident Reporting for inclusion in future Requests for Proposals and contracts.

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

2. 360 Public Assistance Portal (Citizen Request Portal) – Acting City Manager, Chief of Police Melissa Klawuhn and Communications Director Fiona Epps

Communications Director Epps and Acting City Manager/Police Chief Klawuhn provided a PowerPoint presentation on the 360 Public Assistance Portal (Citizen Request Portal).

The presentation included an overview of Council Priorities for Fiscal Year (FY) 2025/26 for a 360 Public Assistance Portal, a digital platform that enabled residents to submit service requests, track issues, and access City support resources in a streamlined and transparent manner. The Police Commendation/Complaint Form involved the implementation of a commendation/complaint portal with multi-lingual translation a plus. The current methods for tracking and transparency, current state of digital service requests, different categories of web forms, what was intended to be accomplished with the 360 Public Assistance Portal (Citizen Request Portal) and the workflow once a request was submitted, along with key features and benefits of the Citizen Request Portal and implementation timeline were all highlighted.

The PPD Commendation/Complaint Form was also highlighted and included an overview of CueHit, which offered an additional way to provide feedback.

Responding to questions from the City Council, Communications Director Epps and Acting City Manager/Police Chief Klawuhn clarified the following:

- The Citizen Request Portal would offer a central place for a request to be made and tracked. Oftentimes, many questions on social media were answered with one response. Some required more work from staff and may require a referral to a City Department. These requests would best be serviced by being inserted into the portal. Staff would have to explore and discuss with the City Departments the types of requests to be tracked as part of the portal. The portal would replace staff responses to questions via e-mail and staff still needed to discuss how that would work, whether the question was easily answered in one shot or whether it would require more work from a specific City Department. (Sasai)
- Information on residents' addresses and demographic information were optional. Staff still needed to determine the required fields to serve the residents better and e-mail/telephone and first name at the least would likely be required, although some departments required a first and last name. All data on the site would be secured and the City's network security should offer comfort in providing information. If residents were not comfortable using the electronic form, a resident could always contact City staff by telephone or come to City Hall in-person. (Sasai)
- Quotes had been gathered for the portal which would be built by the City's existing website vendor at a cost of \$10,000. The cost was already in the budget for this fiscal year under Professional Services - Website Improvements. (Sasai)
- Acknowledged a request to speak with the City's website vendor about the possibility of an added feature for the public sector as a consumer of services, to also include indication when the request/complaint for service was going to be met, so that internally as the City Departments were acquainted with the work flow to address certain requests of service there would be a better way to estimate when a request would be met. As an example, Amazon provided notification to its customers on the status of ordered items. Another example was offered which Council member Martinez-Rubin had personally experienced, when a permit request was submitted to the City for the replacement of windows. In that case, no status was provided on the estimate of time it would take to receive a permit, which ultimately took six months. (Martinez-Rubin)

- Consumers of public services would find it helpful and advantageous once a request was made or complaint filed, to be notified of the progress as part of the work flow. Acknowledged again a request for the City's website vendor to provide the cost of featuring the status of a request in the work flow rather than just "in progress" so that the portal could offer a means to manage expectations and lower public frustration. (Martinez-Rubin)
- Clarified code enforcement actions would not be entered into the Citizen Request Portal since there was a separate system for the management of code enforcement complaints. The portal would only come into play as a way to notify the person about the status of the request and ability to track it internally or code enforcement could be contacted to provide additional details and information. The portal would also include a feature for staff to mark a request as "confidential," to be hidden from view. (Toms)
- There would be space for the actual text for the complaint or commendation on the PPD form, which would include an open field for information to be included. Clarified required information on the commendation and complaint form had no mandatory field other than acknowledgement at the end to check a box. Anonymous complaints could be made that the PPD would investigate without the complainant providing a name, contact information and the like; however, staff acknowledged if that information was not provided, no follow-up could be done. As to whether there would be a requirement for someone to identify themselves as not being a bot when leaving a complaint or commendation, staff suggested a "reCAPTCHA" could be included in the forms. (Martinez-Rubin)
- Clarified again the estimated cost of the new portal was \$10,000 to build the system with an additional \$1,500 annually for the website subscription to maintain the portal. This quote was much cheaper than quotes from outside applications at about \$12,000 annually. Staff was currently evaluating the software systems being used, mapping renewal data in the Five-Year Plan to phase out some software, and when building the new portal and using it, staff should feel comfortable the portal would do the same things that any software being replaced could do. At this time, no software was being replaced other than merging website forms. (Mayor Tave)
- Described the Pinole App as a remote control to the City website. If there was a link on the website, it could be included on the app on the Report a Problem button on the app. As to whether community engagement would be provided when the new portal was rolled out, the community would be notified through social media. The Pulse featured programs on the front page of the City website and it would replace the Report a Problem button on the City website. Acknowledged a suggestion for a fun community activity as part of the roll-out of the new portal when implemented. As an example, information could be provided to the public during the upcoming Farmer's Market in the summer, although staff was uncertain the portal would be ready for roll-out at that time. (Mayor Tave)

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Murphy commended the Communications Director on the presentation and the advances made since his election to the City Council in 2020. He appreciated the work to reach this point, emphasized the importance for people to know that in 2025, the City Council's current composition held a retreat with a number of priorities having been discussed, one of which was the Citizen Request Portal. He recalled conversations that the City had a great website, although there was some disconnect in certain Departments needing additional support and coordination to solve some of the more complex problems. He liked the Report a Problem subsection of the City website and found the portal an incredible and positive step for the City. He also thanked the City Council for the fact they all identified the portal as a priority with the Communications Director having done a great job integrating the feedback from the City Council and speaking to others to make this happen.

Having spoken with residents about the improvements to communications, Mayor Pro Tem Murphy acknowledged there were still people who were challenged attempting to navigate City government. Staff had done a great job addressing those who were challenged and providing support. He was excited to see this project through and serve as an Ambassador to residents to use the portal.

Mayor Pro Tem Murphy also responded to Council member Martinez-Rubin's recommendation at some point to leverage the data received and the processing of the completed service deliveries, which would eventually inform the vendor how things were being done and in what department, timewise. He noted in 2020, most of the City's permitting requests were done through e-mail and spreadsheets, which were tracked to show how quickly the request was turned around. This was why in the prior presentation he had emphasized the importance of KPIs which allowed them to track and reinforce how the City's policies and operations were not moving with people, and those service completion times could be a great opportunity to explore. He could see that as the future of City government, similar to how it was done in the private sector, when the individual knew when something was to come back to them and were otherwise notified of the status of any service changes. He was excited about that data possibility and how staff may consider how to meet those KPIs through the use of the portal.

Council member Sasai commented he received feedback from residents' years go about e-mails being sent and then falling through the cracks. He suggested the portal would strengthen case constituent management and make sure everything was closed out and issues addressed. He thanked the Communications Director and looked forward to the implementation of the new portal.

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 January 20, 2026 and the Minutes of the Special City Council meeting on January 27, 2026.

- B. Receive the January 17, 2026 – January 30, 2026, List of Warrants in the Amount of \$957,782.07 and the January 30, 2026, Payroll in the Amount of \$535,819.62.
- C. Adopt a Resolution to Surplus Vehicles from the Police Department. **Action: Adopt Resolution per Staff Recommendation. (Justin Rogers)**
- D. Fiscal Year (FY) 2026/27 Budget Development Process and Timeline. **Action: Receive a Report (Markisha Guillory)**
- E. Approve the Municipal Pooling Authority Joint Exercise of Powers Agreement (JPA) for Providing Property, Worker's Compensation, Public Liability and Other Insurance Coverages to the City of Pinole. **Action: Adopt Resolution per Staff Recommendation (Stacy Shell)**

Council member Sasai requested Items 9A and 9C be pulled for discussion.

PUBLIC COMMENTS OPENED

Rafal Menis speaking to Item 9C, noted when reviewing the list of vehicles being surplusd that one was a trailer made in 2018. He asked for more detail why it was being scrapped and the expected usable life of a given police vehicle.

PUBLIC COMMENTS CLOSED

Acting City Manager/Police Chief Klawuhn explained the trailer had been listed in the surplus vehicle was an electronic sign trailer, often informing of road closures. She could not speak to the longevity of the trailers since she was unfamiliar with their general lifespan, although the City received grant funding for the replacement of the trailer and would seek grant funding for a second trailer.

For Item 9A, Council member Sasai reported he previously spoke to the Deputy City Clerk about a request to revise Page 1 of the Special City Council Meeting Minutes of January 27, 2026, to reflect that he had been present and participated in the Special Meeting, arriving at approximately 6:50 p.m.

For item 9C, Council member Sasai asked for clarification of the process for surplus vehicles and how funds were used for replacement vehicles, if all vehicles went to auction or were disposed of, the anticipated value of auctioning the six vehicles that had been listed and whether there were any other vehicles across all departments that may qualify as beyond their life or close to it. He also asked whether the six vehicles were stored in the public parking lot on Pear Street.

Acting City Manager/Police Chief Klawuhn confirmed for the most part that the surplus vehicles would go to auction, and whatever money was generated would be placed in the replacement fund. Any time a vehicle was either at the end of service or the cost of repairs outweighed the maintenance of the vehicle, they would be submitted to the City Council for approval to surplus the items to allow the money to be put towards replacements. She also clarified she did not have a ballpark of the sale of the six vehicles at auction, but could get back to the City Council with information. She verified the auction companies would take a percentage of the funds.

Acting City Manager Police Chief Klawuhn was unaware of the status of the fleets from other City Departments but that was something she could find out and bring back to the City Council. The current list of six vehicles was a comprehensive list for the PPD at this time. The PPD was taking a strong look at its fleet given the number of vehicles reaching a maximum life as a patrol vehicle and she noted it had been some time since the PPD last submitted a surplus request to the City Council. Most of the vehicles were being stored across the street from the PPD, although the Harley Davidson and sign trailer were within the secured parking lot of the PPD by St. Joseph.

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to approve Consent Calendar Item 9A, as amended by Council member Sasai, and Items 9B, 9C, 9D and 9E, as shown.

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

10. PUBLIC HEARINGS

- A. Resolution Calling for Special Election and Submitting Question Regarding Office of Elected Mayor to Voters. **Action: Adopt a Resolution Calling for Special Election and Submitting Question Regarding Office of Elected Mayor to Voters (Eric Casher)**

City Attorney Casher provided a PowerPoint presentation on a Resolution Calling for a Special Election and Elected Mayor Ballot Measure, which included an overview of the background of the December 2, 2025 request by the City Council majority for staff to prepare the necessary materials to submit to voters the question of whether the office of Elected Mayor shall be established pursuant to Government Code Section 34900 in the City of Pinole. He also highlighted the current makeup of the City Council comprised of five members elected at-large, and the position of Mayor annually based on the number of votes in the previous election. The procedural requirements for a ballot measure, powers of the Mayor, salary of an Elected Mayor and the fiscal impacts were all detailed.

City Attorney Casher recommended the City Council consider the adoption of the proposed resolution calling for a Special Election and submitting to voters the question of creating the office of Elected Mayor. If the City Council voted to move forward, staff also sought direction on the compensation for an Elected Mayor.

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

- The City ordinance for City Council salaries went into effect in August 2024. When a Council member was newly elected that Council member received the salary of \$950 per month, whereas Council members in office at the time did not receive the new salary adjustment. Only two members of the City Council currently have that salary. (Martinez-Rubin)

- Pinole was a General Law City, with a City Council-City Manager form of government. A General Law City with an Elected Mayor could become a Charter City, with the process for doing that requiring the City Council to direct staff to prepare a resolution to place a ballot measure for the City to become a Charter City. An Elected Mayor could not unilaterally create a Charter City. That would require City Council direction, a resolution approving that and a ballot measure with the voters to decide whether or not the City would become a Charter City. A Charter City ballot measure needed to be a General Election ballot. The next General Election was in November 2028. Typically, Charter Cities had the ability to establish a Strong Mayor, which was the case currently if the City Council were to direct a ballot measure and the voters decided to become a Charter City, even if there was a Rotating Mayor, the City Council may still establish that appointed Mayor to be a Strong Mayor, but the same would be true for an Elected Mayor. (Martinez-Rubin)
- Elected Mayor compensations, as provided in the PowerPoint presentation, were again clarified. Identified the City of San Ramon as the most comparable to Pinole, which city paid its Elected Mayor \$100 more per month than other members of the City Council. Staff was unaware of the responsibilities the Elected Mayor had in each of the cities shown, and with the information not an apples-to-apples comparison. Some cities may have higher compensation based on responsibilities, duties and time commitments. Clarified under state law, Council members' salaries were set by statute and capped based on the population of a particular city. For the City of Pinole, as an example, there was a maximum amount the City could compensate Council members, but under state law there was no limitation or restriction on the amount of the salary for an Elected Mayor. (Martinez-Rubin)
- Clarified the limitations on salaries for Council members was outlined in the Government Code. Again clarified the compensation for an Elected Mayor had no state law restriction, it was open. The example cities, as outlined in the PowerPoint presentation, showed a range in compensation. The cities shown that had a City Council-City Manager form of government included the cities of Richmond, Union City, Newark and San Leandro. Confirmed the City of Martinez, which had not been included on the list of cities, had an Elected Mayor. Staff was uncertain whether that jurisdiction had a City Council-City Manager form of government but that could be reviewed. Confirmed the City of Petaluma, which was of similar size to Pinole, had a City Council-City Manager form of government but staff was unsure that city had an Elected Mayor.

A prior staff report which had been provided to the City Council included a list of cities with Elected Mayors. The vast majority of cities in the region had a City Council-City Manager form of government. For a Strong Mayor, that was where the Mayor had more or less the authority of the City Manager and acted as the City administrator but those were rare situations. There were several cities with Elected Mayors that still had City Council-City Manager forms of government. (Mayor Pro Tem Murphy)

- Clarified again state restrictions on City Council salaries based on population size. Staff would have to review the history of the legislation and why it had been set in that way, but the legislation had been adjusted for inflation and other reasons. (Mayor Pro Tem Murphy)

- Clarified again how a City could become a Charter City. Confirmed a City with an Appointed Mayor could become a Charter City. The item before the City Council, if approved, would adopt a resolution calling for a Special Election and submit the question regarding the office of an Elected Mayor. It would not create a Charter City. (Sasai)
- The measure, if passed, would not approve a full-time salary for an Elected Mayor. The City Council would set the salary for the Elected Mayor as part of this discussion, with the roles and responsibilities of the Elected Mayor as described in the ordinance. It would not be a full-time position, but consistent with the current Mayor. (Sasai)
- Clarified again the Pinole Municipal Code (PMC) set Council member's salaries at \$950, and those elected before 2024 did not receive the updated compensation, with the idea that a Council member who was in office should not increase their own compensation while on the Council, and the higher salary was for newly-elected Council members only. (Sasai)
- If passed, the measure would not create veto authority or power for the Elected Mayor and would not allow an Elected Mayor to unilaterally appoint Commissioners, and the powers of the Elected Mayor were similar to what currently existed in the ordinance. (Sasai)
- If there was interest in having a Primary Election for an Elected Mayor, that could be established as the process, but as the ordinance now read, it was just an election for the Mayor position. (Toms)
- In the event there was a vacancy on the City Council, the City Council would make an appointment to fill the vacancy, with that process outlined in the PMC even if everyone decided to run for the office of Elected Mayor, as an example. (Mayor Tave)

PUBLIC HEARING OPENED

Ann Moriarty wanted to give the City Council the benefit of the doubt if the voters of Pinole wanted an Elected Mayor, although it seemed there were two ways to do that, and two ways for the City Council to understand where citizens stood. The City Council could be fiscally irresponsible and commit political suicide by voting to spend up to \$58,000 plus of taxpayers' funds to place the question on the ballot measure in June or vote no to authorize this ballot measure and instead submit a well-thought-out question to the voters on the Citywide poll, which was already scheduled for the spring. In speaking with the City Attorney, this would not cost the City a dime and get them the same information. The current proposal would only slow the process down. If the City Council's thought was to understand where the citizens of Pinole were on the subject, she assumed they were wise enough to make the right choice.

Kent Moriarty was unclear why members of the City Council had been pushing so hard to change the City's system of government to that of an Elected Mayor. Residents had not asked for it and appeared to be opposed to it. He was opposed to it since consolidating more power in one person would create problems for the City, and the current system of rotating the Mayor was more democratic since eventually the Council members the voters felt most represented them rotated into the Mayoral position.

Mr. Moriarty suggested if there was really no agenda behind the proposal and the City Council simply wanted to take the temperature of the room and know what the community wanted, the City Council should add the question to the poll already planned for free. Rushing into an expensive Special Election was not justified and he seriously questioned why anyone would support doing so.

Richard Cossel thanked the City Council for its service to the City and the people, which was appreciated. He recognized the City Council was compensated and while it would be nice to give more, on this matter he was confused. He questioned the underlying purpose and asked if there was a particular problem that could not be fixed with the current Council since he understood an Elected Mayor would have the same tasks and authority. He questioned the need for a Special Election as opposed to waiting for a General Election. He noted that 90 percent or more of cities the size of Pinole did not have an Elected Mayor and again questioned why Pinole needed it. In 2018, he stated that almost 80 percent of the population voted no on Proposition P to change term limits and he questioned whether 80 percent of the population would vote for an Elected Mayor, as opposed to keeping the 100-year history of Pinole doing things the way they had been done. He emphasized no one had been able to explain why an Elected Mayor was being placed on the ballot and given that unknown there were reasons not to do so including cost and animosity.

Peter Murray congratulated Mayor Tave on his election as Mayor. He read into the record comments he found on the Nextdoor platform and an opinion on this topic, which raised some of the same questions and concerns expressed by the previous speakers.

Debbie Long voiced her opposition to having an Elected Mayor in the small City of Pinole; however, she also responded specifically to the Mayor Pro Tem's post on Nextdoor, which had likely broken the Brown Act in the form of a serial meeting. The Mayor Pro Tem had been clarifying the item of an Elected Mayor and his perception of misinformation, yet he was not specific and had stated the City could not make this choice on its own. It appeared the Mayor Pro Tem was not listening since residents had established that an election was not appropriate given there had been no public outcry. The Council had not considered polling as with other ballot measures and the costs of putting this on the ballot, up to \$57,000 plus staff time as well as the cost of the November ballot, was not financially a sound decision given the City's budget constraints. The Mayor Pro Tem also stated this ballot measure would not change the current form of government, yet he continued to point out this new structure would directly impact leadership, accountability and stability. Currently, all Council members had demonstrated the necessary qualities to serve and she asked whether the Mayor Pro Tem was diminishing current City Council members' qualifications. She stated this was the Mayor Pro Tem's third attempt to push this item through and asked if his suggestion was that he was the only one who could successfully lead the City.

Ms. Long found the Mayor Pro Tem was continually trying to change the form of government and if he was not elected as a Strong Mayor, the Council majority could vote to give him more power, as well as more financial compensation. The Mayor Pro Tem had expressed the opposition to this measure was due to personal grievances and political grudges, but nothing could be further from the truth. She wished she had the time to state the 44 plus names of the individuals who had posted on Nextdoor, all denouncing an election and need for an Elected Mayor.

Ms. Long added that according to the Mayor Pro Tem, the City of Pinole had frequent turnovers and inconsistency in leadership, and if he was referring to losing two City Managers in as many years, then he was part of that as well. Nowhere in the Mayor Pro Tem's posting had he articulated how the City would be better served under an Elected Mayor. She suggested the Mayor Pro Tem had made a public post for all of the City Council to read since only two members could have any discussion on the comment on the topic, which she found clearly in violation of the Brown Act for a serial meeting. As she had previously stated, "No Kings in Pinole." She added this was not just about the Mayor Pro Tem but the rest of the City Council as well. She hoped their vote reflected the citizens of Pinole and not the alliances on the City Council.

William Horton opposed Item 10A for a separately Elected Mayor since the cost would be unnecessary taking funds away from police, fire, parks and streets. The existing Mayoral rotation worked fine and provided four people one year each as Mayor, and there had been no public outreach such as polling. As a result, he would not vote in June to waste money for an Elected Mayor.

Mark Zimmerman commented the PowerPoint presentation listed six cities with an Elected Mayor to support a decision for an Elected Mayor, although those cities were three to six times larger than the City of Pinole. He suggested Pinole should not be compared to the larger cities and the cities listed paid the Mayor more than Council members, and some provided the same benefit package as City employees, including a pension. The City of Richmond, the nearest city to Pinole, paid its Mayor \$84,000; \$73,000 more than the current Council received. The assertion was that the ballot was about democracy and let the people decide, but it seemed to be a move by one or more to satisfy political ambitions and a desire to have a full-time job with benefits courtesy of Pinole taxpayers. The City Council could set that salary and benefits.

Mr. Zimmerman also noted that the PowerPoint presentation estimated the fiscal impacts from placing the measure on the ballot, which estimate had doubled since the December 2025 meeting, along with additional unidentified costs for staff time, consultants and legal experts in addition to a potential salary increase and benefits. Including the cost of the ballot measure, the estimated cost was \$154,000 not counting unidentified costs. He suggested the salary could start off at \$100,000 a year for both the salary and benefits and over ten years it could be another million dollars without inflation. There was no need for the ballot measure, but if the City must proceed, he asked that polling be done first. He understood City staff already issued a Request for Proposal (RFP) for three upcoming proposed tax increases, and the question of an Elected Mayor could simply be added to that poll at no additional cost.

Marcia Joswick asked the City Council to do the right thing and vote no on this resolution since the estimated cost for one ballot measure on the June 2026 ballot was estimated at more than \$55,000, with unknown additional costs. She questioned why the City would move forward with a ballot measure when a poll was already in the planning stages and this item should be added to it. She asked the City Council to do its duty to spend taxpayer monies in ways that were fiscally responsible, which was why she and constituents voted for them. She suggested the ballot measure was not fiscally responsible and was a waste of money, especially when essential needs were not being met. She commented that residents had heard the often excuse the City did not have the money to pay for that. She again asked the City Council to do the right thing and take fiscally responsible action and vote no on the resolution.

Jennifer Horne read into the record written comments dated February 3, 2026, as follows: *Good evening. My name is Jennifer Horne and I am here to speak on Agenda Item 10A. I was prepared to urge a “NO” vote on the resolution at issue until I became aware of and read Mayor Pro Tem Devin Murphy’s mid-December post on Next Door, which I have submitted, along with my comments, for the record. In light of this post, I believe that a vote on the current resolution is premature. In his mid-December Next Door post, Mayor Pro Tem Murphy announced that he would soon be sworn in as Mayor Pro Tem. In response, a person posted the following question: “What happened to the current mayor?”*

Here, in relevant part, is Mayor Pro Tem Murphy’s response: “I’m pleased to share that we are advancing a ballot measure that would establish a directly elected Mayor, putting the choice of leadership in the hands of Pinole residents - not the Council. This change would modernize our system and provide consistency and accountability in leadership. The measure will go before voters in June 2026.” Why is this response so concerning? Because at the time of this post, the requisite process to bring this measure to a ballot had not been followed. Staff still had to prepare all applicable documents, a public meeting still needed to be scheduled, the people of Pinole still had to be heard, and the Council still had to vote to place the measure on the ballot. Mayor Pro Tem Murphy did not communicate this process in his post, and the public was left with the impression that its sole opportunity to speak regarding this measure was through a vote on a ballot measure in June 2026.

Mayor Pro Tem Murphy’s statement that the measure “will go” before voters in June 2026 also made me wonder how he could be so definite about that. Had a majority of this Council already decided to vote “yes” on this measure after “discuss[ing] [or] deliberat[ing] . . . on [it]. . . “outside of a public meeting? I don’t know, but the post certainly raises that possibility, and casts a long shadow both over this proceeding and the propriety of a vote tonight. It is therefore incumbent on this Council to slow this process down and postpone tonight’s vote, to ensure maximum transparency and full compliance with the law. Take a poll and/or hold a townhall meeting, and listen to what the citizens of Pinole really think about our current governance structure. By doing either or both before you vote, you might just unearth an actual reason for this measure and gauge public sentiment. This Council would be much better able to determine if an expenditure of \$55,000+ dollars plus to place this measure on the ballot is justified. In closing, I have to say that this measure brings to mind a sticker that someone I worked with had on his office door: “If something ain’t broke, fix it until it is.” Unless this Council fully develops the need for this measure before voting to place it on the ballot, you risk “fixing” our current governing structure until it, and the City we love, are both “broke.”

Cathy McFarland commented the Mayor and City Council were to serve and protect the community and the City and not systematically destroy the City by taking out the perfect protocol for Mayor that had been effective for most of the City’s existence. She found the City Council had been too focused on a self-serving agenda for wanting a Special Election and Elected Mayor, which would be another financial hit to residents and which seemed to be constantly and consistently occurring. This effort had already wasted a lot of time and money while the most important items for the community and City had been neglected. Residents had lost confidence on who was representing the City. She emphasized that a properly functioning City needed a good City Manager, a good contract for the PPD, well maintained roads and be financially sound, all of which was lacking. She stressed that residents had the power to vote and to recall.

Rafael Menis commented he was not speaking for or against the resolution. He asked the following questions: whether the term limits mentioned by a prior commenter as part of Measure P applied to the position of an Elected Mayor if created or established separately by ordinance, whether the cost of the measure was based primarily on the June ballot as opposed to the November General Election ballot or whether there was a flat cost or a range of costs. In terms of public support for this measure, he noted while the people in the Council Chambers and those who had commented were not necessarily a sample of the voter base of Pinole as a whole, it was notable that the vast majority of people who had spoken in-person and comments he had seen online were opposed to this measure. Technically speaking in terms of political success for the measure, the City Council would want to see more public support for the item in the Council Chambers before voting to place it before the voters as a whole, and separately, whether it should be considered as a polling item. As to the timing of the measure, he asked if it would be correct the reason it was being timed for the June election as opposed to a November election would be to allow for the first election of Mayor to occur in this cycle rather than in 2028.

Christian Green recognized Black History Month, a time which honored progress, representation and the ongoing passion for democracy. He strongly supported an Elected Mayor system. As a long-time resident, he found the City had shown what progress looked like in the community, including the Mayor Pro Tem who became the City's first Black-elected official, which had shown when residents were in power to choose their leaders, the government became more inclusive, more accountable, and more representative of the people it served. Black History taught that democracy was stronger when the voice of the people grew louder, with the fight for voting rights and fair representation, and progress came from expanding participation and not limiting it. An Elected Mayor would give people a direct say in who led the City and created clearer accountability, stronger public engagement and leadership that answered directly to the voters who knew who was setting the City's vision when trust increased and civic participation rose.

Mr. Green added that cities with Elected Mayors saw a higher voter turnout in local elections, clearer leadership during times of crisis and more transparent decision making. Power conceded nothing without a demand, and scripture in Proverbs 29:2, stated, "When the righteous thrive, the people rejoice ..." Giving the people the power to chose their Mayor is how to ensure leadership that reflected shared values. A vote for Mayor would be a vote for accountability, transparency and people having a stronger voice in the City's future. He urged the City Council to place the measure before the voters and allow the community the opportunity to share the City's next leadership.

PUBLIC HEARING CLOSED

Mayor Pro Tem Murphy commented he was not the only one to encourage conversation. A lot of residents had come out to encourage conversations and he thanked residents on both sides. He explained that he had been elected to the City Council in 2020, and had committed each day in his role to ensure he was serving the needs of voters, which was why he decided to step into a second term, reaching numerous voters in the City to set a mandate for the need for increasing civic engagement. One of the items that was so important about this referendum, from the City Council perspective, was that it increased civic engagement and everyone was thanked for making their voices heard.

Mayor Pro Tem Murphy noted this conversation occurred prior to his election to the City Council from prior electeds and residents who had discussed this topic, and while it may have not have been put forward as an agenda item, they had asked for this to happen.

Mayor Pro Tem Murphy took the opportunity to read into the record the following written comments from former Mayor Vincent Salimi, received via email and dated January 30, 2026: *Hello Heather, I hope you are well. I have a comment for item 10 A agenda, I am sorry I will be in LA for work. I am writing in support of the Pinole City Council's upcoming consideration of a resolution to place before voters the question of whether the City of Pinole should transition to an elected mayor form of governance, as authorized under California Government Code Section 34900.*

This action is not about predetermining the outcome of that question. Rather, it is about affirming transparency, civic participation, and the fundamental right of residents to decide how their city is governed. Allowing voters to weigh in strengthens trust in local government and reinforces an open and democratic process.

I also wish to share a personal perspective as a former mayor. Under Pinole's current system, a 12-month mayoral term is simply not long enough to meaningfully set priorities, build momentum, and see complex initiatives through to completion. Effective leadership, particularly in today's challenging municipal environment requires continuity, accountability, and sufficient time to deliver results.

In addition, if the City is to expect strong leadership and effective governance, both the mayor and councilmembers should be equipped with the tools necessary to do the job well. This includes adequate staff support and compensation that allows elected officials to serve in a serious, professional, and full-time capacity when needed. These structural considerations are ultimately policy choices for the community to evaluate, which is precisely why placing this question before voters is so important.

Regardless of individual views on the merits of an elected mayor system, I strongly support giving Pinole residents the opportunity to decide this question for themselves.

I encourage the City Council to move this item forward so the community can have a clear voice in shaping the City's future governance. Thank you for your continued leadership and for fostering a transparent and inclusive civic process.

Mayor Pro Tem Murphy explained he had shared the letter because he had seen a lot of people blame him. He acknowledged this was not about him, but about the residents of Pinole. His job as a policy maker was to ensure he was bringing new ideas to support residents. He brought numerous ideas around the environment, economic development and housing. This was one of the areas he brought around governance since the City must do something about the current system which he suggested was not working. As noted by the City Attorney, there were things that this measure did not do, and that was okay and something for the City Council to consider in the future, one of which was the possibility of changing the City into a Charter City, which this measure did not do, nor was he proposing that be done. One other thing this measure would not do was to change the City from a City Council-City Manager form of government to a different form of government. The measure would set a political mandate for residents to decide who wanted their Mayor to be.

Whether one agreed or not, as an individual and as a resident of Pinole and an eligible voter, Mayor Pro Tem Murphy stated the City Council had the right to make that decision for themselves. As an agency, the goal of the City Council was to educate the pros and cons of that decision and have an election. He knew there were people who continued to want to make personal attacks against him and he was used to that from that individual, but he emphasized the City Council had the responsibility to improve the quality of life of Pinole residents and to engage people in discussion. He suggested the reason the City Council was so diverse was because it continued to open doors for conversations even against people who opposed them and whether they supported this measure or not.

Mayor Pro Tem Murphy fully supported the resolution and suggested the City Council should move forward with it. He suggested with or without this measure, the City Council would continue to make Pinole move forward and no matter how one felt about him, he acknowledged the job was challenging and difficult, but his responsibility was to the 6,000 voters who voted for him and he would not stop working to move the City forward, which was his goal and mission.

Council member Martinez-Rubin asked for clarity about a Council member posting online on social media, such as on Nextdoor. She asked whether that was a violation of the Brown Act and related to that whether making statements in past, present or future tense with definitive verbiage was a violation of the Brown Act. She also asked for clarity on the polling. She understood the polling that was upcoming in the spring was related to revenue generating streams and asked whether or not an additional question about the public's interest in an Elected Mayor would involve an additional cost, and what that cost would be.

City Attorney Casher explained he had not seen the social media posts and was unaware of the actual content, but more broadly, the Brown Act required that any of the City's business be conducted in a public meeting. Many members of the City Council or electeds throughout the state had social media accounts and posted things, and again not aware of the exact substance of the comments, he could not comment whether or not it was a violation of the Brown Act. He could look into it and advise the City Council. Generally speaking, he explained that the Brown Act prohibited any discourse, dialogue or decisions being made by the City Council outside of a public meeting. If there were multiple Council members discussing an item and deciding on it outside of this space, it would be a violation of the Brown Act and was the most obvious example, but there was also nuance to that.

City Attorney Casher acknowledged there were some comments that a "decision had been made," but again he had not seen the comments and was not aware when the comments had been posted. Pursuant to the staff report, the City Council had directed staff to bring this item forward at the December 2, 2025 meeting.

Council member Martinez-Rubin asked for clarity on the estimated range of costs to place the measure on the ballot and the timing of placing the measure on the ballot.

City Attorney Casher explained the costs were set by Contra Costa County which administered elections. At the time the presentation had initially been made, estimated costs were provided and staff was able to verify the costs for this cycle with the County, which was \$3 to \$4.50 per registered voter, a formula used by the County.

City Attorney Casher acknowledged primary elections were more expensive with higher costs for a June primary versus a November election. In terms of the timing for this measure on the June ballot, he had been asked to bring this item forward at this meeting as directed by the City Council. If the City were to move forward with a primary election, this would have to go to the County by March 6, 2026, which was why the item had been scheduled for this meeting in February, so if any changes needed to be made, there would be another meeting in the month of February to bring forward a final version.

Finance Director Markisha Guillory responded to the question of adding another question to the current polling efforts and explained the standard was usually about two measures. The City already had three measures, and to add a fourth may change the scope. The polling firms the City had worked with in the last round expressed concern at that time with three measures. The current polling firm supported three measures, which was the industry standard. Adding another measure would make the survey much longer, could cause survey fatigue and skew the survey results, and four measures would push the limits and change the scope of work.

Mayor Tave understood that if another question was added to the survey, there was the potential to diminish the quality and reliability of the survey, which the Finance Director confirmed.

Council member Martinez-Rubin did not support the agenda item in that an Elected Mayor in a small diverse City like Pinole was not necessary. Developing meaningful policy, the role of a full Council was doable when Council members had equal authority and the City currently had that with rotating Mayors. Democratic ideology centered around government by the people, where power was exercised through free, fair and regular elections. In Pinole, free spoke to voters having a choice as to who would be elected to the City Council and who would become its Mayor. There had been free elections for Council members in the City every two years, which had resulted in a City Council where often a majority rather than unanimous agreement, took ideas to reality of what the City ought to address, what was given priority and who ended up on City Commissions and Committees, regardless of whether the ways to address issues were sensible, practical or economically feasible. Council members did not always agree on what made Pinole better, especially when there were proposals where the intent appeared to be self-serving or a precursor to unproven policy to benefit the citizenry.

Council member Martinez-Rubin commented on essential matters such as infrastructure, economic development and safety where the City Council generally agreed; it was how they got to that agreement that may cause tensions and differences. Ignoring those tensions and differences was idealistic since as diverse as the City was, the City Council and the City's voters had varied opinions and values, resulting in varied social, educational and political backgrounds.

Council member Martinez-Rubin added that the majority of the state's 482 cities employed a City Manager, where the Mayor was often chosen by the City Council or had limited direct independent authority. This form of government, separated political policy making, elected Council from administrative operations by the appointed professional City Manager. Key benefits included increased efficiencies, and expertise in City management, enhanced professionalism in staffing, reduced corruption, improved non-partisan service delivery and increased accountability as the City Manager was accountable to the elected City Council. This form of government was a local government system combining the political leadership of an elected Council with the administrative experience of an appointed professional manager.

The City Council made policy decisions while the City Manager oversaw day-to-day operations and department heads and promoted non-partisan professional management, which was well and good when voters were informed of the intentions of their elected representatives.

Council member Martinez-Rubin recognized in Pinole there had been a gradual transition to electing Council members with charismatic eagerness to make Pinole better. Now some Council members supported having an Elected Mayor to illustrate democracy. She questioned whether Pinole needed an Elected Mayor who required staff and a salary higher than other Council members, questioned how an Elected Mayor in Pinole would make the City better, and in her opinion would be a precursor to proposing a charter or Strong Mayor, tilting further the authority of said Mayor and placing the executive power on one individual, the Elected Mayor, which was a form of government not supported and one that did not exist in most cities in California.

Council member Sasai thanked everyone for their participation whether for or against this ballot measure. He invited everyone to continue to participate, particularly during the budget season. He recognized there would likely not be full agreement on this issue, but hoped the City Council could achieve a mutual understanding on the measure based on the facts, which was why he had asked the City Attorney for clarity on a number of questions. It was important to ensure starting from a foundation of facts, and he thanked everyone for listening.

Council member Sasai recognized some members of the public had picked apart some Council members' comments about how they would characterize the current system as being archaic, and while he would not have used that term to characterize the current Mayoral system, it was a long-standing policy that had been in place for some time. He also responded to the comments "if it ain't broke, don't fix it," which he found to be a terrible way to look at policy and law, since there was always room to refine policy and that concept assumed the system was working for everyone, with the harm obvious and immediate, and they must go beyond that sentiment, and investigate and refine better policies to ensure those policies worked for everyone.

Council member Sasai commented on what was expected of the person who served as the Mayor for the City of Pinole. When he served as Mayor in 2025, he had been honored by the experience. He asked whether the public wanted a Mayor who just showed up for meetings and cast a vote, or someone more deeply engaged in the community who participated in all community events and other events and offered a number of examples. He pointed out the role of Mayor took away from families but was a responsibility and passion for many with little compensation.

Council member Sasai commented the entire City Council membership had different amounts of resources and time to commit to the role. Thinking about those who had initially served Pinole as Mayors and Council members, he described them as primarily land-owning wealthy white men, but over time that had changed and just recently younger people had become involved, such as with his election to the City Council. He appreciated this conversation and this item, which highlighted many of the inequities of the current system, and why low-income people and people who had historically not been part of the process were becoming representatives of the City and representing a larger part of the City as a result.

When thinking about the role of the Mayor, Council member Sasai commented it was not just extra authority, but extra responsibility and he wanted that to be kept in mind when considering the current Mayoral rotating system.

Council member Sasai commented that the role of the Mayor had regional power, was part of the Contra Costa Mayors Conference, which made appointments to several agencies and the Mayor shifted the culture of the City and beyond. He suggested an Elected Mayor would provide more choice for the voters, and other than the price tag, he could not see anything wrong with that since it would benefit all.

In terms of not having formal polling on this issue, Council member Sasai commented of the measures he had seen in the state where there had been a transition from an appointed to an Elected Mayor, overwhelmingly those measures had passed by more than 70 percent. While those cities were not Pinole, there was that track record.

Council member Toms thanked the speakers present who spoke on the issue and noted of the 12 speakers, only one was in support of the measure. She also recognized those who provided comments in writing and pointed out only one of the letters had been in support and that was the letter read into the record from former Mayor Salimi. She acknowledged former Mayor Salimi's comments that 12-months was not long enough to set and implement the priority of the Mayor, but noted the Mayor did not set the priorities, the City Council did, which was an important point.

Council member Toms opposed the resolution because the existing rotation practice worked well. There were four people, not everyone got a turn during their term, but the Mayor always had at least two years-experience. A directly Elected Mayor may result in someone who had never served as Mayor. If three people ran for the Office of an Elected Mayor, someone may get around 34 percent of the vote, as an example, and they could be the Mayor without any experience. She noted the staff report indicated an Elected Mayor could collect a larger stipend or salary, taking the majority of the City Council to approve. If a mid-term Council member ran or won the Elected Mayor, it would create a vacancy on the Council that would require a costly Special Election to fill the vacancy, or the vacancy would be filled by City Council appointment and the argument of democracy would not apply when filling the vacancy. If a Council member at the end of their term decided to run for Elected Mayor and did not win, the City would have lost an experienced Council member, which had occurred in a nearby city.

Council member Toms added that residents had supported an additional sales tax measure in 2024, and a member of the public informed her they felt betrayed by the City Council for tripling their travel budget, increasing the monthly stipend and now this proposal for an unnecessary election issue, which actions were making residents feel used. She suggested the City Council needed to show citizens they were responsible with the extra funding the citizenry had voted for to support the City and the City Council needed to focus on what they told taxpayers they would be using the funds for, and focus on hiring a City Manager, getting a PPD contract, maintaining roads and not focus on something no one had asked for. The public had not weighed-in, was not asked for an Elected Mayor, and there had been no polling. The City had gone to great extent to use the Budgeting Tool for residents when they worked on the budget, and it was important to have public input on expenditures for the fiscal year, but somehow \$57,000 did not need a poll, which was troubling.

Council member Toms further commented the Mayoral position was largely ceremonial, the Mayor acted as the presiding officer for Council meetings, and the City's official representative at public events, and held no more executive power than other members of the City Council.

Each Council member had their own interests and that would not change. Any Council member could continue doing that work and that work could continue as Mayor. Also, the rotation of the Mayor promoted equity and representation on the City Council and thereby the community, and the rotation of the role ensured that no single special interest group could monopolize the bully pulpit, and by limiting the Mayor's individual authority and duration of service, the system diffused political power across the entire City Council making it harder for special interests to exert influence. It also promoted a clear separation of powers and allowed Council members to focus on the big picture of policy planning without the distraction of administrative tasks or personnel management, which was handled by a professional City Manager.

Council member Toms found the current system worked and each member of the City Council had the opportunity to rotate as Mayor. She had been able to set aside some of her own personal obligations for one year, to devote attention to when she had served as Mayor, and she recognized not everyone would be able to do that for four years. She reiterated the proposal and the expense was a prime example of misplaced priorities by the City Council if this were to pass. There were higher priorities for City funds and staff resources, such as roads and public safety. She suggested citizens deserved better than the City Council approving this resolution without really having public input other than attending a City Council meeting. She reiterated that no polling had been done and she asked her fellow Council members to vote no on the resolution. If there was an outcry by those who wanted the City Council to spend its time and limited City funds to bring the item back, that could be done.

Mayor Tave recognized the City Council was currently comprised of five very well qualified and seasoned members, which was good for Pinole. He had seen a slightly different leadership with every Mayoral rotation. As an example, during a prior strategic planning session, there were almost 50 things that had been clearly outlined that Pinole needed, including roads, public safety, parks and the like, which list had been published in a memorandum prepared by a former City Manager and shared with the public. With five individuals, there was a difficult time prioritizing all of the items. He had been focused on roads since he had been elected to the City Council and the City was finally getting to a point to perform that work.

Mayor Tave found governance the most important and most powerful thing in the City was not the Mayor or the City Council, but the voice and vote of the people. The responsibilities of the Mayor were to run the City Council meetings, agenda setting and ensure they were moving forward, but another Mayor would be appointed in the next rotation. With this ballot measure, voters would decide whether to consider an Elected Mayor. He believed in that kind of governance and the public making the decision, to retain the Mayoral rotation or change to some type of consistent leadership such as an Elected Mayor. The City Council had not yet discussed the parameters or responsibilities of an Elected Mayor, compensation, or whether there would be term limits, all of which the City Council still needed to discuss. He emphasized they were empowering the citizenry to make that decision, which he suggested was the right thing. He supported putting the measure on the ballot and supported consistent leadership to set the tone for the citizenry.

Mayor Pro Tem Murphy reiterated the need to keep moving the City forward, and as policy makers the City Council's mandate and responsibility was to suggest ideas, particularly when the City had the ability for residents to decide which of those ideas would be codified. He thanked staff and the residents for the discussion.

Mayor Pro Tem Murphy offered a motion for the City Council to adopt a resolution calling for a Special Election and submitting to the voters the question regarding the Office of an Elected Mayor; and the City Council direct staff to work in coordination with the Mayor and Mayor Pro Tem to develop and implement a public education and communications plan so residents have clear, accessible and factual information well before ballots are cast. The plan should include at minimum, a dedicated page on the City website with a full text of the measure and impartial explanation of what changes and what does not change, including the City Council/City Manager form of government, key dates and how to participate. This plan should also include a plain language Frequently Asked Questions, addressing common questions about authority, accountability and impacts and also multiple outreach channels, including mailers if appropriate, social media, Pinole Community Television, e-mail lists and community partners with translations and accessibility accommodations consistent with City practices.

Mayor Tave seconded the motion but asked that compensation be kept the same as the City's ordinance with a term of two years for an Elected Mayor. He asked whether that amendment was acceptable to the maker of the motion.

Mayor Pro Tem Murphy was happy to include a friendly amendment about changing the resolution, as included in the staff report, for an additional \$100 per month for an Elected Mayor (consistent with the City Council) with residents to decide the term limits. He asked the City Attorney to provide clarification since he understood that the voters and not the City Council would decide whether there would be a two-year or a four-year term for an Elected Mayor.

City Attorney Casher explained the voters would decide the term for an Elected Mayor, either two or four years. The PMC had term limits which provided Council members could not serve beyond three terms. If the voters elected a two-term Elected Mayor, as an example, three consecutive terms could be allowed (six-years) and the individual could not run again without sitting out a cycle, which was consistent with City Council members. If the City Council so directed, that same term limit for the Elected Mayor position could be included and that language could be incorporated into the PMC.

Mayor Pro Tem Murphy understood there would be three questions voters would consider if the action before the City Council at this time passed. He asked the City Attorney to provide clarification.

City Attorney Casher clarified there would be three questions on the ballot as it related to the term, assuming it was not literally the same vote count, whichever had the highest vote count, two or four years was what would be adopted as the term for an Elected Mayor. For the issue of term limits, state law did not have a term limit set for Elected Mayors, so the Council through ordinance could determine whatever that term limit would be, which could be changed later on and after the ballot measure was in effect at any point. It would be good to know that so that it could be incorporated into the language of the ordinance and final approval, but again it could also be changed after the ballot measure was in effect at any point.

On the original motion, Council member Sasai acknowledged reform cost money and resources, and based on his experience on the City Council he had proposed ordinances around things like the environment, gun prevention, public safety and wage theft, among others. He understood such reforms usually cost in the range of \$2,000 to \$20,000.

City Attorney Casher clarified the range of costs associated with bringing an ordinance forward depended on the complexity of the ordinance. If a simple, straightforward change such as changing the City Council meeting time, as an example, that was very straightforward, although in another example changes to the Cannabis Ordinance was very involved and complex and involved more time. He confirmed the range could be between \$2,000 and \$20,000.

Council member Sasai reiterated reforms took resources, and he encouraged the public to take that into consideration and comment on that process any time a member of the City Council proposed a new ordinance or new program initiative that would be an expenditure.

City Attorney Casher referenced Section 7, Page 102 of the City's ordinance, which provided the Mayor shall sign the categories of documents, which he had used to illustrate the types of things other cities had done, but it provided that the Mayor will sign all written contracts and conveyances made or entered into by the City. He recommended that language be stricken since currently the Mayor did not sign all contracts. Contracts were already signed by the City Manager, City Clerk and approved as to form by the City Attorney. He recommended removal of that language based on City Council approval, which should be included in the motion.

Mayor Tave asked that the motion be amended, to include striking the language *that the Mayor will sign all written contracts and conveyances made or entered into by the City*.

Mayor Pro Tem Murphy accepted the amendment to the motion.

Council member Toms referenced the second part of the motion that had to do with public information and commented staff already had a work program. This was not on their priority list and would move some of the other priorities the City Council had previously established due to the timing, and she wanted that to be acknowledged.

Mayor Pro Tem Murphy responded and confirmed Council member Toms' understanding, commenting the City Council had approved items in the past, including an item Council member Toms requested at the prior City Council meeting, where staff stated they did not have the time or the work plan to do something, but the item was still moved forward and this would be consistent with what had been done in the past, which was why his motion had included a subcommittee where they could also support staff with the development of an education plan, again consistent with what the City Council had done in the past.

Council member Martinez-Rubin commented she was dumbstruck by some of the comments made on the dais, and found it incredible how actions by the City Council could be made to appear that current situations were favored, when the context was different for situations in which they had to vote.

ACTION: Motion by Mayor Pro Tem Murphy/Mayor Tave for the City Council to adopt a resolution calling for a Special Election and submitting to the voters the question regarding the Office of an Elected Mayor; and the City Council direct staff to work in coordination with the Mayor and Mayor Pro Tem to develop and implement a public education and communications plan so residents have clear, accessible and factual information well before ballots are cast. The plan should include at minimum, a dedicated page on the City website with a full text of the measure and impartial explanation of what

changes and what does not change, including the City Council/City Manager form of government, key dates and how to participate. This plan should also include a plain language Frequently Asked Questions, addressing common questions about authority, accountability and impacts and also multiple outreach channels, including mailers if appropriate, social media, Pinole Community Television, e-mail lists and community partners with translations and accessibility accommodations consistent with City practices; and subject to striking the language in the ordinance that the Mayor will sign all written contracts and conveyances made or entered into by the City.

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

- B. Conduct a Public Hearing and Adopt a Resolution Confirming the Community Services Master Fee Schedule. **Action: Continue to February 17, 2026 (Andrea Dwyer)**

City Attorney Casher advised the item would be continued to the City Council meeting of February 17, 2026. He asked that the public hearing be opened and a motion made to continue the item to February 17, 2026.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to continue the public hearing to consider the adoption of a resolution confirming the Community Services Master Fee Schedule, to February 17, 2026.

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

11. **OLD BUSINESS:** None

12. **NEW BUSINESS:** None

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.

Rafael Menis reported COVID-19 rates in the Contra Costa County region were still at a Very Low level, but with some Moderate, High and Very High data results in Alameda County, and with overall trends indicating the virulent level in Contra Costa County and the state as a whole was flat; however, he continued to encourage people to get vaccinated/or get a booster shot and wear masks in crowded indoor areas. He also asked the City Council to adjourn the meeting in memory of Alex Pretti, another American citizen killed whether by the Department of Homeland Security (DHS) or Immigration and Customs Enforcement (ICE) agents.

Mark Zimmerman asked the City Attorney if he had the ability to submit written comments through a Council member so they could potentially be read if they were longer than three-minutes.

City Attorney Casher advised there were no limits on Council member statements or discussion and Council members could take as long as they liked.

14. ADJOURN to the Regular City Council Meeting of February 17, 2026 in Remembrance of Amber Swartz and Alex Pretti.

At 10:30 p.m., Mayor Pro Tem Tave adjourned to a Regular City Council Meeting on February 17, 2026 in Remembrance of Amber Swartz and Alex Pretti.

Submitted by:

Heather Bell-Spears CMC
City Clerk
Approved by City Council:

**CITY COUNCIL MEETING
MINUTES
February 17, 2026**

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 Tave 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

Anthony Tave, Mayor
Devin Murphy, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Maureen Toms, Council Member
Cameron Sasai, Council Member

B. STAFF PRESENT

Melissa Klawuhn, Acting City Manager/Police Chief
Eric Casher, City Attorney
Fiona Epps, Communications Director
Markisha Guillory, Finance Director
Andrea Dwyer, Community Services Director
Stacy Shell, Human Resources Director
Roxane Stone, Deputy City Clerk

Deputy City Clerk Roxane Stone announced the agenda had been posted on February 12, 2026 at 5:30 p.m. with all legally required written notices. Item 4A on the meeting agenda would be considered on a future agenda.

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:

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 organization: The Pinole Police Employees Association (PPEA)

Item to be considered on a future agenda.

5. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION:
None

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.

Debbie Long commented on the arguments in favor of an Elected Mayor, as presented by Mayor Tave, Mayor Pro Tem Murphy and Council member Sasai and repeated statements that nothing would change from what the current Mayor did; however, every argument pointed to a Strong Mayor. More than once policy decisions were stated, but according to the City Attorney that would not change unless voted upon at any time by the Council majority. It was stated that the Mayor would just show up for two Council meetings a month but there was evidence to show that statement was untrue. Many times the Mayor, as well as other members of the City Council, were present for many public events and assigned to regional boards.

Ms. Long added that it was stated that an Elected Mayor had more regional power, but that was also untrue since when attending any regional event, even as a non-Elected Mayor, there was just that much more influence. Often five Council members had differing priorities and it was difficult to render what was most important. Once again, the majority of the City Council would ultimately make that decision. Since this was not the power of an Elected Mayor, she asked whether it was assumed that the Council majority would give the Elected Mayor that power. An Elected Mayor shifted the culture, and once again she asked if there was an authority that would be given over to an Elected Mayor by a Council majority. It was also stated that an Elected Mayor would give more choice to the voters, and she disagreed and suggested that it was democracy to have more diversified representation spread throughout the community, which offered much more choice and representation to the voters.

Ms. Long commented it was stated by the Council majority, time and time again there would be better leadership with an Elected Mayor. She reminded the Council majority of their words when describing Council member Toms in 2024, when her Mayoral term ended. Council member Sasai stated "She showed exemplary leadership and pushed us forward on environmental issues." Mayor Pro Tem Murphy stated "We came to rely on her leadership and guidance." Mayor Tave stated "A great leader and it's great to keep the same Council for consistency." Council member Martinez-Rubin stated "She had shared expertise." For the Council majority that was of the opinion an Elected Mayor would provide better leadership, she asked whether they were lying then or whether they were lying now to the people. She suggested the answer was clear, they were trying to deceive the people now and the reason was because it met their objectives of moving up a political ladder and it fed egos.

Ms. Long added that while it was said that an Elected Mayor would not receive a higher salary, it was also said several times by the City Attorney that could be changed at any time by a Council majority, just by giving an Elected Mayor more power would do. She pointed out the Council majority had a record of giving itself hefty increases in salary and travel expenses and their track record spoke for itself. She stated a Mayoral rotation of the City Council would produce levels of experience, leadership, purpose, presence, and involvement as historically had been the case.

Mary Horton commented she was speaking not as a critic but as a colleague, and as a former Mayor of the City of Pinole. She commented on the effort to change the annual Mayoral rotation to an Elected Mayor via a June ballot. She highlighted her background as the former Mayor having been elected five times. She commented on past attempts of former City Councils to place tax measures on the ballot which had failed and which had been humiliating and embarrassing, although the City's first tax measure finally passed in 1998. She urged the City Council not to get ahead of the people and pointed out people did not line up at the podium if they were happy. People came to the City Council if they were confused or angry, and concerned why nearly \$50,000 could be spent on a ballot measure, and they were confused as to why Council members needed \$60,000 for a travel budget when \$3,000 per Council member had sufficed. She pointed out both items passed by a split 3-2 vote. She read into the record a quote from Thomas Jefferson, and emphasized what was important to the people were roads, parks, police and fire and not having to attend a Council meeting but see services performed that the people needed.

Ms. Horton suggested if the City had an additional \$50,000 or \$100,000, she would rather see the funds spent on potholes, paving the parking spots in the dog park and touch-up San Pablo Avenue, Appian Way, or Tara Hills Drive where people commuted daily. She heard comments about the need for diversity in the Mayor's chair, and pointed out there had been multiple examples of diversity with past Mayors. She had been elected as part of the first female majority on the City Council. She urged the City Council to keep the Mayoral rotation and stated she would not support the item on the June ballot.

7. REPORTS & COMMUNICATIONS

A. Mayor Report: None

1. Announcements: None

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Council member Toms reported she attended the Contra Costa Mayors Conference, with a presentation from the Executive Director of the Contra Costa and Solano Counties Food Bank, about long-time programs. She also attended the governing body of the Green Empowerment Zone (GEZ), and reported enabling legislation for the GEZ had been amended last year to allow the appointment of seven Directors who lived or worked within the GEZ representing the environment or environmental justice organizations. One of the seven Directors appointed had been Pinole resident Pete Srivarom. She added that the U.C. Berkeley Labor Center had been working with the GEZ and she provided an update on their work plan and goals.

Council member Toms also requested the meeting adjourn in memory of Lea Deuel, a Pinole resident and daycare provider for over 50-years, whose background and family she highlighted, and who lovingly served multi-generations.

Council member Sasai requested the meeting adjourn in memory of Reverend Jesse Jackson.

Mayor Pro Tem Murphy was pleased to celebrate Black History Month and Lunar New Year and he looked forward to the proclamations on the meeting agenda. He reported he had been appointed by the Contra Costa Mayors to represent the City of Pinole and the Contra Costa Mayors Conference at the East Bay Economic Development Alliance, with the Board of Directors having recently met to receive a presentation from BART General Manager Bob Powers on some of the system's current priorities and updates as well as an upcoming transportation measure that would impact all counties in the Bay Area and the potential impacts on BART operations. He also represented the City of Pinole on the West Contra Costa Transportation Authority (WestCAT), and explained that the funding of the transportation measure would also impact WestCAT and AC Transit. He encouraged people to become educated on the upcoming measure.

Mayor Pro Tem Murphy also reported he was the Chair of the Marin Clean Energy (MCE) Technical Committee and participated in a series of budget workshops over the past two weeks and facilitated the last Technical Committee meeting. He detailed the MCE budget highlights and encouraged residents to stay involved in the MCE Board of Directors meetings, with a meeting scheduled for February 19, 2026 at 6:30 p.m.. Meetings were available online and the meeting agenda was available on the MCE website. He highlighted the meeting agenda to evaluate options for rate reductions or rollbacks to support MCE customers during ongoing economic challenges.

Mayor Pro Tem Murphy added he also attended a meeting of RecycleMore and highlighted the actions taken including updating the Employee Handbook for the agency, setting the Workplan for Senate Bill (SB) 1383, Election of Officers, and reported RecycleMore meetings for the next year would take place in the City of San Pablo, with more information on the RecycleMore website.

Council member Martinez-Rubin reported she attended the Pinole Pollinator Pathway Project at Fernandez Park, sponsored by Friends of Pinole Creek Watershed and the City of Pinole, and she provided input on the Council Procedures, as drafted by the Council Procedures Subcommittee. She stated the Council Procedures Subcommittee would next meet on March 18, 2026 to discuss the format of City Council meetings and possible revisions to better include and engage the community and become more efficient on conducting meetings.

Council member Martinez-Rubin also attended the WestCAT Board of Directors meeting where the highlight was the results of an on-board survey with passengers of WestCAT buses from September and November 2025, and she highlighted the results of the survey. The WestCAT Board met on the second Thursday of each month at 6:30 p.m. in the Pinole Council Chambers, with the meeting televised on Comcast Channels 26 and 28.

D. Council Requests for Future Agenda Items

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to direct staff to provide an update from the Contra Costa Community College District, to explore opportunities for partnership and to receive a report from the Chancellor and/or College President.

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

E. City Manager Report / Department Staff

Acting City Manager/Police Chief Melissa Klawuhn invited community members to attend a Meet with the Recruiter Outreach and Input Session scheduled for March 14, 2026 at 10:00 a.m. at the Youth Center. More information would be provided as part of Item 8B (1). She also reported on February 21, 2026 Tiny Tots would hold an Open House from 9:30 a.m. to 12:00 Noon at the Tiny Tots location at 2454 Simas Avenue. The facility would be open to the public to visit and learn about early learning and pre-K classes, with more information available on the City event calendar on the City website.

Acting City Manager/Police Chief Klawuhn added that Pinole Community Television (PCTV) staff attended the Alliance for Community Media Conference in Sacramento, with PCTV having participated in several workshops on a number of topics and the key takeaways were highlighted. Also, the Bay Front Chamber of Commerce would host the State of the Cities Address on March 12, 2026 from 7:30 to 9:45 a.m. at Leila by the Bay Restaurant in the City of Hercules, with Mayor Tave to speak on behalf of the City of Pinole and with tickets available online through Eventbrite.

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

1. Japanese Day of Remembrance

The City Council read into the record a proclamation recognizing February 19, 2026, as Japanese Day of Remembrance.

Council member Sasai thanked the City Council for the acknowledgement of Japanese Day of Remembrance. When first elected to the City Council in 2022, this recognition was one of the items he requested be returned each year. He was pleased the item was on the meeting agenda. He also recognized Virginia Fujita, former Mayor and Council member of the City of Pinole, who had Japanese-American ancestry and noted he was the second of that group to represent the City of Pinole as well. He reported his grandparents had been incarcerated during World War II, and there was a saying in the Japanese-American community, *Never Again*, and learning from the past to inform how to move in the future. He recognized what happened from 1941 through 1944 was a lack of individualized process, and targeting people based on their ancestry with citizens detained without trial or access to an attorney. When considering the meaning of the proclamation, he suggested the same situation was being repeated in the present day. As representatives, he stated the City Council had authority to make change and legislate and he thanked the City Council for leading the way to ensure and acknowledge that due process was being dismantled in real time and they should lead the way in the Bay Area.

2. Lunar New Year

The City Council read into the record a proclamation recognizing February 17, 2026 as Lunar New Year.

3. Pinole Historical Society

The City Council read into the record a proclamation honoring the Pinole Historical Society.

Jo Ann Gannotti, Secretary for the Pinole Historical Society, thanked the City Council for the proclamation.

Peter Murray, a member of the Pinole Historical Society Board of Directors, also thanked the City Council for the proclamation. He recognized the founding members of the Pinole Historical Society, and members' effort to categorize documents and search for old sites in Pinole, such as the location of the adobe, which location was secret to ensure its preservation. While it was unfortunate the Pinole Historical Society had been unable to secure a site for a museum, the preservation efforts continued and he looked forward to working with the youth of Pinole to continue the efforts and grow interest. He also highlighted essays prepared by elementary school children to direct their focus on Pinole history, which effort he hoped would continue moving forward to ensure more home-grown Pinole history buffs.

PUBLIC COMMENTS OPENED

PUBLIC COMMENTS CLOSED

Council member Martinez-Rubin reported the Pinole Historical Society prided itself on having identified mostly photographs and documents that contributed to the archives by Pinole residents.

Council member Martinez-Rubin was hopeful as there was an increased interest in the histories of specific groups that there would be continued preservation of the history of the City and its different communities. She recognized there was knowledge and familiarity of the City's history from legacy families who had been in Pinole for years, which was important. She hoped to build upon the good work that residents had created that made up the City's history. She thanked the members of the Pinole Historical Society and looked forward to increasing its membership. She also looked forward to people visiting and sharing at the Pinole Historical Society booth at the Farmer's Market.

B. Presentations

1. City Manager Executive Search Kick-Off – Bob Hall & Associates, Joe Gorton

Acting City Manager/Police Chief Klawuhn introduced Joe Gorton, the Executive Recruiter with Bob Hall & Associates who would provide a presentation and the kick-off efforts for the Pinole City Manager position.

Joe Gorton, Chief Executive Officer (CEO), Bob Hall & Associates, provided a PowerPoint presentation for the Pinole City Manager Recruitment, which included an overview of his background; the recruitment process and timeline for community engagement and recruitment; candidate screening; City selection process; finalists and when a City Manager is selected and request for feedback on the ideal City Manager candidate, desired experience and qualifications, desired leadership and management style, desired community engagement and communication style and collaboration and partnerships.

Responding to questions from the City Council, Mr. Gorton clarified the following:

- The oral assessment with the City Council would be conducted in Closed Session and not open to the public. Bob Hall & Associates would offer questions for the City Council to consider to be developed in concert with the Human Resources (HR) Department and the City Council. The City Council would have ample opportunity to provide input to those questions to ensure those being developed elicited the responses the City Council was looking for to make a good and timely decision on a City Manager candidate. (Martinez-Rubin)
- Community engagement was again highlighted with a Meet with the Recruiter Outreach and Input Session scheduled for March 14, 2026 at 10:00 a.m. at the Youth Center. (Martinez-Rubin)
- Community engagement would be designed for transparency and to receive feedback and provide the City Council with that feedback in a forum in which it could review. Again highlighted the community engagement process. (Martinez-Rubin)
- Most of the candidates would contact Bob Hall & Associates confidentially for numerous reasons, including confidentiality prior to a job offer since the candidate did not want to potentially cause issues at the current workplace, and the recruiter would work with the HR Department on the confidential process. (Mayor Pro Tem Murphy)

- Acknowledged oftentimes new Council members or the community may not have a full understanding of the role of the City Manager and education was important. A public presentation of the roles and goals of the City Council and the City Manager was typically provided and it was expected the Pinole Municipal Code (PMC) outlined these roles. To have effective governance, the City Council and City Manager must integrate and grow in the same direction and while that doesn't always happen, sometimes it did. Clarified the City Manager would be subject to the candidate pool that applied, likely there would be a mix, and possibly there could be candidates desirous to relocate to the Bay Area, and pay and personal goals of the candidate would be taken into consideration. There were challenges for smaller agencies, like Pinole, with some candidates climbing the ladder, with the recruiter to discuss the goals and aspirations of the candidates and what the City Council could live with, such as what the candidate would be willing to accept. Clarified much of the work of the recruiter was to try to recruit the best possible candidate, with the best pedigree that would be with the City forever. (Mayor Pro Tem Murphy)
- Described the screening criteria or assessment methods outside of the oral assessments used to evaluate a candidate's track record or tenure, management style and ability to sustain long-term initiatives, through screening interviews, review of the candidate's cover letter and résumé. Described the City Manager Code of Ethics (which identified a minimum of two-years in a City) and the recruiter would ask direct questions whether or not a candidate had short-tenures at different agencies. The City Council also had the opportunity to review résumés and cover letters and ask the very same questions as the recruiter, although the hope was that the recruiter would have already asked those questions prior to an interview taking place. (Mayor Pro Tem Murphy)

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

Mayor Tave asked for clarification how the recruitment firm would capture the policy and governance portion and balancing that skill set for a City Manager.

Mr. Gorton acknowledged that was always a challenge. He commented that was expected to be captured through the screening interview as part of a discussion with the candidate, where they would learn whether the candidate had been successful in their current position. He explained it would depend on the fit, the priorities and vision of both the City Manager and the City Council.

Mayor Tave would like to see the recruiter capture how the candidate balanced those two issues and keeping the public informed.

Council member Toms reported she met with Mr. Gorton earlier in the week. There were three areas she was interested in, which included leadership and management style, with City staff to be the backbone. She would like to see a City Manager who was good with City staff, worked as a team, and got the team working together. In addition, engagement and community style with the public, making sure the public was aware of the different aspects of what staff was working on and being able to manage five bosses adequately.

Council member Toms wanted to ensure the City Manager candidate was able to push back and tell any member of the City Council that confirmation was needed from the City Council as a whole and not an individual member. She sought a City Manager who was strong enough to indicate that to a Council member if that occurred and to push back without repercussions.

Council member Martinez-Rubin added she also had individual conversations with Mr. Gorton prior to the City Council meeting. She would like the City Manager candidate to have a sense of integrity and ethics, the City Manager to uphold the City Manager Code of Ethics to the best possible, and the City Manager to be assertive yet diplomatic with the community and Council members. She found there was a lot to learn on the dais and she appreciated a collegial relationship with the City Council to allow an opportunity for input and feedback on an individual level when reports were presented by the City Manager and staff and when there was a request to the City Manager. She was counting on the candidate's level of competency with respect to fiscal issues including adaptability and resilience, ability to juggle new state mandates that were oftentimes unfunded and balance that with individual requests City Council members may make in any given year. Also, the candidate to have the financial and budget management skills so that the City Manager could educate and let the City Council know of the impacts of short-term requests relative to long-term mandates and long-term debt the City may have as well as forthcoming expenses the City Council may not see.

Council member Martinez-Rubin sought a City Manager who was able to walk a fine line of advising the City Council, while implementing decisions and withstanding a sensed degree of pressure, with the City Council having discussions on the spot, and a willingness to get back and evaluate those requests. It was important for a new City Manager to let the City Council know the time needed for the best evaluation exercise for staff to be responsive to the City of Pinole.

Council member Martinez-Rubin further sought a City Manager who was collaborative and team-oriented with their own staff so staff was not micromanaged, had visionary and strategic thinking on the part of someone who knew project and city management, a sense of humor and a degree of fun making every day a personal challenge and opportunity for growth, personally, individually and professionally, that in turn transferred to the work with staff and in turn with the City Council.

Mayor Pro Tem Murphy emphasized the importance of the community engagement practices. He asked for clarification of the reference to youth and schools in the PowerPoint presentation in terms of engagement.

Mr. Gorton explained that generally he would reach out to the West Contra Costa Unified School District (WCCUSD) or other groups to see if there was a Youth Program or Youth Council, and he would gather that information to determine who would fit.

Mayor Pro Tem Murphy recommended Mr. Gorton contact the Principals or their designated alternatives. He also commented that the Principal of Pinole Valley High School (PVHS) was a wonderful advocate for educational institutions and given changes in the district at Pinole Middle School, Mr. Gorton should engage with that school as well. He also recommended other stakeholders/partners should include the Pinole Library, tenant associations and Homeowner Associations (HOAs) including the Pinole Grove Tenants Association, new associations in the City and civic advocacy groups such as the Rotary, Lions Clubs and Pinole for Fair Government.

Mr. Gorton explained that he generally would receive information on stakeholders/partners from the City. He would reach out directly to those groups and introduce himself and invite feedback via a meeting on Zoom. He also confirmed that while he had worked with the City of Pinole in the past, he did not have any information on stakeholder/partner feedback.

Council member Sasai had no additional comments on the process, which was very straightforward and standard. He looked forward to seeing how this effort advanced in the coming months. As to the ideal qualities of a City Manager candidate, integrity was the number one factor, and he was uncertain how that would be vetted through conversation given it was a challenge for every single job, but should be prioritized. He would like to see someone who was receptive and adaptive to good feedback, and taking feedback seriously and not personally.

Council member Sasai commented a former City Manager had stated it didn't matter what other cities did and how they addressed issues. Pinole needed someone who was in constant conversations regionally, knew how best to perform in their job, address policy issues and recognize that new Council members come in and don't always know how City government functioned. He expected a level of educational awareness and respect in terms of the City Manager authority pursuant to the PMC, and one who would defer to the City Council in terms of how it voted on issues, and in terms of how laws and policies were implemented the City Manager should defer to the City Attorney.

Council member Sasai added that interagency collaboration was important, and while not a requirement that the candidates be from the area, he expected the candidate to understand how to liaise with different departments/agencies and push items forward. The candidate should also have intercultural competency, which should be seen in practice in terms of how a City Manager communicated with residents given that the community was very diverse with different backgrounds and ages. He sought a City Manager who had prior experience in constituent affairs, knew how to respond to each constituent differently and was respectful and followed up.

Mayor Tave sought a recruitment process with structured conversations with data behind it along with transparency in response to the tough questions; a City Manager who could clearly communicate the way and path forward; communicate to the full Council and receive direction from the full Council; a candidate who could address unfunded state mandates that affected smaller cities more than larger cities; possibly forecasting and ability to communicate where the City was in its spend curve and where it expected to be; and follow the City Manager Code of Ethics and ability to balance governance and operations.

Mayor Pro Tem Murphy asked how comfortable Mr. Gorton felt with the feedback moving forward with the process and next steps.

Mr. Gorton stated he was very comfortable with the excellent feedback provided. He commented that carefully designed questions from the City Council would be very effective, particularly if they were to touch on questions that were important to each Council member.

Mr. Gorton provided his contact information for Bob Hall & Associates, which was also available on the company website, and advised anyone may contact him with feedback outside of the meeting.

2. Pinole Community Television Performance Dashboard

Communications Director Fiona Epps provided a PowerPoint presentation on the PCTV Performance Dashboard, which included an overview of the background of the PCTV Community Media Center Strategy for Fiscal Year (FY) 25/26 and the City Council request to bring back: 1) a proposed framework to measure community engagement in alignment with strategic communication goals; and 2) include a proposal for an annual public forum focused for PCTV services and programs that would help explore membership tiers and fees; PCTV Strategy Goals & Objectives; the PCTV Dashboard Metrics; PCTV Performance Dashboard, Community Meeting Stats; top types of programs aired; community engagement statistics and proposed annual public forum.

Responding to questions from the City Council, Communications Director Epps and Acting City Manager/Police Chief Klawuhn clarified the following:

- The percentages by City views on the PCTV Performance Dashboard, as shown in the PowerPoint presentation, was 51 percent from the City of Pinole. Clarified the percentages shown for views from other cities could be attributed to when the City conducted outreach events. As an example, a lot of visitors came to Pinole to attend the Annual Car Show and National Night Out. Another factor for viewers outside of Pinole could be with the online viewership where the City's events were more accessible and social media also played a part with PCTV on social media that provided widespread viewership across the Bay Area. Clarified the data of viewership was from the viewer's IP address. (Mayor Pro Tem Murphy)
- The information in the Community Media Stats referred to local bulletins submitted to the City or received by staff via email, which could be posted and was from a number of sources. Most often it was the City of Pinole posting about upcoming events, meetings, surveys that may be available and things from different agencies such as information from the East Bay Regional Park District (EBRPD), different County services, the Bay Front Chamber of Commerce or any local agency providing information that could be posted on upcoming events. There was also a page on the City website to allow the submittal of local bulletins and local residents may also provide local bulletins. No fee was associated with submitting local bulletins. (Martinez-Rubin)
- Staff was trying to increase sponsored ads, not for the purposes of advertising, but to sponsor public access programming. The City was offering a promotion where businesses may send their business information (graphics or video) that could be posted for free on the local public channels in an attempt to add content to the channels, build relationships and increase the community's awareness of PCTV. Staff was in discussion with the Bay Front Chamber of Commerce about strengthening that partnership. There was also a pricing structure available on the City website for structured ads. (Martinez-Rubin)
- The Pinole Police Department (PPD) Blotter was no longer available on PCTV. When the PPD updated to the Records Information Management System (RIMS), it eliminated the Police Blotter, which had been done by hand by a dispatcher on a daily/weekly basis.

Citizen RIMS had been substituted as the source of information and any member of the public may pull historical data. Citizen RIMS could be accessed through the PPD website. (Martinez-Rubin)

- Acknowledged a recommendation to consider some element of the travel program sponsored through the Senior Center. (Martinez-Rubin)
- Acknowledged a recommendation to allow residents who travelled outside Pinole to somehow bring back something about having identified themselves as a resident of Pinole, who was now in a different location and talking to residents or business owners in that location and sharing their travel experiences. This would not be done live, keeping personal information safe, but programming could be presented as content possibly two months after the fact, as an example, so as to develop content and participation, with something about Pinole mentioned during that trip and also consider ways to promote the City's logo. (Martinez-Rubin)
- Clarified average views were 11-minutes in length. (Mayor Tave)
- If anyone wanted to film their own content, it could be submitted to PCTV, which would screen the content to ensure compliance with Federal Communication Commission (FCC) standards and ensure no copyrighted material was used prior to airing any content. (Mayor Tave)

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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 February 3, 2026.
- B. Receive the January 31, 2026 – February 13, 2026, List of Warrants in the Amount of \$1,412,701.55 and the February 13, 2026 Payroll in the Amount of \$557,031.97
- C. Adopt a Resolution Approving the Submission of an Application to the California Coastal Commission for Whale Tail Grant Funds and Designating the Authorized Representative. **Action: Adopt Resolution per Staff Recommendation (Lilly Whalen, Kapil Amin)**

- D. FY 2025/26 Second Quarter Investment Report. **Action: Receive a Report (Markisha Guillory)**
- E. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent between September and December 2025, Considered at an Administrative Hearing on February 4, 2026. **Action: Adopt a Resolution per Staff Recommendation (Roxane Stone)**

For Item 9A, Council member Martinez-Rubin requested the following revisions:

Page 53 of 206 of the agenda packet, the last sentence of the second to last paragraph to read:

Ignoring those tensions and differences was idealistic since as diverse as the City was, the City Council and the City's voters had varied opinions and values, resulting in varied social, educational and political backgrounds.

Page 54 of 206 of the agenda packet, the third sentence of the second paragraph to read:

She [Council member Martinez-Rubin] questioned whether Pinole needed an Elected Mayor who required staff and a salary higher than other Council members, questioning whether an Elected Mayor in Pinole would make the City better, and in her opinion would be a precursor to proposing a charter or Strong Mayor, tilting further the authority of said Mayor and placing the executive power on one individual, the Elected Mayor, which was a form of government not supported and one that did not exist in most cities in California

Deputy City Clerk Stone requested the February 3, 2026 meeting minutes be continued to the next City Council meeting to allow her time to review the revisions.

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to continue Consent Calendar Item 9A to the next meeting of the City Council.

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

PUBLIC COMMENTS OPENED

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

ACTION: Motion by Council member Sasai/Mayor Pro Tem Murphy to adopt Consent Calendar Items 9B, 9C, 9D and 9E, as shown.

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

Abstain: None
Absent: None

PUBLIC COMMENTS CLOSED

10. PUBLIC HEARINGS

- A. Introduction of an Ordinance Amending Section 2.12.010 to Modify the Start Time of Regularly Scheduled City Council Meetings. **Action: Introduction of an Ordinance Amending Section 2.12.010 to Modify the Start Time of Regularly Scheduled City Council Meetings (Eric Casher)**

City Attorney Casher presented the staff report dated February 17, 2026, and recommended the City Council introduce and waive the first reading of an ordinance amending Section 2.12.010, "Time of Regular Meetings" to modify the start time of regularly scheduled City Council meetings.

Council member Martinez-Rubin asked whether the work of the Council Procedures Subcommittee would affect the proposed changes to the ordinance.

City Attorney Casher explained this ordinance was very specific to the meeting time and location, with the City Council having provided direction to move the meeting time to 5:30 p.m., which would not impact the work of the Council Procedures Subcommittee. However, the City Council meeting time had been referenced in the Council Procedures and that could come back to align with the ordinance once adopted.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

ACTION: Motion by Council members Martinez-Rubin/Toms to introduce and waive the first reading of an ordinance amending Section 2.12.010, "Time of Regular Meetings" to modify the start time of regularly scheduled City Council meetings.

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

- B. Community Services Master Fee Schedule. **Action: Conduct Public Hearing and Adopt Resolution per Staff Recommendation (Andrea Dwyer, Markisha Guillory)**

Community Services Director Andrea Dwyer provided a PowerPoint presentation on the Community Services Department Master Fee Schedule Updates, which included an overview of the background of the annual comprehensive schedule of user and regulatory fees.

In this case, the fees related to just the Community Services Department, and included fees collected for requests such as reserved use of City facilities, participation in various City programs, and an examination and adjustment of the fees as part of normal operations.

Community Services Director Dwyer reported that currently a comprehensive fee study was being conducted, and would be presented to the City Council later in FY 2025/26, but since the Community Services programs were beginning registration in early spring for summer camps and classes, staff recommended that the City Council consider adjustments to the Community Services fees at this time.

The benefits of fee adjustments, recommended adjustments, cost recovery analysis, future analysis and considerations and cost recovery levels were all highlighted.

Responding to questions from the City Council, Community Services Director Dwyer clarified the following:

- The requirements for security guards for private facility rentals where security guard officers provided protection on-site, were familiar with the facility and were present to de-escalate any situation. To be equitable to all people who rented City facilities for events, the number of people determined the number of security guards required regardless of the rental. (Toms)
- City of Pinole sponsored events would not have security guards but full-time staff may be present. (Mayor Pro Tem Murphy)
- As to whether there was some flexibility in hiring security guards, clarified the City did not receive revenue from the use of security guards. Since the City had done fairly well with its facility rentals, staff had to consider a Request for Proposal (RFP) for on-call services, specifically for a security guard company to be selected through the bidding process, with the City to use the lowest bidder. The application form for the rental of City facilities, included no option for someone to hire their own security guard (although that had happened in the past with some nonprofit groups). Security guards were hired by the City, worked for the City and followed the City's rules. The application form asked about the type of event, number of people and whether or not alcohol would be served, which affected the costs for the rental of a City facility. (Martinez-Rubin)
- Confirmed alcohol was the only mood enhancing substance listed on the form for renting City facilities. While there could be other forms or paraphernalia or mood enhancing substances, due to the process in which to obtain an alcohol permit through the PPD and the Department of Alcoholic Beverage Control (ABC), additional security would be required along with compliance with other parameters. Staff could check how other jurisdictions were handling this concern and work with the City Attorney on possibly identifying other mood enhancing substances. The City's Facility Rental Policy may have to be amended after further research, but it would potentially not change the Master Fee Schedule because how security guards would be applied in the policy would not change. (Martinez-Rubin)

PUBLIC HEARING OPENED

Rafael Menis reported he had provided written comments on Item 10B, but referenced Page 124 of 206 of the agenda packet, Master Fee Schedule, Community Services Department Fees, and commented there were a few cases where the redline changed from a monthly to a three-month segment, and other cases where it changed from a four-week session to a weekly session. He asked why it was being restructured in that way. Also, while there were fee increases in many categories, there was no fee increase for the summer Tiny Tot program for two-days. He asked whether that was because it was a lower cost demand. In addition, as to the questions about other substances being used at events besides alcohol, he suggested the City could potentially have liability issues if an event planner, as an example, indicated a desire to have a rave and participants used Ecstasy or other drugs. He suggested the main reason people had alcohol at events was because it was a legal substance to consume at a state and federal level, whereas other substances had differing legality at the state and federal level, which may need to be reflected in the City's guidelines. He asked the City Attorney for an opinion.

PUBLIC HEARING CLOSED

Council member Sasai asked about the non-resident and resident rates for facility rentals and asked about the percentage split between the two when City facilities were rented.

Community Services Director Dwyer stated she could provide a report to the City Manager but suggested a substantial number of non-residents had reserved City facilities; one had been as far away as the City of Antioch.

Council member Sasai referenced the non-resident base rate for the first nine hours, as shown, and asked for clarification.

Community Services Director Dwyer clarified there was no maximum but explained it was not cost prohibitive to rent a facility for one to two hours and then have to turnover the hall, which took about an hour, with a minimum of five hours between set up and tear down, and staff also provided a cheaper rate for cleanup and decorative hours, with an option to reserve at that cheaper rate. If the event reached seven hours, as an example, one could purchase additional hours from there.

Council member Sasai asked about the fees for the security guards and asked if a security guard would be required if there was an event hosting ten people.

Community Services Director Dwyer explained it would depend, since if it was a party that started for ten people, one security guard would be required, and if alcohol was served two security guards would be required.

Mayor Tave commented looking at the park rental for a baseball field, as identified on Page 121 of 206 of the agenda packet, it was \$20 and for a night game \$15/hour, and Community Services Director Dwyer clarified the increase was due to the lights.

Mayor Tave found those fees to be low. He was curious how the fields were used since it appeared the field did not get any of that money and asked if that was normal or should the fee be increased.

Community Services Director Dwyer commented the fees had been substantially lower a few years ago. She explained the intent was to create enough of a fee where one would want to book the entire season. The City had a great relationship with both local and non-local groups for the season, and those groups were doing 20 to 40 possible games, well worth the rate since they did not require staff the day of the event, but the City prepped and maintained the fields and all of that money went back into the maintenance of the fields. She also clarified the cost covered the cost for lights during the game, but the groups did not want to create client flight or a fee where groups would not want to book with the City at all. She added the City was at 152 percent for cost recovery of the City's fields.

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to adopt a resolution approving the Updated Community Services Master Fee Schedule.

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

11. **OLD BUSINESS:** None

12. **NEW BUSINESS**

A. FY 2025/26 Mid-Year Budget Review (Second Quarter Financial Report.) Action: Receive Report and Adopt Resolution Authorizing Budget Amendments (Markisha Guillory)

Finance Director Markisha Guillory provided a PowerPoint presentation on the FY 2025/26 Mid-Year Budget Review (Second Quarter Financial Report), which included an overview of the purpose of the mid-year budget review; budget highlights – General Fund and Non-General Funds, General Fund Adopted Budget Overview; General Fund Revenue Budget Summary; General Fund Expenditure Budget Summary; General Fund Budget Summary; Measure I Update; and summaries for the Recreation, Building and Planning, PCTV Fund, Sewer Enterprise Fund Budgets and a summary of the proposed budget amendments.

Finance Director Guillory recommended the City Council receive the Fiscal Year (FY) 2025/26 Second Quarter Financial Report and adopt a resolution authorizing budget amendments.

Responding to questions from the City Council, Finance Director Guillory clarified the following:

- The budget adjustment for the Cable Access TV Fund (Fund 505) and plans to engage in sponsorships had not materialized. The former City Manager had plans for proposed sponsorships that did not happen and since those efforts were not moving forward, the budget adjustment had been made, as shown in the PowerPoint presentation. (Sasai)
- The Measure I Update and budgeted expenditures were as outlined in the PowerPoint presentation. Measure I was a General Tax and could be used for any general municipal purpose and was part of the General Fund and accounted for in a separate fund.

Measure I funds had been accounted for similarly to Measure S funds. Confirmed during a Town Hall meeting with the public the discussion included projections staff thought may be left over after covering the gap projected and citizens had been able to weigh-in on priorities around those projections. However, once the budget was developed, the number staff had projected, which was between \$400,000 to \$500,000 had not materialized, and was needed to further fill the gap in City operations due to non-discretionary costs, increases in the medical rates higher than projected and rates from the California Public Employees' Retirement System (CalPERS). The Measure I budgeted expenditures included: Police Department - \$1,752,454, Road Maintenance - \$182,752, Park Maintenance - \$356,256 and Recreation Programs - \$300,000. These numbers were in the adopted budget. The Town Hall had been held before the adopted budget with staff again going off of projections. Reiterated the amounts reflected the proportion of funds needed to fill the gaps. (Sasai and Martinez-Rubin)

- The General Fund Expenditure Budget Summary and Proposed Budget Adjustments included the payment of consultant fees for polling, funds for code enforcement abatement and funds for a portion of a position that needed to be captured in the Public Works Budget. The \$33,000 for the polling consultant was a one-time expense. (Martinez-Rubin)
- The budget projections for the end of the year were again clarified, as was the Measure I update and how the budgeted revenue of \$2,599,000 was being expended, as outlined in the PowerPoint presentation. While it was thought there would be residual Measure I funds available where the City could have been able to do other things, such as more funding towards roads, those funds were ultimately needed to fill the \$2.6 million gap the City would otherwise have had. Before the passage of Measure I, the City was already facing a \$1.6 million deficit, with \$844,000 pulled from the reserves as a one-time transfer and there had to be a backfill going forward. Starting this current budget with a deficit, and with the passage of Measure I, the gap had been filled. In addition, there was growth in other areas, as previously described, which ended up absorbing the \$2.6 million and there were no funds left to do extra things. Recognized the concern with the inability to put more funds into roads, while also recognizing this was a mid-year budget review with more discussions on the budget as part of the budget process. (Mayor Tave)

PUBLIC COMMENTS OPENED

Rafael Menis provided the following comments on the Mid-Year Budget Review (Second Quarter Financial Report):

- Page 180 of 206 of the agenda packet, for interdepartmental charges, expenditures totaled \$1,020. He understood the concept of interdepartmental charges that should zero out for any given quarter, and asked the reason why there was an expenditure noted.
- Page 24 of the FY 2025/26 Second Quarter Financial Report, (Page 182 of 206 of the agenda packet) Non-General Funds, Supplemental Law Enforcement Services Fund (Fund 206), had shown a growth allocation payment and the revenue was at 92 percent of budget and trending higher due to a larger growth allocation.

Commented the January 20, 2026 Annual Comprehensive Financial Report (ACFR) stated the City's population was either declining or remaining roughly flat for the past several years and asked if it was growth in the number of calls, growth in sales tax dollars or some other category.

- Page 17 of the FY 2025/26 Second Quarter Financial Report (Page 175 of 206 of the agenda packet), General Fund Expenditures, as to the inadvertently missed positions with regards to code enforcement and Public Works, asked whether there was a similar way they were both removed and if there was a connection between the two, or whether they were two items that just happened to not get caught by the various eyes looking at the budget. Expressed concern this was two instances across two different departments and was curious to have more detail as to how it had been inadvertently removed.

Anthony Vossbrink asked about the parks and recreation maintenance budget and a reference by the Mayor about baseball diamond park fees, which could be related to when the baseball teams held practices during the day versus at night. He also asked whether a fee had been charged for the use of the fields, or whether a number had just been put into the budget since lights were not needed in the afternoon for the baseball diamond at Fernandez Park or Pinole Valley Road. Referencing the new soccer field at Pinole Valley Road and Wright Avenue, he understood there had been a quick opening although more time should have been taken to evaluate the drainage situation given there were major drainage issues on the soccer fields. He asked about the cost and whether that was included in the maintenance budget as well as general repairs to parks including the bridge creek planks that were broken out at the Senior Center, the creek bridge and the dog park soccer field creek bridge, which needed two to three planks replaced, and which had been brought up several times. He asked if that was part of general maintenance or had it been placed on a list of back burner items.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Murphy thanked staff for the presentation and looked forward to the upcoming Finance Subcommittee meeting to further discuss the budget. He offered a motion to move the item, which was seconded by Mayor Tave.

Council member Toms referenced Page 7 of the PowerPoint presentation and stated she had calculated the numbers for sales taxes received with the two Measure S's and Measure I, and the baseline sales and use taxes, which was at \$10 million, quite a bit more than the property tax the City received. She highlighted that figure, which would be an important item at a future meeting when discussing gas stations.

ACTION: Motion by Mayor Pro Tem Murphy/Mayor Tave to receive the Fiscal Year (FY) 2025/26 Second Quarter Financial Report and adopt a resolution authorizing budget amendments.

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

- B. Approve and Authorize the Mayor to Execute the Employment Agreement for Garrett Evans to Become the Interim City Manager. Action: Adopt a Resolution per Staff Recommendation (Stacy Shell)**

Human Resources Director Stacy Shell presented the staff report dated February 17, 2026, and recommended the City Council approve and authorize the Mayor to execute the Employment Agreement for Garrett Evans to become the Interim City Manager.

Mayor Tave reported pursuant to Government Code Section 54953(c)(3), agenda Item 12(B) was a recommendation to approve and authorize the Mayor to execute the Employment Agreement for Garrett Evans to become the Interim City Manager. On December 16, 2025, the City Council directed staff to negotiate an Employment Agreement with Retired Annuitant Garrett Evans, to serve as the Interim City Manager at the rate of \$131.22 per hour, with an effective date of employment on March 9, 2026. The fiscal impact of this employment agreement was offset with the salary and benefits attrition from the current City Manager vacancy.

Garrett Evans introduced himself to the City Council and the public. He stated it was an honor and he looked forward to the opportunity to work for the City of Pinole, achieving and keeping continuous goals and objectives, going into the budget by June, and assisting the City Council and staff.

Responding to questions from the City Council, Human Resources Director Shell clarified the following:

- Mr. Evans would have a start date of March 9, 2026 and was anticipated to serve as Interim City Manager until the full-time City Manager was appointed by the City Council, anticipated anywhere between June, maybe August 2026, when the position would be filled permanently. (Martinez-Rubin)
- The Employment Agreement with Mr. Evans was just and fair compensation, with the compensation for the Interim City Manager dictated by CalPERS since Mr. Evans was a Retired Annuitant, and the City was required to pay a Retired Annuitant who filled a City Manager role at the same rate as posted on the publicly available salary schedule, the hourly rate of the previous City Manager, and the rate the City must pay Mr. Evans. (Mayor Pro Tem Murphy)

PUBLIC COMMENTS OPENED

Anthony Vossbrink asked the Mayor and City Council how they decided to move forward with an agreement for an Interim City Manager when the City was looking at having a permanent City Manager on-board sometime in June, July if not August 2026. Based on his recollection, the last time there was this issue, former City Manager Andrew Murray departed the City and former Police Chief Neil Gang took over the position. He asked about the cost savings of having the current Police Chief continue in her dual role for another two months, and emphasized given the significant financial impacts that the public deserved to know the reasons why the City Council made the decision to move forward with this item.

PUBLIC COMMENTS CLOSED

Council member Martinez-Rubin asked if the City Council could respond to the question posed by the speaker.

City Attorney Casher explained the City Council may address the comment, but he would recommend and advise against disclosing anything discussed in Closed Session since many of those conversations had been discussed in Closed Session. The City Council may provide an overview summary and general thoughts, but specific conversations in Closed Session should remain in Closed Session.

ACTION: Motion by Mayor Pro Tem Murphy/Council member Toms to approve and authorize the Mayor to execute the Employment Agreement for Garrett Evans to become the Interim City Manager.

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

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.*

Marlia Holmes, Manager, Pinole Library, provided a brief update on recent successes and what lay ahead for the Pinole Library. She highlighted library programming and stated the Pinole Library had hosted a Lunar New Year Celebration with 250 attendees for a multigenerational event celebrating culture, connectivity and learning; along with a range of creative and educational programs which reflected the heart of Pinole, including the Character Design Workshop, inspiring young artists to develop their own original characters and storytelling skills. In addition, the Library hosted Read to A Dog Program, building confidence and literacy in their youngest readers in a supportive and non-judgmental environment, and a Screen-Printing workshop allowing adults the opportunity to explore hands-on creativity and self-expression.

Ms. Holmes stated as the Pinole Library celebrated its successes it also had to prepare for the transition on March 1, 2026 when the Pinole Library would close for infrastructure upgrades and reopen in February 2027. Improvements would include a new HVAC system, new roof, upgrades to electrical lighting and Americans with Disabilities Act (ADA) upgrades to the parking lot. After February 28, 2026, all Pinole Library holds would move to the El Sobrante Library with the Pinole Book Drop to be closed. Patrons may return materials to any other Contra Costa County Library location.

Everyone was invited to a last gathering on February 28, 2026, the last date of service from 12:00 to 2:00 p.m. when the library would host a With Love for Pinole Library program, a time for reflection and celebration. Lunch would be served at 1:00 p.m. with community members able to write messages on their heart wall and memory jar, and Ms. Holmes hoped that families, long time patrons and new visitors would join them. She looked forward to reopening as a stronger and more accessible and ready-to-serve facility for Pinole patrons.

Rafael Menis reported he may have been recently exposed to the Influenza A virus which was currently at a High distribution rate in California and increasing rapidly per the latest Centers for Disease Control and Prevention (CDC) charts. He also reported COVID-19 rates remained Low with one Very High and one Medium in Alameda County. Most sites in Contra Costa County remained Low or Very Low, with one shared site between Contra Costa and Alameda counties with a Medium rating. He continued to encourage people to wear masks, particularly due to the flu which could be fatal to the elderly and immuno-compromised and otherwise disadvantaged populations. He commented that one of the successes of the 2021 winter season with masking and the lock down was not limiting the death rate from COVID-19 prior to the vaccines but limiting flu transmission for that year.

Mr. Menis also commented that a member of the community rebuked him for focusing on white people who had been killed by Immigration and Customs Enforcement (ICE) agents. A valid criticism, he reported U.S. citizen Keith Porter Jr. had been killed by an off-duty ICE agent on New Year's Eve, per the LA Times Review. The circumstances in that case were more disputed than the incidences involving Renee Nicole Good and Alex Pretti, with witness statements stating the victim had been walking away from the ICE agent when repeatedly shot in the back. He asked the City Council to adjourn the meeting in memory of Keith Porter Jr.

Council member Toms reiterated her request for the meeting to adjourn in memory of Lea Deuel.

Council member Sasai also reiterated his request the meeting adjourn in memory of Reverend Jesse Jackson, a Civil Rights icon, someone through his actions had shown that regardless of color, minoritizing individuals should not just be seen and heard but also be empowered.

14. ADJOURN to the Regular City Council Meeting of March 3, 2026 in Remembrance of Amber Swartz, Lea Deuel, Reverend Jesse Jackson and Keith Porter Jr.

At 8:30 p.m., Mayor Pro Tem Tave adjourned to a Regular City Council Meeting on March 3, 2026 in Remembrance of Amber Swartz, Lea Deuel, Reverend Jesse Jackson and Keith Porter Jr.

Submitted by:

Heather Bell-Spears CMC

City Clerk

Approved by City Council:



City of Pinole, CA

9B WARRANT LISTING

By Vendor Name

Payment Dates 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: ATT01 - AT&T					
000024793768	109325	02/27/2026	525-118-43101	MIS PHONE	1,276.26
000024795792	109325	02/27/2026	525-118-43101	PW PHONE	317.00
000024795793	109325	02/27/2026	525-118-43101	ADMINISTRATION PHONE	89.86
000024795794	109325	02/27/2026	525-118-43101	RECREATION PHONE	866.23
000024795795	109325	02/27/2026	525-118-43101	CDD PHONE	26.12
Vendor ATT01 - AT&T Total:					2,575.47
Vendor: BAX00 - BADGE FRAME, INC.					
745581	109326	02/27/2026	100-222-42201	ENGRAVED PERPETUAL PLAQUES PD	46.00
Vendor BAX00 - BADGE FRAME, INC. Total:					46.00
Vendor: BAR40 - BARRY EVANS STUDIO					
10001	109327	02/27/2026	100-222-42201	PHOTO DISPLAY OFFICER ROBERTS	110.25
Vendor BAR40 - BARRY EVANS STUDIO Total:					110.25
Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS					
7175173	109293	02/20/2026	209-552-42108	FOOD PROGRAM PSC	578.23
7175174	109293	02/20/2026	209-552-43804	FOOD PROGRAM PSC	1,195.55
7175175	109293	02/20/2026	209-552-43804	FOOD PROGRAM PSC	98.91
7179172	109328	02/27/2026	209-552-43804	FOOD PROGRAM PSC	1,143.31
7179173	109328	02/27/2026	209-552-43804	FOOD PROGRAM PSC	112.60
7179174	109328	02/27/2026	209-552-42515	FOOD PROGRAM PSC	202.89
7179175	109328	02/27/2026	209-552-42108	FOOD PROGRAM PSC	358.09
7179457	109328	02/27/2026	209-552-43804	FOOD PROGRAM PSC	47.27
Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:					3,736.85
Vendor: CAL04 - CALCON SYSTEMS, INC.					
61058	109294	02/20/2026	500-641-42107	SERVICE CALL REFERENCE S.R.174915 WPCP	1,680.00
Vendor CAL04 - CALCON SYSTEMS, INC. Total:					1,680.00
Vendor: CAL01 - CALTEST ANALYTICAL LAB					
737327	109295	02/20/2026	500-641-44305	CHEMICALS FOR LAB WPCP	2,112.70
Vendor CAL01 - CALTEST ANALYTICAL LAB Total:					2,112.70
Vendor: CDW01 - CDW GOVERNMENT INC.					
AH8CT2W	109329	02/27/2026	525-118-47106	LVO UNIVERSLA USB C DOCK PD	219.38
AH9XE2X	109329	02/27/2026	100-221-42106	LVO T14 DOCK PD	1,726.25
ZR01113095	109329	02/27/2026	525-118-42510	NGE SUBSCRIPTIONS	3,463.94
ZR01113096	109329	02/27/2026	525-118-42510	NGE VISION SUBSCRIPTION	239.36
ZR01113097	109329	02/27/2026	525-118-42510	NGE INTUNE G SUBSCRIPTION	7.52
ZR01113098	109329	02/27/2026	525-118-42510	NGE ENTRA ID SUBSCRIPTION	10.26
Vendor CDW01 - CDW GOVERNMENT INC. Total:					5,666.71
Vendor: CER06 - CERTIFIED TOWING					
26-09443	109330	02/27/2026	100-221-42107	TOWING SERVICES PD	110.00
Vendor CER06 - CERTIFIED TOWING Total:					110.00
Vendor: 2869 - CHEMTEX					
29024	109296	02/20/2026	500-641-42107	SERVICE WATER TREATMENT WPCP	350.00
Vendor 2869 - CHEMTEX Total:					350.00
Vendor: MUR05 - CHRISTINE MURRAY RUIZ					
02122026	109297	02/20/2026	209-551-42515	PURCHASE CANDY FOR THE SPRING EGG HUNT	254.13
Vendor MUR05 - CHRISTINE MURRAY RUIZ Total:					254.13

WARRANT LISTING

Payment Dates: 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: CIT08 - CITY MECHANICAL, INC					
122067	109298	02/20/2026	100-343-42108	HVAC CH	2,138.32
Vendor CIT08 - CITY MECHANICAL, INC Total:					2,138.32
Vendor: CIV01 - CIVIC CENTER TOWING- TRANSPORT- ROAD SERVICE					
571057	109331	02/27/2026	100-221-42107	TOWING SERVICES EVIDENCE	110.00
Vendor CIV01 - CIVIC CENTER TOWING- TRANSPORT- ROAD SERVICE Total:					110.00
Vendor: 1234 - COASTLAND CIVIL ENGINEERING, INC.					
63527	109299	02/20/2026	500-642-47201	PINON TRUNK SEWER CAPACITY DECEMBER 2025	11,372.50
63749	109332	02/27/2026	500-642-47201	PINON TRUNK SEWER CAPACITY JAN. 2025	225.00
Vendor 1234 - COASTLAND CIVIL ENGINEERING, INC. Total:					11,597.50
Vendor: COM20 - COMCAST					
0210511-02162026	109334	02/27/2026	100-222-43105	CABLE PD	255.76
0419492-02022026	109334	02/27/2026	525-118-43106	INTERNET SWIM CENTER	224.67
261756917	109333	02/27/2026	525-118-43106	INTERNET PD	871.29
Vendor COM20 - COMCAST Total:					1,351.72
Vendor: CON09 - CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT					
FY2025-26	109300	02/20/2026	100-231-42101	DISPATCH SERVICES COST ALLOCATION FY2025-26	194,037.00
Vendor CON09 - CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT Total:					194,037.00
Vendor: CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT					
709164	109335	02/27/2026	200-342-42101	TRAFFIC SIGNAL MAINTENANCE DECEMBER 2025	8,059.31
709164	109335	02/27/2026	310-347-42101	TRAFFIC SIGNAL MAINTENANCE DECEMBER 2025	437.06
709164	109335	02/27/2026	310-348-42101	TRAFFIC SIGNAL MAINTENANCE DECEMBER 2025	218.53
709219	109335	02/27/2026	200-342-42101	TRAFFIC SIGNAL MAINTENANCE JANUARY 2026	9,729.57
709219	109335	02/27/2026	310-347-42101	TRAFFIC SIGNAL MAINTENANCE JANUARY 2026	437.06
Vendor CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT Total:					18,881.53
Vendor: CON26 - CONTRA COSTA HEALTH SERVICES					
IN0322590	109336	02/27/2026	209-557-44304	MUNICIPAL SPA HEALTH PERMIT 2026-2027	1,058.00
IN0324743	109301	02/20/2026	209-554-44304	PRODUCTION KITCHEN PERMIT PYC	1,124.00
Vendor CON26 - CONTRA COSTA HEALTH SERVICES Total:					2,182.00
Vendor: 1178 - CONTRA COSTA POWERSPORTS					
47112	109337	02/27/2026	100-221-42107	FRONT AND REAR TIERE REPLACMNT P...	1,076.30
Vendor 1178 - CONTRA COSTA POWERSPORTS Total:					1,076.30
Vendor: 1310 - CONTRA COSTA TRANSPORTATION AUTHORITY					
2026-00000014	109338	02/27/2026	215-342-42106	STREETLIGHT DATA & SERVICES SUBSCRIPTION	5,702.00
CMA 2026-00000014	109338	02/27/2026	200-342-42514	MEMBER CONTRIBUTION FY 2024-25 CMA	6,247.00
Vendor 1310 - CONTRA COSTA TRANSPORTATION AUTHORITY Total:					11,949.00
Vendor: COR12 - CORELOGIC SOLUTIONS LLC					
82290385	109339	02/27/2026	525-118-42510	REALQUEST SOFTWARE CITYWIDE	692.41
Vendor COR12 - CORELOGIC SOLUTIONS LLC Total:					692.41
Vendor: 1445 - CORTEZ TIRES AND AUTO REPAIR					
31000	109302	02/20/2026	500-641-42107	NEW TIRE PACKAGE WHEEL ALIGN WPCP	1,158.95

WARRANT LISTING

Payment Dates: 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
31258	109340	02/27/2026	100-221-42107	WIRE ASSEMBLY CONTROL UNIT #809	430.10
Vendor 1445 - CORTEZ TIRES AND AUTO REPAIR Total:					1,589.05
Vendor: 2424 - CROCKETT AWARD & TROPHY SERVICES					
1665187	109341	02/27/2026	100-110-42201	NAME PLATES AND DOOR PLATE	17.60
1665187	109341	02/27/2026	100-111-42201	NAME PLATES AND DOOR PLATE	17.60
1665187	109341	02/27/2026	100-112-42201	NAME PLATES AND DOOR PLATE	32.22
Vendor 2424 - CROCKETT AWARD & TROPHY SERVICES Total:					67.42
Vendor: 3080 - DELTA GROWERS, INC.					
102435	109303	02/20/2026	100-345-44306	DELTA BLUE RYE	1,984.50
Vendor 3080 - DELTA GROWERS, INC. Total:					1,984.50
Vendor: DIA01 - DIABLO TROPHIES & AWARDS					
20388	109342	02/27/2026	100-222-42201	PLATE ENGRAVED DISPATCHER & OFFICER OF THE YEAR	44.10
Vendor DIA01 - DIABLO TROPHIES & AWARDS Total:					44.10
Vendor: 3004 - DIANA GALINDO					
02222026	109343	02/27/2026	100-221-42302	MILEAGE REIMBURSEMENT POLICE ACADEMY	313.60
Vendor 3004 - DIANA GALINDO Total:					313.60
Vendor: 2020 - DOCUSIGN, INC.					
111100621569	109344	02/27/2026	525-118-42510	DOCUSIGN FULL USER PREMIER SUPPORT	22,738.32
Vendor 2020 - DOCUSIGN, INC. Total:					22,738.32
Vendor: 2682 - EAN SERVICES, LLC					
40802207	109345	02/27/2026	100-221-42514	RENTAL CAR	195.93
Vendor 2682 - EAN SERVICES, LLC Total:					195.93
Vendor: 3174 - EVAN BROOKS ASSOCIATES, INC.					
26001-2	109304	02/20/2026	100-341-40101	TRAFFIC SAFETY EDUCATION COLLISION DATA REPORTING	12,646.00
Vendor 3174 - EVAN BROOKS ASSOCIATES, INC. Total:					12,646.00
Vendor: 2853 - EVERON, LLC					
160459454	109347	02/27/2026	209-552-42108	MONITORING ALARM SYSTEM 030226-040126 PSC	166.16
370999-02012026	109346	02/27/2026	209-553-42108	GOLD MONITORING ALARM 2454 SIMAS 022426-032326	120.70
Vendor 2853 - EVERON, LLC Total:					286.86
Vendor: 2948 - FEDERAL REALTY OP LP					
1134347	109348	02/27/2026	201-343-42513	PINOLE VISTA CROSSING RENTAL FEB. 2026	100.00
Vendor 2948 - FEDERAL REALTY OP LP Total:					100.00
Vendor: 2269 - FRANCO DALAO					
02122026	109349	02/27/2026	100-221-42302	MOTORCYCLE TRAINING MEALS AND MILEAGE REIMB	279.86
02122026	109349	02/27/2026	100-221-42303	MOTORCYCLE TRAINING MEALS AND MILEAGE REIMB	198.00
Vendor 2269 - FRANCO DALAO Total:					477.86
Vendor: 1112 - GRAY-BOWEN-SCOTT					
22940	109350	02/27/2026	325-342-47205	PM SERVICES: DESIGN PHASE OF SPA BRIDGE REPLACMNT	10,312.00
22956	109350	02/27/2026	325-342-47205	PM SERVICES: DESIGN PHASE OF SPA BRIDGE REPLACMNT	10,087.00
22989	109350	02/27/2026	325-342-47205	PM SERVICES: DESIGN PHASE OF SPA BRIDGE REPLACMNT	10,537.50
Vendor 1112 - GRAY-BOWEN-SCOTT Total:					30,936.50

WARRANT LISTING

Payment Dates: 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: HAR25 - HARRIS & ASSOCIATES, INC.					
70933	109305	02/20/2026	100-114-42101	PINOLE APPIAN VILLAGE LLAD FORMATION	10,550.00
Vendor HAR25 - HARRIS & ASSOCIATES, INC. Total:					10,550.00
Vendor: 2963 - JAZMINE LOUIS					
02122026	109351	02/27/2026	100-222-42514	COU ITEMS REIMBURSEMENT	20.51
02122026	109351	02/27/2026	722-20431	COU ITEMS REIMBURSEMENT	49.04
Vendor 2963 - JAZMINE LOUIS Total:					69.55
Vendor: 1488 - JENNIFER WITSCHI					
02232026	109352	02/27/2026	203-221-42514	THMED VALENTINES CARDS FOR MILO	15.12
Vendor 1488 - JENNIFER WITSCHI Total:					15.12
Vendor: 2977 - JOSE A. VARGAS					
02132026	109306	02/20/2026	209-552-38112	SECURITY SERVICES PSC 02282026	675.00
Vendor 2977 - JOSE A. VARGAS Total:					675.00
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000034764	109353	02/27/2026	500-641-44302	SLUDGE REMOVAL WPCP	5,253.06
Vendor KEL09 - KELLER CANYON LANDFILL Total:					5,253.06
Vendor: KEN09 - KENNEDY AND ASSOCIATES, INC.					
25-151	109354	02/27/2026	207-344-42101	STORMWATER SUPPORT AUGUST 2025	3,658.10
Vendor KEN09 - KENNEDY AND ASSOCIATES, INC. Total:					3,658.10
Vendor: KIM01 - KIMBALL MIDWEST					
103902651	109307	02/20/2026	500-642-44410	GOLIATH CLR SFTY GLASSES CORDED EARYPLUG DISP	341.92
103902929	109307	02/20/2026	500-642-44410	GOLIATH SMK SFTY GLASSES	166.30
Vendor KIM01 - KIMBALL MIDWEST Total:					508.22
Vendor: ODO03 - KIMBERLY YOUNG					
02232026	109355	02/27/2026	500-641-42302	CONFERENCE HOTEL MEALS MILEAGE TO RIVERSIDE TRAIN	1,395.78
02232026	109355	02/27/2026	500-641-42303	CONFERENCE HOTEL MEALS MILEAGE TO RIVERSIDE TRAIN	220.00
Vendor ODO03 - KIMBERLY YOUNG Total:					1,615.78
Vendor: LAN01 - LANER ELECTRIC SUPPLY, INC					
960196	109308	02/20/2026	100-345-44306	LIGHTS SUPPLIES	1,294.37
Vendor LAN01 - LANER ELECTRIC SUPPLY, INC Total:					1,294.37
Vendor: MAN01 - MANNA FOODS, INC.					
1067899	109356	02/27/2026	209-552-42515	FOOD PROGRAM PSC	208.45
Vendor MAN01 - MANNA FOODS, INC. Total:					208.45
Vendor: MCM05 - MCMASTER-CARR SUPPLY CO.					
59231426	109309	02/20/2026	500-641-44306	SUPPLIES FOR REPAIRS WPCP	397.85
Vendor MCM05 - MCMASTER-CARR SUPPLY CO. Total:					397.85
Vendor: 3140 - MICHAEL PAUL COMPANY, INC.					
27	109310	02/20/2026	106-344-47206	STORM DRAIN CREEK DISCHARGE IMPROVEMENTS DOLORES C	43,249.70
Vendor 3140 - MICHAEL PAUL COMPANY, INC. Total:					43,249.70
Vendor: PGE01 - PG&E					
0887-02022026	109311	02/20/2026	200-342-43103	PINON AVE & SAN PABLO AVE TRAFFIC SIGNAL	173.75
1093-01302026	109311	02/20/2026	500-642-43103	W END/HAZEL AVE SEWAGE PLANT	1,097.60
2182-02022026	109311	02/20/2026	200-342-43103	OAKRIDGE/SAN PABLO AVE TRAFFIC SIGNAL	112.64
2222-01212026	109311	02/20/2026	107-345-43103	STREET AND HIGHWAY LIGHTING	49.39

WARRANT LISTING

Payment Dates: 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
2222-01212026	109311	02/20/2026	200-342-43103	STREET AND HIGHWAY LIGHTING	19,146.92
2222-01212026	109311	02/20/2026	310-347-43103	STREET AND HIGHWAY LIGHTING	280.00
2222-01212026	109311	02/20/2026	310-348-43103	STREET AND HIGHWAY LIGHTING	400.00
3834-02052026	109311	02/20/2026	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	414.92
Vendor PGE01 - PG&E Total:					21,675.22
Vendor: PIT01 - PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC					
3107651749	109357	02/27/2026	525-118-42107	RENTAL FEES FOR POSTAGE MACHINE 123025-032926	503.40
Vendor PIT01 - PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC Total:					503.40
Vendor: 1009 - PRECISION IT CONSULTING					
15821	109358	02/27/2026	525-118-42101	HELP SERVICE NOV. - DEC...	4,637.50
15825	109358	02/27/2026	525-118-42105	SOPHOS FIREWALL RENEWALL	2,632.79
15840	109358	02/27/2026	525-118-42101	SECURITY SERVICES SOFTWARE MFA EMAIL SECURITY	2,875.00
Vendor 1009 - PRECISION IT CONSULTING Total:					10,145.29
Vendor: PRI18 - PRIORITY 1 PUBLIC SAFETY EQUIPMENT					
10515	109359	02/27/2026	100-221-42107	WRANGLE 200AMP RELAY REPLACE WIRING	196.91
Vendor PRI18 - PRIORITY 1 PUBLIC SAFETY EQUIPMENT Total:					196.91
Vendor: 2783 - READYFRESH					
06B6709787258	109312	02/20/2026	500-641-42201	WATER FOR WPCP	3.25
16B6708050237	109360	02/27/2026	100-111-42201	WATER FOR CH	47.18
Vendor 2783 - READYFRESH Total:					50.43
Vendor: REC07 - RECDESK LLC					
RD-002407	109361	02/27/2026	525-118-42106	REC DESK SOFTWARE ANNUAL SUBSCRIPTION	6,063.75
Vendor REC07 - RECDESK LLC Total:					6,063.75
Vendor: 2817 - REDWOOD PUBLIC LAW, LLP					
19035	109313	02/20/2026	100-20011	APPIAN VILLAGE	2,057.00
19036	109313	02/20/2026	100-20011	CITY ATTORNEY SERVICES	24,490.96
19037	109313	02/20/2026	100-20011	CITY COUNCIL MEETINGS	1,760.00
19038	109313	02/20/2026	100-20011	FARIA HOUSE DISPOSITION	8,655.00
19039	109313	02/20/2026	100-20011	GENERAL SERVICES CITY CLERK	213.00
19040	109313	02/20/2026	100-20011	GENRAL SERVICES CODE ENFORCEMENT	626.50
19041	109313	02/20/2026	100-20011	GENERAL SERVICES COMMUNITY DEVELOPMENT	10,095.50
19042	109313	02/20/2026	100-20011	GENERAL SERVICES FINANCE	311.50
19044	109313	02/20/2026	100-20011	GENERAL SERVICES POLICE	453.00
19045	109313	02/20/2026	100-20011	GENERAL SERVICES PUBLIC WORKS	14,205.00
19046	109313	02/20/2026	100-20011	PCB LITIGATION	489.50
19047	109313	02/20/2026	100-20011	RISK MANAGEMENT	557.00
19048	109313	02/20/2026	100-20011	SUCCESSOR AGENCY	319.50
2811	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	3,171.25
2830	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	442.50
2837	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	2,360.00
2853	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	3,761.25
2874	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	2,433.75
2888	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	7,451.25
2905	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	5,531.25
2937	109374	02/27/2026	100-114-42102	IT'S PERSONNEL MATTER	1,622.50
Vendor 2817 - REDWOOD PUBLIC LAW, LLP Total:					91,007.21

WARRANT LISTING

Payment Dates: 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: RIC19 - RICHMOND ELKS LODGE #1251					
02182026	109362	02/27/2026	100-221-42514	25TH SILVER ANNIVERSARY LAW ENFOR NIGHT	80.00
Vendor RIC19 - RICHMOND ELKS LODGE #1251 Total:					80.00
Vendor: ROD05 - RODEO SANITARY DISTRICT					
4349	109363	02/27/2026	500-641-42108	SHARED OUTFALL AND CATHODIC SYSTEM 070125- 123125	20,317.50
Vendor ROD05 - RODEO SANITARY DISTRICT Total:					20,317.50
Vendor: SWE00 - ROY SWEARINGEN					
02232026	109364	02/27/2026	100-113-42201	PRINTER INK OFFICE SUPPLIES	205.04
Vendor SWE00 - ROY SWEARINGEN Total:					205.04
Vendor: ROS08 - RSG, INC.					
14776	109314	02/20/2026	285-464-42101	COMPLIANCE MONITORING FY25-26	6,875.00
14777	109314	02/20/2026	285-464-42101	HOUSING CONSULTING SERVICES FY25-26	1,043.75
14778	109314	02/20/2026	750-463-42101	PROPERTY DISPOSITION COMM CORNER AND FARIA	33.75
14941	109314	02/20/2026	285-464-42101	COMPLIANCE MONITORING FY25-26	4,587.50
14942	109314	02/20/2026	285-464-42101	HOUSING CONSULTING SERVICES FY25-26	1,793.75
14943	109314	02/20/2026	285-464-42101	HOUSING POLICY AND IN-LIEU FEE STUDY	68.75
Vendor ROS08 - RSG, INC. Total:					14,402.50
Vendor: 1450 - RUBENSTEIN SUPPLY COMPANY					
S2789657.001	109315	02/20/2026	100-342-42514	OLDCASTLE BLANK CONCRETE	343.94
Vendor 1450 - RUBENSTEIN SUPPLY COMPANY Total:					343.94
Vendor: SAN36 - SAN DIEGO POLICE EQUIP CO					
667668	109365	02/27/2026	100-221-42514	223 REM 62GR BOAT TAIL	2,470.16
Vendor SAN36 - SAN DIEGO POLICE EQUIP CO Total:					2,470.16
Vendor: 1714 - SHERRI D. LEWIS					
CC014PINOLE-FY2025/26	109316	02/20/2026	100-112-42101	PREPARE MINUTES CC MTG. 02032026	1,012.50
CC015PINOLE-FY2025/26	109366	02/27/2026	100-112-42101	PREPARE FINANCE SUB MINUTES 021826	525.00
CC016PINOLE-FY2025/26	109366	02/27/2026	100-112-42101	PREPARE MINUTES CC MTG 02172026	862.50
Vendor 1714 - SHERRI D. LEWIS Total:					2,400.00
Vendor: 2688 - SHUMS CODA ASSOCIATES, INC.					
11853R	109317	02/20/2026	212-462-42101	PLAN REVIEW NOV.-DEC.	12,036.87
Vendor 2688 - SHUMS CODA ASSOCIATES, INC. Total:					12,036.87
Vendor: STA56 - STAILING S&S RV REPAIRS					
7293	109318	02/20/2026	500-642-42107	REPAIRS REMOVE LIGHTS BRAKE INSPECTION	2,930.50
Vendor STA56 - STAILING S&S RV REPAIRS Total:					2,930.50
Vendor: 2931 - STONESIDE, LLC.					
02192026	109367	02/27/2026	276-343-47201	INSTALLATION OF NEW BLINDS DEPOSIT CH	4,165.20
Vendor 2931 - STONESIDE, LLC. Total:					4,165.20
Vendor: 3163 - SWENSON'S MOBILE FLEET REPAIR, INC.					
INV-5249	109319	02/20/2026	500-641-42107	BASIC INSPECTION ENGINETRUCK WPCP	971.68
INV-5256	109319	02/20/2026	500-641-42107	BIT INSPECTION FRONT AXLE STEERUBG WPCP	1,189.67
Vendor 3163 - SWENSON'S MOBILE FLEET REPAIR, INC. Total:					2,161.35

WARRANT LISTING

Payment Dates: 2/14/2026 - 2/27/2026

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 2633 - TRB AND ASSOCIATES, INC.					
6908	109320	02/20/2026	212-462-42101	PLAN REVIEW AND INSPECTION SERVICES DEC. 2025	377.00
6947	109320	02/20/2026	212-462-42101	WEED ABEMENT DEC. 2025	6,065.00
6948	109320	02/20/2026	212-462-42101	ONSITE BLDG INSPECTOR SERVICES DEC. 2025	1,850.00
6949	109320	02/20/2026	212-462-42101	TEMPORARY BAKFILL HOUSING DEC. 2025	13,000.00
Vendor 2633 - TRB AND ASSOCIATES, INC. Total:					21,292.00
Vendor: 3063 - UBEO WEST, LLC.					
5165034	109368	02/27/2026	525-118-42107	CITYWIDE COPIERS MAINTENANCE/SUPPLIES	2,479.73
Vendor 3063 - UBEO WEST, LLC. Total:					2,479.73
Vendor: USP02 - UNITED STATES POSTAL SVC					
683295337	109369	02/27/2026	209-552-43809	POSTAGE FOR MARCH NEWSLETTER PSC	269.84
Vendor USP02 - UNITED STATES POSTAL SVC Total:					269.84
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
23792	109321	02/20/2026	100-343-42108	JANITORIAL SUPPLIES CY	818.03
543580	109321	02/20/2026	100-343-42108	JANITORIAL SERVICES JANUARY 2026 CITY HALL	1,354.00
543581	109321	02/20/2026	100-222-42108	JANITORIAL SERVICES JANUARY 2026 PUBLIC SAFETY BLD	2,768.00
Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:					4,940.03
Vendor: USB06 - US BANK					
JANUARY 2026	109322	02/20/2026	100-20018	CITYWIDE CREDIT CARD CHARGES	24,262.06
Vendor USB06 - US BANK Total:					24,262.06
Vendor: VWR01 - VWR INTERNATIONAL, LLC.					
8820911869	109323	02/20/2026	500-641-44305	VMR TIMER COUNTDOWN ALARM WPCP	427.77
Vendor VWR01 - VWR INTERNATIONAL, LLC. Total:					427.77
Vendor: 2603 - WEST VALLEY CONSTRUCTION CO, INC.					
239373	109324	02/20/2026	106-344-47206	ROBLE AVE STORM DRAIN IMPROVEMENTS SEPTEMBER 2025	22,150.00
239374	109324	02/20/2026	500-642-47201	ENGINEERING DESIGN SVCS FOR SANIT SEWER	330.00
240303	109370	02/27/2026	106-344-47206	ROBLE AVE STORM DRAIN IMPROVEMENTS FEB. 2026	3,556.00
Vendor 2603 - WEST VALLEY CONSTRUCTION CO, INC. Total:					26,036.00
Vendor: 3022 - WILSON & COMPANY, INC., ENGINEERS & ARCHITECTS					
2582420009-5	109371	02/27/2026	500-642-47201	UTILITY INSPECTION AND MOBILIZATIONS FOR SS2401	5,650.00
Vendor 3022 - WILSON & COMPANY, INC., ENGINEERS & ARCHITECTS Total:					5,650.00
Grand Total:					676,045.93

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	354,001.72
106 - MEASURE S-2014	68,955.70
107 - Measure I	49.39
200 - Gas Tax Fund	43,469.19
201 - Restricted Real Estate Maintenance Fund	100.00
203 - Public Safety Augmentation Fund	15.12
207 - NPDES Storm Water Fund	3,658.10
209 - Recreation Fund	7,613.13
212 - Building & Planning	33,328.87
215 - Measure C and J Fund	5,702.00
276 - Growth Impact Fund	4,165.20
285 - Housing Land Held for Resale	14,368.75
310 - Lighting & Landscape Districts	1,772.65
325 - City Street Improvements	30,936.50
500 - Sewer Enterprise Fund	57,592.03
525 - Information Systems	50,234.79
722 - Community Assistance Program	49.04
750 - Recognized Obligation Retirement Fund	33.75
Grand Total:	676,045.93

Account Summary

Account Number	Account Name	Payment Amount
100-110-42201	Office Expense	17.60
100-111-42201	Office Expense	64.78
100-112-42101	Prof Svcs/Professional Se..	2,400.00
100-112-42201	Office Expense	32.22
100-113-42201	Office Expense	205.04
100-114-42101	Prof Svcs/Professional Se..	10,550.00
100-114-42102	Prof Svcs/Attorney Servi...	26,773.75
100-20011	Accounts Payable/Miscel...	64,233.46
100-20018	Accounts Payable/CalCa...	24,262.06
100-221-42106	Prof Svcs/Software Main...	1,726.25
100-221-42107	Prof Svcs/Equipment Ma...	1,923.31
100-221-42302	Travel & Training/Milea...	593.46
100-221-42303	Travel & Training/Meal A..	198.00
100-221-42514	Admin Exp/Special Depa...	2,746.09
100-222-42108	Prof Svcs/Building-Struc...	2,768.00
100-222-42201	Office Expense	200.35
100-222-42514	Admin Exp/Special Depa...	20.51
100-222-43105	Utilities/Cable	255.76
100-231-42101	Prof Svcs/Professional Se..	194,037.00
100-231-43103	Utilities/Electricity & Po...	414.92
100-341-40101	Salary & Wages/Full Time	12,646.00
100-342-42514	Admin Exp/Special Depa...	343.94
100-343-42108	Prof Svcs/Building-Struc...	4,310.35
100-345-44306	Other Materials Supp/M...	3,278.87
106-344-47206	Improvements/Storm Dr...	68,955.70
107-345-43103	Utilities/Electricity & Po...	49.39
200-342-42101	Prof Svcs/Professional Se..	17,788.88
200-342-42514	Admin Exp/Special Depa...	6,247.00
200-342-43103	Utilities/Electricity & Po...	19,433.31
201-343-42513	Admin Exp/Rent	100.00
203-221-42514	Admin Exp/Special Depa...	15.12
207-344-42101	Prof Svcs/Professional Se..	3,658.10
209-551-42515	Admin Exp/Special Events	254.13
209-552-38112	Rental Income/Facility R...	675.00
209-552-42108	Prof Svcs/Building-Struc...	1,102.48

Account Summary

Account Number	Account Name	Payment Amount
209-552-42515	Admin Exp/Special Events	411.34
209-552-43804	Program Cost/Food Prog...	2,597.64
209-552-43809	Program Cost/Newsletter	269.84
209-553-42108	Prof Svcs/Building-Struc...	120.70
209-554-44304	Other Materials Supp/Pe...	1,124.00
209-557-44304	Other Materials Supp/Pe...	1,058.00
212-462-42101	Prof Svcs/Professional Se..	33,328.87
215-342-42106	Prof Svcs/Software Main...	5,702.00
276-343-47201	Improvements/Building	4,165.20
285-464-42101	Prof Svcs/Professional Se..	14,368.75
310-347-42101	Prof Svcs/Professional Se..	874.12
310-347-43103	Utilities/Electricity & Po...	280.00
310-348-42101	Prof Svcs/Professional Se..	218.53
310-348-43103	Utilities/Electricity & Po...	400.00
325-342-47205	Improvements/Streets	30,936.50
500-641-42107	Prof Svcs/Equipment Ma...	5,350.30
500-641-42108	Prof Svcs/Building-Struc...	20,317.50
500-641-42201	Office Expense	3.25
500-641-42302	Travel & Training/Milea...	1,395.78
500-641-42303	Travel & Training/Meal A...	220.00
500-641-44302	Other Materials Supp/Sl...	5,253.06
500-641-44305	Other Materials Supp/La...	2,540.47
500-641-44306	Other Materials Supp/M...	397.85
500-642-42107	Prof Svcs/Equipment Ma...	2,930.50
500-642-43103	Utilities/Electricity & Po...	1,097.60
500-642-44410	Safety Clothing	508.22
500-642-47201	Improvements/Building	17,577.50
525-118-42101	Prof Svcs/Professional Se..	7,512.50
525-118-42105	Prof Svcs/Network Main...	2,632.79
525-118-42106	Prof Svcs/Software Main...	6,063.75
525-118-42107	Prof Svcs/Equipment Ma...	2,983.13
525-118-42510	Admin Exp/Software Pur...	27,151.81
525-118-43101	Utilities/Telephone	2,575.47
525-118-43106	Utilities/Internet	1,095.96
525-118-47106	FF&E/Computer Equipm...	219.38
722-20431	Deferred Rev/CAP Donat...	49.04
750-463-42101	Prof Svcs/Professional Se..	33.75
Grand Total:		676,045.93

Project Account Summary

Project Account Key	Payment Amount	
None	543,861.03	
10011442101ER2501	10,550.00	
10634447206SW2001	25,706.00	
10634447206SW2401	43,249.70	
27634347201FA1703	4,165.20	
32534247205RO1710	30,936.50	
50064247201SS2201	330.00	
50064247201SS2401	17,247.50	
Grand Total:		676,045.93

APPROVED BY: DATE: 2/26/2026



CITY COUNCIL REPORT

9.C.

DATE: MARCH 3, 2026

TO: MAYOR AND COUNCIL MEMBERS

FROM: David Hanham, Planning Manager, 510-724-9842, dhanham@pinole.gov
Justin Shiu, Consultant Planner, 510-724-9035, jshiu@pinole.gov

SUBJECT: RECEIVE AND FILE ANNUAL PROGRESS REPORT ON HOUSING
ELEMENT IMPLEMENTATION

RECOMMENDATION

Staff recommends that the City Council receive and file the 2025 Annual General Plan Housing Element Progress Report to submit to the California Department of Housing and Community Development ("HCD").

BACKGROUND

Section 65400 of the State of California Government Code requires cities to provide an annual report to their legislative body (city council), the Governor's Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD) on the status of their General Plan Housing Element and progress in its implementation. The General Plan Housing Element Annual Report includes information about a City's progress in meeting identified housing needs and efforts to encourage the maintenance, improvement, and development of new housing opportunities. Staff submits these annual General Plan Housing Element Progress Reports to HCD prior to the April 1st deadline in accordance with State law.

Every eight years, each jurisdiction in California is required to update their Housing Element. The Housing Element is a required component of the General Plan and identifies policies, programs, and actions to create opportunities for the development of new housing and to preserve existing housing stock. State law does not require that jurisdictions develop housing, but rather requires them to adequately plan to meet the existing and projected housing needs of all economic segments of their community.

State Housing Element law focuses on both the production and geographic distribution of new housing units and requires that each municipality strive to meet their "fair share" of the regional need for low- and moderate-income housing. To create a Housing Element showing it can meet the local housing needs, a jurisdiction must first know how much housing it must plan for and estimate how much will be needed at a variety of affordability levels in order to match the needs of the people who will live there. This process begins with the State determining the total number of new homes needed in the nine-county Bay Area and how affordable those homes need to be based on Area Median Income, which is established on an annual basis by county. For reference, in 2025, the Area Median Income for Contra Costa County was \$159,800 for a 4-person household.

The Association of Bay Area Governments (ABAG) then develops a methodology to distribute a share of the region's housing need to each city/town and county in the region. This need allocation is called the Regional Housing Needs Allocation (RHNA). Each local government must then update its Housing Element to show the locations where housing can be built and the policies and strategies necessary to meet the community's housing needs, including identifying sites that are zoned with enough capacity to meet the RHNA allocation. The process is complete once the State reviews and certifies local Housing Elements. Local jurisdictions are then obligated to report on progress of Housing Element implementation annually.

The City of Pinole 2023-2031 Housing Element was adopted on April 4, 2023 and certified by HCD June 6, 2023. The Housing Element covers the years 2023 through 2031 and includes information about how the City has planned for a RHNA of 500 units of various income levels during the eight-year period. The Element focuses on the City's ability to accommodate projected housing needs, provide housing opportunities to meet the needs of all income levels and special needs, remove governmental constraints, maintain the housing stock, affirmatively further fair housing, and increase housing education and outreach.

REVIEW AND ANALYSIS

The City of Pinole Annual General Plan Housing Element Progress Report for 2025 is included as Attachment 1. The report includes statistics about annual building activity for affordable housing projects, annual building activity for rehabilitated housing units, updated information about the City's RHNA progress, and implementation status of the programs included in the adopted Housing Element.

Housing Activity in 2025

Accessory dwelling units (ADUs) continued to contribute to new building permits in 2025, with permits issued for the construction of ten units. This is comparable to the nine ADUs/JADUs permitted in 2024. Housing Element Program No. 4 requires the City to track and monitor ADU production to ensure annual output meets the RHNA projection of at least three ADUs per year, with a target of five per year, as well as to assess the geographic distribution of ADUs across neighborhoods. Of the ADUs permitted in 2025, five were located on the east side of Pinole and five on the west side (see Figure 1).

In total, 42 units were issued building permits in 2025—significantly higher than the nine units permitted in 2024. Much of this increase (31 units) was driven by permits for five buildings within the Appian Village condominium and townhome project at 2151 Appian Way. Additional permits are expected as the applicant submits materials for the remaining buildout of the 154-unit project.

Two major development projects were completed in 2025 and issued certificates of occupancy: Vista Woods Senior Apartments (179 units) and Valor Village (33 units). One SB9 unit permit was also approved. Other multifamily housing projects with entitlements are in various stages of obtaining construction permits. Table 1 provides a summary of these projects.

The City anticipates continued progress toward RHNA goals in 2026 and beyond as entitled projects receive building permits and move toward completion (see Table 2).

Table 1 – Summary of Housing Permit Issuance Activity in 2025

Location	Housing Type	Number of New Units	Current Status in 2025		
			Planning Permit Approved	Building Permit Issued	Construction Completed, Occupancy Granted
3340 Silver Ct	ADU/JADU	1		•	
1508 San Pablo Ave	ADU/JADU	1		•	
1041 Tara Hills Dr	ADU/JADU	1		•	
1381 Hazel St	ADU/JADU	1		•	
3757 Victor St	ADU/JADU	1		•	
7 Doolin Ct	ADU/JADU	1		•	
2707 Carmen Ct	ADU/JADU	1		•	
2326 Estrella Ct	ADU/JADU	1		•	
3835 Victor St	ADU/JADU	1		•	
715 2 nd Ave	ADU/JADU	1		•	
2151 Appian Way, Bldg 1	Multifamily	8		•	
2151 Appian Way, Bldg 2	Multifamily	8		•	
2151 Appian Way, Bldg 7	Multifamily	5		•	
2151	Multifamily	5		•	

Appian Way, Bldg 10					
2151 Appian Way, Bldg 19	Multifamily	5		•	
2321 Monte Verde Dr	Single Family, SB9	1		•	
TOTAL		42			

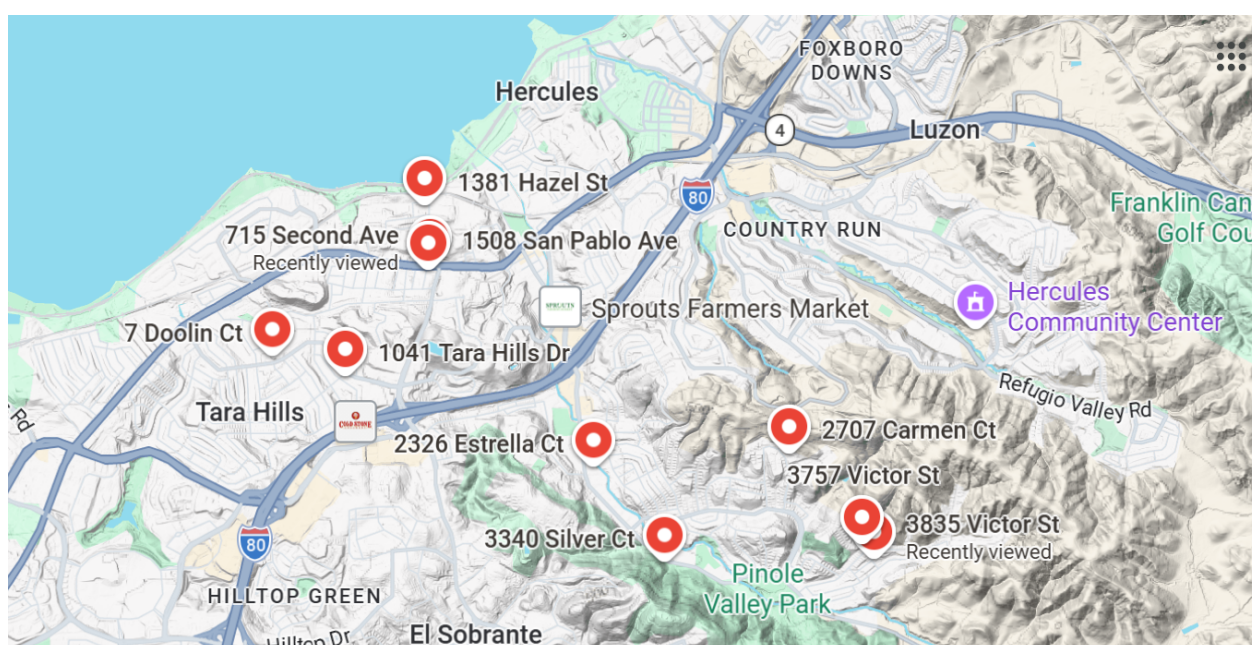


Figure 1: Geographic distribution of ADUs permitted in 2025

Housing Rehabilitation

In 2025, the City issued 476 residential permits for residential rehabilitation and improvements, which include roofing projects, water heater replacements, heat pumps, HVAC, furnace replacements, plumbing, electrical work, solar projects, window/patio door replacement projects, decks/patio covers, foundation work, and home remodel/addition projects. To further support electrification and weatherization, the City is expanding its instant online permitting system—currently used for solar—to include EV chargers, heat pumps, HVAC, and other common projects. This effort, funded through grants from MCE and the California Energy Commission, will also offer no-cost permits for heat pump installations and local rebates, complementing a new virtual all-electric resource center.

Pipeline Projects

In 2025, progress continues on five large development projects, which are various stages of permitting and are expected to produce an approximate 618 additional units over the next

several years (see Table 2). There is an affordability component to each of these “pipeline” projects, either due to the nature of the project as a 100% affordable development, or the project’s compliance with the City’s inclusionary housing requirement.

Table 2 – Major Development Projects in “Pipeline”

Pipeline Projects	Stage	Affordability				Total
		Very Low	Low	Moderate	Above Mod.	
811 San Pablo (SAHA Veteran’s Apartments)	Complete. Certificate of Occupancy Issued	28	5	0	0	33
600 Roble (Vista Woods Senior Apartments)	Complete. Certificate of Occupancy Issued	7	135	37	0	179
2151 Appian (Appian Village Condominiums)	Under Construction (partial); permit review required for remaining project	0	8	23	123	154
2801 Pinole Valley (Apartments)	Grading Permit Under Review	2	2	0	25	29
1500 Fitzgerald (Apartments)	Entitled October 2022, extended August 2024	13	14	0	196	223
TOTAL Estimate Pipeline Units		50	164	60	344	618

Housing Program Implementation

Table D in the attached Annual Progress Report highlights the City's ongoing efforts to facilitate housing production, streamline permitting, and support affordable housing initiatives.

Some key achievements include continued progress under Program 4 (Facilitate ADU Production). The City has exceeded its annual target of three to five ADUs per year, issuing eight ADU permits and two JADU permits in 2025. An updated ADU ordinance was adopted in March 2025, which included establishment of an ADU Amnesty Program.

The City also launched the Pinole ADU Concierge — a dedicated webpage that consolidates ADU/JADU development standards, permit requirements, and related programs in one location (<https://www.pinole.gov/accessory-dwelling-units-adus/>). In addition, an ADU Fast Track program was developed to provide shorter review timelines and priority processing for applications that meet established criteria. Work is also underway on analyzing ADU geographic distribution, with GIS mapping initiated in 2025.

Major program tasks in Program 5 (SB 9 Technical Assistance and Facilitation) were completed. The program’s goal includes adopting zoning amendments and objective design standards by Q2 2025, making a lot split application available by Q1 2024, and facilitating 10 SB 9 applications over the 8-year planning period. Zoning code amendments were adopted in

March 2025, which included SB 9 unit development and urban lot split standards, permit processes, and objective design standards for single family residential zoning districts (applicable to SB 9 unit development projects). The SB 9 Lot Split single-family application has been incorporated into the City's online permitting and licensing system. To date, the City has approved six SB 9 applications.

Efforts to support mixed-use and affordable housing development have also advanced. In Program 6 (Incentives for Mixed-Use Developments), zoning amendments for park fee waivers and parking reductions were adopted, and CEQA clearance is under review. While no major mixed-use projects were received in 2025, the City remains prepared to facilitate entitlements.

In Program 7 (Development of the Housing Successor's Low and Moderate Income Housing Asset Fund Policy), the 15% inclusionary unit requirement has been maintained, and the housing fund policy guide, in-lieu fee alternative, and funding sources are in progress with assistance from the City's new Housing Fellow. The Housing Fellow and the Northern California Land Trust have planned a series of community workshops for March 2026 to engage residents in discussions about housing preservation, production, and protection, and to support the development of a policy guide. Under Program 8 (Affordable Housing Incentives), a priority and expedited review process to cut review times has been prepared, and zoning amendments including a park fee waiver were adopted in March 2025.

The City has also made significant progress on zoning amendments and permit streamlining initiatives. Zoning code amendments identified under Program 12 (Zoning Amendments) were adopted, addressing emergency shelters, low-barrier navigation centers, manufactured homes, SB 9 implementation, group homes and residential care facilities, updated definitions, density bonus provisions, and parking reductions. Under Program 13 (SB 330 Objective Design Standards and SB 35 Streamlining Compliance), objective design standards have been drafted, with adoption anticipated in 2026. For Program 14 (Fee Evaluation and Publicization), the comprehensive fee review was completed and an updated fee schedule adopted, with ongoing evaluations planned through 2029. Under Program 15 (Permit Streamlining), zoning amendments to streamline review for lot consolidations and density bonus projects were adopted in March 2025, further improving processing efficiency.

The City remains committed to housing rehabilitation through multiple initiatives. Under Program 16 (Rehabilitation Assistance), the City continues to provide information about available resources, including the Pinole Energy Enhancement Rebate Program (PEER), which processed 39 applications as of September 2025. With support from the Housing Fellow, the City is pursuing local, state, and federal funding opportunities to reinstate a local rehabilitation assistance program. In 2025, the Housing Fellow secured a technical assistance grant to develop a social impact bond ordinance and program aimed at acquiring and rehabilitating homes for affordable housing. Efforts also include reinstating the City's Rehabilitation Assistance Program to improve housing conditions. A redesign and relaunch of the rental inspection program is underway to provide comprehensive monitoring of rental properties, ensure compliance with health and safety standards, and establish a transparent system for identifying at-risk units. Additionally, the City received an AARP microgrant to launch the Pinole Accessible Living Program, delivering eight workshops in 2025 focused on

home accessibility and universal design for seniors and persons with disabilities.

Three interns (two housing policy interns and one GIS intern) worked for the City in 2025 and helped advance various aspects of the Housing Element, including preparation of outreach materials aimed at developers and property owners to highlight development opportunities (Program 2), GIS mapping for initial review of ADU distribution (Program 4), and ADU outreach and information distribution (Program 23).

FISCAL IMPACT

There is no fiscal impact from receiving the annual report. Individual programs and projects designed to implement the Housing Element goals and objectives are funded through individual programs and project accounts in the City's budget and Capital Improvement Plan.

ATTACHMENTS

A. 2026 Annual Progress Report

SUMMARY

Data is auto-populated based on data entered in Tables A, A2, C, and D

Jurisdiction	Pinole
Reporting Year	2025 (Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle 01/31/2023 - 01/31/2031

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Acutely Low	Deed Restricted	0
	Non-Deed Restricted	0
Extremely Low	Deed Restricted	0
	Non-Deed Restricted	0
Very Low	Deed Restricted	0
	Non-Deed Restricted	3
Low	Deed Restricted	2
	Non-Deed Restricted	3
Moderate	Deed Restricted	4
	Non-Deed Restricted	3
Above Moderate		27
Total Units		42

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	2	1	0
2 to 4 units per structure	0	0	0
5+ units per structure	0	31	212
Accessory Dwelling Unit	9	9	2
Mobile/Manufactured Home	0	0	0
Total	11	41	214

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	16	41
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	10
Number of Proposed Units in All Applications Received:	10
Total Housing Units Approved:	10
Total Housing Units Disapproved:	0

Use of SB 423 Streamlining Provisions - Applications	
Number of SB 423 Streamlining Applications	0
Number of SB 423 Streamlining Applications Approved	0

Units Constructed - SB 423 Streamlining Permits			
Income	Rental	Ownership	Total
Acutely Low	0	0	0
Extremely Low	0	0	0
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	1	1
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 423 (2023)	0	0

Ministerial and Discretionary Applications	# of	Units
Ministerial	10	10
Discretionary	0	0

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	39
Sites Rezoned to Accommodate the RHNA	0

Cells in grey contain auto-calculation formulas

Jurisdiction	Pinole	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes												
1					2	3	4					5								6
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted (see instructions)	Acutely Low-Income Deed Restricted	Acutely Low-Income Non Deed Restricted	Extremely Low-Income Deed Restricted	Extremely Low-Income Non Deed Restricted	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	
Summary Row: Start Data Entry Below								0	0	0	0	0	3	0	3	0	3	1	10	
	360332007		3340 SILVER CT	BP23-0021	ADU	O	7/25/2025										1		1	
	402030013	3340 SILVER CT	1508 SAN PABLO AVE	BP23-0226	ADU	O	2/13/2025										1		1	
	403293007	1508 SAN PABLO AVE	1041 TARA HILLS DR	BP23-0297	ADU	O	3/6/2025										1		1	
	402012014	1041 TARA HILLS DR	1381 HAZEL ST	BP23-0323	ADU	O	6/26/2024											1	1	
	360382029	1381 HAZEL ST	3757 VICTOR ST	BP24-0221	ADU	O	1/9/2025								1				1	
	360382029	3757 VICTOR ST	7 DOOLIN CT	BP24-0252	ADU	O	4/4/2025								1				1	
	360681005	7 DOOLIN CT	2707 CARMEN CT	BP24-0306	ADU	O	4/22/2025								1				1	
	360031036	2707 CARMEN CT	2326 ESTRELLA CT	BP25-0136	ADU	O	9/25/2025						1						1	
	360193002	2326 ESTRELLA CT	3835 VICTOR ST	BP25-0162	ADU	O	12/1/2025						1						1	
	402040003	3835 VICTOR ST	715 2ND AVE	BP25-0104	ADU	O	9/8/2025						1						1	
	430260013	715 2ND AVE	209 N RANCHO PL	SBN25-0001	SFD	O	10/1/2025											1	1	
		209 N RANCHO PL																	0	
																			0	

Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Historic Sites	Density Bonus Law Applications		Application Status	Project Type	Notes
7	8	9	10	11		12	13	14
Total <u>APPROVED</u> Units by project	Total <u>DISAPPROVE</u> <u>D</u> Units by Project	Please select state streamlining provision/s the application was submitted pursuant to.	Is this project located on a site with an associated historical designation as outlined in Government Code Section 65400(a)(2)(N) and reported on Table L 2	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions requested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Is the project considered a ministerial project or discretionary project?	Notes*
10	0							
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	
1		NONE	No	No	N/A	Approved	Ministerial	

Jurisdiction	Pinole
Reporting Year	2025 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier				Unit Types		Affordability by Household Incomes - Completed Entitlement														Affordal			
1				2		4														6			
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Rentor O=Owner	Acutely Low-Income Deed Restricted	Acutely Low-Income Non Deed Restricted	Extremely Low-Income Deed Restricted	Extremely Low-Income Non Deed Restricted	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units Issued Entitlements	Acutely Low-Income Deed Restricted	Acutely Low-Income Non Deed Restricted	Extremely Low-Income Deed Restricted	Extremely Low-Income Non Deed Restricted
Summary Row: Start Data Entry Below							0	0	0	0	0	3	0	3	0	3	2		11	0	0	0	0
	360332007	3340 SILVER CT	3340 SILVER CT ADU	BP23-0021	ADU	O										1		7/25/2025	1				
	402030013	1508 SAN PABLO AVE	1508 SAN PABLO AVE ADU	BP23-0226	ADU	O										1		2/13/2025	1				
	403293007	1041 TARA HILLS DR	1041 TARA HILLS DR ADU	BP23-0297	ADU	O										1		3/6/2025	1				
	402012014	1381 HAZEL ST	1381 HAZEL ST ADU	BP23-0323	ADU	O											1	6/26/2024	1				
	360382029	3757 VICTOR ST	3757 VICTOR ST ADU	BP24-0221	ADU	O								1				1/9/2025	1				
	360382029	7 DOOLIN CT	7 DOOLIN CT ADU	BP24-0252	ADU	O								1				4/4/2025	1				
	360681005	2707 CARMEN CT	2707 CARMEN CT ADU	BP24-0306	ADU	O								1				4/22/2025	1				
	360031036	2326 ESTRELLA CT	2326 ESTRELLA CT ADU	BP25-0136	ADU	O						1						9/25/2025	1				
	360193002	3835 VICTOR ST	3835 VICTOR ST JADU	BP25-0162	ADU	O						1						12/1/2025	1				
	402040003	715 2ND AVE	715 2ND AVE JADU	BP25-0104	ADU	O						1						9/8/2025	1				
401240017	401500001	2151 APPIAN WAY	APPIAN VILLAGE BLDG 1, UNIT 1-9	BP23-0179	5+	O									1		7	4/1/2022	8				
401240017	401500002	2151 APPIAN WAY	APPIAN VILLAGE BLDG 2, UNIT 9-16	BP23-0181	5+	O							1			1	6	4/1/2022	8				
401240017	401500005	2151 APPIAN WAY	APPIAN VILLAGE BLDG 7, UNIT 55-59	BP23-0183	5+	O									1		4	4/1/2022	5				
401240017	401500008	2151 APPIAN WAY	APPIAN VILLAGE BLDG 10, UNIT 70-74	BP23-0187	5+	O									1		4	4/1/2022	5				
401240017	401500015	2151 APPIAN WAY	APPIAN VILLAGE BLDG 19, UNIT 117-121	BP23-0196	5+	O							1				4	4/1/2022	5				
	360460026	2321 MONTE VERDE DR	2321 MONTE VERDE DR SB9 UNIT	BP24-0123	SFD	O											1	10/11/2023	1				

Jurisdiction	Pinole	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/01/2023 - 01/01/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

	402060019	NOB HILL AVE	NOB HILL AVE SB9 UNIT	MSC24-0017	SFD	O										1	1/16/2025	1				
	430260013	209 N Rancho PL	209 N Rancho PL SB9	SBN25-0001	SFD	O										1	10/1/2025	1				
	403361068	1090 Amend St	1090 Amend St ADU	BP23-0039	ADU	O												0				
	360031033	2309 Estrella Ct	2309 Estrella Ct ADU	BP23-0057	ADU	O												0				
	403264013	941 Mariesta Rd	941 Mariesta Rd ADU	BP23-0265	ADU	O												0				
	360351015	3361 Diablo Cir	3361 Diablo Cir ADU	BP23-0294	ADU	O												0				
	360100003	4001 Pinole Valley Rd	4001 Pinole Valley Rd ADU	BP23-0379	ADU	O												0				
	402-023-002, 402-023-003, 402-023-007	600 Roble Ave	Vista Woods	BP21-0187	5+	R				7		135		37			9/27/2021	179				
	402-166-030	811 San Pablo Ave	Valor Village (SAHA Project)	BP22-0304	5+	R				26		7					6/28/2021	33				
	403361010	961 Barkley Ct	961 Barkley Ct ADU	BP22-0272	ADU	O												0				

Note: "*" indicates an optional field

Cells in grey contain auto-calculation formulas

bility by Household Incomes - Building Permits									Affordability by Household Incomes - Certificates of Occupancy												Streamlining	Historic Sites	
7							8	9	10										11	12	13	14	
Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits <u>Date Issued</u>	# of Units Issued Building Permits	Acutely Low Income Deed Restricted	Acutely Low-Income Non Deed Restricted	Extremely Low-Income Deed Restricted	Extremely Low-Income Non Deed Restricted	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	Please select the state streamlining provision the project was APPROVED pursuant to. (may select multiple)	Is this project located on a site with an associated historical designation as outlined in Government Code Section 65400(a)(2)(N) and reported on Table L?
0	3	2	3	4	3	27		41	0	0	0	0	33	0	142	1	37	0	1		214		
					1		10/9/2025	1													0	NONE	No
					1		2/13/2025	1													0	NONE	No
					1		3/24/2025	1													0	NONE	No
						1	12/22/2025	0													0	NONE	No
			1				1/15/2025	1													0	NONE	No
			1				4/7/2025	1													0	NONE	No
			1				5/5/2025	1								1				10/20/2025	1	NONE	No
	1						9/30/2025	1													0	NONE	No
	1						12/9/2025	1													0	NONE	No
	1						9/8/2025	1													0	NONE	No
				1		7	8/14/2025	8													0	NONE	No
		1		1		6	8/14/2025	8													0	NONE	No
				1		4	7/31/2025	5													0	NONE	No
				1		4	7/31/2025	5													0	NONE	No
		1				4	7/31/2025	5													0	NONE	No
						1	10/9/2025	1													0	SB 9 (2021) - Duplex in SF Zone	No

Cells in grey contain auto-calculation formulas

Page 105 of 442

Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus				Notes
15	16	17	18	19	20			21	22	23	24	25
Infill Units? Y/N*	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)	Notes*
					0							
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y			10 ADUs/JADUs permitted in 2025. Assumption for 3 very low, 3 low, 3, moderate, 1 above moder based on ABAG ADU Affordability Survey Findings and Recommendations - 30/30/30/10 split - Jan. 28, 2026									
Y		INC		45								
Y		INC		45								
Y		INC		45								
Y		INC		45								
Y		INC		45								
Y												

Jurisdiction	Pinole	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1	Projection Period	2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2022-01/30/2023	2023	2024	2025	2026	2027	2028	2029	2030	2031	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Acutely Low	Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Extremely Low	Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Very Low	Deed Restricted	121	-	26	-	-	-	-	-	-	-	-	-	
	Non-Deed Restricted		-	-	-	3	-	-	-	-	-	-	-	29
Low	Deed Restricted	69	-	7	-	2	-	-	-	-	-	-	-	
	Non-Deed Restricted		-	-	-	3	-	-	-	-	-	-	-	12
Moderate	Deed Restricted	87	-	1	-	4	-	-	-	-	-	-	-	
	Non-Deed Restricted		-	-	-	3	-	-	-	-	-	-	-	8
Above Moderate		223	3	13	9	27	-	-	-	-	-	-	-	
Total RHNA		500												
Total Units			3	47	9	42	-	-	-	-	-	-	101	399

*For years prior to 2025, Acutely Low-Income units are reported within the Extremely Low-Income category

*For jurisdictions that received RHNA determinations for the current cycle prior to the passage of AB 3093 (September 19, 2024):

- You were not allocated Acutely Low-Income and Extremely Low-Income RHNA targets, therefore the allocations in Field 1 are listed as "0"
- If you wish to set your own targets in these income categories for informational purposes, contact HCD staff at apr@hcd.ca.gov.
- All Acutely Low-Income and Extremely Low-Income units reported during the cycle are counted towards Very-Low Income RHNA progress

*For years prior to 2025, data on deed-restricted vs. non-deed restricted Extremely Low-Income units is approximated from whether the projects reported any deed-restricted Very Low-Income Units. If you wish to edit this historical data for accuracy or have any questions about the data, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Jurisdiction	Pinole	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table C																	
Sites Identified or Rezoned to Accommodate Shortfall Housing Need and No Net-Loss Law																	
Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Rezone Type	Sites Description							
1				2	3				4	5	6	7	8		9	10	11
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below																	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction	Pinole				
Reporting Year	2025	(Jan. 1 - Dec. 31)			
Table D					
Program Implementation Status pursuant to GC Section 65583					
Housing Programs Progress Report					
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.					
1	2	3	4	5	6
Name of Program	Objective	Projected Completion Date in Housing Element	Applicable Cycle	Status of Program Implementation	Program Implementation Details
Provision of Adequate Sites and Site Inventory Monitoring (Program 1)	Quantified Objective: Provide adequate sites to accommodate the City's entire RHNA allocation of 500 units, including the 83 units not met with pending projects or projected ADUs. No net loss of capacity below the RHNA requirement during the planning period.	9/30/2027	6th Cycle	Continuous	In 2025, adequate sites remain available to accommodate the RHNA allocation of 500 units. No change resulting in net loss of capacity below RHNA requirement. Annual review of surplus parcels conducted. Additional opportunities sites available, but no change resulting from loss of capacity requiring additional sites has occurred.
Publicize and Promote Residential Sites Inventory (Program 2)	Quantified Objective 1: Maintain accurate and publicly available residential site inventory throughout the planning period.	10/3/2023	6th Cycle	Completed	Site inventory posted on the City website within 6 months of Housing Element adoption.
Publicize and Promote Residential Sites Inventory (Program 2)	Quantified Objective 2:Outreach with 100 percent of RHNA site owners twice during the planning period.	12/31/2031	6th Cycle	In Progress	Discussions held with some RHNA site owners and affordable housing developers; outreach will continue in 2026. Outreach materials were prepared by the Housing Policy Intern and will be sent to RHNA site owners. Materials contain zoning information, staff contacts, and an invitation to reach out for discussion. Materials will be sent in 2026.
Outreach to Developers and Technical Assistance to Applicants (Program 3)	Quantified Objective 1: Technical assistance to all affordable housing applicants.	12/31/2031	6th Cycle	Continuous	Pre-application planning meetings continue to be available by request. Staff met with and provided zoning and development process information to parties interested in development, including sharing information on City development standards, housing incentives, technical considerations, and application processing. However, no major residential development project applications were received in 2025. A developer interest list was created within 6 months of Housing Element adoption.
Outreach to Developers and Technical Assistance to Applicants (Program 3)	Quantified Objective 2: Make the comprehensive coordinated review with all city departments standard operating procedure for all residential developments.	12/31/2031	6th Cycle	Continuous	Initial comprehensive coordinated review procedures were formulated. However, no major residential development project applications were received in 2025.
Outreach to Developers and Technical Assistance to Applicants (Program 3)	Qunatified Objective 3: Annual review of available funding sources and contact to other agencies and developers.	12/31/2031	6th Cycle	In Progress	Outreach to developers and public agencies will continue into 2025. Annual review of fundings sources were evaluated. Annual outreach to faith-based organizations was completed.

Facilitate ADU Production (Program 4)	Quantified Objective: Increased production of ADUs from 3 to 5 per year.	4/4/2025	6th Cycle	Continuous	10 building permits were issued for ADUs in 2025. Zoning ordinance amendments for ADU updates were completed in March 2025. The ADU Amnesty Program was adopted in March 2025. Additionally, a fee waiver/reduction is offered to owners who designate ADUs in the ADU Amnesty Program to be affordable to low or moderate income households. The ADU Fast Track program was finalized and implemented around August 2025. Mapping of ADU geographic distribution has started and is being further expanded in 2026.
SB 9 Technical Assistance and Facilitation (Program 5)	Quantified Objective: Facilitation of 10 SB 9 applications.	6/30/2025	6th Cycle	In Progress	Zoning ordinance amendments for SB9 were adopted in March 2025. The lot split form was created then incorporated into the online permitting system. In 2025, two SB9 applications were approved (one lot split, one unit development). In total, six SB 9 applications were approved during the planning period.
Incentives for Mixed-Use Developments (Program 6)	Quantified Objective 1: Amended zoning ordinance with adopted incentives.	4/4/2029	6th Cycle	Completed	Zoning ordinance amendments for incentives were adopted in March 2025. Amendments included park impact fee waivers on affordable units beyond the minimum required. Staff had begun review of environmental documents.
Incentives for Mixed-Use Developments (Program 6)	Quantified Objective 2: Entitlement of three mixed-use projects using one or more of the available incentives.	12/31/2031	6th Cycle	In Progress	No mixed-use project applications were received in 2025.
Development of Housing Successor's Low and Moderate Income Housing Asset Fund Policy (Program 7)	Quantified Objective 1: Create a housing fund policy guide, create in-lieu fee alternative and funding source.	4/4/2026	6th Cycle	In Progress	In Fall 2025, a community survey on housing issues in Pinole was developed and distributed. In addition, the Housing Fellow and the Northern California Land Trust have planned a series of community workshops for March 2026. These workshops aim to engage residents in discussions about housing preservation, production, and protection, and to support the development of a policy guide. A draft in-lieu fee structure has been prepared. Individual meetings and focus groups with developers will begin in the spring to gather feedback on the proposed fee. After incorporating community input, the draft policy guide will be presented to the City Council for review.
Development of Housing Successor's Low and Moderate Income Housing Asset Fund Policy (Program 7)	Quantified Objective 2: For applicable development projects, maintain a minimum requirement of 15 percent inclusionary units, and of those 40 percent of units affordable to very low income households.	12/31/2031	6th Cycle	Completed	The minimum 15% inclusionary unit requirements has been maintained in the zoning code.
Affordable Housing Incentives (Program 8)	Quantified Objective: Adoption of priority review process.	4/4/2025	6th Cycle	Completed	Priority and expedited review processes were prepared, however no new projects with affordable units were received in 2025. Zoning code amendments to the affordable housing chapter, including the updates to review bodies and park fee waiver, were adopted in March 2025.
Affordable Housing Incentives (Program 8)	Quantified Objective 2: Completion of initial review of affordable housing developments within prescribed timeline. Expedited review of projects to take 50% less time than the normal City review process.	12/31/2031	6th Cycle	Continuous	No new projects with affordable units were received in 2025.

Housing for Extremely Low, Very Low, Low, and Moderate Income Households and Special Needs Households, Including Persons with Disabilities (Program 9)	Quantified Objective 1: Annual contact of developers.	12/31/2031	6th Cycle	In Progress	The City supported two paid Housing Policy Interns in the summer of 2025. One intern focused on developing outreach collateral to RHNA site owners and affordable housing developers, managed and tracked the Developer Interest List, promoted the City's Affordable Housing Incentives Program, researched best practices for permitting incentives to inform policy development, and collaborated with faith-based and nonprofit organizations to identify development opportunities. The second intern promoted the City's ADU programs—including the ADU Amnesty Program, Fast Track Program, and proposed fee waivers—developed homeowner outreach materials using tools like Canva, conducted neighborhood-level outreach to raise awareness of ADU incentives, tracked ADU development trends to support citywide data analysis, and assisted with internal reporting by preparing summaries of findings and future recommendations.
Housing for Extremely Low, Very Low, Low, and Moderate Income Households and Special Needs Households, Including Persons with Disabilities (Program 9)	Quantified Objective 2: Assist 25 lower income or special needs households with the fee waiver program.	12/31/2031	6th Cycle	In Progress	The City received an AARP microgrant to establish an educational workshop series focused on the elderly and persons with disabilities, to support home accessibility and universal design. The Pinole Accessible Living Program offered eight workshops that covered practical guidance, expert advice, and hands-on tips to support home upgrades that promote long-term independence. Recordings from the workshops are hosted on the City's website and will be promoted on the City's community television programming channel. The City is still seeking funding that would support a fee-waiver program for universal design. Beginning in FY 25/26, the City contracted with Contra Costa Health Services' Health, Housing, and Homeless Services Division to provide Coordinated Outreach Referral and Engagement (CORE) services. CORE's mission is to engage and stabilize individuals experiencing homelessness through consistent outreach, connecting them to health and basic needs services, and facilitating permanent housing solutions. Funding for this program will be supported by Housing Asset funds.
Housing for Extremely Low, Very Low, Low, and Moderate Income Households and Special Needs Households, Including Persons with Disabilities (Program 9)	Quantified Objective 3: Use of one or more incentives for lower income and/or households with persons with disability housing development in one project throughout the planning period.	12/31/2031	6th Cycle	In Progress	Zoning code amendments for reduced parking standards, reduced senior parking requirements, and park fee waivers were adopted in March 2025. No new applications were received in 2025.

Senior Housing Incentives (Program 10)	Quantified Objective 1: Use of one or more incentives for senior housing development in one project throughout the planning period.	12/31/2031	6th Cycle	In Progress	No senior housing development applications were received in 2025. Incentives that have been developed and completed include reducing parking requirements through zoning code amendments were adopted in March 2025. Incentives in progress include permit fee waivers and enhanced rebates. The City used an AARP microgrant to launch the Pinole Accessible Living Program, offering eight workshops on home accessibility and universal design for seniors and persons with disabilities. While educational resources are available online and through community TV, the City is actively seeking funding to establish a no-permit fee program that incentivizes universal design upgrades. The City was awarded a California Energy Commission (CEC) Decarbonization Grant, and a portion of the funds is being used to continue the Pinole Energy Enhancement Program (PEER), which provides substantial local rebates for home energy efficiency and weatherization projects.
Home Sharing and Tenant Matching (Program 11)	Quantified Objective: 10 tenant matches completed throughout the planning period.	4/4/2026	6th Cycle	In Progress	The City entered into a five-year contract with Front Porch's Home Match program, and will be kicking off the Pinole Match program in the spring of 2026.
Zoning Amendments (Program 12)	Quantified Objective: Not Applicable [Adopt Zoning Code Amendments]	4/4/2025	6th Cycle	Completed	Zoning code amendments for emergency shelters, low barrier navigation centers, manufactured homes, SB 9, group homes and residential care facilities, definitions, density bonus, and parking reduction were adopted in March 2025
SB 330 Objective Design Standards and SB 35 Streamlining Compliance (Program 13)	Quantified Objective 1: Adopted zoning amendments.	4/4/2025	6th Cycle	In Progress	Objective design standards have been drafted, with expected adoption in 2026.
SB 330 Objective Design Standards and SB 35 Streamlining Compliance (Program 13)	Quantified Objective 2: Faster permit turnaround time.	12/31/2031	6th Cycle	In Progress	No SB 35 applications were received in 2025. Information on SB 35 will be added on the City's website. If received, SB 35 applications will have streamlined processing and review consistent with State requirements.
Fee Evaluation and Publicization (Program 14)	Quantified Objective: Reviewed and amended fee schedule as appropriate.	4/4/2024	6th Cycle	Completed	Completed review of fees and updated the fee schedule.
Permit Streamlining (Program 15)	Quantified Objective: Amended zoning ordinance.	4/4/2025	6th Cycle	Completed	The online permitting system has been implemented. Zoning ordinance amendments to streamline review of density bonus and lot consolidation were adopted in March 2025. Priority processing procedures for projects providing affordable units beyond minimum requirements and density bonus projects has been prepared.

2023-2031 H.E.: Rehabilitation Assistance (Program 16)	Quantified Objective 1: Provide information about County and other rehabilitation programs to 40 households, landlords, or developers annually.	12/31/2031	6th Cycle	Continuous	City staff continues to assist homeowners and provide information at City Hall on rehabilitation assistance resources, including energy efficient rebate programs. Information on energy efficiency upgrade programs is published in The Pulse newsletters. Energy efficient program handouts and information on how to get building permits has been provided at outreach events and workshops. The City hosted workshops at the Senior Center providing information to seniors on topics such as accessibility upgrades to homes and selecting contractors. In 2025, the City assisted an income-restricted senior homeowner in Pinole whose home required significant repairs by connecting them with the County's Neighborhood Preservation Program (NPP). The PEER program, a collaboration with the County, continued into its second year, with 48 applications received/ 39 permits issued since the start of the program. The City continues to explore funding availability through local, state, and federal programs.
2023-2031 H.E.: Rehabilitation Assistance (Program 16)	Quantified Objective 2: Rehabilitation of 20 units throughout the planning period, 5 extremely low, 5 very low, 5 low, and 5 moderate.	12/31/2031	6th Cycle	Continuous	In 2025, the City issued 476 residential permits for residential rehabilitation and improvements, which include roofing projects, water heater replacements, heat pumps, HVAC, furnace replacements, plumbing, electrical work, solar projects, window/patio door replacement projects, decks/patio covers, foundation work, and home remodel/addition projects. The Pinole Energy Enhancement Rebate Program (PEER), a collaboration with the County, continued in 2025, with 39 permits issued. The City continues to explore funding availability through local, state, and federal programs.
2023-2031 H.E.: Acquisition/ Rehabilitation of Properties (Program 17)	Quantified Objective 1: Provide information about County and other rehabilitation programs to 40 households annually.	12/31/2031	6th Cycle	Continuous	The Housing Fellow secured a technical assistance grant from the Bay Area Housing Finance Authority (BAHFA) to hire bond counsel for developing the social impact bond ordinance and program. The team is currently engaging banks to participate in the project, while initial work to score homes for program prioritization is underway in partnership with the Richmond Community Foundation. The City, in partnership with the PBF Housing Fellow, is redesigning and relaunching the rental inspection program to provide comprehensive monitoring of rental properties, ensure compliance with health and safety standards, and create a transparent system for identifying at-risk units. Software has been procured, staffing to support the program has been identified, and appropriate fees to sustain the program are being developed. Program is expected to launch in spring 2026.

2023-2031 H.E.: Acquisition/ Rehabilitation of Properties (Program 17)	Quantified Objective 2: Development of 50 units, including the 33-unit SAHA project, during the planning period.	12/31/2031	6th Cycle	In Progress	The 33-unit SAHA development (Valor Village) was completed and occupied in 2025. The City continues to maintain partnership with nonprofit organizations to pursue rehabilitation. The City and PBF Housing Fellow are working on a municipal Social Impact Bond program to rehabilitate abandoned properties, create affordable housing, and foster economic equity by involving BIPOC contractors. Work also includes reinstating the City's Rehabilitation Assistance Program to improve housing conditions.
2023-2031 H.E.: Housing Preservation/Below Market Rate Regulations and Conversions (Program 18)	Quantified Objective 1: Contact of property owners and affordable housing developers/providers at least twice throughout the planning period to pursue preservation or extension of at-risk units that are set to expire in the next 10 years.	12/31/2031	6th Cycle	In Progress	The City is working with ECHO Housing on a contract to provide fair housing services to the community on an annual basis. After the housing fund policy guide is completed, in 2027 staff will contact property owners and affordable housing developers/providers to pursue preservation or extension of at-risk units that are set to expire in the next 10 years, utilizing Housing Successor funds.
2023-2031 H.E.: Housing Preservation/Below Market Rate Regulations and Conversions (Program 18)	Quantified Objective 2: Ensure that 100% of housing for low- and moderate-income units assisted or constructed by the former Redevelopment Agency remains in compliance with rental and resale restrictions.	12/31/2031	6th Cycle	Continuous	Compliance monitoring is ongoing.
2023-2031 H.E.: Housing Preservation/Below Market Rate Regulations and Conversions (Program 18)	Quantified Objective 3: Annual compliance monitoring of all affordable units (anticipated over 400).	12/31/2031	6th Cycle	Continuous	Compliance monitoring is ongoing.
2023-2031 H.E.: Place-Based Improvements (Program 19)	Quantified Objective 1: Completed Capital Improvement Projects	12/31/2031	6th Cycle	In Progress	The City continues a partnership with BayREN on rebate programs for energy efficiency upgrades. Various capital improvement projects are overseen by the Public Works Department, in conjunction with other departments, and are under review/in progress. There has been substantial work or completion of projects regarding safety improvements at Appian Way and Marlesta Road, the Park Master Plan, improvements at Fernandez Park, and obtaining grant writing professional services.
2023-2031 H.E.: Place-Based Improvements (Program 19)	Quantified Objective 2: Adopted Environmental Justice Element	12/31/2023	6th Cycle	Completed	The environmental justice element was reviewed by Planning Commission in 2025 and adopted by City Council in 2026.
2023-2031 H.E.: Fair Housing Resources and Services (Program 20)	Quantified Objective 1: Provide annual workshops or information fairs with the County fair housing provider or another qualified fair housing provider. Provide fair housing resources or referrals to 50 households annually.	12/31/2031	6th Cycle	In Progress	The City has been coordinating with fair housing providers on workshops.
2023-2031 H.E.: Fair Housing Resources and Services (Program 20)	Quantified Objective 2: Provide fair housing resources or referrals to 50 households annually.	12/31/2031	6th Cycle	Continuous	Resources/information are provided on an ongoing basis as questions are received. Resources are provided at City Hall, community events, outreach events, and workshops. An estimate of total households that obtained information online, posted information, or reading handouts could not be made; the number of households that took print outs of information at community events, workshops, and City Hall is estimated to be approximately 10.
2023-2031 H.E.: Displacement Prevention/Housing Mobility (Program 21)	Quantified Objective 1: Conducted workshop within one year of adoption.	4/4/2024	6th Cycle	In Progress	The City has been coordinating with fair housing providers on workshops.

2023-2031 H.E.: Displacement Prevention/Housing Mobility (Program 21)	Quantified Objective 2: Provide resources on source of income discrimination and housing choice vouchers to 35 households annually.	12/31/2031	6th Cycle	In Progress	The City connected with ECHO Housing to make information on fair housing resources and workshops available. Additional resources are being developed to provide information more focused on income discrimination and housing choice vouchers. Additionally, a fee waiver/reduction is offered to owners that designate ADUs in the ADU Amnesty Program to be affordable to low or moderate income households.
2023-2031 H.E.: Housing Resources Education (Program 22)	Quantified Objective: Provision of housing information to approximately 75 residents annually.	12/31/2031	6th Cycle	Continuous	The City continues to provide housing information resources through a variety of mediums. In 2025, the City hosted a series of workshops at the senior center to support home accessibility and universal design, conducted a variety of ADU outreach work aimed at providing information to owners/renters, participated in events such as national night outreach, and distributed information through social media and newsletters. A variety of handouts are made available at City Hall. Housing resources are also posted online.
2023-2031 H.E.: ADU, JADU, and SB 9 Education and Promotion (Program 23)	Quantified Objective: Increased development of ADUs from 3 to 5 annually. Development of 1 JADU annually.	12/31/2031	6th Cycle	Continuous	An ADU webpage was prepared in 2025, which consolidated ADU/JADU standards, permit requirements, and ADU program information in one place. An ADU outreach effort was coordinated by the Housing Policy Intern to share ADU resources and information at the farmer's markets, workshops, community events, newsletters, and webinars. The City reached out to ADU designers to make them aware of the pre-approved ADU plans program. 8 permits for ADUs and 2 permits for JADUs were issued in 2025.



Development of housing as identified in the housing element.		
7	8	9
Quantified Outcomes: Category	Quantified Outcomes: Count	Supporting Documents
Units	500	Housing Element: https://www.pinoles.gov/general-plan/
Other	1	Site inventory: https://www.pinoles.gov/services/housing-element/sites-inventory-2/
Other		None
Other	1	None
Other		None
Other		None

Units	10	ADU webpage: https://www.pinoles.gov/accessory-dwelling-units-adus/
Other	6	Zoning Code Chapter 17.71: https://codelibrary.amlegal.com/codes/pinoles/latest/pinoles_ca/0-0-0-31948
Other	1	Zoning Code Chapter 17.32: https://codelibrary.amlegal.com/codes/pinoles/latest/pinoles_ca/0-0-0-9716
Other		None
Other		None
Other	1	Zoning Code Chapter 17.32: https://codelibrary.amlegal.com/codes/pinoles/latest/pinoles_ca/0-0-0-9716
Other	1	Zoning Code Chapter 17.32: https://codelibrary.amlegal.com/codes/pinoles/latest/pinoles_ca/0-0-0-9716
Other		None

Other		None
Households		None
Households		None

Other		None
Households		None
Other	1	None
Other		None
Other		None
Other	1	None
Other	1	Ordinance No. 2025-01 Zoning Code Chapter 17.38: https://codelibrary.amlegal.com/codes/pinole/latest/pinole_ca/0-0-0-9874

Households	40	None
Units	39	None
Households	40	None

Units	33	None
Other		None
Other		None
Units	300	None
Other		None
Other	1	None
Other		None
Households	10	None
Other		None

Households		None
Households	75	Affordable Housing and Housing Resources: https://www.pinoles.gov/departments/affordable-housing/
Units	10	None

Jurisdiction	Pinole	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Pinole	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.			The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺ . For detailed reporting requirements, see the chcklist here :	
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Pinole
Reporting Period	2025 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "*" indicates an optional field
 Cells in grey contain auto-calculation formulas

Table F2 Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2																
For up to 25 percent of a jurisdiction's moderate-income regional housing need allocation, the planning agency may include the number of units in an existing multifamily building that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. Before adding information to this table, please ensure housing developments meet the requirements described in Government Code 65400.2(b).																
Project Identifier					Unit Types		Affordability by Household Incomes After Conversion							Units credited toward Moderate Income RHNA		Notes
1					2	3	4							5		6
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID	Unit Category (2 to 4,5+)	Tenure R=Renter	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total Moderate Income Units Converted from Above Moderate	Date Converted	Notes
Summary Row: Start Data Entry Below							0	0	0	0	0	0	0	0		

Jurisdiction	Pinole		NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting	ANNUAL ELEMENT PROGRESS REPORT	Note: "+" indicates an optional field
Reporting Period	2025	(Jan. 1 - Dec. 31)			
Period	6th Cycle	01/31/2023 - 01/31/2031			
				Housing Element Implementation	Cells in grey contain auto-calculation formulas

Table G						
Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of						
Project Identifier						
1				2	3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Realistic Capacity Identified in the Housing Element	Entity to whom the site transferred	Intended Use for Site
Summary Row: Start Data Entry Below						

Jurisdiction	Pinole	NOTE: This table must contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns	Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas
Reporting Period	(Jan. 1 - Dec. 31) 2025		

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Table H						
Locally Owned Surplus Sites						
Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes
Summary Row: Start Data Entry Below						
401-162-001-2	2301 San Pablo Ave	Vacant		Surplus Land	0.18	Community Corner
401-120-035-1	2100 San Pablo Ave	Other		Surplus Land	2.31	Faria House

Jurisdiction	Pinole
Reporting Period	(Jan. 1 - Dec. 31) 2025
Planning Period	6th Cycle 01/31/2023 - 01/31/2031

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code 65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table J														
Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915														
Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved							Units (Beds/Student Capacity) Granted	Notes
1				2	3	4							5	6
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SH - Student Housing)	Date	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total Additional Beds Created Due to Density Bonus	Notes
Summary Row: Start Data Entry Below														

Jurisdiction	Pinole	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Table K

Tenant Preference Policy

Local governments are required to inform HCD about any local tenant preference ordinance the local government maintains when the jurisdiction submits their annual progress report on housing approvals and production, per Government Code 7061 (SB 649, 2022, Cortese). Effective January 1, 2023, local governments adopting a tenant preference are required to create a webpage on their internet website containing authorizing local ordinance and supporting materials, no more than 90 days after the ordinance becomes operational.

Does the Jurisdiction have a local tenant preference policy?	No	
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage containing authorizing local ordinance and supporting materials.		
Notes		

Jurisdiction	Pinole	NOTE: This table needs to be completed with any sites within your jurisdiction that were newly added to a National, State, or Local register of historic places within the reporting year. If none, leave blank.	Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas
Reporting Period	2025 (Jan. 1 - Dec. 31)		

**ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation**

Table L							
Historical Resources							
Parcel Identifier		Designation				Size	Notes
1		2				3	4
APN	Street Address/Intersection	Date of Designation	Designation Level	Historic Site Period	Areas of Significance	Parcel Size (in acres)	Notes
Summary Row:							

Jurisdiction	Pinole
Reporting Year	2025 (Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Local Early Action Planning (LEAP) Reporting

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, applicable.

Total Award Amount	\$ -	<i>Total award amount is auto-populated based on amounts entered in rows 15-26.</i>
---------------------------	------	---

[illegible]

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
	Income Level	Current Year
Acutely Low	Deed Restricted	0
	Non-Deed Restricted	0
Extremely Low	Deed Restricted	0
	Non-Deed Restricted	0
Very Low	Deed Restricted	0
	Non-Deed Restricted	3
Low	Deed Restricted	0
	Non-Deed Restricted	3
Moderate	Deed Restricted	0
	Non-Deed Restricted	3
Above Moderate		2
Total Units		11

Building Permits Issued by Affordability Summary		
	Income Level	Current Year
Acutely Low	Deed Restricted	0
	Non-Deed Restricted	0
Extremely Low	Deed Restricted	0
	Non-Deed Restricted	0
Very Low	Deed Restricted	0
	Non-Deed Restricted	3
Low	Deed Restricted	2
	Non-Deed Restricted	3
Moderate	Deed Restricted	4
	Non-Deed Restricted	3
Above Moderate		27
Total Units		42

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Acutely Low	Deed Restricted	0
	Non-Deed Restricted	0
Extremely Low	Deed Restricted	0
	Non-Deed Restricted	0
Very Low	Deed Restricted	33
	Non-Deed Restricted	0
Low	Deed Restricted	142
	Non-Deed Restricted	1
Moderate	Deed Restricted	37
	Non-Deed Restricted	0
Above Moderate		1
Total Units		214



CITY COUNCIL REPORT

9.D.

DATE: MARCH 3, 2026
TO: MAYOR AND COUNCIL MEMBERS
FROM: Lilly Whalen, Community Development Director, 510-724-9832,
lwhalen@pinole.gov
SUBJECT: RECEIVE AND FILE HOUSING SUCCESSOR ANNUAL REPORT FOR
FY24/25

RECOMMENDATION

Staff recommends that the City Council receive and file the Housing Successor Agency Annual Report for Fiscal Year ("FY") 2024-25 (covering July 1, 2024-June 30, 2025) to submit to the California Department of Housing and Community Development ("HCD").

BACKGROUND

The City of Pinole ("City") is the housing successor (the "Housing Successor") to the former Redevelopment Agency of the City of Pinole (the "Agency"), which was dissolved on February 1, 2012. State law requires that the City prepare an annual report on Housing Successor finances and activities (Attachment A) as set forth in Health and Safety Code Section 34176.1 (see Attachment B).

The annual report is required to contain: (1) a summary of Housing Successor duties; (2) the balance of the Low- and Moderate-Income Housing Asset Fund ("Housing Asset Fund"); (3) an inventory of properties held in the Housing Asset Fund; and (4) reports on the City's performance thus far in meeting requirements of Health and Safety Code Section 34176.1.

The report is due to HCD by April 1st each year and must be posted on the City's website¹. The report for FY 2024-25 is presented to the City Council to receive and file with HCD.

¹ <https://www.pinoles.gov/former-redevelopment-agency/>

REVIEW AND ANALYSIS

The City is meeting all requirements imposed by Health and Safety Code Section 34176.1. The City's progress on major requirements is summarized below.

Housing Asset Fund Activity and Balance

As of June 30, 2025, the Housing Asset Fund had a balance of approximately \$8.3 million, of which \$3.5 million is cash and the remainder is non-cash assets. Annual revenues totaled

\$180,489 from investment income and loan repayments².

There were \$197,188 in Housing Asset Fund expenditures in FY 2024-25. All expenses were administrative items such as professional services, building maintenance and utilities, housing compliance monitoring, and staff costs for time related to Housing Successor administration.

Real Property Assets and Loans Receivables

As of June 30, 2025, the City owns two remaining Housing Successor properties with a value of \$355,062: Grove Vacant Land and Faria House Vacant Land. Grove Vacant Land is restricted as open space and cannot be developed. The Faria House was listed for sale in FY 2024-25.

Two properties previously owned by the Housing Successor, 811 San Pablo Ave and 612 Tennent Ave, were sold in FY 2022-23 to be developed with affordable and market rate housing. 811 San Pablo Avenue (Valor Village) opened in May of 2025 with 33 very-low and low-income rental units, and 612 Tennent Avenue was redeveloped into a four-unit apartment building, with one of the units reserved for low-income households.

The Housing Asset Fund has approximately \$4.4 million in notes and loans receivable with various developers who developed and operate affordable housing in Pinole.

Additionally, the City has \$259,552 in outstanding First-Time Homebuyer Loans and Housing Rehabilitation Loans. The First-Time Homebuyer and Housing Rehabilitation Loans have different maturity dates through 2099.

Expenditure Proportionality Requirements

Expenditures from the Housing Asset Fund must meet specific proportionality requirements by income level and age:

- Administrative and monitoring expenses have an annual maximum limit. Pinole spent \$197,188 on administration and monitoring in FY 2024-25, which is well below the \$270,700³ annual limit.
- Up to \$500,000 may be spent annually on homeless prevention and rapid rehousing solutions for homelessness. To date, no Housing Asset Funds have been spent on this category, as the City prioritized funding for affordable housing development. Pinole had an unhoused population of 12 based on the 2025 Contra Costa County Annual Point-in-Time Count Report. Beginning in FY 25/26, the City contacted Contra Costa Health Services' Health, Housing, and Homeless Services Division to provide Coordinated Outreach Referral and Engagement (CORE) services. CORE's mission is to engage and stabilize individuals experiencing homelessness through consistent outreach, connecting them to health and basic needs services, and facilitating permanent housing solutions. Funding for this program will be supported by Housing Asset funds.
- If Housing Asset Funds are spent on housing development projects or programs, specific income levels must be assisted within a five-year compliance period (see Appendix 1 of Attachment A for more details). FY 2024-25 marks the first year of the third five-year compliance period, beginning July 1, 2024, and ending June 30, 2029.

The Housing Successor has not assisted affordable housing development thus far in the current compliance period. Staff will ensure income targets are met with any future expenditures in the five-year compliance period.

- Housing Asset Funds may not be used to assist senior rental housing units if more than 50% of deed-restricted rental housing units assisted by the Housing Successor, City, or the former Agency in the prior 10 years were restricted to seniors. In the prior ten years, the Housing Successor, City, and former Agency assisted two affordable rental housing developments with 37 units, none of which are restricted to seniors. Therefore, the Housing Successor may assist up to 37 senior rental units at this time.

The City is meeting all Housing Asset Fund requirements and will continue to ensure compliance with future expenditures.

Excess Surplus

Housing Successors may not accumulate a high balance known as “excess surplus”. Excess surplus is a cash balance that is higher than the greater of \$1 million or the sum of all cash deposits to the Housing Asset Fund in the prior four years. Housing successors must spend or encumber any excess surplus within three fiscal years or transfer its excess surplus to HCD to spend on statewide housing programs. The intent of the law is to encourage housing successors to spend available affordable housing funds on a timely basis.

The Housing Successor did not have any excess surplus in FY 2024-25.

² The \$650,000 Pro-Housing award was received by the City during FY25/26 and therefore will be reported in the FY25/26 annual report.

³ HCD has annually published an adjusted limit amount for administrative costs, reflecting the change in the Consumer Price Index from the prior year. Although HCD has not yet published the update for FY 2024-25, applying the same methodology and index HCD has previously used would yield a limit adjusted for inflation for FY 2024-25 of \$270,700.

FISCAL IMPACT

There are no implications of receiving and filing this annual report on the City’s activities as the Housing Successor.

ATTACHMENTS

- A. Pinole 2024-25 HSA Annual Report
- B. Health and Safety Code Section 34176.1.

HOUSING SUCCESSOR ANNUAL REPORT

City of Pinole

Fiscal Year 2024-25



TABLE OF CONTENTS

TABLE OF CONTENTS	1
INTRODUCTION	1
CITY OF PINOLE AS HOUSING SUCCESSOR	1
SCOPE OF THIS HOUSING SUCCESSOR ANNUAL REPORT	1
ASSETS TRANSFERRED TO THE HOUSING SUCCESSOR	1
BACKGROUND	2
LEGAL REQUIREMENTS PERTAINING TO HOUSING SUCCESSORS.....	2
PERMITTED USES OF HOUSING ASSET FUNDS	3
LIMITS ON THE ACCUMULATION OF HOUSING FUNDS (EXCESS SURPLUS).....	5
HOUSING ASSET FUND ACTIVITY	6
DEPOSITS AND FUND BALANCE	6
EXPENDITURES	6
ENDING CASH AND FUND BALANCE	6
HOUSING SUCCESSOR PORTFOLIO	7
COMPLIANCE WITH EXPENDITURE & PRODUCTION LIMITS	10
PROPORTIONALITY REQUIREMENTS	10
SENIOR RENTAL HOUSING LIMIT COMPLIANCE.....	11
EXCESS SURPLUS.....	12
OTHER INFORMATION	13
HOMEOWNERSHIP UNIT INVENTORY	13
TRANSFERS TO OTHER HOUSING SUCCESSORS	14
APPENDIX 1 – HOUSING ASSET TRANSFER FORM	15
APPENDIX 2 - HOUSING SUCCESSOR ANNUAL REPORT REQUIREMENTS	24
APPENDIX 3 – HOUSING ASSET FUND EXPENDITURE REQUIREMENTS	25
APPENDIX 4 – FIRST-TIME HOMEBUYER AND RESIDENTIAL REHABILITATION LOAN INVENTORY	27
APPENDIX 5 – PINOLE AFFORDABLE HOUSING INVENTORY	28

INTRODUCTION

This Housing Successor Agency Annual Report (“Annual Report”) presents information on Fiscal Year (“FY”) 2024-25 expenditures and activities as required by Health and Safety Code (“HSC”) Section 34176.1(f), including but not limited to a housing successor’s compliance with certain expenditure requirements over the year as well as a five-year planning period. This Annual Report is required of any housing successor to a former redevelopment agency.

CITY OF PINOLE AS HOUSING SUCCESSOR

The City of Pinole (“City”) is the housing successor (the “Housing Successor”) to the former Redevelopment Agency of the City of Pinole (the “Agency”), which was dissolved statewide in 2012. At the time of dissolution, a housing successor was to be selected to accept the transfer of and be responsible for the remaining assets and liabilities of a former redevelopment agency.

This Annual Report is an addendum to the City’s Housing Element Annual Progress Report. Both are due to the California Department of Housing and Community Development (“HCD”) by April 1 annually. The Housing Successor’s FY 2024-25 audited financial statements will be posted on the City website and are incorporated herein by reference.

SCOPE OF THIS HOUSING SUCCESSOR ANNUAL REPORT

This Annual Report is limited to the City’s activities as it relates to its role as a housing successor. This may include, but is not limited to, financial activities, property disposition, loan administration, monitoring of covenants, and affordable housing development. This Annual Report describes compliance with various annual, five-year, and ten-year housing expenditure and production requirements. FY 2024-25 marks the first year of the third five-year compliance period, beginning July 1, 2024, and ending June 30, 2029.

ASSETS TRANSFERRED TO THE HOUSING SUCCESSOR

Upon the statewide dissolution of redevelopment in 2012, all rights, powers, committed assets, liabilities, duties, and obligations associated with the affordable housing activities of the former Agency were transferred to the Housing Successor. As one of its first duties as a housing successor, the Housing Successor prepared and submitted to the California Department of Finance (“DOF”) an inventory of housing assets to be transferred from the former Agency. The inventory was enumerated on a Housing Asset Transfer Form (“HAT”) which included:

1. Real properties;
2. Personal property;
3. Low and Moderate Income Housing Fund encumbrances;
4. Loans/Grants Receivable;
5. Rents/Operations; and
6. Deferrals.

All items on the HAT were reviewed and approved by DOF on February 15, 2013. A copy of the HAT is provided as Appendix 1 in Attachment 2. The City, acting as Housing Successor, transferred these assets to the Low and Moderate Income Housing Asset Fund (“Housing Asset Fund”, Fund 285). Approval of the HAT set in motion a series of obligations by the City as a housing successor, as described in the following section.

BACKGROUND

This Section summarizes legal requirements for use of housing successor assets that are addressed in this Annual Report.

LEGAL REQUIREMENTS PERTAINING TO HOUSING SUCCESSORS

A year after the dissolution of redevelopment began, the California State Legislature recognized the need to regulate and provide transparency on the use of the housing activities transferred from a former redevelopment agency. Senate Bill 341 (DeSaulnier, 2013) and subsequent legislation enacted several requirements for housing successor agencies contained in HSC Sections 34176-34176.1.

In general, housing successors must comply with three major requirements pursuant to HSC Section 34176.1:

1. Housing Successor expenditures and housing production are subject to income and age targets.
2. Housing successors may not accumulate an “excess surplus,” or a high balance based on certain thresholds.
3. Properties must be developed with affordable housing or sold within five to ten years of being approved for transfer from the former redevelopment agency to the housing successor.

Appendix 2 in Attachment 2 provides a detailed summary of the reporting requirements that are addressed in this Annual Report.

PERMITTED USES OF HOUSING ASSET FUNDS

Pursuant to HSC Section 34176.1, Housing Asset Funds may be spent on:

- **Administrative costs** for operation of the housing successor agency. The law allows a housing successor to spend the greater of:
 - \$200,000 per year adjusted for inflation, or
 - 5% of the statutory value of real property owned by that housing successor and the value of loans and grants receivable from the HAT (“Portfolio”).

HCD has annually published an adjusted limit amount for administrative costs, reflecting the change in the Consumer Price Index from the prior year. Although HCD has not yet published the update for FY 2024-25, applying the same methodology and index HCD has previously used would yield a limit adjusted for inflation for FY 2024-25 of \$270,700. This is greater than the 5% portfolio value limit of \$236,753, therefore this Annual Report applies the FY 2024-25 HCD limit.

- **Homeless prevention and rapid rehousing services** up to \$500,000¹ per year if the former redevelopment agency did not have any outstanding inclusionary housing or replacement housing production requirements as of 2012. Pinole is eligible for this expense because the former Agency did not have any outstanding inclusionary or replacement housing requirements upon dissolution.
- **Affordable housing development** assisting households earning up to 80 percent of the Area Median Income (“AMI”), subject to specific income and age targets over a five-year period.

Five-Year Income Proportionality on Development Expenditures: Housing Asset Funds may be spent on development of housing projects affordable to low, very low, and extremely low income households. “Development” is defined as “new construction, acquisition and rehabilitation, substantial rehabilitation as defined in HSC Section 33413, the acquisition of long-term affordability covenants on multifamily units as described in HSC Section 33413, or the preservation of an assisted housing development that is

¹ AB 1782 amended the limit from \$250,000 to \$500,000 effective January 1, 2025.

eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years.”

Over each five-year compliance period, at least 30 percent of such development expenditures must assist extremely low income households (30% AMI), while no more than 20 percent may assist low income households (between 60-80%). The balance of the funds may be used on households earning between 30% and 60% of AMI.

The first five-year compliance period was January 1, 2014 through June 30, 2019. The second five-year compliance period was July 1, 2019 to June 30, 2024. The third five-year compliance period is July 1, 2024 to June 30, 2029. The Housing Successor was compliant with Housing Asset Fund income proportionality expenditure requirements during the first and second five-year compliance periods.

Note that housing successors must report expenditures by category each year, but compliance with income proportionality limits is measured every five years. For example, a housing successor could spend all its funds in a single year on households earning between 60-80% AMI, as long as it was 20 percent or less of the total expenditures during the five-year compliance period.

Should a housing successor not spend at least 30% of its development expenditures assisting extremely low income households, or exceed the amount spent on low income households, future expenditures are subject to greater restriction until these proportionality targets are met. Specifically, if a housing successor is unable to spend at least 30% of its development expenditures on extremely low units, it is required to increase this spending to 50% until compliant with the 30% threshold; a housing successor that spends more than 20% of its development expenditures on low income units cannot spend any further funds on low income developments until it is at or below the 20% threshold.

As such, tracking these expenditures and their progress over the corresponding five-year period is an important function of this Annual Report.

Ten-Year Age Proportionality on Units Assisted: If more than 50% of the total aggregate number of rental units produced by the city, housing successor, or former redevelopment agency during the past 10 years are restricted to seniors, the housing successor may not spend more Housing Asset Funds on senior rental housing.

Appendix 3 in Attachment 2 describes Housing Asset Fund Expenditure requirements in more detail including the types of costs eligible in each category.

LIMITS ON THE ACCUMULATION OF HOUSING FUNDS (EXCESS SURPLUS)

State law limits how much cash a housing successor may retain and, if it fails to commit and spend these dollars in a reasonable timeframe, ultimately penalizes the housing successor by requiring unspent funds be transferred to HCD for use on State housing programs.

HSC Section 34176.1(d) establishes a limit, known as an “excess surplus” on the amount of unencumbered Housing Asset Funds based on the greater of the following:

- \$1,000,000, or
- The total amount of deposits made into the Housing Asset Fund over the preceding four years.

Only amounts in excess of this threshold are considered an excess surplus. Once an excess surplus is determined, a housing successor must account for these funds separately and encumber said monies within three years. If after the third year the excess surplus has not been fully encumbered, the remaining balance of the excess surplus is to be transferred to HCD within 90 days. HCD is permitted to use these transferred excess surplus funds anywhere in the State under its Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program.

The concept of excess surpluses carries over from the era prior to dissolution of redevelopment, when redevelopment agencies were often receiving substantial amounts of deposits from the mandatory housing set-aside of 20% of tax increment revenues.

As part of the Annual Report, a housing successor must disclose any excess surplus and describe the housing successor’s plan for eliminating this excess surplus.

HOUSING ASSET FUND ACTIVITY

The following section describes the Housing Asset Fund activities in FY 2024-25.

DEPOSITS AND FUND BALANCE

The Housing Successor deposited \$180,489 into the Housing Asset Fund in FY 2024-25, as shown in Table 1. Revenue sources consist of investment earnings and homeowner loan repayments.

EXPENDITURES

The Housing Successor expended a total of \$197,188 during FY 2024-25. All expenditures were administrative such as staff labor allocations for administering housing successor programs, professional services, and utilities. The total administrative costs are within the HCD limit for FY 2024-25. The Successor Agency will continue to keep its administrative costs within the limit pursuant to HSC Section 34176.1.

ENDING CASH AND FUND BALANCE

The Housing Asset Fund balance as of June 30, 2025 was \$8,261,363, as summarized in Table 2. Of this amount, \$3,501,281 was cash.

HOUSING SUCCESSOR PORTFOLIO

The Housing Successor Portfolio includes real properties and notes and loans receivable transferred from the former Agency. The Portfolio had a value of \$4,735,062 as of FY 2024-25, as detailed in Table 3.

REAL PROPERTIES AND DISPOSITION STATUS

The former Agency transferred the following properties to the Housing Successor as approved on the HAT:

- Pinole Grove Senior Housing Vacant Land (Samuel Street) – Pursuant to a Development and Disposition Agreement (“DDA”), this property is required to remain vacant as open space for the adjacent Pinole Grove Senior Housing development. The property has a steep slope and cannot be developed, therefore there are no plans for its disposition.
- Faria House Vacant Land (2100 San Pablo Avenue) – This 2.3-acre parcel is park land in which the Faria House resides. The Faria House is currently listed for sale. Any sales proceeds related to the value of the land must be deposited into the Housing Asset Fund if the site is not developed with affordable housing.

- Collins House (612 Tennent Avenue) – The Housing Successor sold this property in May 2023 and all sale proceeds were deposited into the Housing Asset Fund as required by law. The property was rehabilitated into a fourplex and includes one affordable unit to meet the City’s inclusionary housing requirements.
- Vacant Land (811 San Pablo Avenue) – The Housing Successor entered into a DDA with SAHA dated July 6, 2021, subsequently amended on February 21, 2023, to develop this property with 33 units of housing affordable to extremely low income to low income households. The majority of units are restricted for veterans by State and Federal funding sources that financed the project. SAHA completed construction in September 2024.

HSC Section 34176.1(e) requires all real properties acquired by a redevelopment agency prior to February 1, 2012 and transferred to the housing successor be development as affordable housing or sold within five to ten years of DOF’s approval of the HAT. The City extended the deadline from February 15, 2018 to February 15, 2023, by action of the City Council on November 21, 2017 as permitted by law. The City has complied with this timeline for 612 Tennent Avenue and 811 San Pablo Avenue as both properties have been sold or are to be developed as affordable housing. The Grove Vacant Land and Faria House vacant land are exempt from this deadline due to their contractual land use restrictions. The Housing Successor will ensure that sales proceeds from the Faria House land value are deposited into the Housing Asset Fund if the site is not developed with affordable housing.

LOANS RECEIVABLE

The Housing Asset Fund has \$4,380,000 in collectable notes and loans receivable as described below:

- Outstanding Developer Notes in the amount of \$4,380,000: The Housing Successor administers four loans made to affordable housing developers by the former Agency or Housing Successor. Table 3 reflects an allowance for uncollectable notes, which equals the amount of three of the four loans, to write off the value of these loans in case they are not repaid. The loans are repaid from residual receipts if the properties have sufficient cash remaining at the end of each operating year. The fourth loan, for 811 San Pablo Avenue, is also payable from residual receipts.
- Outstanding First-Time Homebuyer Loans and Housing Rehabilitation Loans in the amount of \$259,552: These loans have different maturity dates ranging from 2022 through 2099. Appendix 4 in Attachment 2 provides an inventory of outstanding loans. Table 3 reflects an allowance for uncollectable loans to write off the value of these loans in case they are not repaid.

COMPLIANCE WITH EXPENDITURE & PRODUCTION LIMITS

During FY 2024-25, the City was in compliance with the annual, five-year, and ten-year planning period requirements.

PROPORTIONALITY REQUIREMENTS

As summarized in Figure 1, the Housing Successor complied with all Housing Asset Fund spending restrictions as of FY 2024-25:

- The Housing Successor spent \$197,188 on administrative expenses which is under the maximum annual limit for FY 2024-25 of \$270,700.
- The Housing Successor did not use any Housing Asset Funds for homeless prevention or rapid rehousing expenses and was therefore in compliance with the \$500,000 spending limit.
- The Housing Successor has not spent any Housing Asset Funds assisting affordable housing development in the current five-year period. The Housing Successor will comply with the requirement to spend at least 30% of housing development expenditures on extremely low income households (30% AMI) and no more than 20% on low-income households (80% AMI) between July 1, 2024 and June 30, 2029.

The Housing Successor will ensure that future development-related expenditures comply with spending and income proportionality requirements. The City made a commitment through its Housing Element (Program 7) to develop a policy to provide guidance on the future use of Housing Asset Funds in order to meet affordable housing goals as well as legal requirements.

SENIOR RENTAL HOUSING LIMIT COMPLIANCE

Pursuant to HSC Section 34176 (b), Housing Asset Funds may not assist senior rental housing if more than 50% of deed-restricted rental housing units assisted by the former Agency, Housing Successor, or City in the previous ten years are restricted to seniors. Between FYs 2015-16 through 2024-25, the Housing Successor, former Agency, and City assisted a total of 37 deed-restricted rental units, none of which are restricted to seniors, as shown in Table 4. The Housing Successor may assist up to 37 senior units to remain in compliance. The Housing Successor will ensure that it complies with this requirement moving forward.

Appendix 5 in Attachment 2 presents a complete inventory of affordable housing in Pinole that is monitored by the City. Most of the projects were funded by the former Agency over ten years ago or developed to comply with the City's inclusionary housing requirements.

EXCESS SURPLUS

The Housing Asset Fund may not accumulate an "excess surplus," or an unencumbered amount that exceeds the greater of \$1 million or the sum of deposits in the prior four fiscal years. This requirement ensures that housing successors are actively spending available Housing Asset Funds on affordable housing. Excess surplus must be expended or encumbered within three fiscal years of each year that excess surplus was accrued. If a housing successor fails to comply, it must transfer any excess surplus to HCD within 90 days of the end of the third fiscal year.

As shown in Table 5, the Housing Successor did not have an excess surplus in FY 2024-25. The unencumbered beginning cash balance (\$3,506,880) was less than the total deposits made in the prior four fiscal years (\$4,973,547).

OTHER INFORMATION

HOMEOWNERSHIP UNIT INVENTORY

Table 6 presents an inventory of homeownership units assisted by the Housing Successor that require restrictions, covenants, or an adopted program that protects Housing Asset Fund monies.

TRANSFERS TO OTHER HOUSING SUCCESSORS

There were no transfers to another housing successor entity for a joint project pursuant to HSC 34176.1(c)(2).

APPENDIX 1 – HOUSING ASSET TRANSFER FORM

**DEPARTMENT OF FINANCE
HOUSING ASSETS LIST
ASSEMBLY BILL X1 26 AND ASSEMBLY BILL 1484
(Health and Safety Code Section 34176)**

Former Redevelopment Agency: Pinole

Successor Agency to the Former Redevelopment Agency: City of Pinole

Entity Assuming the Housing Functions of the former Redevelopment Agency: City of Pinole

Entity Assuming the Housing Functions Contact Name: Belinda Espinosa Title City Manager Phone 510-724-8933 E-Mail Address bespinosa@ci.pinole.ca.us

Entity Assuming the Housing Functions Contact Name: Richard Loomis Title Finance Director Phone 510-724-9823 E-Mail Address rloomis@ci.pinole.ca.us

All assets transferred to the entity assuming the housing functions between February 1, 2012 and the date the exhibits were created are included in this housing assets list. The following Exhibits noted with an X in the box are included as part of this inventory of housing assets:

Exhibit A - Real Property	X
Exhibit B- Personal Property	X
Exhibit C - Low-Mod Encumbrances	X
Exhibit D - Loans/Grants Receivables	X
Exhibit E - Rents/Operations	X
Exhibit F- Rents	DNA
Exhibit G - Deferrals	X

Prepared By: Richard H. Loomis, Finance Director

Date Prepared: 7/30/2012

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of Asset a/	Legal Title and Description	Carrying Value of Asset	Total square footage	Square footage reserved for low-mod housing	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant b/	Date of transfer to Housing Successor Agency	Construction or acquisition cost funded with Low-Mod Housing Fund monies	Construction or acquisition costs funded with other RDA funds	Construction or acquisition costs funded with non-RDA funds	Date of construction or acquisition by the former RDA	Interest in real property (option to purchase, easement, etc.)
1	Low-mod Housing Project (89-units)	c 2850 Estate Avenue, Pinole, CA 94564 / APN 360-010-017-0	\$1,369,323	2.95 Acres	73% of Project Development	YES	RDA 20% Set-Aside Tax Increment	2/24/2011	d \$1,369,323	\$-0-	\$-0-	9/20/2000	Fee Interest
2	Low-Mod Housing with Commercial	811 San Pablo Ave. Pinole, CA 94564 /	\$242,008	26,136 sq. ft.	0%	NO	RDA 20% Set-Aside Tax	2/24/2011	d \$242,008	\$-0-	\$-0-	3/1/2002	Fee Interest
3	Undevelopable Land (Residual from 70-unit Low-Mod Project)	c Samuel Street, Pinole, CA 94564 / APN 401-186-031	\$411,879	2.32 Acres (101,059 sq. ft.)	0%	NO	RDA 20% Set-Aside Tax Increment	2/24/2011	d \$535,000	\$-0-	\$400,000	9/4/1992	Fee Interest
4	Low-mod Housing	2100 San Pablo Ave. Pinole, CA 94564	\$355,000	2.31 Acres (100,624 sq. ft.)	0%	NO	RDA 20% Set-Aside Tax Increment	2/24/2011	d \$355,000	\$-0-	\$-0-	3/1/2003	Fee Interest
5	Low-mod Housing	612 Tennent Avenue, Pinole, CA 94564 / APN 401-142-011	\$625,000	5,000 sq. ft.	0%	NO	RDA 20% Set-Aside Tax Increment	2/25/2011	d \$625,000	\$-0-	\$-0-	11/6/2007	Fee Interest
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a/ Asset types may include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

b/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

c/ Fee Interest In Land Only (Improvements owned by Non-profit 501-c3 Housing Corporation)

d/ Title to all Housing Program Properties was transferred to the City prior to enactment of ABx1-26, and were subsequently confirmed by a Superior Court Validation Action

Exhibit B - Personal Property

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of Asset a/	Description	Carrying Value of Asset	Date of transfer to Housing Successor Agency	Acquisition cost funded with Low-Mod Housing Fund monies	Acquisition costs funded with other RDA funds	Acquisition costs funded with non-RDA funds	Date of acquisition by the former RDA
1	Equipment	Digital Camera (property tag #2412)	\$-0-	6/30/2012	\$300	\$0	\$0	2/25/2005
2	Equipment	Metal Bookcase	\$0	6/30/2012	\$497	\$0	\$0	7/1/1999
3	Equipment	Office Desk	\$0	6/30/2012	\$2,726	\$0	\$0	4/4/2001
4	Equipment	Office Table (Round)	\$0	6/30/2012	\$380	\$0	\$0	4/1/2001
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a/ Asset types any personal property provided in residences, including furniture and appliances, all housing-related files and loan documents, office supplies, software licenses, and mapping programs, that were acquired for low and moderate income housing purposes, either by purchase or through a loan, in whole or in part, with any source of funds.

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of housing built or acquired with enforceably obligated funds a/	Date contract for Enforceable Obligation was executed	Contractual counterparty	Total amount currently owed for the Enforceable Obligation	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant b/	Current owner of the property	Construction or acquisition cost funded with Low-Mod Housing Fund monies	Construction or acquisition costs funded with other RDA funds	Construction or acquisition costs funded with non-RDA funds	Date of construction or acquisition of the property
1	Low-mod Housing Project (89-units)	5/20/2003	Pinole Assisted Living Community, Inc. (California Non-profit 501-c3 Corporation)	\$6,922,945 (as of 06/30/2012)	YES	CRL	City of Pinole (Fee Interest in Land Only)	\$-0-	\$-0-	\$7,130,000	9/20/2000
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a/ May include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

b/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Was the Low-Mod Housing Fund amount issued for a loan or a grant?	Amount of the loan or grant	Date the loan or grant was issued	Person or entity to whom the loan or grant was issued	Purpose for which the funds were loaned or granted	Are there contractual requirements specifying the purposes for which the funds may be used?	Repayment date, if the funds are for a loan	Interest rate of loan	Current outstanding loan balance (g)
1	Loan	\$40,000	9/17/2009	[REDACTED]	FTHB	a YES	9/17/2044	0%	\$40,000
2	Loan	\$20,000	10/9/1996	[REDACTED]	FTHB	a YES	DNA	0%	\$20,000
3	Loan	\$114,600	5/29/2003	[REDACTED]	FTHB	a YES	DNA	0%	\$114,600
4	Loan	\$30,000	9/11/2001	[REDACTED]	FTHB	a YES	DNA	0%	\$30,000
5	Loan	\$20,000	9/27/1996	[REDACTED]	FTHB	a YES	DNA	0%	\$20,000
6	Loan	\$30,000	3/24/2010	[REDACTED]	FTHB	a YES	3/24/2045	0%	\$30,000
7	Loan	\$30,000	9/11/2001	[REDACTED]	FTHB	a YES	DNA	0%	\$30,000
8	Loan	\$30,000	7/1/2009	[REDACTED]	FTHB	a YES	7/1/2044	0%	\$30,000
9	Loan	\$30,000	3/1/2010	[REDACTED]	FTHB	a YES	3/1/2045	0%	\$30,000
10	Loan	\$50,000	1/10/2008	[REDACTED]	FTHB	a YES	DNA	0%	\$50,000
11	Loan	\$20,000	8/26/1999	[REDACTED]	FTHB	a YES	DNA	0%	\$20,000
12	Loan	\$50,000	7/28/2003	[REDACTED]	FTHB	a YES	DNA	0%	\$50,000
13	Loan	\$30,000	2/25/2010	[REDACTED]	FTHB	a YES	2/25/2045	0%	\$30,000
14	Loan	\$20,000	11/28/1995	[REDACTED]	FTHB	a YES	DNA	0%	\$20,000
15	Loan	\$50,000	12/30/2003	[REDACTED]	FTHB	a YES	DNA	0%	\$50,000
16	Loan	\$30,000	10/7/2009	[REDACTED]	FTHB	a YES	10/7/2044	0%	\$30,000
17	Loan	\$20,000	11/16/1995	[REDACTED]	FTHB	a YES	DNA	0%	\$20,000
18	Loan	\$54,575	7/31/2010	[REDACTED]	FTHB	a YES	7/31/2050	0%	\$54,575
19	Loan	\$13,292	10/10/2006	[REDACTED]	RES-REH	b YES	11/1/2036	2%	(\$2,683.37)
20	Loan	\$22,000	8/12/2002	[REDACTED]	RES-REH	b YES	DNA	2%	\$22,000.00
21	Loan	\$17,500	10/28/1998	[REDACTED]	RES-REH	b YES	7/1/2037	2%	\$2,342.76
22	Loan	\$69,500	4/13/2006	[REDACTED]	RES-REH	b YES	DNA	2%	\$23,300.00
23	Loan	\$2,649	3/21/2006	[REDACTED]	RES-REH	b YES	5/1/2038	2%	\$1,625.33
24	Loan	\$26,000	8/2/2004	[REDACTED]	RES-REH	b YES	DNA	2%	\$26,000.00
25	Loan	\$87,500	9/25/2000	[REDACTED]	RES-REH	b YES	DNA	2%	\$19,500.00
26	Loan	\$10,429	6/9/2010	[REDACTED]	RES-REH	b YES	DNA	2%	\$10,429.00
27	Loan	\$65,000	7/26/2004	[REDACTED]	RES-REH	b YES	11/1/2020	2%	\$39,110.16
28	Loan	\$18,115	2/2/1999	[REDACTED]	RES-REH	b YES	DNA	2%	\$14,660.00
29	Loan	\$17,916	3/6/2008	[REDACTED]	RES-REH	b YES	5/31/2023	2%	\$13,531.12
30	Loan	\$14,081	4/2/1998	[REDACTED]	RES-REH	b YES	DNA	2%	\$14,081.00
31	Loan	\$18,000	10/12/2004	[REDACTED]	RES-REH	b YES	3/1/2020	2%	\$9,971.46
32	Loan	\$12,000	2/19/2010	[REDACTED]	RES-REH	c YES	4/1/2025	2%	\$10,600.07

33	Loan	\$15,000	8/14/2007		RENTAL-REH	c	YES	5/1/2015	6%	\$4,121.73
34	Loan	\$21,250	6/21/1999		RENTAL-REH	c	YES	7/1/2037	6%	\$4,192.58
35	Loan	\$343,964.82	11/24/2003		MIXED USE	d	YES	10/1/2037	4%	\$266,416.52
36	Loan	\$275,800	8/1/2007		MIXED USE	d	YES	12/1/2015	6%	\$94,256.03

a/ First Time Home Buyers Program

b/ Residential Rehabilitation Program

c/ Rental Rehabilitation Program

d/ Low-Mod Housing with Commercial Space

e/ Upon sale of property (equity sharing in-lieu of interest accrual)

f/ Paid upon sale of property

g/ Outstanding principle as of 06/30/2012

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of payment a/	Type of property with which they payments are associated b/	Property owner	Entity that collects the payments	Entity to which the collected payments are ultimately remitted	Purpose for which the payments are used	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant c/	Item # from Exhibit A the rent/operation is associated with (if applicable)
1	Ground Lease	Low-Mod Housing (Assisted Living Center)	Pinole Assisted Living Community, Inc. [CA 501(c3)]	City of Pinole	City of Pinole	Housing Programs & Activities	YES	CRL	#1
2	Emergency Service Fee	Low-Mod Housing	Pinole Assisted	City of Pinole	City of Pinole	Public Safety Programs	YES	CRL	#1
3	Construction Loans	Low-Mod Housing (Assisted Living Center)	Pinole Assisted Living Community, Inc. [CA 501(c3)]	City of Pinole	City of Pinole	Housing Programs & Activities	YES	CRL	#1
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a/ May include revenues from rents, operation of properties, residual receipt payments from developers, conditional grant repayments, costs savings and proceeds from refinancing, and principal and interest payments from homebuyers subject to enforceable income limits.

b/ May include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

c/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

Exhibit F - Rents

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of payment a/	Type of property with which the payments are associated b/	Property owner	Entity that collects the payments	Entity to which the collected payments are ultimately remitted	Purpose for which the payments are used	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant c/	Item # from Exhibit A the rent is associated with (if applicable)
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a/ May include rents or home loan payments.

b/ May include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

c/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

Exhibit G - Deferrals

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Purpose for which funds were deferred		Fiscal year in which funds were deferred	Amount deferred	Interest rate at which funds were to be repaid	Current amount owed	Date upon which funds were to be repaid
1	H&S 33690 (c) (1)	a	2009-10	\$3,558,867	0%	\$3,558,867	6/30/2015
2	H&S 33690.5 (c) (1)	a	2010-11	\$732,708	0%	\$732,708	6/30/2016
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a/ Supplemental Educational Revenue Augmentation Funding Loan to Redevelopment Agency

APPENDIX 2 - HOUSING SUCCESSOR ANNUAL REPORT REQUIREMENTS

Housing Successor Reporting Requirements <i>Health and Safety Code Section 34176.1(f)</i>		
Housing Asset Fund Revenues & Expenditures	Other Assets and Active Projects	Obligations & Proportionality
Total amount deposited in the Housing Asset Fund for the fiscal year Amount of deposits funded by a Recognized Obligation Payment Schedule ("ROPS")	Description of any project(s) funded through the ROPS	Description of any outstanding production obligations of the former Agency that were inherited by the Housing Successor
Statement of balance at the close of the fiscal year	Update on property disposition efforts (note that housing successors may only hold property for up to five years, unless it is already developed with affordable housing)	Compliance with proportionality requirements (income group targets), which must be upheld on a five-year cycle
Description of Expenditures for the fiscal year, broken out as follows: - Homeless prevention and rapid rehousing - Administrative and monitoring - Housing development expenses by income level assisted	Other "portfolio" balances, including: - Statutory value of any real property either transferred from the former Agency or purchased by the Housing Asset Fund - Value of loans and grants receivable	Percentage of deed-restricted rental housing restricted to seniors and assisted by the former Agency, the Housing Successor, or the City within the past ten years compared to the total number of units assisted by any of those three agencies
Description of any transfers to another housing successor for a joint project	Inventory of homeownership units assisted by the former Agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of monies from the Low and Moderate Income Housing Fund	Amount of any excess surplus, and, if any, the plan for eliminating it

APPENDIX 3 – HOUSING ASSET FUND EXPENDITURE REQUIREMENTS

Housing Asset Fund Expenditure Requirements <i>Health and Safety Code Section 34176.1</i>		
Expense Category	Limits	Allowable Uses
Administration and Compliance Monitoring	\$270,700 maximum for FY 2024-25 (limit increases each year)	Administrative activities such as: - Professional services (consultant fees, auditor fees, etc.) - Staff salaries, benefits, and overhead for time spent on Housing Successor administration - Compliance monitoring to ensure compliance with affordable housing and loan agreements - Property maintenance at Housing Successor-owned properties Capped at \$200,000 adjusted annually for inflation or 5% of the statutory value of real property owned by the housing successor and the value of loans and grants receivable from the HAT ("Portfolio"), whichever is greater.
Homeless Prevention and Rapid Rehousing Solutions	\$500,000 maximum per fiscal year	Services for individuals and families who are homeless or would be homeless but for this assistance, including: - Contributions toward the construction of local or regional homeless shelters - Housing relocation and stabilization services including housing search, mediation, or outreach to property owners - Short-term or medium-term rental assistance - Security or utility deposits - Utility payments - Moving cost assistance - Credit repair - Case management - Other appropriate activities for homelessness prevention and rapid rehousing of persons who have become homeless.
Affordable Housing Development	No spending limit, but must comply with income and age targets	"Development" includes: - New construction - Acquisition and rehabilitation - Substantial rehabilitation - Acquisition of long-term affordability covenants on multifamily units - Preservation of at-risk units whose affordable rent restrictions would otherwise expire over the next five years

Housing Asset Fund Expenditure Requirements <i>Health and Safety Code Section 34176.1</i>		
Expense Category	Limits	Allowable Uses
	<i>Income Targets</i>	Every five years (currently FYE 2020-2024), Housing Asset Funds must meet income targets: • At least 30% on extremely low income rental households (up to 30% AMI or “Area Median Income”) • No more than 20% on low income households (60-80% AMI) Moderate and above moderate income households may not be assisted (above 80% AMI). Failure to comply with the extremely low income requirement in any five-year compliance period will result in having to ensure that 50 percent of remaining funds be spent on extremely low income rental units until in compliance. Exceeding the expenditure limit for low households earning between 60-80% AMI in any five-year reporting period will result in not being able to expend any funds on these income categories until in compliance.
	<i>Age Targets</i>	For the prior ten years (resets every year), a maximum of 50% of deed-restricted rental housing units assisted by the Housing Successor or its host jurisdiction may be restricted to seniors. If a housing successor fails to comply, Housing Asset Funds may not be spent on deed-restricted rental housing restricted to seniors until in compliance.

APPENDIX 4 – FIRST-TIME HOMEBUYER AND RESIDENTIAL REHABILITATION LOAN INVENTORY

APPENDIX 5 – PINOLE AFFORDABLE HOUSING INVENTORY

State of California

HEALTH AND SAFETY CODE

Section 34176.1

34176.1. Funds in the Low and Moderate Income Housing Asset Fund described in subdivision (d) of Section 34176 shall be subject to the provisions of the Community Redevelopment Law (Part 1 (commencing with Section 33000)) relating to the Low and Moderate Income Housing Fund, except as follows:

(a) Subdivision (d) of Section 33334.3 and subdivision (a) of Section 33334.4 shall not apply. Instead, funds received from the successor agency for items listed on the Recognized Obligation Payment Schedule shall be expended to meet the enforceable obligations, and the housing successor shall expend all other funds in the Low and Moderate Income Housing Asset Fund as follows:

(1) For the purpose of monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and for the purpose of administering the activities described in paragraphs (2) and (3), a housing successor may expend per fiscal year up to an amount equal to 5 percent of the statutory value of real property owned by the housing successor and of loans and grants receivable, including real property and loans and grants transferred to the housing successor pursuant to Section 34176 and real property purchased and loans and grants made by the housing successor. If this amount is less than two hundred thousand dollars (\$200,000) for any given fiscal year, the housing successor may expend up to two hundred thousand dollars (\$200,000) in that fiscal year for these purposes. The Department of Housing and Community Development shall annually publish on its Internet Web site an adjustment to this amount to reflect any change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor for the preceding calendar year. For purposes of this paragraph, "statutory value of real property" means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer form approved by the department pursuant to paragraph (2) of subdivision (a) of Section 34176, the value of the properties transferred to the housing successor pursuant to subdivision (f) of Section 34181, and the purchase price of properties purchased by the housing successor.

(2) Notwithstanding Section 33334.2, if the housing successor has fulfilled all obligations pursuant to Sections 33413 and 33418, the housing successor may expend up to two hundred fifty thousand dollars (\$250,000) per fiscal year for homeless prevention and rapid rehousing services for individuals and families who are homeless or would be homeless but for this assistance, including the provision of short-term or medium-term rental assistance, contributions toward the construction of local or regional homeless shelters, housing relocation and stabilization services including

housing search, mediation, or outreach to property owners, credit repair, security or utility deposits, utility payments, rental assistance for a final month at a location, moving cost assistance, and case management, or other appropriate activities for homelessness prevention and rapid rehousing of persons who have become homeless.

(3) (A) The housing successor shall expend all funds remaining in the Low and Moderate Income Housing Asset Fund after the expenditures allowed pursuant to paragraphs (1) and (2) for the development of housing affordable to and occupied by households earning 80 percent or less of the area median income, with at least 30 percent of these remaining funds expended for the development of rental housing affordable to and occupied by households earning 30 percent or less of the area median income and no more than 20 percent of these remaining funds expended for the development of housing affordable to and occupied by households earning between 60 percent and 80 percent of the area median income. A housing successor shall demonstrate in the annual report described in subdivision (f), for 2019, and every five years thereafter, that the housing successor's expenditures from January 1, 2014, through the end of the latest fiscal year covered in the report comply with the requirements of this subparagraph.

(B) If the housing successor fails to comply with the extremely low income requirement in any five-year report, then the housing successor shall ensure that at least 50 percent of these remaining funds expended in each fiscal year following the latest fiscal year following the report are expended for the development of rental housing affordable to, and occupied by, households earning 30 percent or less of the area median income until the housing successor demonstrates compliance with the extremely low income requirement in an annual report described in subdivision (f).

(C) If the housing successor exceeds the expenditure limit for households earning between 60 percent and 80 percent of the area median income in any five-year report, the housing successor shall not expend any of the remaining funds for households earning between 60 percent and 80 percent of the area median income until the housing successor demonstrates compliance with this limit in an annual report described in subdivision (f).

(D) For purposes of this subdivision, "development" means new construction, acquisition and rehabilitation, substantial rehabilitation as defined in Section 33413, the acquisition of long-term affordability covenants on multifamily units as described in Section 33413, or the preservation of an assisted housing development that is eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years as those terms are defined in Section 65863.10 of the Government Code. Units described in this subparagraph may be counted towards any outstanding obligations pursuant to Section 33413, provided that the units meet the requirements of that section and are counted as provided in that section.

(b) Subdivision (b) of Section 33334.4 shall not apply. Instead, if the aggregate number of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years exceeds 50 percent of the

aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period, then the housing successor shall not expend these funds to assist additional senior housing units until the housing successor or its host jurisdiction assists, and construction has commenced, a number of units available to all persons, regardless of age, that is equal to 50 percent of the aggregate number of units of deed-restricted rental housing units assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the time period described above.

(c) (1) Program income a housing successor receives shall not be associated with a project area and, notwithstanding subdivision (g) of Section 33334.2, may be expended anywhere within the jurisdiction of the housing successor or transferred pursuant to paragraph (2) without a finding of benefit to a project area. For purposes of this paragraph, "program income" means the sources described in paragraphs (3), (4), and (5) of subdivision (e) of Section 34176 and interest earned on deposits in the account.

(2) Two or more housing successors within a county, within a single metropolitan statistical area, within 15 miles of each other, or that are in contiguous jurisdictions may enter into an agreement to transfer funds among their respective Low and Moderate Income Housing Asset Funds for the sole purpose of developing transit priority projects as defined in subdivisions (a) and (b) of Section 21155 of the Public Resources Code, permanent supportive housing as defined in paragraph (2) of subdivision (b) of Section 50675.14, housing for agricultural employees as defined in subdivision (g) of Section 50517.5, or special needs housing as defined in federal or state law or regulation, or for a regional homeless shelter, if all of the following conditions are met:

(A) Each participating housing successor has made a finding based on substantial evidence, after a public hearing, that the agreement to transfer funds will not cause or exacerbate racial, ethnic, or economic segregation.

(B) The development to be funded shall not be located in a census tract where more than 50 percent of its population is very low income, unless the development is within one-half mile of a major transit stop or high-quality transit corridor as defined in paragraph (3) of subdivision (b) of Section 21155 of the Public Resources Code.

(C) The completed development shall not result in a reduction in the number of housing units or a reduction in the affordability of housing units on the site where the development is to be built.

(D) A transferring housing successor shall not have any outstanding obligations pursuant to Section 33413.

(E) No housing successor may transfer more than one million dollars (\$1,000,000) per fiscal year.

(F) The jurisdictions of the transferring and receiving housing successors each have an adopted housing element that the Department of Housing and Community Development has found pursuant to Section 65585 of the Government Code to be in substantial compliance with the requirements of Article 10.6 (commencing with

Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code and have submitted to the Department of Housing and Community Development the annual progress report required by Section 65400 of the Government Code within the preceding 12 months.

(G) Transferred funds shall only assist rental units affordable to, and occupied by, households earning 60 percent or less of the area median income.

(H) Transferred funds not encumbered within two years shall be transferred to the Department of Housing and Community Development for expenditure pursuant to the Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program.

(d) Sections 33334.10 and 33334.12 shall not apply. Instead, if a housing successor has an excess surplus, the housing successor shall encumber the excess surplus for the purposes described in paragraph (3) of subdivision (a) or transfer the funds pursuant to paragraph (2) of subdivision (c) within three fiscal years. If the housing successor fails to comply with this subdivision, the housing successor, within 90 days of the end of the third fiscal year, shall transfer any excess surplus to the Department of Housing and Community Development for expenditure pursuant to the Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program. For purposes of this subdivision, "excess surplus" shall mean an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater.

(e) Section 33334.16 shall not apply to interests in real property acquired on or after February 1, 2012. With respect to interests in real property acquired by the former redevelopment agency before February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the department approved the property as a housing asset.

(f) Section 33080.1 of this code and Section 12463.3 of the Government Code shall not apply. Instead, the housing successor shall conduct, and shall provide to its governing body, an independent financial audit of the Low and Moderate Income Housing Asset Fund within six months after the end of each fiscal year, which may be included in the independent financial audit of the host jurisdiction. If the housing successor is a city or county, it shall also include in its report pursuant to Section 65400 of the Government Code and post on its Internet Web site all of the following information for the previous fiscal year. If the housing successor is not a city or county, it shall also provide to its governing body and post on its Internet Web site all of the following information for the previous fiscal year:

(1) The amount the city, county, or city and county received pursuant to subparagraph (A) of paragraph (3) of subdivision (b) of Section 34191.4.

(2) The amount deposited to the Low and Moderate Income Housing Asset Fund, distinguishing between amounts deposited pursuant to subparagraphs (B) and (C) of paragraph (3) of subdivision (b) of Section 34191.4, amounts deposited for other items listed on the Recognized Obligation Payment Schedule, and other amounts deposited.

(3) A statement of the balance in the fund as of the close of the fiscal year, distinguishing any amounts held for items listed on the Recognized Obligation Payment Schedule from other amounts.

(4) A description of expenditures from the fund by category, including, but not limited to, expenditures (A) for monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and administering the activities described in paragraphs (2) and (3) of subdivision (a), (B) for homeless prevention and rapid rehousing services for the development of housing described in paragraph (2) of subdivision (a), and (C) for the development of housing pursuant to paragraph (3) of subdivision (a).

(5) As described in paragraph (1) of subdivision (a), the statutory value of real property owned by the housing successor, the value of loans and grants receivable, and the sum of these two amounts.

(6) A description of any transfers made pursuant to paragraph (2) of subdivision (c) in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service.

(7) A description of any project that the housing successor receives or holds property tax revenue pursuant to the Recognized Obligation Payment Schedule and the status of that project.

(8) For interests in real property acquired by the former redevelopment agency before February 1, 2012, a status update on compliance with Section 33334.16. For interests in real property acquired on or after February 1, 2012, a status update on the project.

(9) A description of any outstanding obligations pursuant to Section 33413 that remained to transfer to the housing successor on February 1, 2012, of the housing successor's progress in meeting those obligations, and of the housing successor's plans to meet unmet obligations. In addition, the housing successor shall include in the report posted on its Internet Web site the implementation plans of the former redevelopment agency.

(10) The information required by subparagraph (B) of paragraph (3) of subdivision (a).

(11) The percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period.

(12) The amount of any excess surplus, the amount of time that the successor agency has had excess surplus, and the housing successor's plan for eliminating the excess surplus.

(13) An inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an

adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund pursuant to subdivision (f) of Section 33334.3. This inventory shall include all of the following information:

(A) The number of those units.

(B) In the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012, and the reason or reasons for those losses. For all subsequent reports, the number of the units lost to the portfolio in the last fiscal year and the reason for those losses.

(C) Any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.

(D) Whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.

(Amended by Stats. 2017, Ch. 35, Sec. 1. (AB 346) Effective January 1, 2018.)



CITY COUNCIL REPORT

9.E.

DATE: MARCH 3, 2026
TO: MAYOR AND COUNCIL MEMBERS
FROM: Markisha Guillory, Finance Director, 510-724-9823, MGuillory@pinole.gov
SUBJECT: FY 2026/27 FINANCIAL AND INVESTMENT POLICIES

RECOMMENDATION

City staff recommend that the City Council adopt a resolution approving the Financial and Investment Policies for Fiscal Year (FY) 2026/27.

BACKGROUND

It is a best practice in public finance and recommendation of the National Advisory Council on State and Local Budgeting (NACSLB) and the Government Finance Officers Association (GFOA) that public agencies regularly review and update as appropriate their financial policies. Consistent with best practices, City staff review, and, if appropriate, propose updates to the City's financial policies as part of the annual budget process.

The financial policies are intended to set guidelines on how the City will manage its financial resources as well as to provide direction for financial decision-making.

Staff is presenting the proposed FY 2026/27 Financial and Investment Policies which do not include any changes from the prior fiscal year.

Staff presented the proposed Financial and Investment Policies for FY 2026/27 to the Finance Subcommittee at its meeting of February 18, 2026. The proposed policies do not contain any revisions. The Subcommittee accepted staff's recommendation to present the proposed policies to the City Council for adoption.

REVIEW AND ANALYSIS

Financial policies are central to a strategic, long-term approach to financial management. Adopting formal written financial policies include their ability to help government agencies:

- Institutionalize good financial management policies;
- Clarify strategic intent for financial management;
- Define boundaries;
- Support credit ratings;
- Promote long-term and strategic planning;
- Manage risks to financial condition; and
- Comply with established public management best practices.

Staff is presenting the proposed Financial and Investment Policies for City Council adoption. The policies align with municipal finance best practices and are consistent with standard financial policies recommended by the Government Finance Officers Association (GFOA) and those implemented by other local government agencies. Staff is not recommending any changes to the existing policies. Note that the Reserve Policy and Pension Investment Policy were previously revised and approved by the City Council, and those updates have already been incorporated into the current policies. The following section provides a summary of each policy, and the full policies are included in Attachment A.

1. Structurally Balanced Budget

The City will aspire to create a proposed General Fund operating budget that is structurally balanced whereby current expenditures will be funded by current year revenue. If the proposed operating budget is structurally imbalanced, the City will develop a plan to create a proposed General Fund operating budget for the subsequent fiscal year that is structurally balanced.

2. Reserve Policy

The City will establish and maintain reserves to meet certain anticipated future obligations as well as to ensure that the City maintains adequate financial resources to continue to provide basic municipal services in the event of a significant unanticipated revenue decrease or expenditure increase. This account and the funds contained therein shall be referred to as the General Reserve. It shall be budgeted to contain an amount equivalent to 25% of the City's annual General Fund ongoing operating expenditures.

The revised Reserve Policy reduced the reserve level from 50% to 25% of the City's annual General Fund ongoing operating expenditures. It was adopted by the City Council on June 17, 2025.

3. Revenue Policy – One-Time (Non-Recurring) Resources

The City will strive to maintain a diversified and stable revenue base that is not overly dependent on any individual revenue type, land use, or major taxpayer. One-time resources (also referred to as “non-recurring”) should be used for one-time (non-recurring) expenditures, including but not limited to establishing and rebuilding reserves, early retirement of debt, capital expenditures, and reducing unfunded pension liabilities (California Employee Retirement System (CalPERS) and Other Post-Employment Benefits (OPEB)).

4. Revenue Policy – User Fees and Charges

The City of Pinole is empowered to recapture, through fees, up to the full cost of providing specific services. Regular and consistent review of all fees is necessary to ensure that the costs associated with delivery of individual services have been appropriately identified, and that the City is fully recovering those costs. It is the City's policy to set user fees at full cost recovery levels, except where a greater community benefit is demonstrated to the satisfaction of the City Council, or when it is not cost effective to do so. The City will recover costs of new facilities and infrastructure necessitated through development impact fees consistent with state law.

5. Expenditure and Budget Policy

The City will deliver service in the most efficient and cost-effective manner. This includes utilizing the services of volunteers in areas where operationally and economically viable. The budget will state the objectives of the operating programs, and identify the resources being provided to accomplish the specified objectives.

6. Debt Policy

The City will limit the use of debt so as not to place a burden on the fiscal resources of the City and its taxpayers. Long-term borrowing will be limited to capital improvements or projects that cannot be financed from current revenues. When capital projects are financed, the City will amortize the debt within a period not to exceed the expected useful life of the project. The City will limit the total debt ratio (debt guaranteed by the General Fund) to 10% or as required by bond coverage ratios. The debt ratio is calculated by the relationship between the debt and the General Fund revenue.

7. Receivables Policy

The City will ensure the timely invoicing, monitoring, and collection of outstanding obligations owed to the City.

8. Grants Management Policy and Procedures

City departments actively pursue federal, state and other grant opportunities when deemed appropriate. Grant funding allows the City to leverage local public funds by extending and enhancing the services it offers to the community, and to introduce new initiatives.

9. Capital Assets Policy and Procedures

Purchased and donated assets meeting the City's capitalization definition and threshold will be classified and recorded in the City's financial records as capital assets. The value of the asset must meet the City's capitalization threshold of \$5,000 to be recorded as a capital asset.

10. Unclaimed Funds/Outstanding Checks Policy and Procedures

The City of Pinole will account for unclaimed funds in a manner which follows Government Code Sections 50050 through 50056. Funds that remain unclaimed for at least three (3) years will become the property of the City of Pinole after the procedures identified herein have been followed.

11. Investment Policy

The purpose of this Policy is to define the parameters within which funds are to be managed. In methods, procedures, and practices, the policy formalizes the framework for the City of Pinole's investment activities that must be exercised to ensure effective and judicious fiscal and investment management of the City's funds.

12. Pension and Other Post-Employment Benefits (OPEB) Investment Policy

The City of Pinole (the “City”) has established the City of Pinole Employee Benefit Pension Plan (the “Plan”), a Section 115 Trust. The goal of the Plan’s investment program is to provide a reasonable level of growth which will result in sufficient assets to offset a portion of the present and future obligations of retirement benefits provided by the California Public Employees Retirement System (“CalPERS”) for those eligible employees who meet the specified age and service requirements.

The revised Pension and Other Post-Employment Benefits (OPEB) Investment Policy includes the newly established OPEB subaccount. It was adopted by the City Council on September 16, 2025.

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENTS

- A. Resolution
- B. Proposed Financial and Investment Policies FY 2026-27

RESOLUTION NO 2026-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING
THE FINANCIAL AND INVESTMENT POLICIES FOR THE FISCAL YEAR 2026/27**

WHEREAS, the City of Pinole has financial policies, including investment policies, that were most recently updated and approved by the City Council in May 2025; and

WHEREAS, it is a best practice in public finance and a recommendation of the National Advisory Council on State and Local Budgeting (NACSLB) and the Government Finance Officers Association (GFOA) that cities regularly review and update as appropriate their financial policies; and

WHEREAS, State law recommends that California cities have investment policies that are adopted by their city council; and

WHEREAS, City staff presented the proposed financial and investment policies to the Finance Subcommittee on February 18, 2026 and received feedback from the Subcommittee; and

WHEREAS, City staff has addressed the feedback provided by the Subcommittee and is now seeking City Council's adoption of the proposed financial and investment policies; and

WHEREAS, City staff presented proposed financial and investment policies for fiscal year (FY) 2026/27 to the City Council for consideration at the Council meeting held on March 3, 2026.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole hereby approves the City of Pinole Financial and Investment Policies Updated March 3, 2026, attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the 3rd day of March 2026 by the following vote:

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

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 3rd day of March 2026.

Heather Bell-Spears, CMC
City Clerk



City of Pinole

Financial and Investment Policies

FY 2026/27

Financial Policies

Structurally Balanced Budget	1
Reserve Policy	3
Revenue Policy – One-Time (Non-Recurring) Resources.....	4
Revenue Policy – User Fees and Charges	5
Expenditure and Budget Policy	6
Debt Policy	7
Receivables Policy	8
Grants Management Policy and Procedures	9
Capital Assets Policy and Procedures.....	14
Unclaimed Funds/Outstanding Checks Policy and Procedures	17

Investment Policies

Investment Policy.....	20
Pension Investment Policy.....	27

Structurally Balanced Budget

Policy

The City will aspire to create a proposed General Fund operating budget that is structurally balanced whereby current expenditures will be funded by current year revenue. If the proposed operating budget is structurally imbalanced, the City will develop a plan to create a proposed General Fund operating budget for the subsequent fiscal year that is structurally balanced.

Purpose

To ensure the sustainability of service and expenditure levels by requiring that ongoing General Fund operating expenditures be funded by ongoing revenues.

Definitions and Details

1. This policy applies to General Fund operating budgets.
2. Structural balance is defined as recurring (ongoing) revenues equaling or exceeding ongoing expenditures.
3. Under this policy, City staff will analyze whether the proposed General Fund operating budget is structurally balanced.
4. If City staff determines that the proposed budget is imbalanced, City staff will develop a plan to create a proposed General Fund operating budget for the following fiscal year that is structurally balanced, including possible revenue enhancements or expenditure decreases.
5. Internal service funds are intended to operate on a break-even basis.
6. To implement this policy, staff will identify General Fund operating revenue that is recurring and non-recurring. Recurring revenues are those that the City can reasonably expect to continue to receive on an annual basis over the next 5 to 10 years. Recurring revenues include, but may not be limited to, property taxes, sales and use taxes, utility user taxes, franchise taxes, business license taxes, transient occupancy taxes, other taxes, fines and forfeitures, interest on investments, use of money and property, motor vehicle in-lieu, city interfund transfers, licenses and permits, resources from other governmental agencies, charges to other City funds, and other reimbursements and charges for services. Non-recurring revenues are monies that the City cannot reasonably expect to continue to receive over the next 10 to 15 years. Non-recurring revenues include, but may not be limited to, fund balance, grant funds, financing proceeds, and sale of property and equipment. Revenue from recurring sources that is significantly above normal levels will be considered non-recurring revenues.
7. Staff will also identify General Fund operating expenditures that are recurring and non-recurring. A recurring expenditure is an ongoing cost that relates to an ongoing City service or activity. Examples of recurring expenditures are salaries, benefits, utilities, debt service, maintenance, normal capital outlays, and other mandated costs. Non-recurring expenditures are costs that are incurred for one-time activities,

or services that are scheduled to "sunset". Typical non-recurring expenditures include those for grant-funded activities, special initiatives, and one-time capital expenditures.

8. A structurally balanced General Fund operating budget is a best practice. It is, however, appropriate and consistent with best practice to adopt a structurally imbalanced budget for a given fiscal year under certain circumstances. For example, it is appropriate and consistent with best practice to use designated reserves as a non-recurring revenue to cover recurring expenditures during times of fiscal duress. If a budget is proposed with this characteristic, the Structurally Balanced Budget Policy provides appropriate direction, which is that staff should develop a plan to create a structurally balanced budget for the subsequent fiscal year.

Reserve Policy

Policy

The City will establish and maintain reserves to meet certain anticipated future obligations as well as to ensure that the City maintains adequate financial resources to continue to provide basic municipal services in the event of a significant unanticipated revenue decrease or expenditure increase.

Purpose

To ensure that the City maintains adequate financial resources to continue to provide basic municipal services in the event of a significant unanticipated revenue decrease or expenditure increase.

Definitions and Details

1. The City shall establish a separate account in the financial system to reserve funds intended to ensure that the City maintains adequate financial resources to continue to provide basic municipal services in the event of a significant unanticipated revenue decrease or expenditure increase. This account and the funds contained therein shall be referred to as the General Reserve. It shall be budgeted to contain an amount equivalent to 25% of the City's annual General Fund ongoing operating expenditures. Resources in the General Reserve account will be considered committed¹ for the purpose of financial reporting per the standards of Generally Accepted Accounting Principles (GAAP) set forth by the Governmental Accounting Standards Board (GASB) Statement No. 54.
2. The City shall establish other separate accounts in the financial system to reserve funds for other appropriate purposes, such as for replacement of vehicles and major equipment; maintenance and replacement of capital assets; and long-term liabilities.
3. Funds held in the General Reserve can only be appropriated by a majority vote of the Council to address exceptional circumstances specifically related to a significant revenue shortfall, unanticipated expenditure, or other budget stabilization issue.
4. If the General Reserve funds are appropriated and expended, the City Council will endeavor to replenish them to the full amount noted above as part of the adoption of the subsequent budget, if not sooner.
5. This Policy shall be reviewed by the City Council periodically to ensure its consistency with current law and the City's current needs.

¹ Per the Governmental Accounting Standards Board (GASB) Statement No. 54, "committed" includes amounts that can be used only for specific purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that originally imposed the constraint..

Revenue Policy – One-Time (Non-Recurring) Resources

Policy

The City will strive to maintain a diversified and stable revenue base that is not overly dependent on any individual revenue type, land use, or major taxpayer. One-time resources (also referred to as “non-recurring”) should be used for one-time (non-recurring) expenditures, including but not limited to establishing and rebuilding reserves, early retirement of debt, capital expenditures, and reducing unfunded pension liabilities (California Employee Retirement System (CalPERS) and Other Post Employment Benefits (OPEB)).

Purpose

To ensure that the City appropriately uses one-time resources, including not using one-time resources on ongoing expenditures, which can contribute to a structurally imbalanced budget.

Definitions and Details

1. Non-recurring revenues are monies that the City cannot reasonably expect to continue to receive over the next 10 to 15 years. Non-recurring revenues include, but may not be limited to, fund balance, grant funds, financing proceeds, and sale of property and equipment. Revenue from recurring sources that is significantly above normal levels will be considered non-recurring revenues.

Revenue Policy – User Fees and Charges

Policy

The City of Pinole is empowered to recapture, through fees, up to the full cost of providing specific services. Regular and consistent review of all fees is necessary to ensure that the costs associated with delivery of individual services have been appropriately identified, and that the City is fully recovering those costs. It is the City's policy to set user fees at full cost recovery levels, except where a greater community benefit is demonstrated to the satisfaction of the City Council, or when it is not cost effective to do so. The City will recover costs of new facilities and infrastructure necessitated through development impact fees consistent with state law.

Purpose

To determine the full costs of providing specific services so that the City Council can make informed decisions as to the appropriate levels of fees for services that may be imposed to avoid providing unwanted subsidies. The City Council may decide against full cost recovery in cases where greater community benefit is demonstrated.

Definitions and Details

1. Every service supported by user fees or charges will be analyzed bi-annually, or as required by statute or directed by City Council to determine the net cost of providing the service.
2. Net cost will be determined by identifying all revenues generated or attributed to the service and subtracting all cost elements (direct and indirect expenses, capital outlays and other one-time expenses). The resulting figure will be the level of subsidy, which the City Council will use as a basis for determining user fee increases or decreases.
3. If it is determined that there is a net cost to providing the service, the City Council will raise user fees to achieve full cost recovery, unless it is decided that the subsidy should be maintained.
4. Additional information may be necessary to aid in the decision as to whether or not a service should be subsidized (community benefit, cost-effectiveness, etc.)

Expenditure and Budget Policy

Policy

The City will deliver service in the most efficient and cost-effective manner. This includes utilizing the services of volunteers in areas where operationally and economically viable. The budget will state the objectives of the operating programs, and identify the resources being provided to accomplish the specified objectives.

Purpose

To provide guidance to staff in developing spending plans that address the City's priorities and policy objectives while ensuring benefit to the City.

Definitions and Details

1. Department expenditures are limited to:
 - a. Budgeted expenditures approved by the City Council as appropriated by major category:
 - i. Salary and Benefits;
 - ii. Services and Supplies: Travel and Training, Office Expenses, Repairs and Maintenance, Materials, Professional Services, etc.; and Capital Outlay.
2. The operating budget will be prepared to fund current year expenditures with current year revenue. However, surplus fund balances may be used to increase reserves, fund Capital Improvement Projects, reduce unfunded pension liability (California Employee Retirement System (CalPERS) and Other Post Employment Benefits (OPEB)), or carried forward to fund future years' operating budgets when necessary to stabilize services and fund capital outlay.
3. Budget transfers require the approval of the City Manager or designee except those affecting personnel and capital projects which must be approved by the City Council.
4. Budget transfers required to hire additional permanent personnel require the City Council's approval.
5. The City will periodically update replacement and maintenance financing plans, and incorporate them into the Budget.
6. The City will monitor and review methods of operation to ensure that services continue to be delivered in the most cost-effective manner possible. This review process encompasses a wide range of productivity issues, including:
 - a. Analyzing systems and procedures to ensure efficient delivery of services.
 - b. Evaluating the ability of new technologies and related capital investments to improve productivity.
 - c. Developing the skills and abilities of all City employees.
 - d. Developing and implementing appropriate methods of recognizing and rewarding exceptional employee performance.
 - e. Evaluating the ability of the private sector to perform the same level of service at a lower cost.

Debt Policy

Policy

The City will limit the use of debt so as not to place a burden on the fiscal resources of the City and its taxpayers. Long-term borrowing will be limited to capital improvements or projects that cannot be financed from current revenues. When capital projects are financed, the City will amortize the debt within a period not to exceed the expected useful life of the project. The City will limit the total debt ratio (debt guaranteed by the General Fund) to 10% or as required by bond coverage ratios. The debt ratio is calculated by the relationship between the debt and the General Fund revenue.

Purpose

To maintain fiscal viability by not encumbering the General Fund with excessive debt payments or using debt to support operating expenses.

Definitions and Details

1. For purposes of computing the percentage of debt payments the proposed budget expenditures will be used.
2. The ratio of debt payments to operating expenditures will be presented in the annual budget.
3. The City will investigate the use of special assessment, revenue or other self-supporting bonds to limit the General Fund obligation for debt service payments.
4. The City will not use long-term debt for current operations.
5. The City will not use short-term borrowing to support routine operations, provided however, that it may be used to meet temporary cash flow needs.
6. The City will maintain strong communications with bond rating agencies about the City's financial condition and will follow a policy of full disclosure on financial reports and bond prospectus.
7. The City will strive to maintain or improve the City's bond rating.
8. The City will utilize inter-fund loans when possible to reduce the cost of financing capital improvements.
9. The City is required to enter into an agreement for inter-fund loans beyond the current fiscal year.

Receivables Policy

Policy

The City will ensure the timely invoicing, monitoring, and collection of outstanding obligations owed to the City.

Purpose

To maintain appropriate oversight of all receivables and maintain sound fiscal management and accounting practices related to all receivables.

Definitions and Details

1. For the purpose of this policy, receivables are defined to include outstanding obligations owed to the City for services or goods supplied.
2. All receivables shall be recorded in accordance with Generally Accepted Accounting Principles (GAAP).
3. Accounts receivable will be administered by the Finance Department.
4. Accounts receivable shall be established for services or goods provided in advance of a payment and should include terms for collection. Invoices should be prepared in a timely manner but not less than on a monthly basis. Invoices should include a description of the goods or services provided, payment terms and remittance address.
5. All accounts receivable should be recorded in a manner that allows for aging analysis. Reconciliation of accounts receivable may be performed on a monthly, quarterly or annual basis depending on the type of receivable.
6. Collection options should be evaluated and pursued to maximize collections. The use of collection agencies and programs such as the State Interagency Intercept Collection Program or the County Tax lien process may be used based on the type of receivable.
7. An allowance for doubtful accounts should be recorded after a bad debt expense is estimated. Write-off of bad debt should be performed on an annual basis to ensure that accounts receivable and allowance balances are not overstated.
8. The City will establish written procedures to document the accounts receivable process and bad debt write-off process for adequate internal controls and proper management oversight. These procedures should be reviewed annually as part of the year end audit process.

Grants Management Policy and Procedures

Policy

City departments actively pursue federal, state and other grant opportunities when deemed appropriate. Grant funding allows the City to leverage local public funds by extending and enhancing the services it offers to the community, and to introduce new initiatives.

Purpose

The purpose of this policy is to specify circumstances when grant funding is appropriate and to establish a standardized set of procedures for the fiscal administration, management, and monitoring of public and private grants. This policy is intended to ensure compliance with all applicable administrative, financial, reporting, and monitoring requirements established by the funding agency as well as all applicable administrative and fiscal directives and guidelines established by the City of Pinole. The policy and procedures established herein shall apply to all Federal, State, County and private grants administered by the City.

Definitions and Details

1. Staff Responsibilities

- a. City Department seeking and managing grant funding is responsible for:
 - i. Preparation of grant application materials;
 - ii. Providing sufficient data to allow City Management to evaluate the costs and benefits of the proposed grant;
 - iii. Obtaining appropriate approvals for submission of grant, if necessary;
 - iv. Obtaining City Council approval for acceptance of grant;
 - v. Understanding the operational and budgetary impact the grant has on the City;
 - vi. Accumulating the appropriate accounting detail and supporting documentation;
 - vii. Preparation of reports required by the grantor;
 - viii. Providing the Finance Department with the following:
 1. Grant Award Letter;
 2. Grant Contract;
 3. City Council minutes of action or Council Resolution approving the grant;
 4. An administrative manual (this includes program guidelines and accounting procedures). This will allow Finance to maintain grant files which are accurate and complete.

- ix. Providing Finance copies of all grant amendments, program reporting, reimbursement requests and other communications to all agents involved in the grant administration process for review prior to submission.
- a. The Finance Department (Finance Director) is responsible for:
 - i. Reviewing all financial reports to the grantor prior to submission to ensure its accuracy;
 - ii. Assisting departments with any problems or questions regarding the grant submission process;
 - iii. Scheduling audit of grant programs when requested by Grantee Agency. City staff will aid in the auditing process providing available source documents as requested by the auditing agency;
 - iv. Coordinating the accounting for all receipts and disbursements related to the grant. Finance Department will determine setup and maintain the most appropriate method (s) of accounting for the grant in the financial system.

2. Pre-Application

Prior to submitting an application for any grant award, the applicant department shall thoroughly review the grant requirements outlined in the solicitation to ensure that the department is aware of and has the capacity to meet all administrative, fiscal, programmatic, reporting and monitoring requirements.

3. Post-Award

a. Set-Up

All new grants should be reviewed by the Finance Director to ensure that all grant details are accurate and grant budget is established in the financial system in accordance with any special conditions required by the funder.

- i. Acceptance of all grants must be approved by action of the City Council. Said approval shall include authorization to appropriate funding to revenue and expenditure accounts.
- ii. For grants that were not included in the annual adopted budget, the applicant department will submit a request to appropriate revenue and expenditures to the City Council for review and approval. Once the grant budget has been approved by the City Council, department staff should submit a request to the Finance Department to establish the approved budget in the financial system.
- iii. The term of grant-funded positions must be clearly identified and disclosed to the City Council prior to approval. If the expiration of a grant requires the application of General Fund revenue for continued funding, this stipulation must also be disclosed.

- iv. One-time or fluctuating grant sources should not be used for ongoing programs.
- v. The awarded department assumes the lead role in grant management in collaboration with the Finance Department.

b. Cash Handling

Grant funds are received from various funding agencies via checks and electronic wire/ACH transfers only and should be sent to the Finance Department. Hard copy checks are deposited weekly and promptly recorded in the City's financial system.

4. Grant Monitoring and Quarterly Reporting

a. Grant Award Monitoring

Award monitoring shall be the responsibility of the applicant department to ensure that grant funds are expended for eligible activities in accordance with the guidelines established by the funder, including, but not limited to:

The applicant department shall obtain all documentation necessary to fully and accurately support all grant expenditures, including expenditures incurred by sub- recipients. Examples of supporting documentation may include, but not be limited to:

- i. Employee timesheets
- ii. Personnel Activity Reports
- iii. Personnel Action Forms
- iv. Payroll reports
- v. Invoices and proof of payment
- vi. Purchase receipts
- vii. Workshop/Training itineraries
- viii. Travel documents

b. Quarterly Reporting

Finance Department staff should review grant expenditures and cash position as needed to ensure proper oversight and fiscal administration of the grant. Claims for reimbursement based grants should be sent to the funder timely to ensure prompt reimbursement. If grant reimbursements are not received within the timeframe prescribed by the funder - generally 60 to 90 days - the appropriate applicant department staff should follow up to check on the status of the reimbursement request.

Grants are required to be reconciled at least quarterly as part of the Finance

Department's grant reconciliation process. Grant reconciliation should include review of all of the following:

- i. Grant expenditure to revenue balance
- ii. Grant budget to actual balance
- iii. Status of reimbursement requests submitted to the funder for purpose of reversing revenue accruals
- iv. Grant advances and whether or not funds should be recognized
- v. Grant end dates, closeouts
- vi. Review grant information against the general ledger to ensure accuracy of information listed

5. Record Retention

The City is committed to ensuring that all necessary grant records and documents are adequately retained as required by federal, state, and private funding agencies. The below Record Retention Schedule is approved as the retention schedule for grant records and documents maintained by the applicant department. The schedule is applicable to all physical and electronic grant records maintained by the department as part of the administration and management of federal, state, and private grant funds.

Record Retention Schedule: Grant Records	
Record Type*	Retention Period
Original grant proposal Grant-specific policies and procedures Grant award letter Grant agreement and subsequent modifications, if applicable Grant budget and subsequent modifications, if applicable All pertinent funder correspondence, including emails, phone log notes, letters, site visit/monitoring/corrective action/audit reports, etc... All pertinent sub-recipient/sub-grantee correspondence including emails, phone	At least 5 years following official notification by the awarding agency that the grant has been fiscally and programmatically closed OR at least 5 years following the closure of its audit report covering the entire award period, whichever is later.

log notes, letters, site visit/monitoring/corrective action/audit reports, etc... Fiscal and program/performance reports submitted to the funder including explanation of data collection/reporting methodology, if not evident Wire transfers and/or copies of reimbursement checks received Documentation of required matching funds All documentation relating to grantee compliance with the grant agreement All evidence of returned grant funds All supporting documentation necessary to fully and adequately justify grant expenditures including timesheets, payroll reports, Personnel Activity Reports, receipts, invoices, etc. Other documents deemed necessary and important by grant program/fiscal staff and/or documents required to be maintained by the funder	
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* All grant documents and records should be organized and maintained in designated grant files or other systematic organizational structure.

Capital Assets Policy and Procedures

Policy

Purchased and donated assets meeting the City's capitalization definition and threshold will be classified and recorded in the City's financial records as capital assets. The value of the asset must meet the City's capitalization threshold of \$5,000 to be recorded as a capital asset.

Purpose

To define costs eligible and establish thresholds for capitalization in conformity with Governmental Accounting Standards Board Statement No. 34 Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments and Statement No. 51 Accounting and Financial Reporting for Intangible Capital Assets.

Definitions and Details

1. Definition of a Capital Asset

A capital asset is any tangible or intangible asset purchased for use in the day-to-day operations of the City with a useful life greater than one year and has an acquisition cost of \$5,000 or more. Donations with an estimated appraised value of \$5,000 or more and have a useful life greater than one year is also considered a capital asset. Capital assets include items such as land, sewer lines, buildings, vehicles, equipment, and furniture.

2. Major Asset Classes

- a. (100) Land – includes land under infrastructure and preparation costs. Costs can include acquisition prices and cost of initially preparing land for its intended use (basic site improvements, removal, excavation, relocation, reconstruction). Usually has an indefinite useful life and is not depreciated.
- b. (200) Improvements other than buildings - permanent improvements (non-moveable), other than buildings that add value to land, but do not have an indefinite useful life. Examples include fences, retaining walls, parking lots, and landscaping.
- c. (300) Buildings - permanent structures. Costs can include purchase of new building or cost of an improvement to an existing building. An entire building can be classified as one asset or be reported as separate capital assets if discrete portions of the building have significantly different useful lives (e.g. roof separate from building).
- d. (400) Infrastructure - capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Examples include roads, bridges, tunnels, drainage

- systems, water and sewer systems, and lighting systems.
- e. (600) Furnishings and Equipment - moveable assets that includes all costs to place equipment into service (freight, installation, warranties, and sales tax). Each piece of equipment must meet the minimum capitalization threshold and is not recorded in bulk. Examples include vehicles, furnishings, machinery, servers, and appliances.
 - f. (700) Other Capital Assets – capital assets that do not fit into any of the major asset classes. This can include:
 - i. Intangibles – assets that are not physical in nature. Generally, this includes software and easements (can also include water rights, trademarks).
 - ii. Easements - intangibles with an indefinite useful life and are not depreciated.
 - iii. Software - both internally generated and off-the-shelf.
 - g. (900) Construction in Progress - construction projects in progress at the conclusion of the fiscal year. These costs are not depreciable until the project is completed and booked into the correct category of improvements, buildings, or infrastructure.

3. Capital Asset Useful Life

The capital asset useful life is the determining factor for the number of accounting periods over which the asset is to be depreciated. The City can determine the useful life of an asset by using historical information or by seeking guidance from other external resources to determine the proper useful life of the asset. Depreciation is recorded on a straight-line basis over the estimated useful life of the asset as follows:

Class	Useful Life
Bridges	75 years
Buildings	50 years
Equipment	5-10 years
Parks	70 years
Street drainage	100 years
Streets and roads	50 years
Vehicles	5-10 years
Wastewater infrastructure	50 years

4. Capital Asset Review

The City relies on a decentralized method to verify the accuracy of capital assets. Departments are responsible for evaluating the condition and functionality of existing capital assets assigned to their department to determine if the asset is still providing the most appropriate method to deliver services. Capital assets should be assessed on an annual basis.

5. Disposal of Capital Assets/Surplus Property

When an asset will no longer be used in operations, voluntarily or involuntarily, the asset shall be removed from the City's financial records and removed from service. Disposal of equipment, material, or inventory will be in accordance with the City's surplus property guidelines.

"Surplus Property" is used generically to describe any City property that is no longer needed or useable by the holding department. The City Council shall declare item(s) surplus prior to disposal.

6. Methods of Disposition

- a. The department head or designee in consultation with the Finance Director shall determine or approve one of the following methods of disposition that is most appropriate and in the best interests of the City.
- b. All surplus property is for sale "as is" and "where is", with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability or the property offered for sale. Appropriate methods of sale are as follows:
 - i. Public Auction - Surplus property may be sold at public auction. City staff may conduct public Auctions, or the City may contract with a professional auctioneer including professional auction services.
 - ii. Bids - Bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest responsible bidder.
 - iii. Selling for Scrap - Surplus property may be sold as scrap if the department head or designee in consultation with the Finance Director deems that the value of the raw material exceeds the value of the property as a whole.
 - iv. Negotiated Sale - Surplus property may be sold outright if the department head or designee in consultation with the Finance Director determines that only one known buyer is available or interested in acquiring the property.
 - v. No Value Item – Where the department head or designee in consultation with the Finance Director determines that specific supplies or equipment are surplus and of minimal value to the City due to spoilage, obsolescence or other cause, or where the Finance Director, serving as the Purchasing Officer, determines that the cost of disposal of such supplies or equipment would exceed the recovery value, the department head or designee in consultation with the Finance Director shall dispose of the same in such a manner as he or she deems appropriate and in the best interest of the City.
- c. Surplus property that remains unsold will be donated to a non-profit organization or transferred to an appropriate recycle center.
- d. Proceeds from the sale or trade-in of surplus property shall be submitted to Finance for returning to the appropriate fund.

Unclaimed Funds/Outstanding Checks Policy and Procedures

Policy

The City of Pinole will account for unclaimed funds in a manner which follows Government Code Sections 50050 through 50056. Funds that remain unclaimed for at least three (3) years will become the property of the City of Pinole after the procedures identified herein have been followed.

Purpose

The purpose of this policy is to establish guidelines for the proper disposition of unclaimed funds and outstanding checks in accordance with government statutes.

Definitions and Details

1. Definitions

- a. Unclaimed Funds - Consists of funds which are not the property of the City but remain in the City Treasury for three (3) or more years without a claim being filed by the legal owner(s). Unclaimed funds do not include individual items of less than \$15.00, any amounts in which the depositor's name is unknown, or restitution to victims.
- b. Warrant – Instrument issued to pay for goods and/or services rendered, issue refunds, etc. (i.e. a check).
- c. Stale Dated – A check that is older than six (6) months.
- d. Escheat – refers to state escheat laws that require agencies to transfer unclaimed property or funds to the state after three years and reasonable efforts locate the property owner.

2. Guidelines

The City of Pinole has established the policy to hold unclaimed payroll and accounts payable checks rather than escheating the unclaimed funds to the State of California.

This unclaimed funds policy applies to all outstanding payroll and accounts payable checks abandoned three years after the issue date.

3. Procedures: Items over \$15.00

- a. Quarterly during the bank reconciliation process, the outstanding warrant register will be reviewed for items six (6) months and older. For the warrants six months and older, a letter and unclaimed property claim form will be mailed to the address on record for the issued warrant. See Exhibit 1 and 2 for examples.
- b. Every June 30th and December 31st, (final evaluation dates) all remaining

outstanding warrants will be evaluated. Any warrants issued more than 12 months prior to evaluation date will receive a second letter and affidavit form. If no response is received within 30 days for the warrants 12 months or greater, the warrant will be identified as stale dated. Stale dated warrants shall be cancelled and voided in the system. A journal entry shall be prepared to record the total amount of stale dated checks in a hold account called "Aged Unclaimed Warrants".

- c. A list of stale date warrants containing the warrant number, issue date, amount, and payee shall be maintained by the Finance Department. If a cancelled warrant is presented, or the payee files a claim after cancellation, the warrant shall be reissued by debiting the "Aged Unclaimed Warrants" account, and the original warrant shall be removed from the stale dated list.
- d. Also, on June 30th and December 31st, the stale dated list shall be evaluated to determine which warrants are more than 3 years old from the date of issue. Warrants that are more than 3 years old will be handled as follows:
 - i. A notice must be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Pinole stating the payee, the amount, the fund in which the money is held, and that it is proposed that the money will become the property of the City of Pinole on a specific date (not less than 45 nor more than 60 days after the first publication). See Exhibit 3 for example.
 - ii. Upon or prior to publication, a party of interest may file a claim (Exhibit 2) for the funds with the Finance Director. The claim must contain the claimant's name, address, amount, tax identification number, and grounds for claim prior to the date the funds become property of the City of Pinole. The Finance Director can require additional information to help substantiate the claim.
 - iii. On the day identified in the notice, the total dollar amount (on which no claims were filed) becomes the property of the City. A journal entry will be prepared to recognize the revenue. The money will be moved from "Aged Unclaimed Warrants" to the fund the warrant was originally issued from.

4. Procedures: Items under \$15.00 or items where the depositor is unknown

- a. Quarterly during the bank reconciliation process, the outstanding warrant register will be reviewed for items six (6) months and older. For the warrants six months and older, a letter and unclaimed property claim form will be mailed to the address on record for the issued warrant. See Exhibit 1 and 2 for examples.
- b. Every June 30th and December 31st, (final evaluation dates) all remaining outstanding warrants will be evaluated. Any warrants issued more than 12 months prior to evaluation date will receive a second letter and affidavit form. If no response is received within 30 days for the warrants 12 months or greater, it becomes the property of the City of Pinole. Stale dated warrants shall be cancelled and voided in the system. A journal entry will

be used to record the total amount of these warrants as revenue.

- c. Any individual check of less than fifteen (\$15) dollars, or any amount if the depositor's name is unknown, which remain unclaimed for a period of one (1) year may be transferred from the funds which the money was originally drawn from by the City Council to the General Fund without the necessity of publication of notice in a newspaper. (Gov. Code Section 50055)

City of Pinole INVESTMENT POLICY

I. Introduction

The purpose of this Policy is to define the parameters within which funds are to be managed. In methods, procedures, and practices, the policy formalizes the framework for the City of Pinole's investment activities that must be exercised to ensure effective and judicious fiscal and investment management of the City's funds.

II. Governing Authority

The investment program of the City of Pinole ("the City") shall be operated in conformance with federal, state, and other legal requirements. All funds will be invested in accordance with the City's Investment Policy, and California Government Code Sections 5360I, 5360I.1, 5360I.5, 5360I.6, 53635, 53646, 53635.5, and 16481.2.

III. Scope

It is intended that this policy cover all funds (except retirement funds) and investment activities under the direction of the City. The investment of bond proceeds will be in accordance with the provisions of relevant bond documents.

IV. Objectives

The primary objectives, in priority order, of the investment activities of the City shall be:

1. Safety

Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure preservation of capital in the portfolio.

2. Liquidity

The investment portfolio of the City will remain sufficiently liquid to enable the City to meet its cash flow requirements.

3. Return

The investment portfolio of the City shall be designed with the objective of attaining a market rate of return on its investments consistent with the constraints imposed by its safety objective and cash flow considerations.

V. **Standards of Care**

1. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse development.

The “prudent person” standard states that,

“Investments shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.”

2. Ethics and Conflict of Interest

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

3. Delegation of Authority

The management responsibility for the investment program is hereby delegated to the City Treasurer or designee who shall monitor and review all investments for consistency with this investment policy. No person may engage in an investment transaction except as provided under the limits of this policy. The City Council may delegate its investment decision making and execution authority to an investment advisor. The advisor shall follow the policy and such other written instructions as are provided.

VI. Permitted Investment Instruments

1. U.S. Treasury and other government notes, bonds, bills, or obligations that carry the full faith and credit guarantee of the United States for the payment of principal and interest. Maturities shall not exceed five years in length. No more than fifty (50) percent of the City's investment portfolio may be invested in instruments defined under this section.
2. Federal Agency or U.S. government sponsored enterprises (GSE) bonds and note obligations, participations or other instruments. This includes but is not limited to obligations issued by Banks for Cooperatives, Federal Land Banks, Federal Intermediate Credit Banks, Federal Farm Credit Banks, Federal Home Loan Banks, the Federal Home Loan Bank Board, the Federal Home Loan Mortgage Corporation or in obligations, participations, or other instruments of, or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or in guaranteed portions of Small Business Administration notes. Maturities shall not exceed five years in length, unless the funds to be invested are moneys generated from the proceeds of the sale of real estate assets restricted to a reserve account, and the investment security is "AA" rated by at least two of three nationally recognized rating agencies (Standard & Poor's, Moody's or Fitch) in which case maturities shall not exceed ten years in length. No more than 40 (forty) percent of the City's investment portfolio may be invested in instruments defined under this section.
3. Certificates of Deposit (CDs) which are Federal Deposit Insurance Company (FDIC) insured or fully collateralized time CD's in financial institutions in California. No more than 10 percent of the City's portfolio shall be invested in FDIC insured or fully collateralized time certificates of deposit. Maturities shall not exceed five years in length.
4. Negotiable FDIC insured Certificates of Deposit or deposit notes issued by a nationally or state-chartered bank or a state or federal savings and loan association or by a state-licensed branch of a foreign bank. Purchase of negotiable CD's may not exceed 30 percent of the City's investment portfolio. Maturities shall not exceed five years in length, and must have an IDC number greater than 165 (excellent rated).

5. Bankers' Acceptances issued by domestic or foreign banks, which are eligible for purchase by the Federal Reserve System, the short-term paper of which is rated in the highest category by Moody's Investors Services or by Standard & Poor's Corporation. Purchases of Bankers' Acceptances may not exceed 180 days maturity or 40 percent of the City's investment portfolio. No more than 10 percent of the City's investment portfolio may be invested in the Banker's Acceptances of any one commercial bank.
6. Medium-term corporate notes issued by corporations organized and operating within the United States or by depository institutions licensed by the U.S. or any state and operating within the U.S. Medium-term corporate notes shall be rated in a Double-AA rating category "AA" or its equivalent or better by a nationally recognized rating service. Additionally, corporate notes shall be widely diversified across all market sectors. Purchase of medium-term corporate notes may not exceed fifteen (15) percent of the City's investment portfolio. No more than five (5) percent of the City's investment portfolio may be invested in a medium-term note of any one corporation. Maturities shall not exceed five years in length.
7. Commercial paper rated in the highest tier of "prime quality" as provided by Moody's Investors Service, Inc., or Standard & Poor's Corporation, provided that the issuing corporation is organized and operating within the United States, has total assets in excess of \$500 million and has an "A" or higher rating for its long-term debt, if any, as provided by Moody's or Standard & Poor's. Purchases of eligible commercial paper may not exceed 180 day's maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. Purchases of commercial paper may not exceed 15 percent of the City's investment portfolio. An additional 15 percent or a total of 30 percent of the City's investment portfolio may be invested only if the dollar weighted average of the entire amount does not exceed 31 days.
8. Repurchase Agreements used solely as short-term investments not to exceed 30 days. The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities, as described in VI.1 and 2, will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to the City's custodian bank versus payment or be handled under a tri-party repurchase agreement. The total of all collateral for each Repurchase Agreement must equal or exceed, on the basis of market value plus accrued interest, 103 percent of the total dollar value of the money invested by the City for the term of the investment unless the term of the investment is overnight, in which case the total of all collateral for the Repurchase Agreement must equal or exceed, on the basis of market value plus accrued interest, 100 percent of the total dollar value of the

investment. For any Repurchase Agreement with a term of more than one day, the value of the underlying securities must be reviewed on a regular basis. Market value must be calculated each time there is a substitution of collateral. The City or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to Repurchase Agreement.

The City may enter into Repurchase Agreements with (1) primary dealers in U.S. Government securities who are eligible to transact business with, and who report to, the Federal Reserve Bank of New York, and (2) California and non-California banking institutions having assets in excess of \$1 billion and in the highest short-term rating category as provided by Moody's Investors Service, Inc. or Standard & Poor's Corporation. The City will have specific written agreements with each firm with which it enters into Repurchase Agreements. No more than 10 percent of the City's investment portfolio may be invested in Repurchase Agreements.

9. State of California's Local Agency Investment Fund (LAIF). Up to 100 percent of the City's portfolio may be invested in LAIF or up to the maximum permitted by California State Law. The LAIF portfolio should be reviewed periodically.
10. Securities and Exchange Commission (SEC) registered Money Market Mutual Funds as authorized by Government Code Sections 53601 and/or 53635. To be eligible for investment pursuant to this subdivision these companies shall either:
 - a. Attain the highest ranking letter or numerical rating provided by not less than two of the three largest nationally recognized rating services;
 - b. Have an investment advisor registered with the Securities and Exchange Commission with not less than five years experience investing in securities and obligations authorized by Government Code Section 53601;
 - c. Assets under management in excess of \$500,000,000;
 - d. The purchase price of the share of beneficial interest shall not include any commission charged by these companies; and,
 - e. Purchases shall not exceed 15 percent of the investment portfolio of the City.

Under no circumstances shall any funds of the City be invested in inverse floaters, range notes, or interest-only strips that are derived from a pool of mortgage. Nor

shall any of the City's funds be invested in any security that could result in zero interest accrual if held to maturity.

VII. Reporting Requirements

Quarterly investment reports shall be submitted by the City's Treasurer or designee to the City Council. The reports shall include, at a minimum, the following information for each individual investment:

- Type investment instrument;
- Institution/Issuer;
- Maturity date;
- Cost of security (par value) and dollar amount in all securities;
- Description of the funds and investments;
- Maturity distribution and of the portfolio;
- Current market value of all securities;
- Rate of return for the portfolio;
- A statement of compliance of the portfolio with the City's Investment Policy, and its ability to meet expenditure requirements for the next six months.

Pursuant to Government Code Section 53646 (e), the Treasurer may supply to the governing body, chief executive office and the external auditor a copy of the most recent statement received by the City on those investments in the State Local Agency Investment Fund in lieu of the above required statement.

VIII. Safekeeping and Custody

The assets of the City shall be secured through the third-party custody and safekeeping procedures. Bearer instruments shall be held only through third-party institutions. Collateralized securities such as repurchase agreements shall be purchased using the delivery vs. payment (DVP) procedure.

City of Pinole
PENSION AND OTHER POST-EMPLOYMENT BENEFITS (OPEB)
INVESTMENT POLICY

I. Introduction

The City of Pinole (the “City”) has established the City of Pinole Employee Benefit Pension Plan (the “Plan”), a Section 115 Trust. The goal of the Plan’s investment program is to provide a reasonable level of growth which will result in sufficient assets to offset a portion of the present and future obligations of retirement benefits provided by the California Public Employees Retirement System (“CalPERS”) and Other Post-Employment Benefits (OPEB) provided by the City for those eligible employees who meet the specified age and service requirements.

II. Statement of Purpose

The purpose of this Pension and OPEB Investment Policy is to establish a comprehensive strategy for assets invested under the Plan, and outline prudent and acceptable parameters in which pension and OPEB funds are to be managed.

The primary objectives of this policy are to:

- Facilitate the process of ongoing communication between the Plan Sponsor and its plan fiduciaries;
- Confirm the Plan’s investment goals and objectives and management policies applicable to the investment portfolio;
- Provide a framework to construct a well-diversified asset mix that can potentially be expected to meet the account’s short and long-term needs that is consistent with the account’s investment objectives, liquidity considerations and risk tolerance;
- Identify any unique considerations that may restrict or limit the investment discretion of its designated investment managers;
- Help maintain a long-term perspective when market volatility is caused by short-term market movements.

III. Roles and Responsibilities

Governing Authority

The pension and OPEB investment program of the City of Pinole (“the City”) shall be operated in conformance with federal, state, and other legal requirements. All funds will be invested in accordance with the City’s Pension and OPEB Investment Policy, and applicable California Government Code Sections.

Delegation of Authority

The management responsibility for the pension investment program is hereby delegated to the City Manager and/or designee as Plan Administrator who shall monitor and review all investments for consistency with this investment policy. No person may engage in an investment transaction except as provided under the limits of this policy. The City Council may delegate its investment decision making and execution authority to an investment advisor. The advisor shall follow the policy and such other written instructions as are provided.

Duties and Responsibilities (Refer to Appendix for who serves in these roles)

Plan Administrator

The Plan Administrator for the City of Pinole is responsible for:

- Confirming the accuracy of this Investment Guidelines Document, in writing.
- Advising Trustee and Investment Manager of any change in the plan/account's financial situation, funding status, or cash flows, which could possibly necessitate a change to the account's overall risk tolerance, time horizon or liquidity requirements; and thus would dictate a change to the overall investment objective and goals for the account.
- Monitoring and supervising all service vendors and investment options, including investment managers.
- Avoiding prohibited transactions and conflicts of interest.

Trustee

The plan Trustee is responsible for:

- Valuing the holdings.
- Collecting all income and dividends owed to the Plan.
- Settling all transactions (buy-sell orders).

Investment Manager

The Investment Manager is responsible for:

- Assisting the Plan Administrator with the development and maintenance of this Investment Policy document.
- Meeting with the Plan Administrator to review portfolio structure, holdings, and performance.
- Designing, recommending and implementing an appropriate asset allocation consistent with the investment objectives, time horizon, risk profile, guidelines and constraints outlined in this Policy.
- Researching and monitoring investment advisers and investment vehicles.
- Purchasing, selling, and reinvesting in securities held in the account.
- Monitoring the performance of all selected assets.
- Voting proxies, if applicable.
- Recommending changes to any of the above.

- Periodically reviewing the suitability of the investments, and being available at such other times within reason at your request.
- Preparing and presenting appropriate reports.
- Informing the Plan Administrator if changes occur in personnel that are responsible for portfolio management or research.

Standards of Care

Prudence

The standard of prudence to be used by investment officers shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse development.

The “prudent person” standard states that,

“Investments shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.”

Ethics and Conflict of Interest

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

IV. Asset Allocation

The goal of the Plan’s investment program is to provide a reasonable level of growth, which will result in sufficient assets to pay a portion of the present and future obligations of the Plan. The following objectives are intended to assist in achieving this goal:

- The Plan should seek to earn a return in excess of its policy benchmark over the life of the Plan.
- The Plan’s assets will be managed on a total return basis which takes into consideration both investment income and capital appreciation. While the Plan Sponsor recognizes the importance of preservation of capital, it also adheres to the principle that varying degrees of investment risk are generally rewarded with compensating returns. To achieve these objectives, the Plan Sponsor allocates its assets (asset allocation) with a

strategic perspective of the capital markets.

<i>Investment Time Horizon:</i>	Intermediate-term
<i>Anticipated Cash Flows:</i>	Assets in the Plan will seek to mitigate the impact of future rate increases from CalPERS and healthcare costs. Typically, increases in rates come with a one-year advance warning; however the Plan Administrator may request disbursement of assets at any time.
<i>Investment Objective:</i>	The primary objective is to generate a reasonable level of growth over time. The assets in this Plan will eventually be used to fund Pension Plan and OPEB obligations.
<i>Risk Tolerance:</i>	<i>Moderate</i> – The account’s risk tolerance has been rated moderate, which demonstrates that the account can accept price fluctuations to pursue its investment objectives.

Strategic Asset Allocation

As of the date of this Pension and OPEB Investment Policy adoption, the asset allocation ranges for the City of Pinole Employee Benefit Pension and OPEB Plan is as follows:

<i>Strategic Asset Allocation Ranges</i>		
Cash	Fixed Income	Equity
0-20%	40%-60%	40%-60%
Target: 2%	Target: 48%	Target: 50%

Market conditions may cause the account’s asset allocation to vary from the stated range from time to time. The Investment Manager will rebalance the portfolio no less than quarterly and/or when the actual weighting differs substantially from the strategic range, if appropriate and consistent with the Plan’s objectives.

V. Investment Guidelines

Security Guidelines

Equities

With the exception of limitations and constraints described above, the Investment Manager may allocate assets of the equity portion of the account among various market capitalizations (large, mid, small) and investment styles (value, growth).

Further, the Investment Manager may allocate assets among domestic and international developed and emerging market equity securities.

Total Equities	40%-60%
<i>Equity Style (Growth Assets)</i>	<i>Range</i>
Domestic Equity	15%-39%
International Equity (incl. Developed and Emerging Market Equity)	1%-25%
Other (REIT and Global Infrastructure)	0%-15%

Fixed Income

In the fixed income portion of the account, the Investment Manager may allocate assets among various sectors and industries, as well as varying maturities and credit quality that are consistent with the overall goals and objectives of the portfolio.

Total Fixed Income	40%-60%
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*High Yield securities may be purchased, but they will be held using a diversified exchange traded fund, or mutual fund vehicle.

If individual fixed income securities are purchased for the Plan, the following guidelines will be adhered to in the management of the fixed income segment:

Eligible Investments

- Debt obligations of the U.S. Government, its agencies, and Government Sponsored Enterprises
- Mortgage-Backed Securities (MBS)
- Asset Backed Securities (ABS)
- Collateralized Mortgage Obligations (CMO)
- Commercial Mortgage-Backed Securities (CMBS)
- Corporate debt securities issued by U.S. or foreign entities including, but not limited to, limited partnerships, equipment trust certificates and enhanced equipment trust certificates
- Eligible instruments issued pursuant to SEC Rule 144(a)
- Municipal Bonds
- Fixed Income mutual funds
- Eligible instruments issued pursuant to SEC Rule 144a (only if the Client is a documented Qualified Institutional Buyer ; QIB)

Quality

The individual securities portfolio will maintain a minimum weighted average

effective quality of A- at all times. At the time of purchase, individual securities shall have a minimum effective quality rating of BBB-.

For purposes of determining an effective rating, when three agencies rate a security (S&P, Moodys, Fitch) the middle rating will be used. When only two of the three agencies rate a security the lower of the two ratings will be used. When only one agency rates a security that rating will be used.

Duration

The Investment Manager will maintain the portfolio duration within +/- 25% of the Bloomberg US Aggregate Bond Index duration at all times for the individual securities portfolio of the bond segment.

Diversification

- No more than 5% of the portfolio assets may be invested in any individual issuer, with the exception of securities issued or guaranteed by the U.S. Government, its agencies, and Government Sponsored Enterprises. These restrictions do not apply to fixed funds or exchange-traded funds (ETFs).
- No more than 30% of the portfolio may be invested in securities issued under Rule 144A* without registration rights (no limit on Rule 144a* securities with registration rights).

* Note: Rule 144A is an administrative rule under the SEC allowing, under certain circumstances, for qualified institutional investors to trade certain securities with other institutional investors without registering the trade with the SEC. Specifically, the rule allows private companies, both domestic and international, to sell unregistered securities, also known as Rule 144 securities, to qualified institution buyers (QIBs) through a broker-dealer.

Performance Benchmarks

The performance of the total Plan shall be measured over a three and five-year periods. These periods are considered sufficient to accommodate the market cycles experienced with investments. The performance shall be compared to the return of the total portfolio blended benchmark shown below.

Total Portfolio Blended Benchmark

30.0%	Russell 3000 Index
15.0%	MSCI-ACWI Ex-US Index
2.5%	MSCI World Core Infrastructure Index
2.5%	MSCI US REIT Index
44.25%	Bloomberg US Aggregate Bond Index

3.75% ICE BofA High Yield Index
2.0% 90-Day Treasury Bill Index

Security Selection

The Investment Manager may utilize a full range of investment vehicles when constructing the investment portfolio, including but not limited to individual securities, mutual funds, and exchange-traded funds. In addition, to the extent permissible, the Investment Manager is authorized to invest in shares of mutual funds in which the Investment Manager serves as advisor or sub-adviser.

Investment Limitations

The following investment transactions are prohibited:

- Direct investments in precious metals (precious metals mutual funds and exchange-traded funds are permissible).
- Venture Capital
- Short sales*
- Purchases of Letter Stock, Private Placements, or direct payments
- Leveraged Transactions*
- Commodities Transactions Puts, calls, straddles, or other option strategies*
- Purchases of real estate, with the exception of REIT mutual funds or ETFs
- Derivatives, with exception of ETFs*

**Permissible in diversified mutual funds and exchange-traded funds*

VI. Reporting Requirements

Quarterly reports shall be submitted by the Investment Manager to the Plan Administrator of the City of Pinole. These reports will be submitted by the City's Treasurer or designee to the City Council.

APPENDIX

Plan Sponsor Account Information as of the date this pension investment policy is adopted:

Plan Sponsor:	City of Pinole
Plan Administrator:	City Manager and/or designee
Governance:	Pinole City Council
Plan Name ("Plan")	City of Pinole Employee Benefits Pension Plan
Trustee:	US Bank
Type of Account	Pension and OPEB Plan
ERISA Status:	Not subject to ERISA
Investment Manager:	US Bank, as discretionary trustee, has delegated investment management responsibilities to PFM Asset Management ("Investment Manager"), an SEC-registered investment adviser
Investment Authority:	Except as otherwise noted, the Trustee, US Bank, has delegated investment authority to PFM Asset Management, an SEC- registered investment adviser. Investment Manager has full investment discretion over the managed assets in the account. Investment Manager is authorized to purchase, sell, exchange, invest, reinvest and manage the designated assets held in the account, all in accordance with account's investment objectives, without prior approval or subsequent approval of any other party(ies).



CITY COUNCIL REPORT

9.F.

DATE: MARCH 3, 2026
TO: MAYOR AND COUNCIL MEMBERS
FROM: Eric Casher, City Attorney, N/A, eric@redwoodpubliclaw.com
SUBJECT: SECOND READING OF AN ORDINANCE AMENDING SECTION 2.12.010 TO MODIFY THE START TIME OF REGULARLY SCHEDULED CITY COUNCIL MEETINGS

RECOMMENDATION

Staff recommends the City Council waive second reading and adopt an ordinance amending Section 2.12.010 of the Pinole Municipal Code to modify the start time of regularly scheduled City Council meetings.

BACKGROUND

Section 2.12.010 of the City of Pinole Municipal Code establishes a set time, date and location for regularly scheduled meetings of the Pinole City Council. It currently provides that the regularly scheduled meetings of the Pinole City Council shall be held at five p.m. (5:00 p.m.).

On January 20, 2026, the City Council directed staff to prepare an ordinance amending the start time of regular meetings from five p.m. (5:00 p.m.) to five-thirty (5:30 p.m.). For members of the City Council who travel to regular meetings immediately after their primary jobs, a 5:00 p.m. meeting start time can prove to be difficult to accommodate, particularly with commuter traffic.

On February 17, 2026, the City Council introduced and conducted a first reading of the proposed Ordinance.

REVIEW AND ANALYSIS

The City of Pinole is authorized to change or amend the start time of regularly scheduled City Council meetings. The proposed Ordinance (Exhibit A) reflects the Council's proposed revisions and amends Section 2.12.010 of the Pinole Municipal Code to advance the start time of regularly scheduled City Council meetings from five p.m. (5:00 p.m.) to five-thirty p.m. (5:30 p.m.).

FISCAL IMPACT

Adopting the proposed Ordinance will have no direct fiscal impact. Costs related to staff attendance and preparation for meetings will not change.

ATTACHMENTS

A. Ordinance

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE AMENDING SECTION 2.12.010 OF THE PINOLE MUNICIPAL CODE TO MODIFY THE START TIME OF REGULARLY SCHEDULED CITY COUNCIL MEETINGS

WHEREAS, Pinole Municipal Code Section 2.12.010 “Time of Regular Meetings” provides that regular meetings shall be held at 5:00 p.m.; and

WHEREAS, the City Council desires to amend PMC Chapter 2.12 “Council Meetings,” Section 2.12.010 “Time of Regular Meetings” to advance the City Council’s fixed meeting time from five p.m. (5:00 p.m.) to five-thirty p.m. (5:30 p.m.).

NOW, THEREFORE, the City Council of the City of Pinole does ordain as follows:

Section 1. Recitals.

The above recitals are true and correct and made a part of this Ordinance.

Section 2. Municipal Code Amendment – Chapter 2.12.

Pinole Municipal Code Chapter 2.12 “Council Meetings,” Section 2.12.010 “Time of Regular Meetings” is hereby amended as follows (with text in ~~strikeout~~ indicating deletion and double underline indicating addition).

“2.12.010 TIME OF REGULAR MEETINGS.

The regular meetings shall be held in the council chambers on the first (1st) and third (3rd) Tuesdays of each month at ~~five~~ five-thirty p.m. (~~5:00~~ 5:30 p.m.), except when a meeting day falls upon a holiday, in which case the meeting shall be held on the next succeeding business day at the same hour.”

Section 3. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Pinole hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 5. Effective Date.

In accordance with California Government Code Section 36937, this Ordinance shall take effect and be in force on the thirty-first day after adoption.

Section 6. Publication.

Within fifteen (15) days after the passage of this Ordinance the City Clerk shall cause this Ordinance or a summary thereof to be published or to be posted in at least three public places in the City of Pinole in accordance with the requirements of California Government Code Section 36933.

PASSED AND ADOPTED on this _____ day of _____ 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Heather Bell, City Clerk

APPROVED AS TO FORM:

Eric S. Casher, City Attorney



CITY COUNCIL REPORT

10.A.

DATE: MARCH 3, 2026

TO: MAYOR AND COUNCIL MEMBERS

FROM: Lilly Whalen, Community Development Director, 510-724-9832,
lwhalen@pinole.gov

SUBJECT: RESIDENTIAL HEALTH AND SAFETY RENTAL INSPECTION PROGRAM:
HOUSING FELLOW UPDATE; AMEND ADMINISTRATIVE REGULATIONS,
AUTHORIZE 1.0 FTE HOUSING INSPECTOR, AND ADOPT NEW COST-
RECOVERY FEES

RECOMMENDATION

Staff recommends that the City Council take the following actions:

1. Receive an update from the City's Housing Fellow on progress related to improvements to the Residential Health and Safety Rental Inspection Program ("Program").
2. Adopt a Resolution amending Administrative Regulations necessary to successfully update the Program promulgated by the Building Official (Attachment A).
3. Adopt a Resolution authorizing the addition of 1.0 FTE Residential Health and Safety Inspector to manage the Program and conduct inspections of substandard housing pursuant to Assembly Bill 548 and Senate Bill 1415 (Attachment B).
4. Adopt a Resolution amending the Master Fee Schedule to ensure the inspection program, as administered by the full-time Residential Health and Safety Inspector, is fully cost-recoverable (Attachment C).

BACKGROUND

This report provides a Program update, proposes amendments to the Administrative Regulations to support implementation (including a temporary Early Enrollment Fee Waiver and an Affordable Housing inspection reduction framework), requests authorization for a new 1.0 FTE Residential Health and Safety Inspector, and recommends adoption of updated fees to achieve full cost recovery. The new software platform and staffing will modernize enrollment, scheduling, and data transparency while maintaining City oversight and tenant safety.

September 16, 2025—Council Discussion

On September 16, 2025, the City Council received an update from the City's Housing Fellow regarding improvements to the Program and staff's intent to enter into a contract with OpportunitySpace, Inc. (dba "Tolemi") to provide a proactive rental inventory and inspection software platform. The City Council directed staff to proceed with:

- Implementation of a new software platform to support an online, public-facing rental inventory and inspection system.

- Development of Administrative Regulations pursuant to Pinole Municipal Code (PMC) 8.30.170 to operationalize the Program.
- Continuation of community and interested party engagement to inform program design.
- Preparation of a fee and staffing analysis to achieve full cost recovery and restore a dedicated rental housing inspector.

City Council also expressed interest in incorporating decarbonization metrics and tenant demographic data collection. These improvements will be funded in part by the Partnership for the Bay's Future (PBF) Policy Fund Grant, which supports the City's housing implementation goals, including the redesign and relaunch of the Program.

November 18, 2025—Council Discussion and Administrative Regulations

On November 18, 2025, the City Council received an update from the City's Housing Fellow presenting progress on Program improvements, findings from research and engagement, and proposed Administrative Regulations necessary for implementation. City Council approved Resolution No. 2025-86 (Attachment D) authorizing the Community Development Department to promulgate the proposed regulations.

The approved regulations:

- Transition fee collection from a single triennial inspection payment to three equal annual payments while maintaining the three-year inspection cycle, allowing owners to spread costs evenly over time;
- Require annual renewal of owner enrollment and submission of updated basic housing and occupancy information to ensure accurate scheduling, support proactive compliance monitoring, and maintain up-to-date data necessary to protect public health and safety;
- Shift to a standardized digital enrollment process, eliminating paper forms to reduce staff workload and data errors, while providing dedicated in-person support hours to ensure access for all property owners;
- Establish an online, public-facing rental inventory platform that links inspection status and business license renewal to support transparency and ongoing compliance with minimum health and safety standards;
- Direct staff to complete a class and compensation study for a full-time Residential Health and Safety Inspector position to manage the Program and conduct inspections of substandard housing pursuant to Assembly Bill 548 and Senate Bill 1415; and
- Direct staff to prepare a fee study to develop an updated inspection fee that supports full cost recovery for the Program.

Staff also communicated that further modifications to the Administrative Regulations would be brought forward, alongside a fee study to support full cost recovery and continued engagement.

Residential Health and Safety Rental Inspection Program

Established in 2006, the Program protects public health, safety, and welfare by ensuring proper maintenance of rental housing (PMC 8.30.020). The Program is intended to identify and correct substandard or non-compliant housing conditions and prevent deterioration and blight

that harm property values and quality of life in Pinole.

The Program requires all residential rental property owners—including single-family homes, multi-family properties, apartment buildings, and hotels/motels—to:

1. Maintain a valid business license each year;
2. Allow the City to inspect each unit once every three years for compliance with applicable City ordinances and housing laws; and
3. Correct any violations identified during inspections.

Historically, the Program was managed by a dedicated City Rental Housing Inspector. Following the Great Recession, staffing reductions and the lack of a reliable system to track properties and inspections led to inconsistent compliance, often through Code Enforcement complaints, business license renewals, or individual inquiries. Records remain scattered across spreadsheets and Word documents, with some recent data tied to the City's business license system.

Staff explored whether the City's eTRAKiT system—currently used for Building, Planning, Code Enforcement, Public Works, and Finance—could support the Program. After review, it was determined eTRAKiT cannot meet the Program's needs for scheduling, payment, compliance documentation, or public transparency.

In 2023, the Community Development Department partnered with Finance to encourage more property owners—particularly those not inspected within the last three years—to come into compliance. Contract staff supported this effort. Without a dedicated rental tracking system, staff created a temporary patchwork using Microsoft Bookings for scheduling, Stripe for payments, and the City's permit system to issue business licenses, track inspection results, and verify compliance.

While this temporary process allowed the City to resume some inspections with contracted staff, feedback from staff and participants indicates it is difficult to use, inefficient, and not suited to the Program's long-term needs. It confirms only basic habitability compliance, lacks public transparency, requires manual data entry, and does not provide analytics to understand broader rental market trends. Finally, the Program does not have dedicated staff, which limits effective administration.

REVIEW AND ANALYSIS

Online Platform Development

The City plans to encourage adoption and increase enrollment by implementing a user-friendly software platform that streamlines inspection scheduling, data collection, and fee payment. Following Council direction in November, staff continued developing and customizing the platform to make participation straightforward, cost-effective, and minimally disruptive for property owners and tenants while improving the quality of data available to policymakers and strengthening shared accountability for safe, healthy housing.

The new online Enrollment platform will:

- Integrate with current business license renewal processing and permitting systems;
- Enable online program enrollment and annual renewals;
- Facilitate streamlined inspection scheduling, fee payment, and compliance tracking;
- Automate noncompliance identification and outreach; and
- Provide transparent, spatially enabled data about the City’s rental housing stock to staff and the public.

On March 3, 2026, staff will preview the live platform to City Council.

Community and Interested Party Engagement

City staff have engaged with neighboring municipalities, tenant advocates, affordable housing operators, Pinole renters, and rental operators regarding Program refinements (see summary Table 1). Preliminary findings indicate a general consensus among rental residents and operators that these improvements will benefit their experience with the City and will not significantly burden existing operations.

Table 1: Interested Party Engagement

Category Engaged	Number Engaged
Pinole renters	3
Rental operator	6
Affordable housing operators	2
Tenant advocacy groups	7
Northern California inventory program operators	12

Data Collection

Based on engagement findings, the Enrollment platform will expand information collected to include:

- Owner Information: Name, contact information.
- Property Information: Number of units, year built, square footage; decarbonization metrics (gas or electric heating system, laundry system).
- Unit Information: Bedrooms/bathrooms, square footage; decarbonization metrics (gas or electric stovetop, water heater, heating and laundry system—if varied by unit).
- Lease Information: Occupancy status; rent; security deposit; utilities and other fees charged to the tenant; parking.

These data elements are consistent with categories commonly gathered by similar rental inventory programs. Non-sensitive data may be incorporated into the public-facing website.

Amendments to Administrative Regulations

PMC 8.30.170 authorizes the Building Official to promulgate Administrative Regulations:

The Building Official is authorized and directed to promulgate administrative regulations pertaining to the implementation and enforcement of this chapter. Such administrative regulations shall not take effect unless and until they are approved by a resolution duly adopted by the City Council following a public hearing thereon.

In November, the City Council adopted Resolution No. 2025-86 (Attachment D), establishing initial Administrative Regulations for the Program. At that time, staff advised that additional refinements would be presented in a future update to address feedback from program development and engagement. Two amendments are proposed:

1. The enrollment fee, which is 14% of the total rental inspection fee, reflects the proportion of software costs relative to staffing costs for administering the Program. To encourage timely participation and streamline implementation, staff recommends waiving this enrollment fee for properties that complete enrollment between April 1 and May 31, 2026. This temporary waiver is intended to:

- Incentivize early compliance
- Reduce administrative backlog during program launch
- Support property owners during the transition

All other Program requirements—including annual renewal and inspection scheduling—will remain in effect.

Over Fiscal Years 2023/24, 2024/25, and so far in 2025/26, the City has collected approximately \$366,400 in dedicated funds for the Residential Health and Safety Rental Inspection Program and spent about \$65,000 to contract a temporary Rental Housing Inspector. This leaves more than \$300,000 available to support the program. Staff recommends using these funds to offset revenue lost from waived enrollment fees, which—if all property owners take advantage of the waiver—would total approximately \$39,000. This approach ensures the Program remains fully funded during its initial rollout, supports hiring a new full-time equivalent (FTE) position, and allows waiving enrollment fees without impacting the General Fund, while providing an incentive for property owners to adopt the new system.

2. Affordable Housing Inspection Reduction Framework. Current Exemption (PMC 8.30.040): Units that are owned, operated, or managed by a government agency other than the City or which are exempt from municipal regulation pursuant to state or federal law or regulations. This typically applies to public housing developments fully operated by a public agency for low-income households. While the Housing Authority of Contra Costa County manages public housing elsewhere in the county, no such developments exist within Pinole. As a result, all affordable housing in Pinole is currently subject to the City's inspection program.

Policy Consideration—Affordable Housing Inspection Waivers

During engagement, participants suggested exempting deed-restricted affordable units. Staff reviewed the Program's purpose (PMC 8.30.020)—to protect public health, safety, and welfare by ensuring proper maintenance, correcting substandard conditions, and preventing deterioration and blight—and consulted with providers subject to inspection by other regulatory agencies (e.g., Housing Authority of Contra Costa County; California Department of Housing and Community Development). These agencies often enforce comparable or more stringent habitability standards.

Accounting for existing inspection oversight can reduce duplication, minimize costs for providers, and support equity and affordability. Verification of active regulation ensures

Program objectives—safe, well-maintained housing—are met without unnecessary City inspections or fees, and without shifting any fiscal burden of program administration to market-rate rental housing.

Proposed Administrative Regulation:

Authorize the Building Official to grant partial exemptions (i.e., reduced City inspection percentages) for affordable rental units regulated to standards comparable to PMC 8.30.090. Affordable housing generally refers to units developed or operated with local, state, or federal funding to maintain affordability for low-income households and typically includes covenants or deed restrictions specifying both the required affordability level and affordability term. Programs that fund or regulate these units impose habitability standards and compliance requirements similar to those enforced by the City.

Exemption Criteria:

Partial exemptions will be granted at the discretion of the Building Official based on:

- Comparable Habitability Standards: The unit or property must be regulated by an agency with standards equivalent to or more stringent than PMC 8.30.090.
- Physical Inspection Frequency:
 - Units physically inspected by the regulating agency at least once every three years: City will inspect 20% of units every three years to confirm compliance.
 - Units primarily relying on self-certification by the rental operator: City will inspect 20%–80% of units every three years, determined by the Building Official based on complaint history, documentation quality, and standards comparability.
- Programs with no external inspection requirements: Units remain subject to the City's full inspection program.
- Complaint History and Reporting Quality: Consideration of habitability complaint history and the quality/completeness of documentation provided to the City.

Attachment E provides a summary of affordable housing programs, regulating agencies, inspection cadences, and proposed City inspection reduction levels.

Enrollment and Documentation Requirements:

Affordable housing rental operators seeking partial exemption must demonstrate adequate regulation by another agency. Required documentation may include:

- Recent inspection reports from the regulating agency;
- Housing Assistance Payment (HAP) contracts;
- Affordability covenants or deed restrictions;
- Authorization forms permitting the City to verify compliance directly with the regulating agency.

Determinations:

- Partial Exemption (20%–80% City inspection): All units remain subject to City inspection. The percentage inspected by the City is determined by the Building Official based on external inspection type, complaint history, documentation quality, and

standards comparability. For example:

- Properties physically inspected at least once every three years by a regulating agency: 20% City inspection every three years.
- Properties relying on self-certification: 20%–80% City inspection based on risk factors.
- No Reduction: Applied when comparable standards are not demonstrated or documentation is insufficient; units remain subject to the City’s full inspection program.

Staffing Analysis

To ensure successful implementation and administration of the Program, staff recommends adding 1.0 FTE Residential Health and Safety Inspector. This position will manage the Program and conduct inspections of substandard housing pursuant to Assembly Bill 548 and Senate Bill 1415.

A class and compensation study was completed for this position, which falls under the City’s existing classification of Senior Project Manager. The analysis includes fully burdened salary and City overhead. Combined with the software platform, the total annual program cost is \$282,535, consisting of \$242,535 for the 1.0 FTE (including an annual top salary of \$123,443) and \$40,000 for software.

Program fees, as detailed in a subsequent section, are structured to achieve full cost recovery, ensuring the position and associated program costs are funded by inspection fees rather than the General Fund.

Staff recommends that the City Council adopt a Resolution (Attachment B) authorizing the addition of this position to support effective administration of the Program.

Fee Recovery Analysis

The proposed fees are intended to comply with applicable federal, state, and local laws including providing confirmation that the proposed fees and charges are not a tax as defined in Article 13C of the California Constitution and that the proposed fees are no more than necessary to cover the reasonable costs of the City’s activities and services addressed in the fees. Additionally, the manner in which the costs are allocated to a payor bear a fair and reasonable relationship to the payor’s burdens on, or benefits received from the activities and services provided by the City.

Industry best practices and California statutes are in harmony: User and regulatory fees should be set according to the estimated reasonable cost of service and should bear a fair and reasonable relationship to the payer’s burdens on, or benefits received from the activities and/or services provided by the City.

The cost of service analysis informing the proposed fees is incorporated as Attachment F to this report. Summary information is included in the table below.

Description of	Current Fee*	Cost of Service	Proposed Cost	Fee Change
Rental		and Proposed	Recovery	
Inspection		Fee		
Program Fee				
Single Family,	\$132 per unit, per	\$173 per unit per	100%	31% increase

Duplex, or Triplex	year	year		
Multi-Family (Quadplex or Greater), Including Hotel / Motels	\$83 per unit, per year	\$108 per unit, per year	100%	30% increase
Deed Restricted Affordable Housing Units subject to comparable inspection oversight by a government- regulating agency (reduces redundancies)	\$83-132 per unit, per year depending on type of housing (single family, multifamily)	\$45 per unit per year	100%	46-66% decrease

*The City's current fee schedule expresses the fee as a tri-annual amount. The amount shown in the table above represents an annualized current fee.

Based on the City's anticipated rental inventory as of January 2026, the cost of service analysis indicates that a proposed fee adjustment of approximately 30% for market-rate units will allow the City to recover the full cost of program-related services, with anticipated annual cost recovery of approximately \$280,000. This adjustment does not represent a shifting of fees to market-rate rentals. Affordable housing units inspected and regulated by another government agency will require fewer City inspections than market-rate units that lack such oversight. Accordingly, fees for affordable units are proposed to decrease by approximately 46–66%, while market-rate fees increase by 30% to reflect the actual cost of services provided.

The attachments to this report include:

- Cost of service analysis (Attachment F)
- Illustration of proposed fee changes (Attachment G)
- Resolution and proposed fee schedule (Attachment C)

Business License Progress During the Transition

Resolution No. 2025-86 authorized a conditional 2025–2026 rental business license renewal schedule, requiring all property owners to enroll in the new inspection system and obtain a valid Certificate of Compliance (CoC) by their applicable 2026 deadline to receive 2027 business licenses.

- Properties with a current CoC (expiring 2027–2029) may renew without reinspection but must enroll and begin annual fee payments by December 31, 2026.
- Properties with a CoC expiring in 2026 must enroll, pay annual fees, and obtain a new CoC by their existing expiration date.
- Properties with CoCs expiring in 2025 must enroll and pay annual fees by June 2026 and schedule an inspection within 90 days of enrollment.

- Properties with expired or no CoC on file must enroll and pay annual fees by April 2026 and schedule an inspection within 90 days of enrollment.

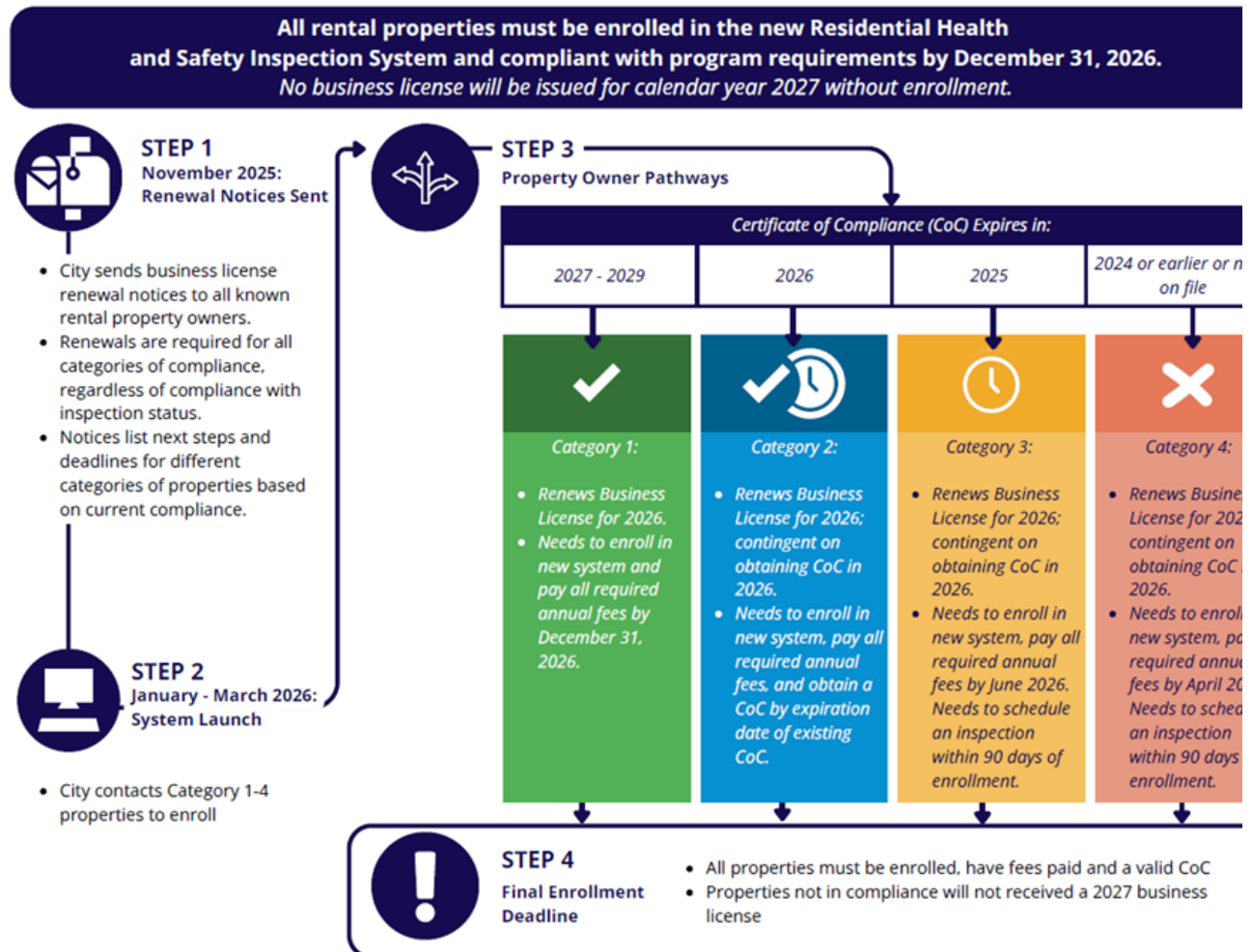


Figure 1: Business license renewal cadence for 2026

Program Timeline

Following Public Hearing and Council Approval, the next steps for the Program will include immediate platform launch and early enrollment, continued community and stakeholder engagement, continued program development design refinements based on Council and stakeholder input, assistance office hours, and preparation of initial report back.

January – March

- Continued Public Outreach
- Assistance office hours
- Early enrollment
- Conditional Business License issuance

July-August

- First quarterly data report
- Focus group follow up

April-June

August-December

- Early enrollment deadline.
- Assistance office hours
- Data synthesis/analysis
- Contract re-evaluation
- Informed recommendations.

Adopting Resolutions A, B and C will allow the City to launch the new platform with ample time for all four Certificate of Compliance Categories to enroll in the program before the deadline communicated by the Finance Department.

FISCAL IMPACT

Adopting the amendments to the Administrative Regulations in Attachment A will not result in an immediate impact to the General Fund. Initial setup costs—including software configuration and staff time—are already covered through existing budgets and the Partnership for the Bay’s Future (PBF) Policy Fund Grant, which also funded the one-time \$8,000 platform setup cost. The proposed Affordable Housing Inspection Reduction has been incorporated into the fee study, and the Early Enrollment Fee Waiver will be absorbed by the existing balance in the Rental Inspection Program Fund.

The total annual cost to operate the Program is \$282,535, which includes \$242,535 for the 1.0 FTE Residential Health and Safety Inspector (Attachment B)—with an annual top salary of \$123,443—and \$40,000 for the software platform. The City has commissioned a fee study (Attachment C) to ensure full cost recovery through the amended Rental Inspection Program fees. Fees have been structured so that both the software contract and the new 1.0 FTE position will be fully funded by program revenues, with no impact on the General Fund. The early enrollment fee waiver will be backfilled using funds in the Rental Inspection Program Fund.

ATTACHMENTS

- A. Resolution
- B. Resolution
- C. Resolution
- D. Resolution 2025-86
- E. AH Exemption GE Inspection Protocols
- F. Cost of Service Model - Rental Housing Insp
- G. Before and After - Rental Housing Insp
- H. Residential Health and Safety Rental Inspection Program Update

RESOLUTION NO. 2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AMENDMENTS TO THE RESIDENTIAL HEALTH AND SAFETY ADMINISTRATIVE REGULATIONS

WHEREAS, the Residential Health and Safety Rental Inspection Program (the “Program”) was established in 2006 to protect public health, safety, and welfare by identifying and correcting substandard and legally non-compliant rental housing conditions, thereby preventing deterioration and blight that could adversely affect neighborhood stability, property values, and quality of life in the City; and

WHEREAS, the Program requires residential rental property owners, including owners of single-family homes, multi-family units, apartment buildings, and hotel/motel units, to maintain a valid business license, allow the City to inspect such units at least once every three years, and correct any identified violations to ensure habitability and compliance with applicable laws; and

WHEREAS, Pinole Municipal Code (PMC) Section 8.30.170 authorizes the Building Official to promulgate administrative regulations pertaining to the implementation and enforcement of the Program, provided such regulations are approved by the City Council following a public hearing; and

WHEREAS, the Program was historically managed by a dedicated full-time Rental Housing Inspector, but staffing reductions during the Great Recession resulted in fragmented administration, limited data collection, and inconsistent compliance monitoring; and

WHEREAS, implementation of a standardized digital enrollment, scheduling, data management, and compliance platform is necessary to restore program effectiveness, ensure transparency, streamline participation for property owners, and maintain accurate rental housing data; and

WHEREAS, Administrative Regulations pertaining to the implementation and enforcement of the Program were adopted by the City Council on November 18, 2025, through Resolution No. 2025-86; and

WHEREAS, at this time, the City Council desires to amend the Administrative Regulations to:

WHEREAS, the amendments to the Administrative Regulations contained in Exhibit A, incorporated herein, establish a temporary waiver of the Residential Health and Safety Rental Inspection Program enrollment fee for properties that complete enrollment between April 1 and May 31, 2026, with dedicated Program funds used to offset

associated revenue in order to support early compliance and ensure a smooth program launch; and

WHEREAS, the amendments to the Administrative Regulations contained in Exhibit A clarify the framework for inspection requirements applicable to affordable housing units, confirming that all such units within the City remain subject to the Residential Health and Safety Rental Inspection Program unless otherwise exempt under state or federal law.

WHEREAS, the City Attorney has determined that these provisions fall within the scope of authority granted under PMC Section 8.30.170.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pinole that the Administrative Regulations for the Residential Health and Safety Rental Inspection Program, attached hereto as Exhibit A, are hereby approved and adopted.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 3rd day of March, 2026 by the following vote:

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

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 3rd day of March, 2026.

Heather Spears, CMC
City Clerk

Exhibit A

Administrative Regulations Implementing the Residential Health and Safety Rental Inspection Ordinance (PMC Section 8.30) Adopted by City Council Resolution No. 2025-86 Amended by City Council Resolution No. 2026-XX

Pursuant to PMC Section 8.30.170, the Building Official hereby issues the following Administrative Regulations to implement and enforce PMC Section 8.30 (the “Ordinance”). Capitalized terms have the meanings set forth in PMC Section 8.30.030. These regulations were adopted by the City Council following a duly noticed public hearing on November 18, 2025, by Resolution No. 2025-86, effective January 1, 2026, and amended by the City Council following a duly noticed public hearing on March 3, 2026, by Resolution No. 2026-XX, effective March 4, 2026,

1. Inventory Enrollment. Each Owner carrying on the business of operating Rental Units (PMC Section 8.30.045) shall, for each Rental Property (PMC Section 8.30.055), complete and submit true and correct inventory and inspection enrollment information for all eligible Rental Units (PMC Section 8.30.040) through the City’s approved platform on or before December 31 of each calendar year. Owners must update enrollment information within 30 days of any material change. An Owner claiming “Unit Unavailable for Rent” status shall file the signed statement described in PMC Section 8.30.030(K) through the platform.
2. Business License. One business license is required per Rental Property (PMC Section 8.30.055). Owners must comply with Title 5 business license requirements (PMC Section 8.30.050). Consistent with PMC Section 8.30.060, issuance or renewal of a business license requires a valid Certificate of Compliance (CoC) for each Rental Unit at the property, except as provided in the transition schedule in Regulation #9.
3. Inspection Compliance. Owners shall cooperate with the City to ensure periodic inspections once every three (3) years (PMC Section 8.30.090) and any initial inspection following a complete application (PMC Section 8.30.070). Scheduling is through the City’s platform. The City will provide at least 30 days’ written notice of inspection (PMC Section 8.30.110). Cancellations made with less than 48 hours’ notice are subject to the fee in PMC Section 8.30.115. If consent to inspect is withheld, entry will be sought only as permitted by PMC Section 8.30.120.
4. Deficiencies. Units with deficiencies (PMC Section 8.30.150) are subject to re-inspection(s) per PMC Section 8.30.100. All deficiencies must be cured within sixty (60) days unless a different period is authorized by the Building Official under PMC Section 8.30.140. Re-inspection fees apply per the Master Fee Schedule. Continued non-compliance is subject to the remedies in PMC Section 8.30.160.
5. Copy of Enrollment to Tenant. Within five (5) business days of submitting unit-specific enrollment information through the City’s approved platform, the Owner shall provide each affected Occupant with a copy (digital or hard copy) of the

enrollment information related to that unit. If a balcony inspection is required pursuant to PMC Section 8.30.070, and the Owner receives a balcony inspection report prepared by a licensed general contractor, structural pest control licensee, licensed architect, or licensed engineer, the Owner shall provide each affected Occupant with a copy (digital or hard copy) of that report within five (5) business days of the Owner's receipt of the report. Inspection reports submitted to the City for purposes of obtaining a Certificate of Compliance are included in the Certificate of Compliance record pursuant to PMC Section 8.30.130 and are City records. Such records may be made available upon request in accordance with the California Public Records Act and applicable privacy laws.

6. Public Transparency. To support the purpose of PMC Section 8.30.020 and the periodic reporting obligations under PMC Section 8.30.210, the City may publish non-confidential, program-related information, including aggregated or de-identified enrollment and inspection data, on the City's website or provide such data upon request. Inspection reports, Certificates of Compliance, and related documents maintained as part of the City's official program records may be made available in accordance with the California Public Records Act and applicable privacy laws.
7. Annual Fee Collection. Program fees, including business license, enrollment, inspection, re-inspection, and cancellation fees, shall be paid in accordance with the City's Master Fee Schedule and PMC Sections 8.30.050 and 8.30.075. Payment of fees is required at the time of annual enrollment and prior to any inspection. Failure to pay required program fees constitutes a violation of PMC Section 8.30.045 and may be subject to penalties as authorized in PMC Sections 8.30.190 and Chapter 8.25. Inspection fees shall be billed and collected in three equal annual amounts aligned with the three-year inspection cycle, unless modified by a duly adopted City Master Fee Schedule.
8. Program Administration and Designation of Residential Health and Safety Inspector.
Pursuant to PMC Sections 8.30.090 and 8.30.170, the Building Official may designate Community Development Department staff, including a Residential Health and Safety Inspector, to administer this Program, conduct inspections, issue notices of deficiencies, coordinate re-inspections, verify compliance with Certificates of Compliance requirements, and support enforcement of applicable laws. The Residential Health and Safety Inspector may also conduct inspections of substandard housing conditions consistent with state law, including Assembly Bill 548 and Senate Bill 1415, and applicable sections of the Pinole Municipal Code.
9. Temporary Transition Schedule for 2026–2027 Implementation (Category-Based Compliance Requirements). To support system launch and phased implementation, Owners shall comply with enrollment, fee payment, and inspection milestones based on the status of their existing Certificates of Compliance ("CoC"), as shown below:
 - a. Category 1 — CoC Expires in 2027–2029 (Current and Valid CoC)
 - May renew 2026 business license without additional inspection in 2026.

- Must enroll in the new system and pay all required annual program fees no later than December 31, 2026.
- The next periodic inspection shall occur on the standard three-year cycle pursuant to PMC Section 8.30.090.

b. Category 2 — CoC Expires in 2026

- May renew 2026 business license.
- Must enroll in the new system, pay required annual fees, and obtain a new CoC by the expiration date of the existing CoC (month-specific timing to be reflected in system reminders).
- Failure to obtain the CoC by expiration will result in the property being treated as non-compliant under PMC Sections 8.30.045 and 8.30.160.

c. Category 3 — CoC Expires in 2025

- May renew 2026 business license.
- Must enroll and pay required annual fees by June 30, 2026.
- Must schedule an inspection within 90 days of enrollment and obtain a CoC no later than December 31, 2026.

d. Category 4 — CoC Expired in 2024 or Earlier, or No CoC on File

- May renew 2026 business license.
- Must enroll and pay required annual fees by April 30, 2026.
- Must schedule an inspection within 90 days of enrollment and obtain a CoC no later than September 30, 2026.

10. Business License Renewal and Effective Enforcement. Issuance of business licenses for calendar year 2027 is contingent upon:

- Enrollment in the system;
- Payment of all required program fees; and
- Obtaining a valid Certificate of Compliance under PMC Sections 8.30.060 and 8.30.090.

11. Affordable Housing Inspection Exemption. The City may reduce duplicative inspections and minimize costs for providers of deed-restricted affordable housing while ensuring safe, well-maintained housing. This regulation authorizes the Building Official to grant partial exemptions from PMC 8.30.090 triennial inspections where units are subject to comparable oversight by a government Regulating Agency, and establishes the criteria, documentation requirements, and inspection percentages for such exemptions.

Definitions in this Exemption:

- Affordable Housing / Affordable Units: Units developed or operated with local, state, or federal funding to maintain affordability for low-income households, typically subject to covenants or deed restrictions specifying affordability levels and terms.

- **Regulating Agency:** A government entity other than the City (e.g., Housing Authority of Contra Costa County; California Department of Housing and Community Development) that imposes habitability standards and compliance requirements through inspections or documentation.
- **Physical Inspection:** On-site inspection performed by the Regulating Agency or its designee.
- **Self-Certification:** Compliance verification primarily based on owner/operator certifications, documentation, or reports without routine physical inspections.

A. Eligibility Criteria for Partial Exemption. Partial exemptions may be granted at the Building Official's discretion when all of the following are demonstrated:

- **Comparable Habitability Standards.** The unit or property is regulated to standards equivalent to or more stringent than PMC 8.30.090 and the City's Housing Code (PMC Chapter 15.16), including substandard housing provisions.
- **External Oversight Type and Cadence.**
 - a. Physical inspections at least once every three years: Eligible for 20% City inspection every three years.
 - b. Primarily self-certification by the operator: Eligible for 20%–80% City inspection every three years, set by the Building Official based on risk factors (see Section C).
 - c. No external inspection requirements: Not eligible for reduction; units remain subject to the City's full triennial inspection program.

If a Regulating Agency inspects only a portion of units on a property, the partial exemption applies only to those inspected units. Non-covered units remain subject to the City's full program.

B. Documentation Requirements. Affordable housing rental operators seeking partial exemption must demonstrate adequate external regulation by providing, as applicable:

- Recent inspection reports from the Regulating Agency;
- Housing Assistance Payment (HAP) contracts or comparable regulatory agreements;
- Affordability covenants or deed restrictions establishing affordability levels and terms;
- Authorization forms permitting the City to verify compliance directly with the Regulating Agency;
- Compliance histories and corrective action documentation, if applicable.

Failure to provide sufficient documentation may result in no reduction (full City inspection).

C. Risk Factors Informing the City Inspection Percentage (20%–80%). For units relying on self-certification, the Building Official will determine the City’s inspection percentage (within 20%–80%) considering:

- Habitability complaint history (frequency, severity, recurrence);
- Quality, completeness, and timeliness of documentation provided;
- Demonstrated compliance with standards comparable to PMC 8.30.090 and PMC Chapter 15.16;
- Corrective action responsiveness and outcomes.

The Building Official may adjust the inspection percentage over time based on updated risk indicators.

D. Determinations

- Partial Exemption (20%–80% City Inspection). All units remain subject to City inspection; the percentage inspected is set by the Building Official per Sections A–C.
 - Example: Properties physically inspected at least once every three years by a Regulating Agency → 20% City inspection every three years.
 - Example: Properties primarily relying on self-certification → 20%–80% City inspection based on risk factors.
- No Reduction. Applied when comparable standards are not demonstrated, documentation is insufficient, or oversight is not present; units remain subject to the City’s full triennial inspection program.

Modification or Revocation. The City may modify or revoke a partial exemption if external inspection cadences change, documentation lapses, complaints increase, or compliance with City standards is not maintained.

E. Enrollment and Fees

- Program Enrollment. All units and properties partially eligible must enroll in the City’s inventory program and pay corresponding fees.
- Exemption Application Processing Fee. Exempted properties may incur an exemption application processing fee as set by the Master Fee Schedule.
- Inspection Fees. The City will collect inspection fees corresponding to the percentage of units inspected by the City within each three-year cycle.

F. Administrative Notes. This regulation is intended to reduce duplication, minimize provider costs, and support equity and affordability, while ensuring Program objectives—safe, well-maintained housing—are met. The City may maintain and update a reference table summarizing affordable housing programs, regulating agencies, inspection cadences, and typical City inspection reduction levels for transparency and consistency.

12. Early Enrollment Fee Waiver: The Enrollment fee is calculated as 14% of the total inspection fee, reflecting the proportion of software costs relative to staffing costs for administering the Program. To encourage early compliance, reduce administrative backlog during program launch, and support Property owners during the transition, The City will waive the enrollment fee for properties that complete enrollment between April 1 and May 31, 2026.

Properties that do not meet applicable deadlines will be subject to the penalties and correction requirements of PMC Sections 8.30.045, 8.30.150, 8.30.155, 8.30.160, and Chapter 8.25.

RESOLUTION NO. 2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AN ADDITIONAL 1.0 FULL-TIME EQUIVALENT (FTE) TO HIRE A SENIOR PROJECT MANAGER TO SERVE AS RESIDENTIAL HEALTH AND SAFETY INSPECTOR

WHEREAS, pursuant to the City of Pinole Personnel Rule No. 3.4, Allocation of Positions, approval of full-time equivalent (FTE) positions is delegated to the City Council; and

WHEREAS, the City has established a Residential Health and Safety Rental Inspection Program ("Program") to ensure safe and habitable rental housing and to comply with the requirements of Assembly Bill 548 and Senate Bill 1415, including inspection and enforcement related to substandard housing conditions; and

WHEREAS, successful implementation and ongoing administration of the Program requires dedicated staffing to manage program operations, coordinate inspections, conduct inspections of substandard housing, and ensure compliance with applicable state and local laws; and

WHEREAS, staff has recommended the addition of one (1.0) permanent full-time Senior Project Manager position to serve as the Residential Health and Safety Inspector; and

WHEREAS, a fiscal analysis was completed for this position under the City's existing Senior Project Manager classification, including fully burdened salary and City overhead costs; and

WHEREAS, the total estimated annual cost of the Program is \$282,535, consisting of \$242,535 for the 1.0 FTE position (including an annual top salary of \$123,443) and \$40,000 for the required software platform; and

WHEREAS, with adoption of companion Resolution No. 2026-XX, Program fees have been structured to achieve full cost recovery, ensuring that staffing and administrative costs associated with the Program are funded through inspection fees rather than the City's General Fund; and

WHEREAS, there is no direct fiscal impact to the Fiscal Year 2025-26 budget due to the availability of reserves in the Housing Inspection Fund and the adoption of fees set to fully recover the annual cost of the position and associated program expenses;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pinole hereby approves the addition of one (1.0) Full-Time Equivalent (FTE) Senior Project Manager position to serve as the Residential Health and Safety Inspector for purposes of administering and enforcing the Residential Health and Safety Rental Inspection Program; and

BE IT FURTHER RESOLVED, that the position shall be funded through Program fees and Housing Inspection Fund revenues.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 3rd day of March, 2026 by the following vote:

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

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 3rd day of March, 2026.

Heather Spears, CMC
City Clerk

RESOLUTION NO. 2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, UPDATING VARIOUS USER AND REGULATORY FEES

WHEREAS, user and regulatory fees are established by the City Council; and

WHEREAS, the City has recently completed a study to identify the cost of providing various user and regulatory fee-related services; and

WHEREAS, the study examined fee-related services provided by the City, the costs reasonably borne by the City in providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and

WHEREAS, the City Council finds that providing these services is of special benefit to applicants both separate and apart from the general benefit to the public; and therefore, in the interests of fairness to the general public, the City desires to better recover the costs of providing these services from applicants who have sought or require the City's services by revising its schedule of fees; and

WHEREAS, the updated fees for service will be incorporated into the City's comprehensive user and regulatory fee schedule so that they can be periodically examined and adjusted, as necessary.

WHEREAS, the City Council desires that annually the City Manager may update the fees based on the estimated average annual increase in total employee compensation costs (employee compensation costs) or the annual percentage change in the all-urban Consumer Price Index (CPI) for San Francisco-Oakland-Hayward, CA. If employee compensation costs or the CPI do not change or go down in a given year, no change shall be made to the fee schedule that year; and

WHEREAS, in adopting this Resolution, the City Council is taking action only on those fees for the services, programs or products set forth in Exhibit "A" which have been modified from prior resolutions of the City Council. The remaining fees that have not been modified from prior resolutions shall remain in full force and effect.

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

SECTION 1: That the foregoing recitals and findings are true and correct and are incorporated herein by reference.

SECTION 2: That the City Council hereby adopts the fees, charges, and rates as set forth in attached Exhibit "A" and incorporated by this reference.

SECTION 3: That any new or adjusted fees adopted by this Resolution shall go into effect upon adoption.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 3rd day of March 2026 by the following vote:

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

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 3rd day of March, 2026.

Heather Spears, CMC
City Clerk

RESOLUTION NO. 2025-86

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING RESIDENTIAL HEALTH AND SAFETY ADMINISTRATIVE REGULATIONS

WHEREAS, the Residential Health and Safety Rental Inspection Program (the "Program") was established in 2006 to protect public health, safety, and welfare by identifying and correcting substandard and legally non-compliant rental housing conditions, thereby preventing deterioration and blight that could adversely affect neighborhood stability, property values, and quality of life in the City; and

WHEREAS, the Program requires residential rental property owners, including owners of single-family homes, multi-family units, apartment buildings, and hotel/motel units, to maintain a valid business license, allow the City to inspect such units at least once every three years, and correct any identified violations to ensure habitability and compliance with applicable laws; and

WHEREAS, Pinole Municipal Code (PMC) Section 8.30.170 authorizes the Building Official to promulgate administrative regulations pertaining to the implementation and enforcement of the Program, provided such regulations are approved by the City Council following a public hearing; and

WHEREAS, the Program was historically managed by a dedicated full-time Rental Housing Inspector, but staffing reductions during the Great Recession resulted in fragmented administration, limited data collection, and inconsistent compliance monitoring; and

WHEREAS, implementation of a standardized digital enrollment, scheduling, data management, and compliance platform is necessary to restore program effectiveness, ensure transparency, streamline participation for property owners, and maintain accurate rental housing data; and

WHEREAS, the Administrative Regulations contained in Exhibit A establish:

- Transition from a single triennial inspection fee to equal annual payments while maintaining the existing three-year inspection cycle;
- Requirement for annual renewal of owner enrollment with updated basic housing and occupancy information to support accurate scheduling and proactive enforcement;
- Standardized digital enrollment and compliance management with dedicated in-person support to ensure equitable access; and

- Establishment of an online public-facing rental inventory platform that links inspection and business license compliance; and

WHEREAS, the City Attorney has determined that these provisions fall within the scope of authority granted under PMC Section 8.30.170; and

WHEREAS, the City Council has also directed staff to prepare (a) a Class and Compensation Study for a full-time Residential Health and Safety Inspector position, and (b) a fee study to support full cost recovery for ongoing operation of the Program, including staffing, software, and enforcement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pinole as follows:

1. The Administrative Regulations for the Residential Health and Safety Rental Inspection Program, attached hereto as Exhibit A, are hereby approved and adopted.
2. Staff is hereby directed to proceed with preparation of:
 - a. A Class and Compensation Study to establish a full-time Residential Health and Safety Inspector; and
 - b. A fee study to establish updated enrollment and inspection fees to support full cost recovery, to be brought to the City Council for consideration at a future meeting.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 18th day of November, 2025 by the following vote:

AYES:	COUNCILMEMBERS: Martínez-Rubin, Murphy, Sasai, Tave, Toms
NOES:	COUNCILMEMBERS: None
ABSENT:	COUNCILMEMBERS: None
ABSTAIN:	COUNCILMEMBERS: None

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 18th day of November, 2025 .



 Heather Bell-Spears, CMC
 City Clerk



EXHIBIT A

Administrative Regulations Implementing the Residential Health and Safety Rental Inspection Ordinance (PMC Section 8.30) Adopted by City Council Resolution No. 2025-86

Pursuant to PMC Section 8.30.170, the Building Official hereby issues the following Administrative Regulations to implement and enforce PMC Section 8.30 (the “Ordinance”). Capitalized terms have the meanings set forth in PMC Section 8.30.030. These regulations were adopted by the City Council following a duly noticed public hearing on November 18, 2025, by Resolution No. 2025-86, and are effective January 1, 2026.

1. **Inventory Enrollment.** Each Owner carrying on the business of operating Rental Units (PMC Section 8.30.045) shall, for each Rental Property (PMC Section 8.30.055), complete and submit true and correct inventory and inspection enrollment information for all eligible Rental Units (PMC Section 8.30.040) through the City’s approved platform on or before December 31 of each calendar year. Owners must update enrollment information within 30 days of any material change. An Owner claiming “Unit Unavailable for Rent” status shall file the signed statement described in PMC Section 8.30.030(K) through the platform.
2. **Business License.** One business license is required per Rental Property (PMC Section 8.30.055). Owners must comply with Title 5 business license requirements (PMC Section 8.30.050). Consistent with PMC Section 8.30.060, issuance or renewal of a business license requires a valid Certificate of Compliance (CoC) for each Rental Unit at the property, except as provided in the transition schedule in Regulation #9.
3. **Inspection Compliance.** Owners shall cooperate with the City to ensure periodic inspections once every three (3) years (PMC Section 8.30.090) and any initial inspection following a complete application (PMC Section 8.30.070). Scheduling is through the City’s platform. The City will provide at least 30 days’ written notice of inspection (PMC Section 8.30.110). Cancellations made with less than 48 hours’ notice are subject to the fee in PMC Section 8.30.115. If consent to inspect is withheld, entry will be sought only as permitted by PMC Section 8.30.120.
4. **Deficiencies.** Units with deficiencies (PMC Section 8.30.150) are subject to re-inspection(s) per PMC Section 8.30.100. All deficiencies must be cured within sixty (60) days unless a different period is authorized by the Building Official under PMC Section 8.30.140. Re-inspection fees apply per the Master Fee Schedule. Continued non-compliance is subject to the remedies in PMC Section 8.30.160.
5. **Copy of Enrollment to Tenant.** Within five (5) business days of submitting unit-specific enrollment information through the City’s approved platform, the Owner shall provide each affected Occupant with a copy (digital or hard copy) of the enrollment information related to that unit. If a balcony inspection is required pursuant to PMC Section 8.30.070, and the Owner receives a balcony inspection report prepared by a licensed general contractor, structural pest control licensee, licensed architect, or licensed engineer, the Owner shall provide each affected

Occupant with a copy (digital or hard copy) of that report within five (5) business days of the Owner's receipt of the report. Inspection reports submitted to the City for purposes of obtaining a Certificate of Compliance are included in the Certificate of Compliance record pursuant to PMC Section 8.30.130 and are City records. Such records may be made available upon request in accordance with the California Public Records Act and applicable privacy laws.

6. Public Transparency. To support the purpose of PMC Section 8.30.020 and the periodic reporting obligations under PMC Section 8.30.210, the City may publish non-confidential, program-related information, including aggregated or de-identified enrollment and inspection data, on the City's website or provide such data upon request. Inspection reports, Certificates of Compliance, and related documents maintained as part of the City's official program records may be made available in accordance with the California Public Records Act and applicable privacy laws.
7. Annual Fee Collection. Program fees, including business license, enrollment, inspection, re-inspection, and cancellation fees, shall be paid in accordance with the City's Master Fee Schedule and PMC Sections 8.30.050 and 8.30.075. Payment of fees is required at the time of annual enrollment and prior to any inspection. Failure to pay required program fees constitutes a violation of PMC Section 8.30.045 and may be subject to penalties as authorized in PMC Sections 8.30.190 and Chapter 8.25. Inspection fees shall be billed and collected in three equal annual amounts aligned with the three-year inspection cycle, unless modified by a duly adopted City Master Fee Schedule.
8. Program Administration and Designation of Residential Health and Safety Inspector. Pursuant to PMC Sections 8.30.090 and 8.30.170, the Building Official may designate Community Development Department staff, including a Residential Health and Safety Inspector, to administer this Program, conduct inspections, issue notices of deficiencies, coordinate re-inspections, verify compliance with Certificates of Compliance requirements, and support enforcement of applicable laws. The Residential Health and Safety Inspector may also conduct inspections of substandard housing conditions consistent with state law, including Assembly Bill 548 and Senate Bill 1415, and applicable sections of the Pinole Municipal Code.
9. Temporary Transition Schedule for 2026–2027 Implementation (Category-Based Compliance Requirements). To support system launch and phased implementation, Owners shall comply with enrollment, fee payment, and inspection milestones based on the status of their existing Certificates of Compliance ("CoC"), as shown below:
 - a. Category 1 — CoC Expires in 2027–2029 (Current and Valid CoC)
 - May renew 2026 business license without additional inspection in 2026.
 - Must enroll in the new system and pay all required annual program fees no later than December 31, 2026.
 - The next periodic inspection shall occur on the standard three-year cycle pursuant to PMC Section 8.30.090.

b. Category 2 — CoC Expires in 2026

- May renew 2026 business license.
- Must enroll in the new system, pay required annual fees, and obtain a new CoC by the expiration date of the existing CoC (month-specific timing to be reflected in system reminders).
- Failure to obtain the CoC by expiration will result in the property being treated as non-compliant under PMC Sections 8.30.045 and 8.30.160.

c. Category 3 — CoC Expires in 2025

- May renew 2026 business license.
- Must enroll and pay required annual fees by June 30, 2026.
- Must schedule an inspection within 90 days of enrollment and obtain a CoC no later than December 31, 2026.

d. Category 4 — CoC Expired in 2024 or Earlier, or No CoC on File

- May renew 2026 business license.
- Must enroll and pay required annual fees by April 30, 2026.
- Must schedule an inspection within 90 days of enrollment and obtain a CoC no later than September 30, 2026.

10. Business License Renewal and Effective Enforcement. Issuance of business licenses for calendar year 2027 is contingent upon:

- Enrollment in the system;
- Payment of all required program fees; and
- Obtaining a valid Certificate of Compliance under PMC Sections 8.30.060 and 8.30.090.

Properties that do not meet applicable deadlines will be subject to the penalties and correction requirements of PMC Sections 8.30.045, 8.30.150, 8.30.155, 8.30.160, and Chapter 8.25.

Affordable Programs	Explainer	Examples	Property/Unit Based	Regulating Agency	Annual Inspections (self, GE, non)	Triennial GE inspections (%)	Proposed City Inspection exemption
Tax Credit/affordability covenant/HOME program	State funded through tax credits on the condition that rent amounts are set at 30% of income, and given to qualifying AMIs	East Bluff (Eden Housing)	Property	CalHCD	Self	20%	20-80% of units at Building Official's discretion (20% set for first year)
Project/program based voucher	Subsidy payments given towards rent for some/all units in a in a property	Valor Village [15 PBV units]	Unit/Hybrid	HUD/HACCC	GE	100%	80% of all subsidy receiving units, at building official's discretion + 20-80% of non-subsidy receiving units regulated by another entity or program
Tenant based voucher	Section 8 voucher recipients. Voucher is awarded to tenant, HAP contract is signed between tenant, landlord, and HA. HA pays portion of rent	individual occupants, HUDVASH recipients (Veterans program)	Unit	HUD/HACCC	GE	100%	80% of units, at building official's discretion
Permanent supportive housing	State funded through tax credits and other programs, supportive programs coupled with heavily subsidized housing designed to help transition folks out of homelessness.	Valor Village	Unit	CalHCD+CalAIM	80	100%	80% of units, at building official's discretion
Public Housing	Owned and operated by Government Entity (GE) and not part of program	None in Pinole	Property	HUD/HACCC	NA	NA	not part of program
Community Land Trusts	non-profit entities, receive tax exemption to maintain affordability, also linked to community ownership models	NCLT	Property	None	self	0%	0-80% of units at building official's discretion. [0% exemption set for first year]
NOAHs	Naturally occurring affordable housing: Rental housing costing occupant 30% of 80-120AMI that is not subsidized or under an affordability covenant.	Case based	Unit	None	none	0%	None



User and Regulatory Fees

Cost of Service Analysis

Rental Housing Inspection Fees

City of Pinole
 User and Regulatory Fee Study
 Allocation of Annual Labor Effort - Rental Housing Inspection

Position	Hourly	FTE	Yearly	Total Hours Per FTE	Less: Holiday & Leave	Productive Hours Per FTE	Total Productive Hours	Note
Senior Project Manager	\$59	1.00	\$123,443	2,080	296	1,784	1,784	[a],[b]
Total		1.00	\$123,443				1,784	

Allocation of Hours	Share	Total	Note
Indirect	20%	357	[b]
Direct	80%	1,427	[b]
Total	100%	1,784	

[a] Source: Recommended FTE count for Housing Inspection Program.

[b] Direct/Indirect hours are intended to serve as reasonable estimates. Amounts will vary from year-to-year depending on activity, projects, and City Council priorities.

Recurring Expenditures[a]

Fund	Fund Desc	Dept	Dept Desc	Division	Division Desc	Account	Account Desc	Total	Adjustment	Allocable Expense	Notes
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	40101	Salary & Wages/Full Time	\$123,443	\$0	\$123,443	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41001	Emp Benefits/Medical-Active	\$28,509	\$0	\$28,509	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41002	Emp Benefits/Dental	\$1,531	\$0	\$1,531	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41003	Emp Benefits/Vision Care	\$223	\$0	\$223	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41004	Emp Benefits/PERS Retirement	\$9,715	\$0	\$9,715	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41005	Emp Benefits/Employee Assista	\$43	\$0	\$43	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41007	Emp Benefits/Life-ADD	\$168	\$0	\$168	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41008	Emp Benefits/Long Term Disabil	\$306	\$0	\$306	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41009	Emp Benefits/Workers Comp	\$7,407	\$0	\$7,407	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41010	Emp Benefits/FICA - Medicare	\$1,790	\$0	\$1,790	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	41012	Emp Benefits/Unemployment In	\$123	\$0	\$123	[a]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program		Professional Services	\$40,000	(\$40,000)	\$0	[b]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program		Travel / Training / Office Exp	\$2,469	\$0	\$2,469	[c]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	46124	IS Charges	\$24,689	\$0	\$24,689	[c]
100	General Fd	46	Comm Dev	TBD	Housing Inspection Program	46201	Insurance/General Liability	\$6,172	\$0	\$6,172	[c]
Subtotal								\$246,588	(\$40,000)	\$206,588	

Allocation of Citywide Overhead

Description	C'wide OH Rate	Mod Op Exp	Allocation of C'wide OH	Notes
Citywide Overhead Allocation	17.4%	\$206,588	\$35,946	[d]

Allocation of Total Costs - Recreation Administration

Description	Total	Share	Notes
Direct Expenses	\$206,588	85%	[e]
Allocation of Citywide Overhead	\$35,946	15%	[e]
Total	\$242,535	100%	

Calculation of Fully-Burdened Hourly Rate

Description	Total	Note
Costs	\$242,535	
Direct Hours	1,427	[e]
Fully-Burdened Hourly Rate	\$170	

Allocation of Costs for Cost Recovery Purposes

Description	Total	Note
Rental Inspection Costs to be Recovered from Non-Exempt Rental Units	\$242,535	
Software/Professional Services Costs to be Recovered from All Units	\$40,000	
Total	\$282,535	

Unit Count

Description	Total	Note
Single Family Unit, Duplex Unit, or Triplex Unit	766	[f]
Multi-Family Unit, Quadplex or Greater, Including Hotel/Motel Unit	1,114	[f]
Affordable Unit	390	[f]
Total	2,270	

Discrete Services and Supplies Cost Per Unit

Description	Total	Note
Software/Professional Services Costs to be Recovered from All Units	\$40,000	
Number of Units	2,270	
Total	\$18	

[a] Amounts intended to serve as reasonable estimates for position equivalent to Senior Project Manager. Based on adopted top step salary schedule.

[b] Estimated annual software costs for monitoring rental housing program.

[c] Budget for program is currently being developed. Amounts shown are intended to represent reasonable estimates based on training, ISF, and insurance costs of other City departments in relation to adopted salaries and wages.

[d] Source: Citywide overhead cost allocation plan.

[e] See separate worksheet.

[f] Forecast inventory as of January 1, 2026.

City of Pinole
 User and Regulatory Fee Study
 Rental & Balcony Inspection Program Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description		Service Time		Hourly Rate		Labor Costs		Discrete Svcs & Supplies		Cost of Service	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Fee Change	Unit	Note
1	Rental Inspection Program Fee																
	a) Base Fee (Covers Initial Inspection and First Reinspection)																
	i) Single Family Unit, Duplex Unit, or Triplex Unit	0.92	x	\$170	=	\$156	+	\$18	=	\$173	\$397 per unit triannual; \$132 annual	76%	\$173	100%	31%	annual fee; per unit	
	ii) Multi-Family Unit, Quadplex or Greater , Including Hotel/Motel Unit	0.53	x	\$170	=	\$91	+	\$18	=	\$108	\$249 per unit triannual; \$83 annual	77%	\$108	100%	30%	annual fee; per unit	
	iii) Affordable Housing Unit	0.17	x	\$170	=	\$28	+	\$18	=	\$46			\$45	98%		annual fee; per unit	
	b) Reinspection Fee (only applicable if required)																
	i) 2nd Reinspection	varies	x	\$170	=	varies	+	\$0	=	varies	20% of initial fee		20% of initial fee				
	ii) 3rd Reinspection	varies	x	\$170	=	varies	+	\$0	=	varies	30% of initial fee		30% of initial fee				
	iii) 4th Reinspection	varies	x	\$170	=	varies	+	\$0	=	varies	40% of initial fee		40% of initial fee				
2	Rental Inspection Program Exemption	1.75	x	\$170	=	\$298	+	\$0	=	\$298	\$299	101%	\$298	100%	-1%	per property	

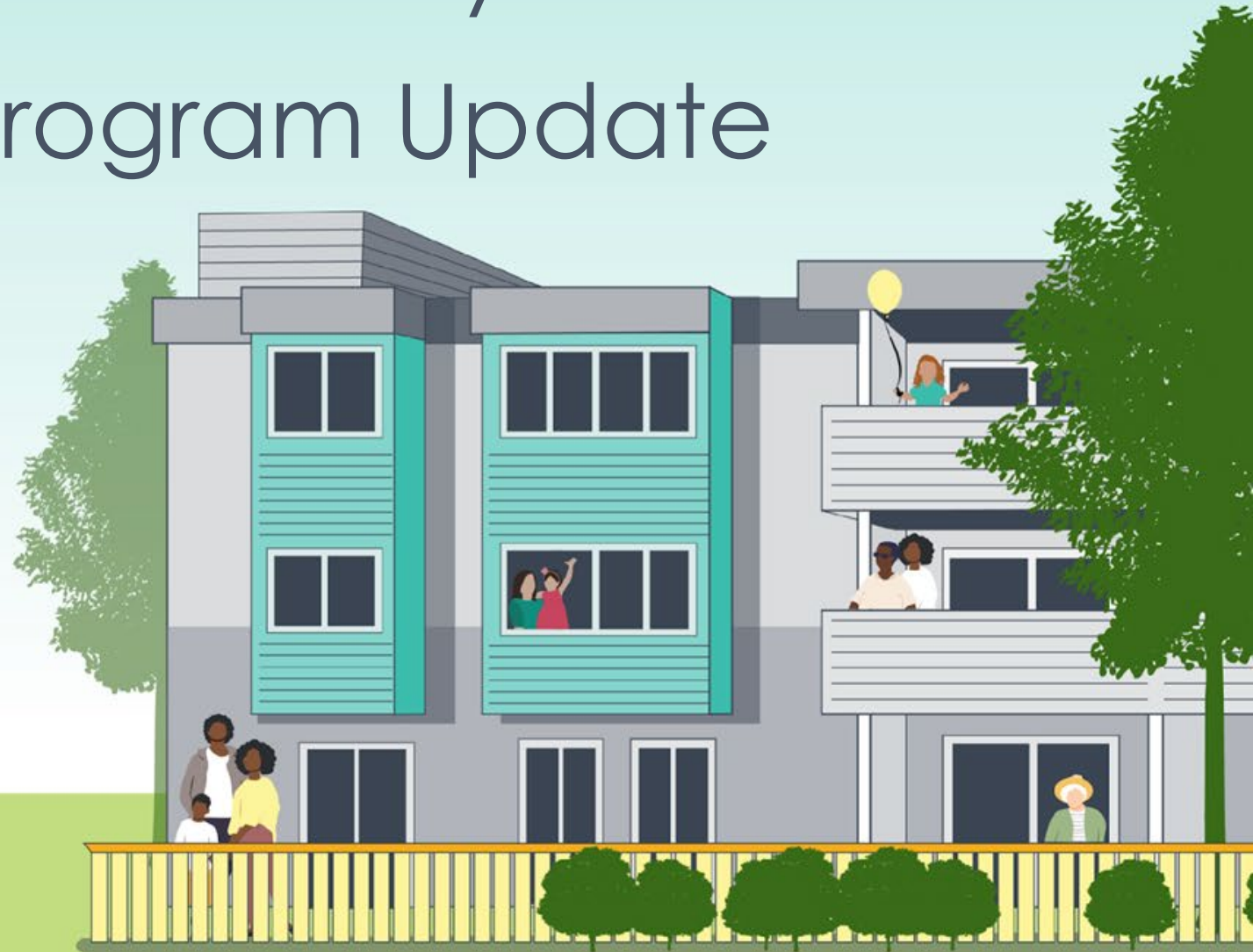
City of Pinole

BEFORE AND AFTER ILLUSTRATION - RENTAL HOUSING INSPECTION PROGRAM FEES

Activity Description	Current Fee	Cost of Service	Proposed Fee	Change	Current Cost Recovery	Proposed Cost Recovery	Charge Basis	Note	Y'rly Inflator
1 Rental Inspection Program Fee									
a) Base Fee (Covers Initial Inspection and First Reinspection)									
i) Single Family Unit, Duplex Unit, or Triplex Unit	\$397 per unit triannual; \$132 annual	\$173	\$173	31%	76%	100%	annual fee; per unit		Y
ii) Multi-Family Unit, Quadplex or Greater, Including Hotel/Motel Unit	\$249 per unit triannual; \$83 annual	\$108	\$108	30%	77%	100%	annual fee; per unit		Y
iii) Affordable Housing Unit		\$46	\$45			98%	annual fee; per unit		Y
b) Reinspection Fee (only applicable if required)									
i) 2nd Reinspection	20% of initial fee	varies	20% of initial fee						N
ii) 3rd Reinspection	30% of initial fee	varies	30% of initial fee						N
iii) 4th Reinspection	40% of initial fee	varies	40% of initial fee						N
2 Rental Inspection Program Exemption	\$299	\$298	\$298	-1%	101%	100%	per property		Y

Residential Health and Safety Rental Inspection Program Update

Implementation of improved
inventory and inspection platform
baysfuture.org



Agenda

Overview/Refresher

Progress Update

2026 Inventory Data Points

Live Demonstration

Stakeholder Engagement Findings

Administrative Regulations and Resolutions

Program Timeline

Previous Presentation Slides

Program Goals:

make participation as convenient, cost-effective, and non-invasive as possible while delivering impactful data to policymakers, decision makers, and the public



Increase enrollment: Increase enrollment through a user-friendly interface that will also streamline existing processes for property owners and city staff alike.



Inform Policy: Gather data that will better inform city policies, including determining how to most effectively use existing Housing Successor Fund



Protect Community: Provide public transparency and avenues of input/feedback on housing stock.

Track and mitigate evictions, habitability shortcomings, and rental misconduct.

Progress so far

Data Analytics

- Initial analysis has identified nearly 500 'Suspected Rental Properties' operating without Rental Business Licenses
- Multiple metrics now operable

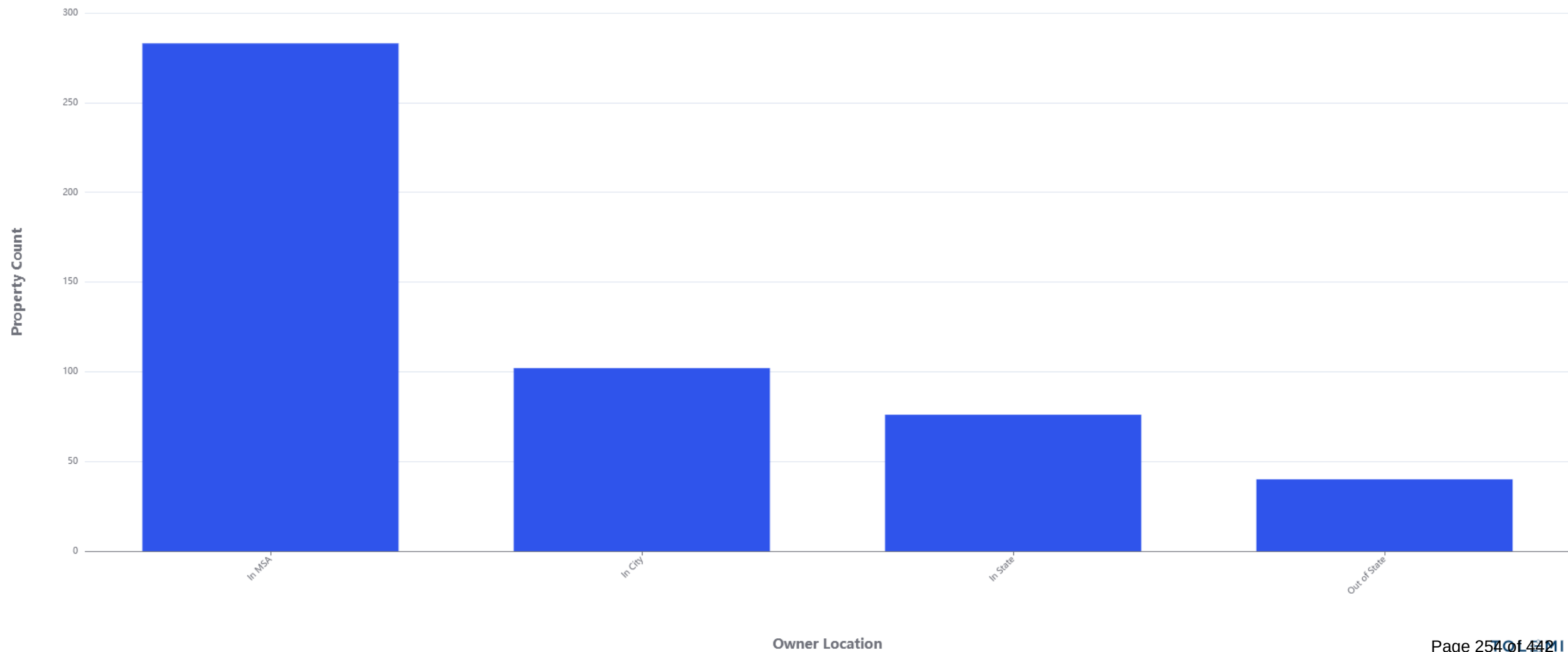
Enrollment and Inspections

- Inventory enrollment and inspection booking platform ready to go live.
- Fees, affordable housing exemption and Early enrollment fee waiver

Stakeholder Engagement

- Renters, Rental Operators, advocates and affordable housing operators and developers engaged
- Findings incorporated into program

'Suspected Rental Properties' without Business Licenses



Inventory Data Points

Administrative Regulations	
Owner Information	Name, Address, Contact Information
Property Information	Number of Units, S:FT, Parking, Manager Information Sustainability Metrics: Heating System, Laundry System
Unit Information	Bedrooms, Bathrooms, Sqft, Amenities, Appliances (sustainability metrics), Occupancy Status Sustainability Metrics: Appliances (gas v electric)
Lease Information	Rent, Lease Term, Utilities, Additional Fees, Length of Tenancy/Reason for Change of Tenancy

Stakeholder Engagement

City reached out to renters, rental operators, tenant advocacy groups, nonprofit developers, and neighboring municipalities to conduct targeted, 30min 1:1 interviews about this program, the data gathered, and the potential benefits. We found generally:

Inspection Reform

- Rental operators are excited for improved efficiency, self-certification options, and better scheduling, and generally unbothered by increased transparency
- Tenants are excited for increased transparency and expanded reach.
- Advocates and municipalities highlight administrative efficiency, but caution limitation of tenant advocacy model described

Inventory Program

- Rental operators found gathering of additional data points will have minimal impact on their ability to operate
- Tenants and advocates felt the additional data points would be extremely beneficial to renters
- Municipalities found the simplicity of data points key in smooth implementation

Program Modifications:

Affordable Housing Inspection Exemption

- Partially exempt affordable housing developments to reduce inefficiencies, support equitable housing, and minimize staff burden
- Reasoning: Affordable units are regulated by other agencies and programs to comparable standards as our program

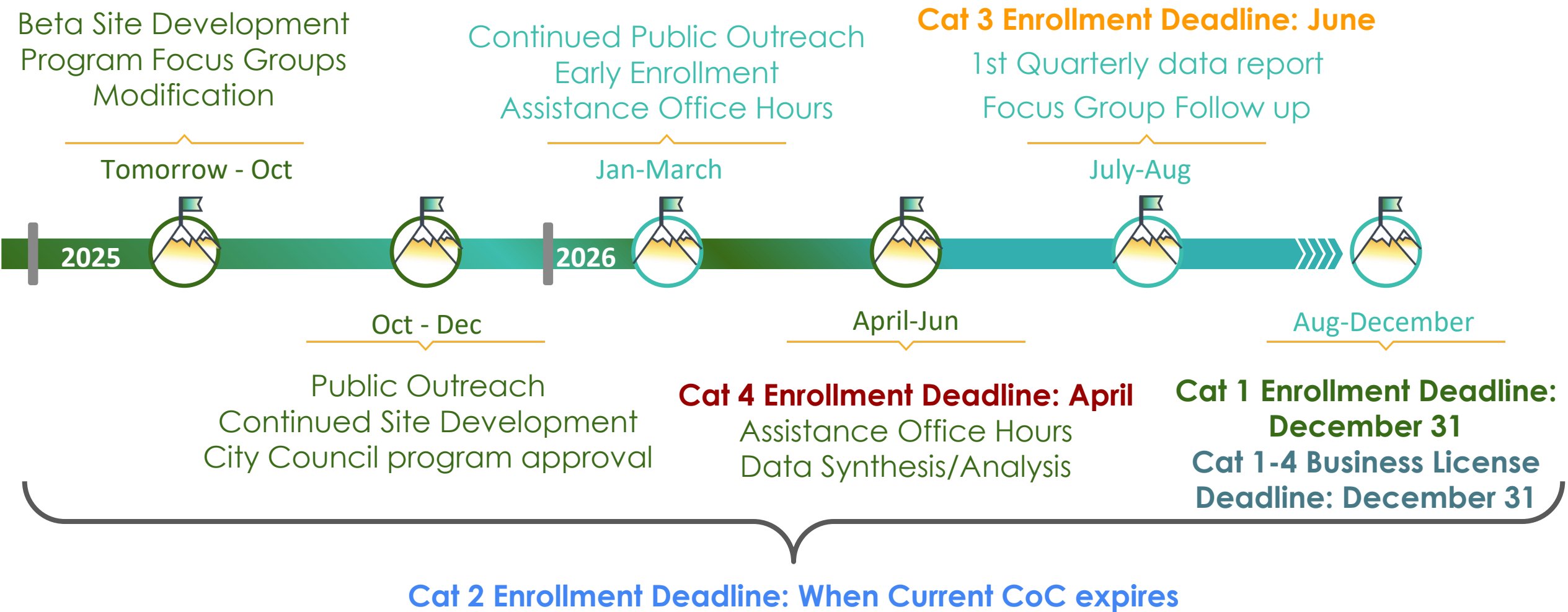
FTE - Residential Health and Safety Inspector

- Bring back program manager originally baked into program when launched in 2006
- Reasoning: adequately staff program for inspections, proactive outreach, and program management

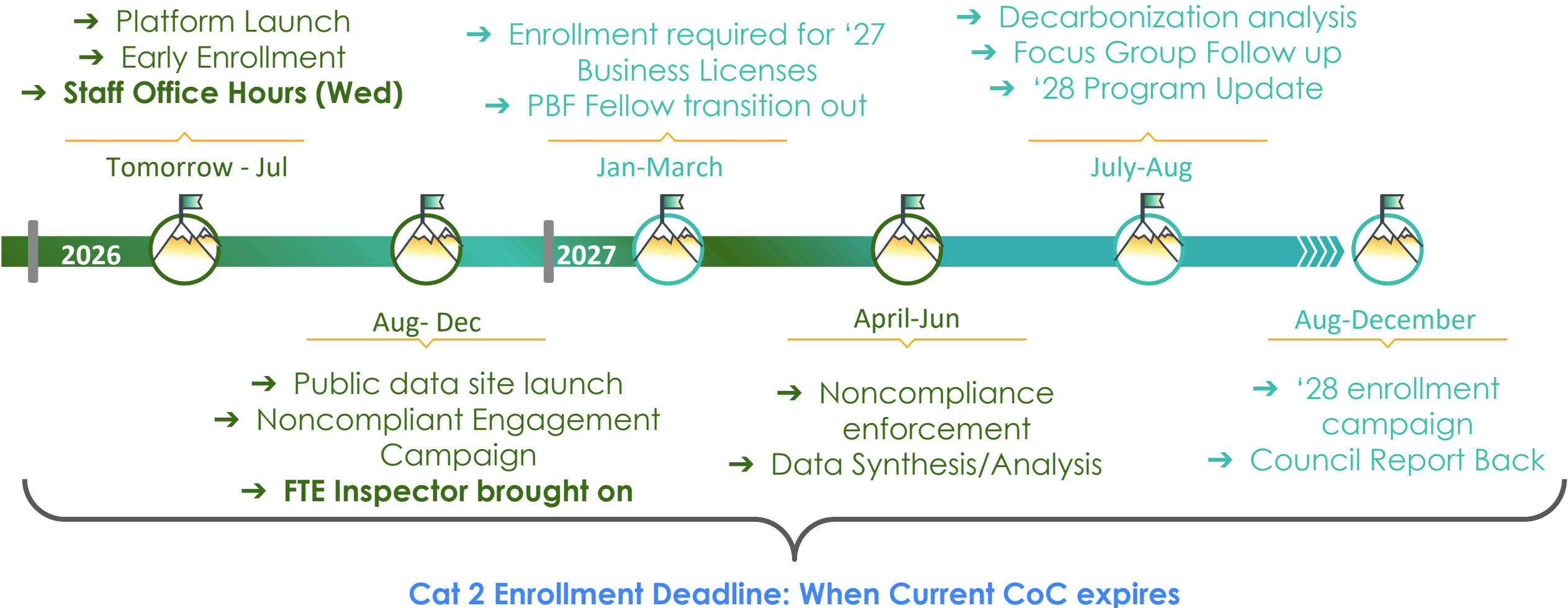
Fee Schedule Update/early enrollment exemption

- Implement fee schedule recommended by commissioned fee study, including early enrollment exemption
- Reasoning: Updated fees will ensure full cost recovery for updated program operations. Early enrollment exemption will smooth program implementation.

'25-'26 Timeline



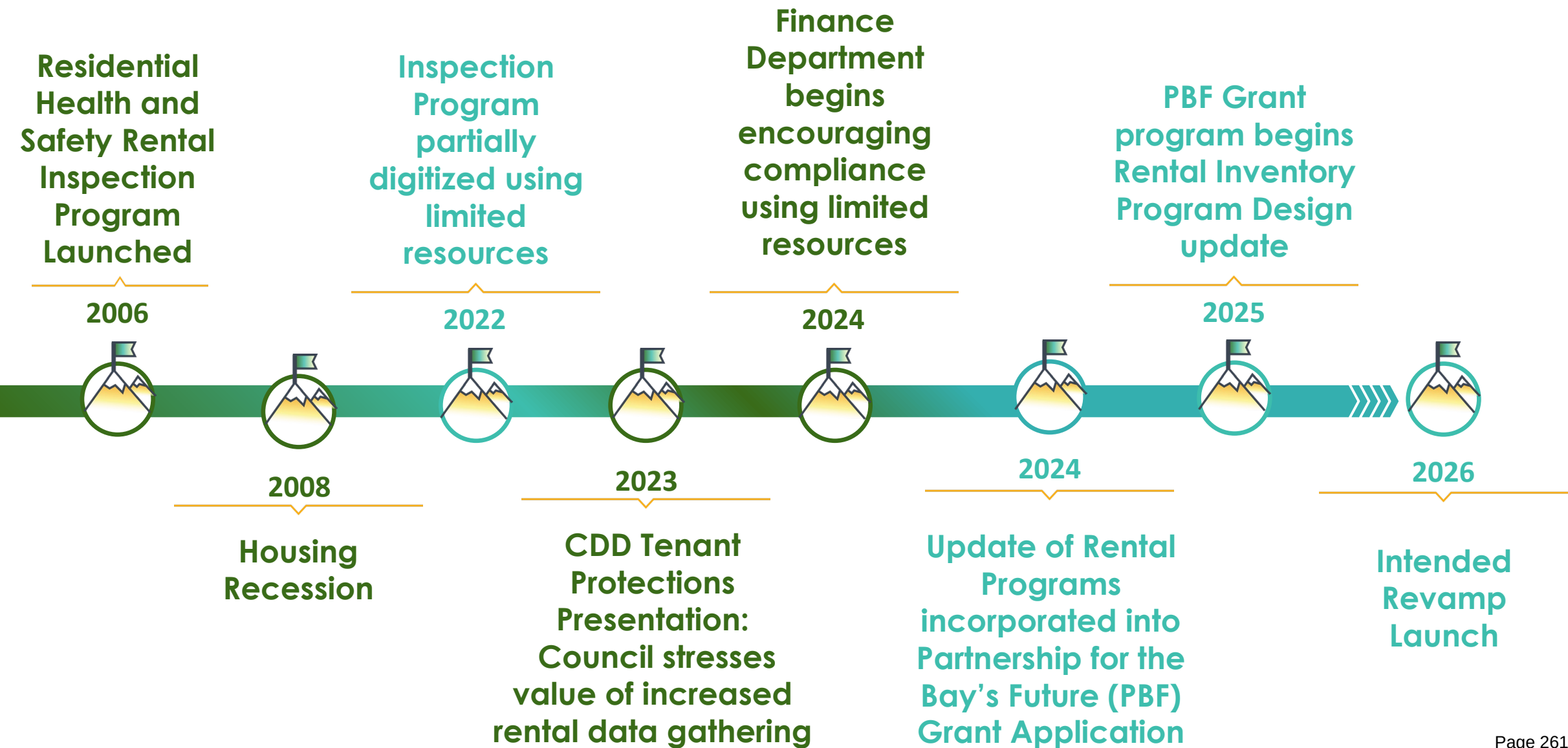
'26-'27 Timeline



Thanks for Listening!

Program Timeline

Previous Presentations



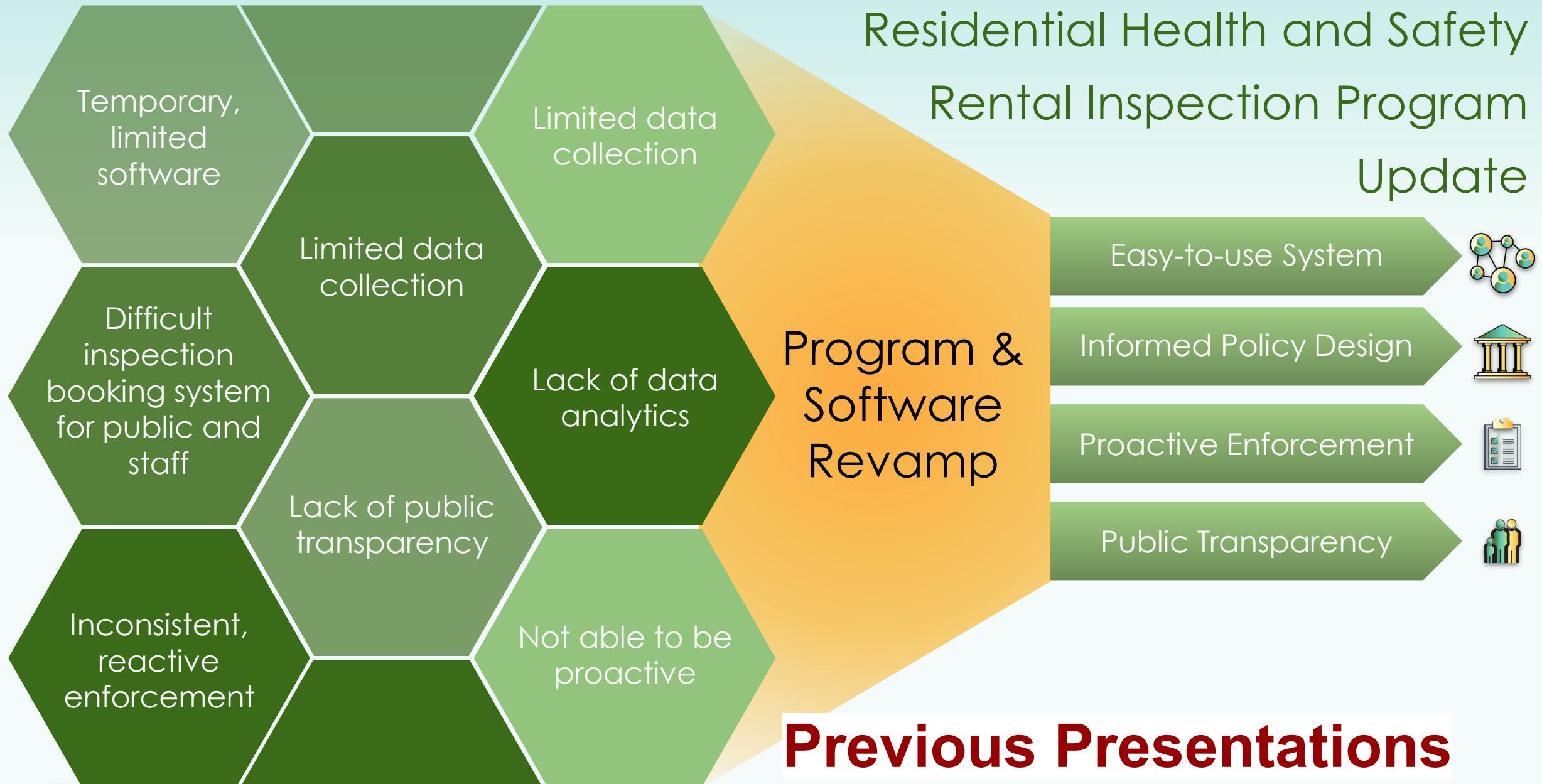
Existing Protocols

Previous Presentations

Program Scope: All residential property owners – including single-family homes, multi-family units, apartment buildings, and hotel/motels

Enrollment requirements:	Current Practices
Maintain a valid business license each year	Inspection and information gathering occurs every three years
Allow the City to inspect the unit once every three years for compliance with applicable City ordinances and housing laws	Fees are collected at the time of inspection booking
Correct any violations identified during inspection, apply for Certificate of Compliance every three years, and pay fees	Reactive compliance enforcement and limited tracking through Code Enforcement and Finance Department

Residential Health and Safety Rental Inspection Program Update



Previous Presentations

Program Goals:

make participation as convenient, cost-effective, and non-invasive as possible while delivering impactful data to policymakers, decision makers, and the public

Previous Presentations



Increase enrollment: Increase enrollment through a user-friendly interface that will also streamline existing processes for property owners and city staff alike.



Inform Policy: Gather data that will better inform city policies, including determining how to most effectively use existing Housing Successor Fund



Protect Community: Provide public transparency and avenues of input/feedback on housing stock.

Track and mitigate evictions, habitability shortcomings, and rental misconduct.

Why do we want this?

Previous Presentations

Market Safeguards

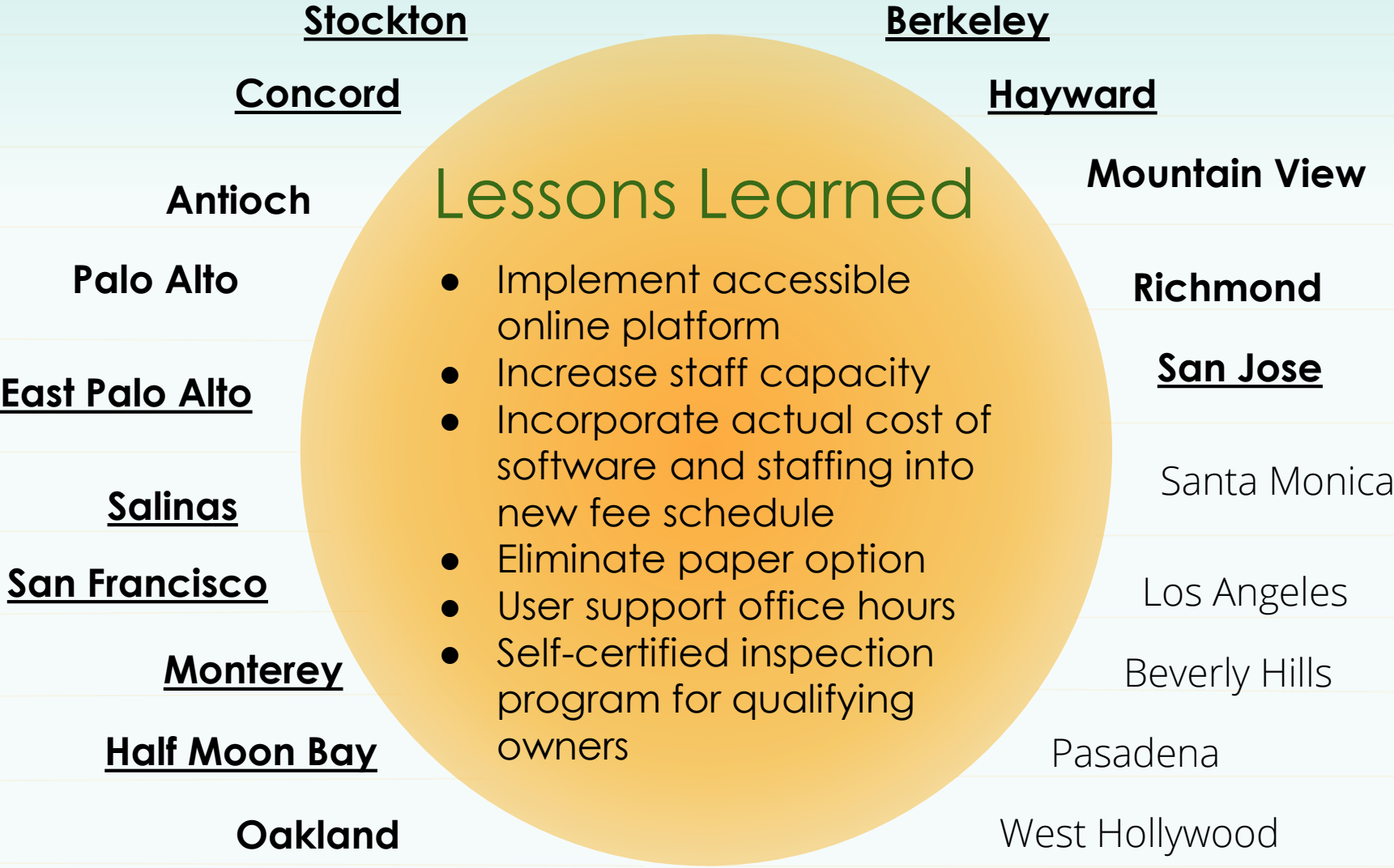
- Prevent speculative market practices from negatively impacting local housing market
- Ensure market changes benefit Pinole's community rather than displace it
- Better understand the City's rental housing stock to allow for more precise approach to housing policy

Identify and Incorporate Noncompliant Properties

- 300-400 rental units (roughly 20% of stock) are currently not enrolled in program
- Identify and engage noncompliant units in order to increase enrollment, and better local residents.

Track and Mitigate Evictions

- Current eviction data tracking is isolated to Sheriff Lockout data
- Not all eviction proceedings make it all the way to the Sheriff lockout phase
- Lockout data does not track demographics, reason for eviction, or soft evictions - all of which will help develop effective mitigation strategies.



bold - Northern California locations

underlined - direct dialogue with team

Real World Impact: Monterey Case Study

Previous Presentations



- Data revealed an almost complete lack of 3+ bedroom rental units in the city.
- This prevented middle and even upper middle-income families from residing in Monterey.
- The findings helped explain drops in the local economy and massive enrollment decline in their school system.
- In order to address this, Monterey is working on programs to help property owners expand existing units to accommodate families.



Item	Registered Rental Units					
	Number of Units		Average Rent	Average Additional Fees	Average Sq. Ft.	Average Cost per Sq. Ft.
	Total	% of Total				
Rental Unit Bedrooms						
0	173	7.5%	\$1,566	\$22.14	428	\$3.66
1	996	43.2%	\$1,801	\$21.67	592	\$3.04
2	1,005	43.5%	\$2,362	\$34.69	882	\$2.68
3	113	4.9%	\$3,204	\$32.05	1,355	\$2.36
4	13	0.6%	\$3,623	\$4.00	1,782	\$2.03
5	2	0.1%	\$6,409	\$0.00	2,947	\$2.17
6	3	<0.1%	\$6,493	\$0.00	2,658	\$2.44
7	1	<0.1%	\$9,850	\$0.00	2,631	\$3.74
8	2	<0.1%	\$6,865	\$0.00	1,442	\$4.76
Total/Weighted Average	2,308	100.0%	\$2,125	\$27.71	756	\$2.89

Source: City of Monterey; Tolemi Building Blocks City of Monterey Rental Inventory; EPS.

(Monterey quarterly report)

Continued Community Engagement

Previous Presentations

Rental Property Owners

Accessory Dwelling Units (ADUs)

Single-family-home

2-5 unit properties (duplex, triplex)

Medium multifamily properties (5-12 units)

Large & commercial units (13+ units)



Residents

Tenants & Renters

Condo/ADU occupants

Homeowners

Senior residents

Rental Property Facilitators

Property managers & management firms

Housing providers

Developers

Apartment and Realtor Associations



Affordable Housing World

Affordable housing developers

Affordable housing managers & operators

Affordable housing residents

Voucher program operators

Voucher program recipients

Implementation through TolPrevious Presentations

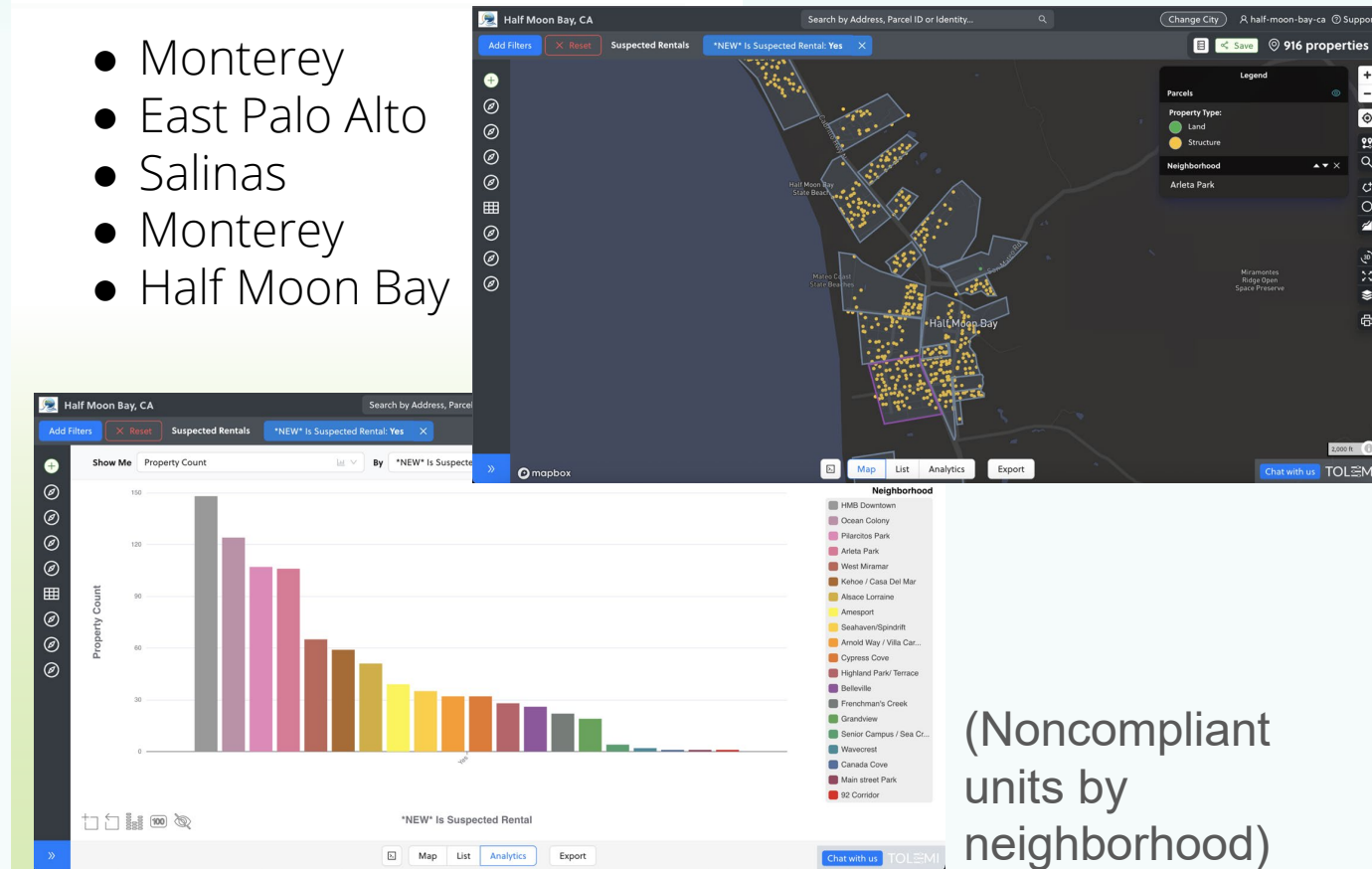
Sole Source Justification

- Advanced machine learning and predictive modeling, proprietary “Swarm” tool, and ability to overcome municipal data challenges such as advanced spatial queries, customizable scoring models at the parcel, neighborhood, or block group level.
- 3rd party data site scrubbing
- Only provider able to facilitate intended ease-of-use and comprehensive data analysis and additional data gathering
- Excellent customer service for public and city

Neighboring Municipality Recommendations:

- Monterey
- East Palo Alto
- Salinas
- Monterey
- Half Moon Bay

(Map of noncompliant units)



(Noncompliant units by neighborhood)

Implementation through Previous Presentations

Gatherable Data (included but not limited to)

- Name of owner (beneficial ownership disclosure)
- Number of units, bedrooms and bathrooms
- Sqft, Year built
- Rent charged
- Additional fees (i.e. parking), Amenities/utilities included at owner vs. renter expense
- Eviction/Tenant changeover
- Occupancy status
- Demographic data not recommended

Program Model

- Create streamlined program platform for enrollments, compliance outreach, and inspection management
- Create accessible data synthesis site for city staff and limitable public site
- Fee and housing data collected annually
- Certificate of compliance required for business license renewals
- Half Moon Bay Enrollment video: <https://vimeo.com/993584463>



Address: 123 CARNOUSTIE
Parcel Address ⓘ: 123 CARNOUSTIE
Parcel #: 066600290

Address: 1230 CABRILLO HWY N
Parcel Address ⓘ: 1230 CABRILLO HWY N
Parcel #: 048291420

Address: 1230 LORYN LN
Parcel Address ⓘ: 1230 LORYN LN
Parcel #: 048291320

123 CARNOUSTIE
Parcel: 066600290
of Units/Buildings: 2

* Unit/Building Address: 

* Square Footage:

* Bedrooms ⓘ:

* Bathrooms ⓘ:

* How much is the current monthly rent for the unit?
\$

* Rent includes utility charges: ☐ Yes ☐ No

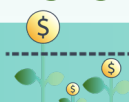
* Occupancy Status:

* Is the unit Section 8 subsidized?
☐ Yes ☐ No

(screenshots from Half Moon Bay enrollment page)

Estimated Implementation Expenses (pending fee study)

Previous Presentations

	Annual Cost	Fee Increase	Deliverable	<u>City Impact:</u> 1. Increased enrollment in PRIIP Program 2. Simpler process for program users 3. Comprehensive housing data for city and public use
Site Development (one-time fee)*	 \$8,000*	 \$0 (paid by PBF)	User portal City analytics Public facing site	
Increased Staffing Requirements (pending fee study)	 \$20,000	 \$15-\$23	Operating cost Improved program Self-Cert Option	
Rental Inventory	 \$39,000	 \$23-\$39	Operating cost Data Collection Outreach services	

Site Development

- Site development and data transfer are underway through the implementation contract.
- Estimated platform launch late-January to mid-February.

Research and Community Input

- Ongoing targeted engagement with rental property operators, tenants, advocates, and neighboring municipalities.
- Intended to inform data gathered, public transparency, user interface, and program incentives.

Council Input: Decarbonization Previous Presentations

Tracking Efficiency Upgrades

Software developer, Tolemi has expressed interest in piloting a green and high efficiency upgrades tracking system in Pinole including:

- Induction stovetops,
- electrical panel upgrades,
- solar and EV charging installations, and
- high efficiency windows and insulation.

Connecting Operators to Existing Resources

Platform can connect operators to existing decarbonization programs at the City, County, State, and Federal Level:

- [Energy-Saving Programs | PG&E](#)
- [Incentives - The Switch Is On](#)
- [Green House Calls® - Rising Sun Center for Opportunity](#)

Partnering with CAP Monitoring

Program intends to integrate with City's Climate Action Plan monitoring software and integrate spatial analysis for program impact assessments and targeted outreach.

Previous Presentations

Council Input: Tenant Data - Inquiry



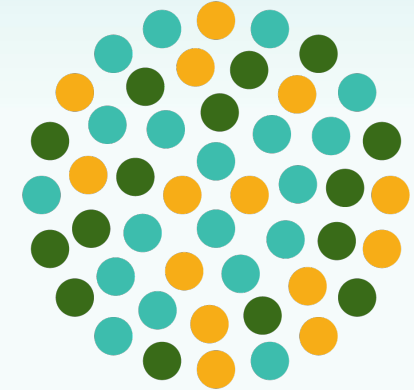
Municipal Operators:

City of Los Angeles
County of Marin
City of Concord
City of San Francisco



Tenant Advocates

Enterprise Community Partners
Partnership for the Bay's Future
SV@Home
Tenants Together
East Bay Housing Organization



Community Input

Limited/Preliminary
tenant input
Limited/Preliminary
operator input

Previous Presentations

Council Input: Tenant Data -

Municipal Operators: Findings



Fair housing law limits landlords from gathering this data.

It is unlikely an opt-in program will gather a representative sample in the current climate.

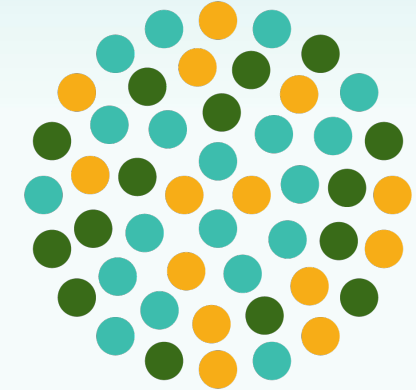
Tenant Advocates



Express caution over sensitive and weaponizable nature of the data.

Cross-referencing data findings to regional demographics identified in census tract data is an equally effective advocacy strategy.

Community Input



Initial input has expressed caution about linking their personal data to the Program.

Proposed Administrative **Previous Presentations**

Administrative Regulations

Inventory Enrollment

Rental Operators to enroll in rental inventory on or before December 31st of each year on the City’s approved platform (Tolemi)

Business Licenses

Rental Operators to acquire a business license on or before December 31st of each year on the City’s approved platform (Tolemi)

Compliance and Deficiencies

Rental Operators to comply with periodic inspections once every three years and remedy deficiencies on the City’s approved platform (Tolemi)

Tenant & Public Transparency

Tenants to receive copy of enrollment form and inspection reports.
City may publish non-confidential program data or provide data upon request

Annual Fee Collection

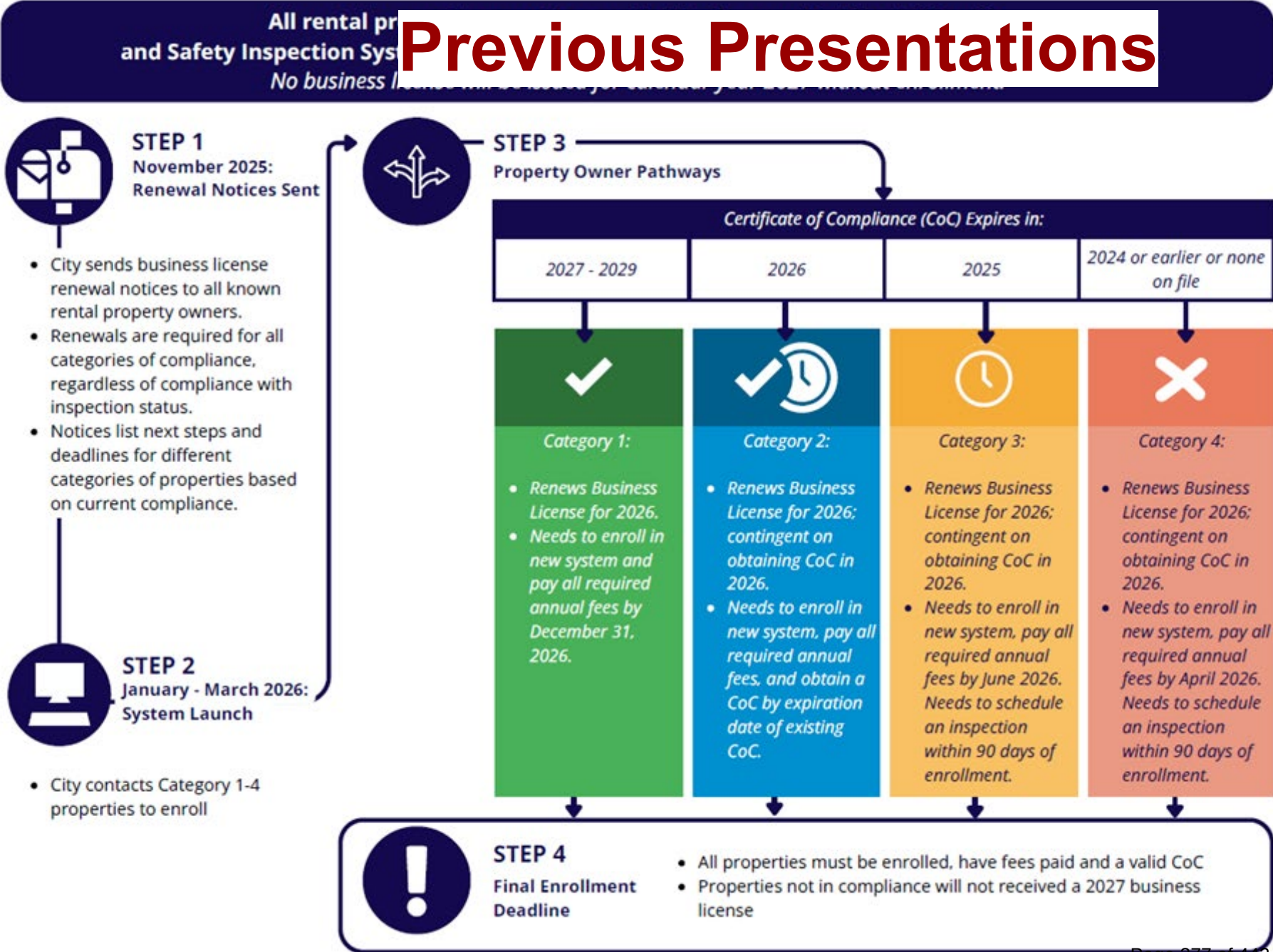
Program fees and business license fees to be collected annually on the City’s approved platform.

Residential Health and Safety Inspector

Authorize the Building Official to designate a Residential Health and Safety Inspector to administer this Program.

Temporary Transition Schedule for 2026-2027 Implementation

(Category-Based Compliance Requirements)



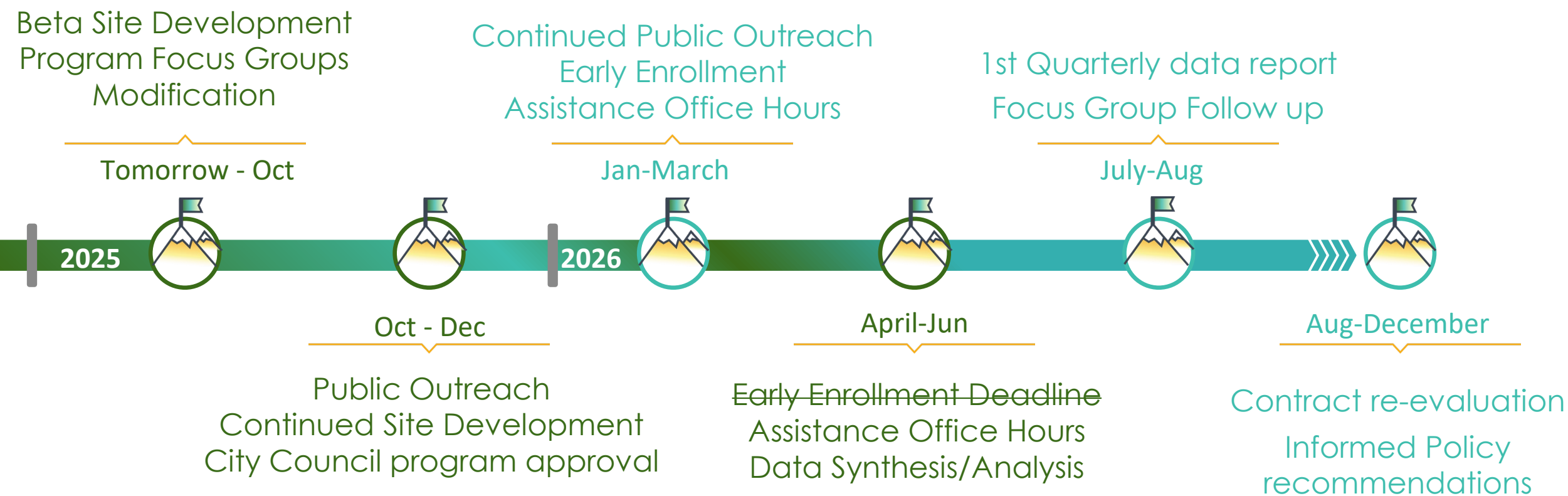
Next Steps and Implementation **Previous Presentations**

Council Decisions (November):

Administrative Regulation Modification Approval>>~~Business License Date Change Approval~~

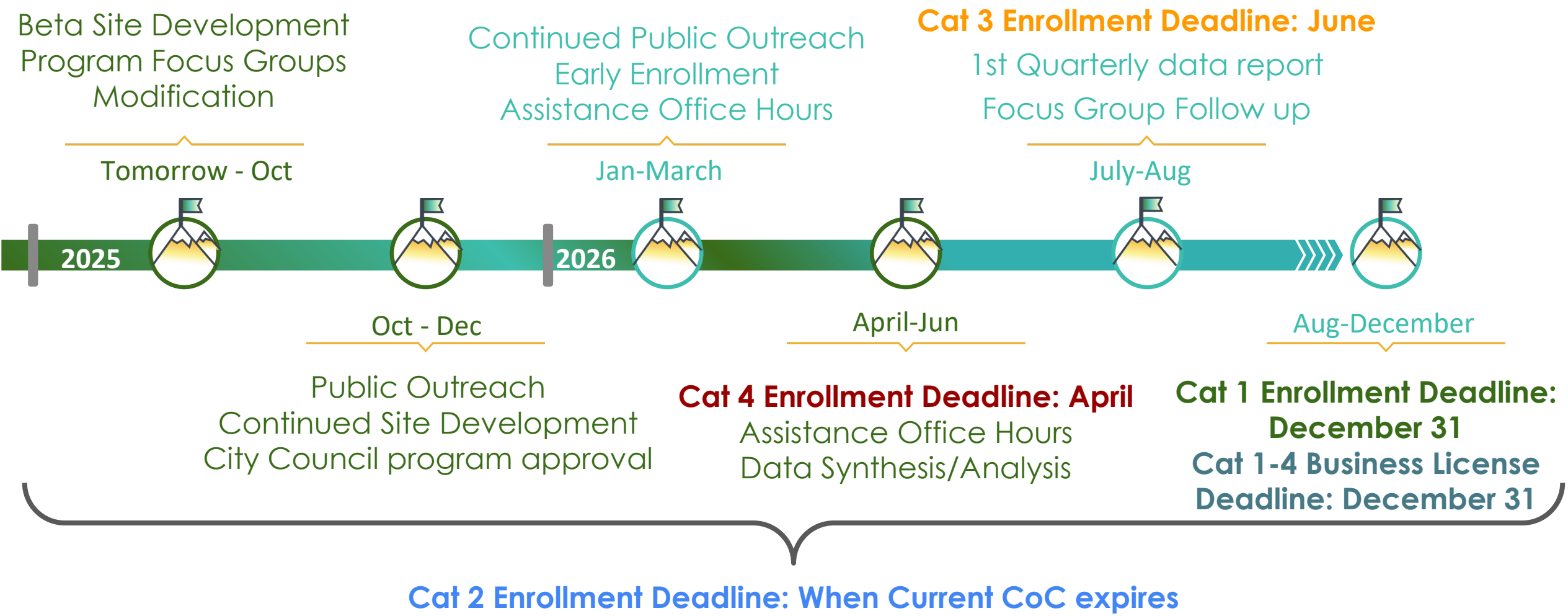
CDD Actions:

Site Development>>Community Input>>Design Modification>> Outreach>>Program Launch



Next Steps and Implementation

Previous Presentations



Administrative Regulations **Previous Presentations**

Administrative Regulations

Data Collection and Transparency

Following continued stakeholder engagement and neighboring program input, January regulations will delineate specific data to be collected and determine which data will be available to the public.

Self-Certification Inspection Program

Following continued stakeholder engagement and neighboring program input, January regulations may incorporate a self-certification option for qualifying rental property operators. Engagement will help determine: qualifying parameters, extent of self-certification eligibility, tenant correspondence.

Program Fee Modifications

Following Fee Study, January regulations will implement new fee schedule that will ensure full program cost recovery and adequate staffing.

One-Time Discounted Enrollment Fees

Following Fee Study, January regulations may establish a one-time discounted enrollment fee for property owners who enroll by a specified date to encourage early participation and support timely adoption of the new platform.



CITY COUNCIL REPORT

10.B.

DATE: MARCH 3, 2026

TO: MAYOR AND COUNCIL MEMBERS

FROM: David Hanham, Planning Manager, 510-724-9842, dhanham@pinole.gov
Justin Shiu, Consultant Planner, 510-724-9035, jshiu@pinole.gov

SUBJECT: WAIVE THE FIRST READING AND INTRODUCE A ZONING CODE AND SPECIFIC PLAN AMENDMENT TO PROHIBIT NEW SERVICE STATIONS, ESTABLISH REGULATIONS FOR EXISTING LEGAL NONCONFORMING SERVICE STATIONS, AND ESTABLISH REGULATIONS FOR ALTERNATIVE FUEL STATIONS

RECOMMENDATION

Staff recommends that City Council 1) waive the first reading and introduce an ordinance consisting of the Municipal Code Amendments related to prohibition of new service stations, proposed regulations for existing legal nonconforming service stations, and proposed regulations for alternative fuel stations, and 2) schedule a second read and adoption for March 17, 2026.

BACKGROUND

The City of Pinole currently has a temporary moratorium on new and expanded service stations (i.e., gas stations). Service stations are defined in Pinole Municipal Code Chapter 17.22 as "a retail business selling gasoline or other motor vehicle fuels."

Moratorium

The City Council adopted an urgency ordinance establishing a temporary moratorium on new service stations or expansion of service stations on April 2, 2024 for a period of 45 days and subsequently extended it by 22 months and 15 days by an urgency ordinance on May 7, 2024.

As provided in the urgency ordinance, the City of Pinole has an overriding interest in planning and regulating the use of property within the City to maintain quality of life and address climate change to maintain public health, safety and welfare. Fossil-fuel-based transportation remains the largest contributor of greenhouse gas emissions. In adopting the urgency ordinance, the City desired to aid in reducing severe negative public health impacts that residents experience and will continue to experience. The ordinance achieves this by banning the development of new service stations, prohibiting the expansion of existing service stations, and encouraging alternative fueling options to support a transition to zero-emission vehicles.

The urgency ordinance is set to expire on March 22, 2026. The proposed amendments would carry forward the prohibition by establishing long-term regulations and would follow the next steps directed by the Climate Action and Adaptation Plan.

Climate Action and Adaptation Plan

In August 2024, the City of Pinole adopted the Climate Action and Adaptation Plan (CAAP). The CAAP includes a program directing the adoption of an ordinance that bans new and expanded fossil fuel gas stations. Policy TR-4 calls for the City to “increase passenger zero-emission vehicle (ZEV) use and adoption to 33% by 2030 and 100% by 2045.”

Action TR-4c calls for the City to “adopt an ordinance that bans the development of any new, or expansion, renovation or replacement of any existing, fossil fuel stations in the City prior to the expiration of the Urgency Ordinance.” Among the listed actions in TR-4c is direction for the City to “prepare a General Plan, Specific Plan, and Zoning Ordinance text amendment, which would establish Service Station land use as Not Permitted by Table 17.20.030-1 in the PMC, making all existing service stations legal non-conforming and subject to Section 17.14.080 of the Municipal Code.”

TR-4c: Adopt an ordinance that bans the development of any new, or expansion, renovation or relations of any existing, fossil fuel gas stations in the City prior to the expiration of the Urgency Ordinance. The process should include:

- 1. Determining and defining an outreach process.*
- 2. Preparing a General Plan, Specific Plan, and Zoning Ordinance text amendment, which would establish Service Station land use as Not Permitted by Table 17.20.030-1 in the PMC, making all existing service stations legal non-conforming and subject to Section 17.14.080 of the Municipal Code.*
- 3. Determine if any streamlining enhancements to existing provisions in the PMC that incentivize the expansion, modification, or retrofit of an existing service station to incorporate biodiesel or other alternative fuels or charging stations for electric vehicles should be considered.*
- 4. Take the Amendments through the required public review process, including Planning Commission recommendation and City Council adoption.*
- 5. Continue to direct staff to explore options for additional charging at City-owned/maintained properties and private facilities for public benefit.*

Zoning Code

General zoning regulations are found in Title 17, Zoning of the Pinole Municipal Code (i.e., Zoning Code), where most regulations related to service stations are contained. The Zoning Code defines “service stations” as “a retail business selling gasoline or other motor vehicle fuels.” Chapter 17.20 contains the allowable use table where service stations are permitted, Chapter 17.22 establishes the definition of service stations, and Chapter 17.34 provides specific standards and requirements regarding service stations.

Service stations are a conditionally permitted use (with the issuance of a conditional use permit) in the following Zoning Districts:

1. RC Zoning District
2. OIMU (see the Three Corridors Specific Plan)
3. OPMU (see the Three Corridors Specific Plan)
4. CMU (see the Three Corridors Specific Plan)

Where sites are located within the Three Corridors Specific Plan area, the regulations of the Specific Plan supersede the Zoning Code, including allowable land uses.

Three Corridors Specific Plan

The Three Corridors Specific Plan (i.e., Specific Plan) contains regulations on allowable land uses and development standards for sites within the Specific Plan located along the San Pablo Avenue, Pinole Valley Road, and Appian Way corridors. The Specific Plan is divided into corridors, each with sub-areas and land use/zoning designations within each sub-area. Service stations are conditionally permitted (with the issuance of a conditional use permit) in the following areas:

1. OIMU in the Service Sub-Area in the San Pablo Avenue Corridor.
2. OPMU in the Service Sub-Area in the Appian Way Corridor.
3. CMU in the Mixed Use Sub-Area in the Appian Way Corridor.

Existing Service Stations

There are eight existing service stations in the city, as shown in Table 1 below. Seven out of eight are located within the corridors covered by the Specific Plan, and one out of the eight is located in the RC zoning district outside of the Specific Plan. As noted in the table, the majority of service stations are already existing nonconforming uses as they are not permitted or conditionally permitted uses under the current Zoning Code and Specific Plan.

Table 1. Existing Service Stations

Service Station	Location	Zoning/Specific Plan Designation	Nonconformity to Existing Zoning
Pump House	700 Tennent Ave	CMU in the Old Town Sub-Area (San Pablo Avenue Corridor)	Existing Nonconforming Use
Grand	1390 San Pablo Ave	CMU in the Mixed Use Sub-Area (San Pablo Avenue Corridor)	Existing Nonconforming Use
Marathon	1007 San Pablo Ave	CMU in the Mixed Use Sub-Area (San Pablo Avenue Corridor)	Existing Nonconforming Use
Chevron	2695 Pinole Valley Rd	CMU in the Service Sub-Area (Pinole Valley Road Corridor)	Existing Nonconforming Use
ARCO	2747 Pinole Valley Rd	CMU in the Service Sub-Area (Pinole Valley Road Corridor)	Existing Nonconforming Use
7-eleven / 76	2401 Appian Way	CMU in the Service Sub-Area (Appian Way Corridor)	Existing Nonconforming Use
Chevron	2298 Appian Way	OPMU in the Service Sub-Area (Appian Way Corridor)	Conforming Use
Shell	1401 Fitzgerald Dr	RC	Conforming Use

Outreach and Notification

Following the direction provided under CAAP Action TR-4c, Staff conducted outreach and prepared proposed revisions to the Zoning Code and Three Corridors Specific Plan. Notices were sent to service station operators and property owners on December 29, 2025 informing them of draft amendments in process and inviting them to schedule meetings with Staff to

share feedback, thoughts, questions, and concerns between January 5 to January 22, 2026. Three service station owners/operators responded to the invitation to meet with Staff. They indicated no objection to the preparation of the ordinance at that point. Staff made the participants aware that the draft ordinance would be available for review once the Planning Commission agenda packet is published and there would be opportunities for them to participate in the Planning Commission meeting and provide additional comments.

Notices of the Planning Commission and City Council meeting were mailed to service stations, properties owners of service stations, and lots within 300 feet of existing service stations. Notices were also mailed to lots zoned to permit/conditionally permit service stations and lots within 300 feet of those zoned lots. A newspaper notice was published in the West County Times on January 2, 2026 for Planning Commission and February 20, 2026 for City Council. Notices for Planning Commission and City Council were also posted at City Hall on those respective dates, which included information on how to locate the respective agenda packets and participate in the meetings.

A dedicated project webpage was also created to provide background information on the proposed ordinance, including relevant CAAP context and draft materials, and to offer an online survey for the public to share feedback and submit comments (<https://www.pinole.gov/permanent-service-station-ban-ordinance/>). Information about the survey was also posted on the City's newsletter – the Pulse. The survey was open from December 17, 2025 through January 20, 2026. The survey had 158 participants; the results and comments can be found in **Attachment F**.

A second survey was offered following the Planning Commission hearing to provide additional opportunity for feedback. The survey was open from February 6, 2026 through February 23, 2026. The survey had 267 participants; the results and comments can be found in **Attachment G**.

Planning Commission

The Planning Commission held a public hearing on January 26, 2026 (**Attachment C**) to consider the proposed amendments and recommended that the City Council consider the adoption of the amendments. The Planning Commission resolution can be found in **Attachment D** and the minutes can be found in **Attachment E**. Planning Commission provided several recommendations, which can be found along with responses in Table 2 below.

Table 2. Planning Commission Proposed Amendment Recommendations and Responses

Planning Commission Comment	Response
1. Regarding Section 17.12.080, provide further clarification in the staff report on other applicable projects covered under Administrative Design Review.	Administrative Design Review applies to items listed in Section 17.12.080, consisting of single family additions and multifamily or nonresidential additions of 500 square feet or greater. It also applies to exterior improvements or expansion of nonconforming structures (Section 17.14.050) and fences over standard height limits (Section 17.42.030). With the proposed amendments,

	another application of Administrative Design Review would be proposed renovations and modifications of service station uses, which would be existing legal nonconforming uses.
2. Regarding Section 17.34.030(C)(2), add text referencing code enforcement action as the means to bring service station sites into compliance with clean up and restoration requirements, after the loss of nonconforming status.	The proposed amendment text has been updated. Text was added to this Section to clarify that owners who do not complete requirements within the code would be subject to code enforcement action, which is the standard method to address noncompliance with standards and requirements established in the Municipal Code. The added text reference to code enforcement makes this clearer within the Section text.
3. Regarding Section 17.34.050(E), remove the proposed text “or Specific Plan” in the sentence “Notwithstanding any other requirements in the Zoning Code or Specific Plan, the maximum height for all service station buildings (including canopy) shall be twenty-five (25) feet.” In other words, keep the text in this sentence as it current appears in the existing code and do not include the proposed modifications.	The proposed amendment text has been updated. Text for this sentence will be the same as it appears in the existing code.
4. Regarding Section 17.22.020 and wherever referenced in the amendments, update the alternative fuel station fuel type list to add “any other renewable fuel”, to the prior list of fuels that included hydrogen, electricity, and biofuel.	The proposed amendment text has been updated. Section 17.22.020, Section 17.34.030(B)(3), and Three Corridors Specific Plan Chapter 11 have been updated to reference alternative fuel, which may include “hydrogen, electricity, biofuel, or any other renewable fuel.”

REVIEW AND ANALYSIS

CAAP action TR-4c calls for the City to adopt an ordinance that bans the development of new service stations serving fossil fuels, or expansion, renovation or replacement of any existing service stations selling fossil fuels. To implement CAAP TR-4c, amendments to the Zoning Ordinance and Specific Plan are required to prohibit service stations in all zoning districts, with existing service stations becoming legal nonconforming uses. Currently, the majority of existing service stations in Pinole are already existing nonconforming uses as most are in locations not zoned to permit or conditionally permit these uses in the Zoning Code and Specific Plan. Nonetheless, the amendments would provide greater clarity and specificity on operations and modifications on sites with existing nonconforming service stations, consistent with the intent of

the CAAP. Additionally, the amendments consider enhancements to existing provisions in the Zoning Ordinance that incentivize the expansion, modification, or retrofit of an existing service station to incorporate biodiesel or other alternative fuels or charging stations for electric vehicles.

Under the proposed amendments, “service stations” are considered to be the fossil fuel serving land use on a site. Any other uses on the same site would be evaluated separately for compliance with the Zoning Code and Specific Plan. For example, under the proposed amendments, a service station site with four fossil fueling pumps, a convenience store, and a car wash would have a service station component (the fossil fuel-serving features) that becomes an existing nonconforming use. The convenience store would remain a permitted retail use and the car wash would remain a conditionally permitted use, as provided by the Zoning Code and Specific Plan. This means the convenience store and car wash uses could expand or be modified, subject to the Zoning Code and Specific Plan. Electric vehicle (EV) charging stations that are ancillary equipment to the primary use of the site may continue to be permitted through the Building Permit process, which is the current process for EV chargers.

Amendments to the Zoning Code and Three Corridors Specific Plan

The proposed revisions in the Zoning Code and Three Corridors Specific Plan are provided in **Attachment B**. Proposed revisions are summarized in the following chapter summaries. The key aspects of the amendments include:

1. Prohibiting service stations in all zoning districts.
2. Allowing the continued operation of existing service stations as legal nonconforming uses, which may maintain or reduce fossil fuel serving uses.
3. Allowing limited modification or renovation of fossil fuel serving uses, providing such changes do not increase the number of fossil fuel pumps. Routine maintenance and repair of equipment would be permitted. Replacement of equipment needed to preserve health and safety and to comply with regulatory requirements would be permitted.
4. Allowing modifications at service station sites needed to support other allowable uses, such as convenience stores or alternative fuel infrastructure.
5. Establishing a new use category and development standards for alternative fuel stations, allowing service station-type uses that dispense alternative fuels.

Amendments to Chapter 17.12. Entitlements

Administrative Design Review is proposed for certain types of projects involving service station modifications, as further described in the proposed changes to Chapter 17.34. In Section 17.12.080(B), text was added as shown below to clarify that Administrative Design Review applies types of projects identified in Section 17.12.080(B) in addition to types of projects that may be listed elsewhere in Title 17 Zoning, which includes Chapter 17.34 Automobile Service Stations. The following is the recommended amendment to the applicability section:

Amended Text: 17.12.080(B). Applicability. Administrative design review is required for all structural additions to single family, multi-family and non-residential structures, **and as otherwise required in this Title.**

Amendments to Chapter 17.20 Allowed Land Uses and Requirements

Chapter 17.20 of the Zoning Code establishes the allowed land uses and entitlement

requirements for each base zoning district, consistent with and implementing the City's General Plan land use designations. The following are the proposed modifications to this chapter:

1. In Table 17.20.030-1, service stations are changed to a use that is not permitted in any zoning district. Existing service stations would be allowed to continue operating as existing nonconforming uses, consistent with Chapter 17.14 (Nonconforming Uses and Structures) and subject to additional requirements in Chapter 17.34 (Automobile Service Stations).
2. In Table 17.20.030-1, alternative fuel stations are added as a new land use type to support fuels other than fossil fuels.
3. A footnote text is added to expand on service stations and alternative fuel stations.

Amendments to Chapter 17.22 Allowed Use Definitions

Chapter 17.22 of the Zoning Code defines the use classifications referenced throughout the Zoning Code, grouping land uses into general categories based on common function, product, or compatibility characteristics. The following are the proposed modifications to this chapter:

1. In Section 17.22.020(G)(6), the service station definition is revised as shown below to change "gasoline" to "fossil fuels". This includes gasoline and diesel fuel. This change aligns with CAAP terminology and the CAAP policies guiding the proposed Zoning Code amendments, which reference "fossil fuel gas stations."

Amended Text 17.22.020(G)(6): SERVICE STATION. A retail business selling **and dispensing fossil fuels, including gasoline and diesel, for motor vehicles.** **Service stations may include the sale of other motor vehicle fuels.** ~~gasoline or other motor vehicle fuels.~~ Vehicle services which are incidental to fuel services are included under "Vehicle Services - Minor."

2. In Section 17.22.020(G)(7), a new definition of "alternative fuel station" is added, as shown below, to establish a new land use type, similar to service stations, that dispense fuels other than fossil fuels, such as hydrogen, electricity, biofuel, or any other renewable fuel. That definition is as follows:

Amended Text: 17.22.020(G)(7). **ALTERNATIVE FUEL STATION. A retail business selling and dispensing motor vehicle fuel other than fossil fuels, including hydrogen, electricity, biofuel, or any other renewable fuel. . Vehicle services, which are incidental to fuel services, are included under "Vehicle Services - Minor."**

Amendments to Chapter 17.34 Automobile Service Stations

Chapter 17.34 of the Zoning Code regulates service stations to ensure their design and operation are compatible with surrounding uses and to support the incorporation of alternative fuels and electric vehicle charging. The following are the proposed modifications to this chapter:

1. In Chapter 17.34, the chapter title is modified to reflect standards inclusive of both service stations and the new alternative fuel station land use type as shown below.

Amended chapter title text: Chapter 17.34 Automobile Service Stations **and Alternative Fuel Stations**

2. In Section 17.34.010 (Purpose), the purpose is modified to note that the chapter contains requirements that apply to service stations as well as alternative fuel stations, as shown below. Reference is added for reference to City policies, including the CAAP.

Amended Text: 17.34.010. The purpose of this chapter is to regulate **legal nonconforming service station modifications and alternative fuel station** development to ensure that the design and operation of such uses are compatible with surrounding uses and activities relative to hazardous materials, noise, circulation, runoff, lighting, and litter, **and consistent with the City's goals and policies, including the Climate Action and Adaptation Plan, while encouraging and incentivizing the expansion, modification, or retrofit of existing service stations to incorporate biodiesel or other alternative fuels and electric vehicle charging infrastructure.** ~~This chapter is also intended to allow for expansion of existing service stations to allow for biodiesel and other alternative fuels and the incorporation of charging stations for electric vehicles.~~

3. In Section 17.34.020 (Applicability), modifications are made to clarify applicability as listed in the following and shown below.

- New service stations may longer be created, so “new” is stricken regarding applicability to service stations.
- Alternative fuel stations are added.
- New service stations are no longer authorized, so text referencing their authorization is stricken.
- Modifications to existing service stations are established in Chapter 17.34, so text referencing exemption from standards is stricken.

Amended Text: 17.34.020. The regulations contained in this chapter shall apply to ~~new~~ **legal nonconforming** service stations **and alternative fuel stations**. ~~Service stations subject to this chapter shall only be authorized through entitlement requirements of Article II. (Zoning Districts, Allowed Uses, and Development Standards). These regulations shall be in addition to any other development standards and regulations contained elsewhere within the Zoning Code (e.g., lighting). Existing service stations and modification to existing service stations are exempt from the regulations contained in this chapter.~~

4. Section 17.34.030 (Requirements and Conditions of Approval), has been substantially revised. A summary of the modifications is provided below, followed by details on the amendments to the text in subsections A, B and C:

- Revised the title of Section 17.34.030 to “Operation and Modification of Service Stations”.
- Struck out existing text referencing the Planning permit requirement for new service stations as no new service stations are permitted.
- Added new text indicating that new service stations are prohibited and existing legal nonconforming service stations may continue subject to listed requirements.

- Added new subsections listing details for operation of service stations, renovations and modifications of service stations, and loss of nonconforming status for service stations.

In the revised Section 17.34.030(A), the entirety of the existing text has been removed and text has been added to restrict expansion in the number of fossil fuel pumps.

Amended Text: 17.34.030(A). **Operation of Service Stations. New service stations are prohibited. Existing legal nonconforming service station uses may continue to operate, subject to the following:**

- 1. The number of fossil fuel pumps shall not be increased to exceed the existing number at the service station site.**
- 2. If the number of fossil fuel pumps are permanently reduced, meaning the pump or pumps are fully removed rather than temporarily out of service, no subsequent actions may increase the number of fossil fuel pumps to the number that existed prior to the reduction.**
- 3. Fossil fuel equipment and infrastructure may be repaired, replaced, and/or relocated on the same site where required to ensure preservation of health and safety consistent with regulatory standards; comply with regional, state or federal requirements; reduce fossil fuel use; or support the deployment of alternative fuel infrastructure. Replacement and relocation shall be subject to the requirements under Section 17.34.030(B).**
- 4. Existing service stations shall lose nonconforming status if conditions occur as described in Section 17.34.030(C).**

In the Section 17.34.030(B), the entirety of the existing text has been removed, and text has been added as the revised Section 17.34.030(B) and (B)(1) to establish the limited scope in which service stations may be renovated or modified, which includes compliance with health and safety standards, regulatory requirements, reduction in fossil fuel use, and supporting incorporation of alternative fuels. Additionally, Administrative Design Review would be required as a Planning permit requirement. The number of fossil fuel pumps may not be increased as part of the renovations and modifications. Maintenance and repair would not be considered renovations.

Amended Text: 17.34.030(B). **Renovations and Modifications of Service Stations. Renovations and modifications of service stations may be conducted, subject to the following:**

- 1. Fossil Fuel Uses. Renovations and modifications associated with the selling, dispensing, and storage of fossil fuel are allowed only where such work is required to ensure preservation of health and safety consistent with regulatory standards; comply with regional, state or federal requirements; reduce fossil fuel use; or support the deployment of alternative fuel infrastructure.**
 - a. Administrative Design Review approval is required for renovations and modifications.**
 - b. Renovations and modifications shall not increase the number of fossil fuel pumps.**
 - c. Maintenance and repair of existing fossil fuel service equipment is not considered a renovation or modification for the purposes of this Section.**

In the revised Section 17.34.030(B)(2), text was added to clarify that work involving uses

other than the fossil fuel serving uses on the service station may be conducted (such as remodel of a convenience store) if the standard required permits associated with such work are obtained.

Amended Text: 17.34.030(B)(2). **Other Uses. Renovations and modifications that involve other permitted and conditionally permitted uses on the site (e.g., remodel of a convenience store, installation of alternative fuel pumps, installation of zero-emission vehicle charging stations) may be allowed subject to obtaining required permits.**

In the revised Section 17.34.030(B)(3), text has been deleted related to keeping a copy of the use permit on the premises, as no conditional use permits will be issued for new service stations going forward. Additionally, provisions from Section 17.34.060 were relocated to this section and reworked to maintain incentives for alternative fuel but with further clarity on the process for approval. The provisions in 17.34.060 allow for potential reduction in on-site parking if a service station modification includes alternative fuels and EV charging stations.

Amended Text: 17.34.030(B)(3). **Addition of Alternative Fuel. Plan check is required pursuant to Section 17.12.030 (Plan Check) for the expansion, modification or retrofit of an existing service station where the expansion, modification or retrofit incorporates alternative fuels, including hydrogen, electricity, biofuel, or any other renewable fuel. The designated approving authority may grant the expansion, modification or retrofit even if specified improvements result in a reduction of existing on-site parking. Renovations and modifications of service stations that include alternative fuel infrastructure may include a request for reduction of existing on-site parking spaces. The designated approving authority may approve a parking reduction without a Minor Deviation, Variance, or Conditional Use Permit when the applicant demonstrates, to the satisfaction of the Community Development Director, that the reduction is necessary to accommodate alternative fuel infrastructure.**

In the revised Section 17.34.030(C), the majority of the existing text has been removed and text is revised as shown below to reflect the circumstances that result in the loss of nonconforming status. A summary of the modifications is provided below:

- Loss of nonconforming status is based on Chapter 17.14 Nonconforming Uses and Structures. Consistent with Section 17.14.080, nonconforming status is lost if the use is abandoned or discontinued for six continuous months.
- Text is added to clarify that abandonment or ceasing the sale, storage, or dispensing of fossil fuels constitutes loss of nonconforming status, as service stations are defined by their sale of fossil fuels.

Amended Text: 17.34.030(C). **Loss of Nonconforming Status for Service Stations.**
1. If the service station is abandoned or ceases the selling, storing, and/or dispensing of fossil fuels for a continuous period in excess of six (6) months, the service station shall lose its nonconforming status and any subsequent use of the site shall be in conformity with regulations of the applicable zoning district. The Community Development Director shall have final determination on the date the service station became abandoned or ceased the selling, storing, and/or dispensing of fossil fuels.

In the revised Section 17.34.030(C)(2), text is revised to clarify requirements after loss of nonconforming status is the same as the requirement that had been in place for revocation of a use permit. The site must be restored to conditions prior to the service station use. Additionally, a target date of six months from loss of nonconforming status has been set to establish a target for completing the work, which may be modified by the Community Development Director as needed.

Amended Text: 17.34.030(C)(2). **If the service station loses its nonconforming status, the property owner shall be responsible for the removal of** ~~Upon revocation of the conditional use permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station.~~ **The owner shall submit plans to the Community Development Department showing the proposed removal and obtain all required permits to complete the work. The owner shall complete the removal within six (6) months following the date the service station lost its nonconforming status, or as otherwise approved by the Community Development Director. Owners that do not complete the removal within required timeframes would be subject to code enforcement action.**

5. In Section 17.34.040 (Location Requirements), modifications are made, as shown below, to clarify that new service stations are not permitted and that alternative fuel stations would be evaluated based on the locational requirements that previously applied to service stations.

Amended Text: 17.34.040(A). Abutting Residential Zoning Districts or Uses. No new service stations shall be permitted. **No alternative fuel station shall be permitted** or located on lots abutting property in any residential zoning district or residential use, unless the designated approving authority can make the finding that the design and operation of the **alternative fuel station** ~~service station~~, along with the conditions placed upon the **entitlement application** ~~conditional use permit or Design Review~~, will ensure compatibility with the abutting property or use. **Except, such locational or entitlement requirements are inapplicable where prohibited by law.** In the event that the property adjacent to an existing service station **or alternative fuel station** is subsequently rezoned to a residential zoning district or to allow residential uses, such rezoning shall not cause the service station **or alternative fuel station** to be nonconforming in regard to this location requirement.

Amended Text: 17.34.040(B). Proximity to Other Service Stations. In the City of Pinole, a maximum of two (2) service stations **and/or alternative fuel stations** are permitted at any single intersection; otherwise, ~~service stations~~ shall be separated by a minimum of five hundred (500) feet. However, the city may grant exceptions for stations that are required to relocate due to roadway expansion projects **or where required for compliance with regulations.** Separation distance shall be measured in a straight line from the property line of said service stations. Where two (2) service stations are located at a single intersection, the city encourages stations to be sited in such a manner as to service different flows of traffic. The city may waive the spacing requirements for infill sites or locations affected by roadway widening or other infrastructure improvements.

6. In Section 17.34.050, the section title is renamed to clarify applicability of development and design standards for service stations and alternative fuel stations. Additional clarifications and revisions are listed below.

- Clarification is made that the section applies to improvements to existing service stations and new alternative fuel stations, as new service stations would no longer be permitted.
- Clarification is made on which standards take precedence where there are differences between this Chapter and other regulatory standards.
- Clarification is provided that turning radius information shall be reviewed by the Public Works Director when new internal circulation for fuel delivery is proposed.
- Consolidated lighting requirement references.

Amended Text: 17.34.050. DEVELOPMENT AND DESIGN STANDARDS **FOR SERVICE STATIONS AND ALTERNATIVE FUEL STATIONS**.

The following requirements apply to all ~~new service stations~~ and qualifying expansions/improvements to existing service stations **and new alternative fuel stations, except where such requirements may be superseded by state or federal regulations**. Service station and **alternative fuel station** uses shall also comply with all applicable state and federal regulations regarding site design, pricing signs, containment, maintenance, and operations.

A. Frontage. The minimum public street frontage shall be one hundred and thirty-five (135) feet on each public street for all new **alternative fuel** service stations

B. Pump Islands. Service station **and alternative fuel station** pump islands may be placed in required yards provided they are no closer than fifteen (15) feet to the street right-of-way.

C. Setbacks. Generally, no building shall be located within thirty (30) feet of any public right-of-way or within fifteen (15) feet of any interior parcel line. However, to encourage a more pedestrian streetscape, a primary building with direct access from the street may be located a minimum of fifteen (15) feet from the right-of-way (and outside required landscape corridors). **Where the site is located within the Three Corridors Specific Plan area, the development standards of the Specific Plan shall apply.**

D. Building Placement and Orientation. Buildings shall be placed outside the required setback areas, but close to the street and oriented to the public view.

E. Building and Canopy Design. The service station **or alternative fuel station** building and/or canopy shall be designed for architectural compatibility with the surrounding area. Notwithstanding any other requirements in the Zoning Code, the maximum height for all service station buildings (including canopy) shall be twenty-five (25) feet. Pitched roofs are preferred, but not required. In order to reduce the visual impact of the canopy structure and corresponding lighting, the maximum height of the canopy clearance shall be fifteen (15) feet and the maximum width of the canopy fascia shall be thirty (30) inches. ~~A lighting study shall be required in conjunction with the design review process to examine light pollution issues, including but not limited to safety and glare pursuant to~~ The canopy fascia shall match the color and texture of the primary building. See Figure 17.34.050-1 (Service Station Building and Canopy Design). Deviations from these requirements may be allowed in conjunction with comprehensive design review

(Section 17.12.150).

F. Access Driveways.

1.a. Driveway dimensions. Driveway design shall be consistent with the City of Pinole Public Works Improvement Standards, except that the minimum width for driveways shall be thirty-five (35) feet. The width shall be expanded to forty-five (45) feet whenever the driveway accesses a street with a width of, or with a planned ultimate width of, eighty-four (84) feet or greater. The throat depth for driveways shall be fifty (50) feet.

2.b. Driveway location. Driveways shall be no closer than forty (40) feet from the nearest intersecting point of street right-of-way lines, or as otherwise determined by the Public Works Director for traffic safety.

3.e. Number of driveways. No more than two (2) exterior points of access (driveways along abutting streets) shall be provided for each service station, regardless of the length or number of street frontages. No more than thirty-five percent (35%) of the street frontage shall be devoted to curb cuts. Within integrated developments, shared access driveways are preferred.

4.d. Accommodation of vehicle stacking. The internal circulation system shall allow for vehicle stacking without blocking ingress and egress on and off the site. The pump island shall be situated to provide stacking space for a minimum of two (2) vehicles behind the vehicle parked at the pump closest to the entrance and/or exit driveway. Sites shall be designed so that the space intended for vehicle stacking shall not block or interfere with the general circulation of traffic within integrated developments.

G. Accommodation of Refueling Trucks. The internal circulation system shall allow for safe and efficient fuel delivery. **Where new internal circulation accommodating fuel delivery is proposed, the turning** Turning-radius information for all fuel delivery trucks accessing the service station shall be provided ~~in conjunction with conditional use permit or design review~~ for review and approval to the satisfaction of the Public Works Director.

H. Landscaping. Landscaping shall be provided consistent with the requirements of Section 17.44.060 (Special Landscape Requirements) for service stations **and alternative fuel stations.**

I. Signs. Signs shall be consistent with the requirements of Chapter 17.52 (Signs), including exempt gasoline pricing signs.

J. Fences and Walls. A wall shall be provided between service stations abutting property in any agricultural or residential zoning district or residential use consistent with the requirements of Section 17.42.050 (Special Fence, Wall and Screening Requirements).

K. Lighting. **Where there is change to the exterior lighting in conjunction with a permit application for new or modified structures, a lighting study shall be submitted to demonstrate consistency with the requirements of Chapter 17.46 (Lighting).** In addition to the lighting requirements of Chapter 17.46 (Lighting), canopy lighting shall be recessed so that the luminary does not extend below the surface of the underside of the canopy.

L. Noise. All outdoor noise generators associated with operation of the service station shall be identified by the applicant during the ~~conditional use permit and/or~~ comprehensive design review process and may require the submittal of a professional noise analysis to quantify noise sources and attenuate noise levels consistent with city noise standards. All outdoor speakers and video/audio pump

stations and sound signals associated with the service stations shall be turned off daily between the hours of 10:00 p.m. and 7:00 a.m. (Ord. 2010-02 § 1 (part), 2010)

7. In Section 17.34.060, the text is stricken as the provisions have been reworked and relocated to the revised Section 17.34.030(B)(3) to better group the provisions with similar topics around renovations and modifications discussed under Section 17.34.030(B).

Amendments to the Three Corridors Specific Plan: Chapter 6 Development Standards

The Land Use and Development Standards Chapter of the Three Corridors Specific Plan provides the land use plan, permitted uses, and development standards that guide development and redevelopment within the Specific Plan areas to implement the vision for San Pablo Avenue, Pinole Valley Road, and Appian Way. The following are the proposed modifications to this chapter:

1. Service station uses are modified to be not permitted in any zoning districts in the following tables:
 - Table 6.2 Permitted Use Table for San Pablo Avenue
 - Table 6.14 Permitted Use Table for Appian Way
 - Note: Service Stations are already listed as not permitted in any district in Table 6.8 Permitted Use Table for Pinole Valley Road. Existing service stations would be allowed to continue operating as an existing nonconforming use, as allowed under Chapter 17.14 Nonconforming Uses and Structures and subject to requirements further detailed in Chapter 17.34 Automobile Service Stations.
2. Alternative fuel stations have been added as a new land use type that allows for alternative fuels to fossil fuels.
 - Table 6.2 Permitted Use Table for San Pablo Avenue
 - Table 6.14 Permitted Use Table for Appian Way
 - Note: Service Stations are listed as not permitted in any district in Table 6.8 Permitted Use Table for Pinole Valley Road. An Alternative Fuel Station use has been added to the table but is listed as not permitted in any district – consistent with Service Stations.

Amendments to the Three Corridors Specific Plan: Chapter 11 Definitions

The Definitions Chapter of the Three Corridors Specific Plan describes unique terms in the Specific Plan. The following is the proposed modification to this chapter:

1. In Section 11.1, the revised service station definition and new alternative fuel station definition from the Zoning Code amendments in Chapter 17.22 have been added.

Findings for Approval

Zoning Code and Specific Plan amendments are subject to approval findings established in Pinole Municipal Code Sections 17.12.170 and 17.12.190. Findings for approval are listed

below, as well as Staff assessments.

Findings for Pinole Municipal Code Section 17.12.170(G)

Findings: Specific plans and any amendment thereto shall be approved only when the City Council makes the following findings:

1. The proposed specific plan is consistent with the general plan goals, policies, and implementation programs.
2. The land use and development regulations within the specific plan are comparable in breadth and depth to similar zoning regulations contained in this title.
3. The administration and permit processes within the specific plan are consistent with the administration and permit processes of the Zoning Code.

Staff Assessment: As further expanded in the staff assessment of Section 17.12.190(D) below, the amendments can be found consistent with General Plan goals, policies, and actions. Amendments to the land use and development regulations in the Specific Plan are made to create consistency with definitions and allowable uses proposed in the Zoning Code amendments, including the prohibition of new service stations in all zoning districts and provision for allowing alternative fuel stations in districts that previously allowed service stations. Administration and permit processes would be consistent with those provided in the Zoning Code.

Findings for Pinole Municipal Code Section 17.12.190(D)

Finding: The proposed zoning amendment (text or map) is consistent with the general plan goals, policies, and implementation programs.

Staff Assessment: The proposed amendments may be found consistent with the General Plan, including but not limited to General Plan goals, policies, and actions listed below:

- GOAL SE.3 The City will reduce its contribution to climate change and mitigate and adapt to the effects of climate change as appropriate.
- POLICY SE.3.4 Reduce GHG emissions by reducing vehicle miles traveled and by increasing or encouraging the use of alternative fuels and transportation technologies.
- GOAL SE.7 Air Quality will be maintained and improved for the City of Pinole and the Bay Area as a region and not decline below levels measured in the early 1990's.
- POLICY SE.7.3 Support efforts to comprehensively address air quality issues through education, regulation, and innovation.
- ACTION SE.7.3.4 Continue to encourage innovative technologies and programs such as clean-fuel, electric and low-emission cars that reduce the air quality impacts of the automobile.
- GOAL SE.8 Utilize transit options and reduce vehicle miles traveled and single-occupancy vehicle use.
- POLICY SE.8.10 Support and promote the use of low- and zero-emission vehicles, alternative fuels, and other measures to directly reduce emissions from motor vehicles.
- GOAL EJ 2: Support land use patterns and densities that reduce pollution, with particular focus to reducing pollution burden in and around Impacted Communities
- POLICY EJ 2.4: Improve land use planning to minimize air quality pollution, noise, and odors, by promoting strategic land use patterns for businesses, reducing the number and length of motor vehicles, encouraging alternative uses of transportation, and reducing pollution associated with vehicular traffic.

- POLICY EJ 2.5: Participate in local and regional planning efforts to reduce or mitigate health risks associated with climate change and climate vulnerability.

Furthermore, the amendments implement action TR-4c of the City's adopted Climate Action and Adaptation Plan.

CEQA Determination

The proposed ordinance amendments are exempt from the California Environmental Quality Act (CEQA) as provided below:

1. CEQA Guidelines Section 15061(b)(3) sets forth under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The project involves amendments to the text of the Zoning Code and Specific Plan with no physical impacts to the environment. The amendments would prohibit the development of new service stations and establish regulations on operation and design of service stations and alternative fuel stations, which result in no specific physical changes to the environment. Projects involving development would be evaluated under CEQA based on discrete site and design characteristics particular to the project. Therefore, this ordinance amendment will have no significant effect on the environment.
2. CEQA Guidelines Section 15301 provides a categorical exemption for operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The amendments would result in existing service station uses (i.e., the fossil fuel-serving use) becoming nonconforming uses, which would be subject to regulations restricting the ability to expand the nonconforming use. Therefore, this ordinance amendment limits operation and modification of existing service station uses such that there would be negligible or no expansion of service station uses.
3. CEQA Guidelines Section 15308 provides a categorical exemption for actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The amendments are consistent with the policies and practices in the City's Climate Action and Adaptation Plan (CAAP) for environmental protection through actions to address climate change and its impacts, including the actions to reduce greenhouse gas emissions. The CAAP calls for the adoption of an ordinance to prohibit new fossil fuel service stations, which is addressed through the proposed amendments. Therefore, this ordinance amendment is consistent with actions involving regulatory procedures for protection of the environment.

FISCAL IMPACT

There is no fiscal impact associated with adopting these municipal code amendments.

ATTACHMENTS

- A. Ordinance

- B. Municipal Code and Specific Plan Amendments - Compiled
- C. Prior Public Meeting References
- D. PC Resolution 26-01
- E. PC Minutes 1.26.26
- F. Service Station Survey
- G. Service Station Survey 2

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY OF PINOLE TO PROHIBIT NEW SERVICE STATIONS, ESTABLISH REGULATIONS FOR EXISTING LEGAL NONCONFORMING SERVICE STATIONS, AND ESTABLISH REGULATIONS FOR ALTERNATIVE FUEL STATIONS BY AMENDING CHAPTERS 17.12, 17.20, 17.22, AND 17.34 OF THE PINOLE MUNICIPAL CODE AND AMENDING CHAPTERS 6 AND 11 OF THE THREE CORRIDORS SPECIFIC PLAN

WHEREAS, the City Council of the City of Pinole adopted an urgency ordinance establishing a temporary moratorium on new service stations or expansion of service stations on April 2, 2024 for a period of 45 days and subsequently extended by 22 months and 15 days by an urgency ordinance on May 7, 2024; and

WHEREAS, as provided in the urgency ordinance, the City of Pinole has an overriding interest in planning and regulating the use of property within the City to maintain quality of life and addressing climate change to maintain public health, safety and welfare; and

WHEREAS, as further provided in the urgency ordinance, fossil-fuel based transportation remains the largest contributor of greenhouse gas emissions, and the City desired to aid in reducing severe negative public health impacts that residents are experiencing, and will continue to experience, by banning the development of new service stations, prohibiting the expansion of existing service stations, and encourage the use of zero emission vehicles; and

WHEREAS, the temporary moratorium is set to expire on March 22, 2026; and

WHEREAS, the City of Pinole adopted the City of Pinole Climate Action and Adaptation Plan (CAAP) in August 2024 establishing measures the City will take to support reducing greenhouse gas emissions; and

WHEREAS, the CAAP establishes an action for the City to prepare an ordinance that bans the development of any new fossil fuel stations and expansion of existing fossil fuel stations prior to the expiration of the urgency ordinance; and

WHEREAS, Pinole Municipal Code (“PMC”) Title 17 Zoning Code (“Zoning Code”) establishes general regulations on land uses and development standards within the City; and

WHEREAS, The Three Corridors Specific Plan (“Specific Plan”) establish specific regulations on land uses and development standards for defined areas within the City identified in the Specific Plan and supersede requirements in the Zoning Code where there is a conflict; and

WHEREAS, the proposed amendments to the Zoning Code and Specific Plan are attached hereto as Attachment B; and

WHEREAS, the Planning Commission held a duly noticed public hearing related to the proposed amendments on January 26, 2026; and

WHEREAS, after close of the public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by city staff, the staff report, and all other pertinent documents regarding the proposed zoning code amendment; and

WHEREAS, the Planning Commission recommended adoption of the proposed amendments; and

WHEREAS, the City Council held a duly noticed public hearing related to the proposed amendments on March 3, 2026; and

WHEREAS, after close of the public hearing, the City Council considered all public comments received both before and during the public hearing, the presentation by city staff, the staff report, and all other pertinent documents regarding the proposed amendments; and

NOW THEREFORE, BE IT RESOLVED, pursuant to the findings stated herein, that the City Council of the City of Pinole does ordain as follows:

Section 1. Recitals. The above recitals are true and correct and made a part of this Ordinance.

Section 2. Amendment of Municipal Code and Specific Plan. The Pinole Municipal Code is hereby amended with amendments to Chapters 17.12, 17.20, 17.22, and 17.34 of the Pinole Municipal Code and Chapters 6 and 11 of the Three Corridors Specific Plan, as set forth in Attachment B, attached hereto and incorporated herein.

Section 3. CEQA. Pursuant to Title 14 of the California Administrative Code, the City Council finds that this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) for the following reasons:

1. CEQA Guidelines Section 15061(b)(3) sets forth under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The project involves amendments to the text of the Zoning Code and Specific Plan with no physical impacts to the environment. The amendments would prohibit the development of new service stations and establish regulations on operation and design of service stations and alternative fuel stations, which result in no specific physical changes to the environment. Projects involving development would be evaluated under CEQA based on discrete site and design characteristics particular to the project. Therefore, this ordinance amendment will have no significant effect on the environment.

2. CEQA Guidelines Section 15301 provides a categorical exemption for operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of

existing or former use. The amendments would result in existing service station uses (i.e., the fossil fuel-serving use) becoming nonconforming uses, which would be subject to regulations restricting the ability to expand the nonconforming use. Therefore, this ordinance amendment limits operation and modification of existing service station uses such that there would be negligible or no expansion of service station uses.

3. CEQA Guidelines Section 15308 provides a categorical exemption for actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The amendments are consistent with the policies and practices in the City's Climate Action and Adaptation Plan (CAAP) for environmental protection through actions to address climate change and its impacts, including the actions to reduce greenhouse gas emissions. The CAAP calls for the adoption of an ordinance to prohibit new fossil fuel service stations, which is addressed through the proposed amendments. Therefore, this ordinance amendment is consistent with actions involving regulatory procedures for protection of the environment.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each of every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 5. Effective Date and Duration. This ordinance shall take effect thirty (30) days after its final adoption.

Section 6. Publication. The City Clerk is directed to cause this ordinance to be published in a manner required by law.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on March 3, 2026, the City Council passed this ordinance by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of Pinole on March 3, 2026.

Anthony Tave, Mayor

ATTEST:

Heather Bell, City Clerk

APPROVED AS TO FORM:

Eric S. Casher, City Attorney

ATTACHMENT B. MUNICIPAL CODE and SPECIFIC PLAN AMENDMENTS

- 1. Pinole Municipal Code Chapter 17.12 Entitlements [Amendment]**
- 2. Pinole Municipal Code Chapter 17.20 Allowed Land Uses and Requirements [Amendment]**
- 3. Pinole Municipal Code Chapter 17.22 Allowed Use Definitions [Amendment]**
- 4. Pinole Municipal Code Chapter 17.34 Automobile Service Stations [Amendment]**
- 5. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.2 Permitted Use Table for San Pablo Avenue [Amendment]**
- 6. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.8 Permitted Use Table for Pinole Valley Road [Amendment]**
- 7. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.14 Permitted Use Table for Appian Way [Amendment]**
- 8. Three Corridors Specific Plan Chapter 11 Definitions [Amendment]**

1. Pinole Municipal Code Chapter 17.12 Entitlements [Amendment]

Excerpt of Section 17.12.080.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

CHAPTER 17.12

ENTITLEMENTS

Sections:

- 17.12.010 Purpose.
- 17.12.020 Applicability.
- 17.12.030 Plan check.
- 17.12.040 Similar use determination.
- 17.12.050 Reasonable accommodation.
- 17.12.060 Administrative use permit.
- 17.12.070 Temporary use permit.
- 17.12.080 Administrative design review.
- 17.12.090 Sign permit.
- 17.12.100 Creative sign program.
- 17.12.110 Sign program.
- 17.12.120 Minor deviations.
- 17.12.130 Variance.
- 17.12.140 Conditional use permit.
- 17.12.150 Comprehensive design review.
- 17.12.160 Development agreements.
- 17.12.170 Specific plans.
- 17.12.180 Prezoning.
- 17.12.190 Zoning Code (text and map) amendment.
- 17.12.200 General plan amendment.
- 17.12.210 Small cell attachment permit.

[...]

17.12.080 ADMINISTRATIVE DESIGN REVIEW.

A. Purpose. The purpose of Administrative Design Review is to provide an efficient process for promoting the orderly and harmonious growth of the city, to encourage development in keeping with the desired character of the city, and to ensure physical and functional compatibility between uses. Administrative design review is intended to provide a process for consideration of minor development proposals to ensure that additions and alterations to the design and layout of existing development will constitute suitable development and will not result in a detriment to the city or to the environment.

B. Applicability. Administrative design review is required for all structural additions to single family, multi-family and non-residential structures, and as otherwise required in this Title. Additions for multi-family and non-residential structures that are five hundred (500) square feet or larger require comprehensive design review. Furthermore, all new single family homes shall require comprehensive design review. Issues related to fire and public works compliance are addressed during the plan check process. Issues related to Building Code compliance are addressed at time of building permit issuance.

C. Approving Authority. The designated approving authority for administrative design review is the Community Development Director. Administrative design review approval is required prior to issuance of any building permits or site improvement plans.

D. Application Contents. The application for an administrative design review shall be on a form prepared as prescribed by the Community Development Director.

E. Procedure. The procedures for administrative design review shall be as provided in Chapter 17.10 (General Application Processing Procedures) except as provided below:

1. No public hearing shall be required unless required below.

2. The city shall provide mailed notice pursuant to Section 17.10.050B.2. that the city is considering an application for administrative design review. In addition to the content required under Section 17.10.050B., the mailed notice shall advise

persons that plans for the project are available for public review at City Hall and that the application will be decided unless a written request for hearing is received by the City Community Development Department on or before a date specified in the notice, which shall be at least ten (10) working days after the date of mailing.

3. If no timely written request for hearing is filed, the application shall be administratively approved by the Community Development Director if it is deemed to be consistent with the provisions of this title.

4. If a timely written request for hearing is filed, the application shall no longer be administratively processed and shall instead be processed in accordance with the procedures for comprehensive design review.

5. The Community Development Director may elevate any project to the comprehensive design review process if in the opinion of the Community Development Director, such project, because of location, size, design, or other aspect of the project, warrants a hearing before the Planning Commission.

F. Approval Findings. The approving authority shall make the following findings to approve or conditionally approve an administrative design review application:

1. Compliance with the general plan and any applicable specific plans.
2. Compliance with applicable provisions of the Zoning Code.
3. Compatibility with the surrounding neighborhood.

4. Qualifying single-family residential, multi-family residential, and residential mixed-use projects shall comply with all relevant standards and guidelines in the city's currently adopted design guidelines for residential development.

G. Appeals. Appeal of the approving authority's action on the request for administrative design review permit shall be made in accordance with the procedures specified in Section 17.10.070 (Appeals).

H. Expiration. All approved administrative design review permits are subject to the provisions set forth in Section 17.10.120 (Revocation).

(Ord. 2020-01, § 2, 2020: Ord. 2012-07 § 2, 2012: Ord. 2010-02 § 1 (part), 2010)

[...]

2. Pinole Municipal Code Chapter 17.20 Allowed Land Uses and Requirements [Amendment]

Full Chapter included.

Text to be removed shown in strikeout ~~text~~.

Text to be added shown in underline text.

CHAPTER 17.20

ALLOWED LAND USES AND REQUIREMENTS

Sections:

17.20.010 Purpose.

17.20.020 Allowed uses and required entitlements.

17.20.010 PURPOSE.

The purpose of this chapter is to establish allowed land uses and requirements for planning entitlements for each of the city's base zoning districts. Allowed uses herein are consistent with and implement the city's general plan corresponding land use designations as shown in Table 17.18.020-1 (Zoning Districts).

(Ord. 2016-03 § 2 (part), 2016; Ord. 2010-02 § 1 (part), 2010)

17.20.020 ALLOWED USES AND REQUIRED ENTITLEMENTS.

Table 17.20.030-1 below identifies allowed uses and corresponding requirements for planning entitlements for all base zoning districts within the city. Definitions for the land uses listed herein (use classifications) are provided in Chapter 17.22 (Allowed Use Definitions). See additional use requirements in Article IV (Special Use Standards). In the table below, any land use shown with a "P" indicates that the land use is permitted by right, a "C" indicates that the land use is permitted in the designated zoning district upon issuance of a conditional use permit (pursuant to Section 17.12.140 (Conditional Use Permit), an "A" indicates that the land use is permitted in the designated zoning district upon issuance of an administrative use permit (pursuant to Section 17.12.060 (Administrative Use Permit), and an "N" indicates that the use is not allowed. Except as otherwise provided for in this title, uses not shown in the table are not permitted. Zoning district names for the zoning district symbols used in the table are as follows:

- LDR = Low Density Residential Zoning District
- R-1 = Suburban Residential Zoning District
- R-2 = Medium Density Zoning District
- R-3 = High Density Zoning District
- R-4 = Very High Density Zoning District
- R = Rural Zoning District
- RC = Regional Commercial Zoning District
- RMU = Residential Mixed Use Zoning District
- CMU = Commercial Mixed Use Zoning District
- OPMU = Office Professional Mixed Use Zoning District
- OIMU = Office Industrial Mixed Use Zoning District
- OS = Open Space Zoning District
- PR = Parks and Recreation Zoning District
- PQI = Public Quasi-Public Institutional Zoning District
- SPBCA = San Pablo Bay Conservation Zoning District

TABLE 17.20.030-1:

ALLOWED USES AND REQUIRED ENTITLEMENTS FOR CITY OF PINOLE BASE ZONING DISTRICTS

<i>Land Use \ Zoning District</i>	<i>LDR</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>R</i>	<i>RC</i>	<i>RMU</i>	<i>CMU</i>	<i>OPMU</i>	<i>OIMU</i>	<i>OS</i>	<i>PR</i>	<i>PQI</i>	<i>SPBCA</i>
Residential Uses															
Adult Day Care Home	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Caretaker Housing	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N
Dwelling, Accessory/ Junior Accessory ⁽¹⁾	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Dwelling, Multifamily	N	N	P	P	P	N	N	P	P	P	C	N	N	N	N
Dwelling, Single Family	P	P	P	P	N	P	N	P	N	N	N	N	N	N	N
Dwelling, Two-Family	N	N	P	P	N	N	N	N	N	P	P	N	N	N	N

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Dwelling, Three- and Four-Family	N	N	P	P	P	N	N	P	P	N	N	N	N	N	N
Emergency Shelter (2)	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N
Family Day Care Home, Large	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Family Day Care Home, Small	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Group Residential/Home	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Home Occupations (3)	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Low Barrier Navigation Center	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
Manufactured Home	P	P	P	P	P	P	N	P	N	N	N	N	N	N	N
Mobile Home Park	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N
Residential Care Facilities	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
Single Room Occupancy Facilities	N	N	C	C	C	N	N	C	C	N	N	N	N	N	N
Supportive Housing (located in housing of a type permitted in the zone)	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
Transitional Housing ⁽²⁾ (located in housing of a type permitted in the zone)	P	P	P	P	P	N	P	P	P	P	P	N	N	N	N
Agriculture, Resource, and Open Space Uses															
Animal Keeping, Domestic Pets (4)	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Animal Keeping, Exotic Animals (4)	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Animal Keeping, Livestock (4)	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N
Animal Keeping, Poultry, Rabbits (4)	P	P	C	C	C	P	N	N	N	N	N	N	N	N	N
Equestrian Facility, Commercial	N	N	N	N	N	C	N	N	N	N	N	N	C	N	N
Equestrian Facility, Hobby	N	N	N	N	N	P	N	N	N	N	N	N	C	N	N
Kennels, Hobby	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N
Recreation, Education, and Public Assembly Uses															
Cemeteries, Mausoleums	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N
Clubs, Lodges, and Private Meeting Halls	C	C	C	C	N	N	N	N	C	C	C	N	N	C	C
Community Centers/Civic Uses	C	C	C	C	C	C	N	C	C	C	N	N	P	P	C
Community Garden	P	P	P	P	P	P	N	P	P	P	P	P	P	P	N
Indoor Amusement/Entertainment Facility	N	N	N	N	N	N	C	N	C	N	N	N	N	N	N
Indoor Fitness and Sports Facility	N	N	N	N	N	N	P	C	N	C	C	N	N	P	N
Libraries and Museums	C	C	C	C	N	N	N	C	C	C	C	N	N	C	C
Outdoor Commercial Recreation	C	C	C	C	N	N	N	N	N	N	N	N	P	P	C
Parks and Public Plazas	P	P	P	P	P	P	N	P	P	P	P	N	P	P	P
Public Safety Facility	P	P	P	P	P	P	P	C	C	C	C	N	C	P	C

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Recreational Vehicle Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Religious Institutions	C	C	C	C	C	C	N	N	C	C	C	N	N	C	C
Resource Protection and Restoration	P	P	P	P	P	P	C	N	N	N	N	P	P	P	P
Resource-Related Recreation	P	P	P	P	P	P	N	N	N	N	N	P	P	P	P
Schools, Private and Special/Studios	N	N	N	N	N	N	P	N	C	C	C	N	N	N	N
Schools, Public	P	P	P	P	P	P	N	P	P	P	P	N	N	P	N
Theaters and Auditoriums	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N
Utility, Transportation, and Communication Uses															
Broadcasting and Recording Studios	N	N	N	N	N	N	P	N	N	N	N	N	N	P	N
Bus and Transit Shelters	N	P	P	P	P	N	P	P	P	P	P	N	P	P	P
Bus and Truck Terminal and Parking	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Heliports	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Park and Ride Facility	N	N	C	C	N	N	P	C	C	C	C	N	N	P	N
Parking Facility	N	N	P	P	P	N	P	P	P	P	P	N	N	P	N
Small Cell Wireless Facilities (14)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	N	P/C	P/C	N
Wireless Communication Facility, Freestanding Tower (5)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Wireless Communication Facility, co-location, antenna, satellite (5)	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P
Transit Facilities	N	N	N	N	N	N	P	N	N	C	C	N	N	P	C
Utility Facility and Infrastructure (6)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Retail, Service, and Office Uses															
Adult Oriented Business (7)	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Adult Day Care Facility	C	C	C	C	P	N	N	P	C	N	N	N	N	N	C
Alcoholic Beverage Sales	N	N	N	N	N	N	C	C	C	C	C	N	N	N	N
Ambulance Service	N	N	N	N	N	N	N	C	N	N	P	N	N	N	N
Animal Sales and Grooming	N	N	N	N	N	N	P	C	C	P	P	N	N	N	N
Art, antique, collectable	N	N	N	N	N	N	P	P	P	C	C	N	N	N	N
Artisan Shops	N	N	N	N	N	N	P	P	P	P	C	N	N	N	N
Artist Studio	N	N	P	P	P	P	N	C	C	C	P	N	N	N	N
Banks and Financial Services	N	N	N	N	N	N	P	P	P	P	C	N	N	N	N
Bars and Nightclubs	N	N	N	N	N	N	C	C	C	C	N	N	N	N	N
Bed and Breakfast Inns	N	N	N	N	N	N	N	C	C	N	N	N	N	N	N
Building Materials Store and Yard	N	N	N	N	N	N	P	N	C	N	C	N	N	N	N
Business Support Services	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Call Centers	N	N	N	N	N	N	N	C	C	P	P	N	N	N	N
Card Room	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Check Cashing Business	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N
Child Day Care Facility	C	C	C	C	C	N	C	P	P	P	C	N	N	N	N
Commercial Marijuana Cultivation ⁽¹¹⁾	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Convenience Stores	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Drive-in and Drive-through Sales and Service (8)	N	N	N	N	N	N	P	N	C	C	C	N	N	N	N
Equipment Sales and Rental	N	N	N	N	N	N	C	N	P	C	P	N	N	N	N
Firearm or Firearm Ammunition Sales	N	N	N	N	N	N	C	N	C	N	C	N	N	N	N
Furniture, Furnishings, and Appliance Stores	N	N	N	N	N	N	P	C	P	C	C	N	N	N	N
Garden Center/Plant Nursery	N	N	N	N	N	N	C	N	C	C	P	N	N	N	N
Grocery Stores/Supermarket	N	N	N	N	N	N	P	P	P	C	N	N	N	N	N
Home Improvement Supplies	N	N	N	N	N	N	P	C	C	C	C	N	N	N	N
Hotels and Motels	N	N	N	N	N	N	P	C	C	C	N	N	N	N	N
Hotels and Motels, Extended Stay	N	N	N	N	N	N	P	C	C	C	N	N	N	N	N
Kennels, Commercial	N	N	N	N	N	C	N	N	C	N	C	N	N	N	N
Maintenance and Repair, Small Equipment	N	N	N	N	N	N	P	C	C	C	P	N	N	N	N
Marijuana Delivery ⁽¹²⁾	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Marijuana Dispensary ⁽¹⁰⁾	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Massage Therapy Establishment ⁽⁹⁾	N	N	N	N	N	N	C	P	P	P	C	N	N	N	N
Medical Services, General	N	N	N	N	N	N	P	C	C	P	P	N	N	N	N
Medical Services, Extended Care	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N
Medical Services, Hospitals	N	N	N	N	N	N	N	N	C	P	N	N	N	N	N
Mortuaries and Funeral Homes	N	N	N	N	N	N	N	N	C	C	P	N	N	N	N
Neighborhood Market	N	N	N	N	N	N	N	P	P	C	C	N	N	N	N
Office, Temporary	N	N	N	N	N	N	N	N	C	P	P	N	N	N	N
Offices, Business and Professional	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Offices, Accessory	N	N	N	N	N	N	P	P	P	C	P	N	N	N	N
Pawn Shop	N	N	N	N	N	N	C	N	C	C	C	N	N	N	N
Personal Marijuana Cultivation ⁽¹³⁾	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Personal Services	N	N	N	N	N	N	P	P	P	C	N	N	N	N	N
Restaurants	N	N	N	N	N	N	P	C	P	P	P	N	N	N	N
Retail, Accessory	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Retail, General	N	N	N	N	N	N	P	P	P	P	C	N	N	N	N
Retail, Warehouse Club	N	N	N	N	N	N	P	N	C	N	N	N	N	N	N
Smoke Shop	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Temporary Real Estate	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N
Thrift Store	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N
Veterinary Facility	N	N	N	N	N	N	C	C	C	C	C	N	N	N	N

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Automobile and Vehicle Uses															
<u>Alternative Fuel Station</u> (15)(16)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Auto and Vehicle Sales and Rental	N	N	N	N	N	N	C	N	C	C	C	N	N	N	N
Auto and Vehicle Sales, Wholesale	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Auto and Vehicle Storage	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Auto Parts Sales	N	N	N	N	N	N	P	N	N	N	P	N	N	N	N
Car Washing and Detailing	N	N	N	N	N	N	C	N	C	C	C	N	N	N	N
Service Stations (15)	N	N	N	N	N	N	NG	N	NG	NG	NG	N	N	N	N
Vehicle Services, Major	N	N	N	N	N	N	C	N	C	N	C	N	N	N	N
Vehicle Services, Minor	N	N	N	N	N	N	C	N	C	N	C	N	N	N	N
Industrial, Manufacturing, and Processing Uses															
Manufacturing, Major	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N
Manufacturing, Minor	N	N	N	N	N	N	N	N	C	C	P	N	N	N	N
Manufacturing, Small Scale	N	N	N	N	N	N	N	C	C	P	P	N	N	N	N
Printing and Publishing	N	N	N	N	N	N	N	N	C	C	P	N	N	N	N
Recycling Facility, Collection	N	N	N	N	N	N	C	C	C	C	C	N	N	N	N
Recycling Facility, Processing	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N
Recycling Facility, Scrap and Dismantling Facility	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Research and Development	N	N	N	N	N	N	N	C	P	P	P	N	N	N	N
Storage, Personal Storage Facility	N	N	N	N	N	N	C	N	C	N	P	N	N	N	N
Storage, Warehouse	N	N	N	N	N	N	N	N	N	C	P	N	N	N	N
Storage, Yards	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Wholesaling and Distribution	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N

Notes:

- (1) See additional regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units in Chapter 17.70.
- (2) See additional regulations for Emergency Shelters in Chapter 17.62.
- (3) See additional regulations for Home Occupations in Chapter 17.64.
- (4) Additional regulations applicable to animal keeping where permitted are as follows and within Title 6:
 - a. Domestic Pets. Keeping of any combination of five (5) or more cats and dogs is considered a kennel for the purposes of this title.
 - b. Exotic Animals. All exotic animals shall be kept and maintained a minimum distance of 40 feet from any property line, unless contained within the dwelling.
 - c. Livestock. One (1) livestock animal may be permitted for each twenty thousand (20,000) square feet. All livestock animals shall be kept and maintained a minimum distance of twenty (20) feet from any property line and a minimum distance of fifty (50) feet from any residential dwelling.
 - d. Poultry and Rabbits. All poultry animals shall be kept and maintained a minimum distance of twenty (20) feet from any property line.
- (5) See additional regulations for wireless communication facilities in Chapter 17.76.

(6) Utility facilities and infrastructure involving hazardous or volatile gas and/or liquid pipeline development require approval of a conditional use permit.

(7) See additional regulations for adult entertainment businesses in Chapter 17.58

(8) See additional regulations for drive-in and drive-through facilities in Chapter 17.40.

(9) See additional regulations for massage therapy in Chapter 17.66 and Chapter 8.32

(10) Marijuana dispensaries are not permitted in any zoning district. See also, Chapter 5.64 and Chapter 8.33.

(11) Commercial Marijuana Cultivation is not permitted in any zoning district. See also, Chapter 5.64 and Chapter 8.33.

(12) Marijuana Delivery is not permitted in any zoning district. See also, Chapter 5.64 and Chapter 8.33.

(13) Personal Marijuana Cultivation is limited to up to six plants per residence, grown indoors within a locked area, by adults 21 years of age or older. See also, Chapter 8.33.

(14) Facilities meeting all specified requirements in Chapter 17.77 are permitted as noted above except in the Open Space (OS) and San Pablo Bay Conservation Area (SPBCA) District, otherwise a conditional use permit is required. See additional regulations for small cell wireless facilities in Chapter 17.77.

(15) See additional regulations for service stations and alternative fuel stations in Chapter 17.34.

(Ord. 2024-09 § 2, 2024; Ord. 2020-04 § 2, 2020; Ord. 2019-03 § 4, 2019; Ord. 2017-14 § 2 (part), 2017; Ord. 2017-11 § 2, 2017; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-04 § 6, 2016; Ord. 2016-03 § 2 (part), 2016; Ord. 2014-02 § 4, 2014; Ord. 2012-05 § 2, 2012; Ord. 2011-02; Ord. 2010-02 § 1 (part), 2010)

3. Pinole Municipal Code Chapter 17.22 Allowed Use Definitions [Amendment]

Excerpt of Section 17.22.020(G).

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

ALLOWED USE DEFINITIONS

Sections:

17.22.010 Purpose.

17.22.020 Allowed use definitions.

17.22.010 PURPOSE.

The purpose of this chapter is to define use classifications listed in Chapter 17.20 (Allowed Land Uses and Required entitlements) and throughout this title. Use classifications are land uses that have been grouped into general categories on the basis of common function, product, or compatibility characteristics. This chapter should be used as a reference to Additional definitions for specialized terms used in the Zoning Code can be found in Article VI (Glossary). (Ord. 2010-02 § 1 (part), 2010)

17.22.020 ALLOWED USE DEFINITIONS.

[...]

G. Automobile and Vehicle uses.

1. **AUTO AND VEHICLE SALES AND RENTAL.** Retail establishments selling and/or renting automobiles, trucks, and vans. Includes the sales and rental of mobile homes, recreation vehicles, and boats. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include the sale of auto parts/accessories separate from a vehicle dealership (see "Auto Parts Sales"), bicycle and moped sales (see "Retail, General"), tire recapping establishments (see "Vehicle Services - Major"), businesses dealing exclusively in used parts (see "Recycling Facility - Scrap and Dismantling"), or "Service Station," all of which are separately defined.
2. **AUTO AND VEHICLE SALES, WHOLESALE.** Wholesale establishments selling new and used vehicles and used vehicle parts. This use is normally developed as part of an auto wrecking, junkyard, or salvage yard. Conventional automobile dealerships are listed under "Auto and Vehicle Sales and Rental."
3. **AUTO AND VEHICLE STORAGE.** Facilities for the storage of operative and inoperative vehicles for limited periods of time. Includes, but is not limited to, storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses, and recreation vehicles. Does not include retail sales (see "Auto and Vehicle Sales, Wholesale").
4. **AUTO PARTS SALES.** Stores that sell new automobile parts, tires, and accessories. May also include minor parts installation (see "Vehicle Services"). Does not include tire recapping establishments, which are found under "Vehicle Services - Major" or businesses dealing exclusively in used parts, which are included under "Auto and Vehicle Sales, Wholesale."
5. **CAR WASHING AND DETAILING.** Permanent, drive-through, self-service, and/or attended car washing establishments, including fully mechanized facilities. May include detailing services. Temporary car washes (e.g., fundraising activities generally conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one (1) day) are not part of this use classification.
6. **SERVICE STATION.** A retail business selling and dispensing fossil fuels, including gasoline and diesel, for motor vehicles. Service stations may include the sale of other motor vehicle fuels—gasoline or other motor vehicle fuels. Vehicle services which are incidental to fuel services are included under "Vehicle Services - Minor."
7. **ALTERNATIVE FUEL STATION.** A retail business selling and dispensing motor vehicle fuel other than fossil fuels, including hydrogen, electricity, biofuel, or any other renewable fuel. Vehicle services which are incidental to fuel services are included under "Vehicle Services - Minor."
8. **VEHICLE SERVICES - MAJOR.** The repair, alteration, restoration, towing, painting, cleaning (e.g., self-service and attended car washes), or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes major repair and body work-repair facilities dealing with entire vehicles; such establishments typically provide towing, collision repair, other body work, and painting services and may also include tire recapping establishments.
9. **VEHICLE SERVICES - MINOR.** Minor facilities specialize in limited aspects of repair and maintenance (e.g., muffler and radiator shops, quick-lube, and smog check). Does not include repair shops that are part of a vehicle dealership on the same site (see "Auto and Vehicle Sales") or automobile dismantling yards, which are included under "Recycling Facility - Scrap and Dismantling."

[...]

(Ord. 2024-09 § 2, 2024; Ord. 2020-04 § 2, 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-04 §§ 4-5, 2016:
Ord. 2012-05 §
3, 2012: Ord. 2010-02 § 1 (part), 2010)

4. Pinole Municipal Code Chapter 17.34 Automobile Service Stations [Amendment]

Full Chapter included.

Text to be removed shown in strikeout ~~text~~.

Text to be added shown in underline text.

CHAPTER 17.34

AUTOMOBILE SERVICE STATIONS AND ALTERNATIVE FUEL STATIONS

17.34.010 Purpose.

17.34.020 Applicability.

17.34.030 Operation and modification of Service Stations~~Permit requirements and conditions of approval.~~

17.34.040 Location requirements.

17.34.050 Development and design standards for Service Stations and Alternative Fuel Stations.

~~17.34.060 Alternative fuel and charging stations for electric vehicles.~~

17.34.010 PURPOSE.

The purpose of this chapter is to regulate legal nonconforming service station modifications and alternative fuel station development to ensure that the design and operation of such uses are compatible with surrounding uses and activities relative to hazardous materials, noise, circulation, runoff, lighting, and litter, and consistent with the City's goals and policies, including the Climate Action and Adaptation Plan while encouraging and incentivizing the expansion, modification, or retrofit of existing service stations to incorporate biodiesel or other alternative fuels and electric vehicle charging infrastructure. ~~This chapter is also intended to allow for expansion of existing service stations to allow for biodiesel and other alternative fuels and the incorporation of charging stations for electric vehicles.~~ (Ord. 2010-02 § 1 (part), 2010)

17.34.020 APPLICABILITY.

The regulations contained in this chapter shall apply to legal nonconforming new service stations and alternative fuel stations. ~~Service stations subject to this chapter shall only be authorized through entitlement requirements of Article II. (Zoning Districts, Allowed Uses, and Development Standards).~~ These regulations shall be in addition to any other development standards and regulations contained elsewhere within the Zoning Code (e.g., lighting). ~~Existing service stations and modification to existing service stations are exempt from the regulations contained in this chapter.~~ (Ord. 2010-02 § 1 (part), 2010)

17.34.030 OPERATION AND MODIFICATION OF SERVICE STATIONS~~REQUIREMENTS AND CONDITIONS OF APPROVAL.~~

A. Operation of Service Stations. New service stations are prohibited. Existing legal nonconforming service station uses may continue to operate, subject to the following: ~~Permit Requirement. Service stations require a conditional use permit or are allowed by right as established in Article II (Zoning Districts, Allowed Uses, and Development Standards). Comprehensive design review pursuant to Section 17.12.150 (Comprehensive Design Review) shall be required for all new service stations. Consistent with Article II. (Zoning Districts, Allowed Uses, and Development Services), the Planning Commission is the designated approving authority for service station conditional use permit applications.~~

1. The number of fossil fuel pumps shall not be increased to exceed the existing number at the service station site.

2. If the number of fossil fuel pumps are permanently reduced, meaning the pump or pumps are fully removed rather than temporarily out of service, no subsequent actions may increase the number of fossil fuel pumps to the number that existed prior to the reduction.

3. Fossil fuel equipment and infrastructure may be repaired, replaced, and/or relocated on the same site where required to ensure preservation of health and safety consistent with regulatory standards; comply with regional, state or federal requirements; reduce fossil fuel use; or support the deployment of alternative fuel infrastructure. Replacement and relocation shall be subject to the requirements under Section 17.34.030(B).

4. Existing service stations shall lose nonconforming status if conditions occur as described in Section 17.34.030(C).

B. Conditions of Approval. In addition to any other conditions which may be imposed by the approving authority, any conditional use permit issued pursuant to this chapter shall include the following conditions:

— 1. If the operation of the service station is discontinued for any reason for a continuous period in excess of one hundred and eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permit, consistent with Section 17.16.070 (Permit Revocation or Modification).

— 2. Upon revocation of the conditional use permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station.

— 3. The applicant to whom a conditional use permit has been granted shall keep on the premises the conditional use permit or a copy thereof.

Renovations and Modifications of Service Stations. Renovations and modifications of service stations may be conducted, subject to the following:

1. Fossil Fuel Uses. Renovations and modifications associated with the selling, dispensing, and storage of fossil fuel are allowed only where such work is required to ensure preservation of health and safety consistent with regulatory standards; comply with regional, state or federal requirements; reduce fossil fuel use; or support the deployment of alternative fuel infrastructure.

a. Administrative Design Review approval is required for renovations and modifications.

b. Renovations and modifications shall not increase the number of fossil fuel pumps.

c. Maintenance and repair of existing fossil fuel service equipment is not considered a renovation or modification for the purposes of this Section.

2. Other Uses. Renovations and modifications that involve other permitted and conditionally permitted uses on the site (e.g., remodel of a convenience store, installation of alternative fuel pumps, installation of zero-emission vehicle charging stations) may be allowed subject to obtaining required permits.

3. Addition of Alternative Fuel. Plan check is required pursuant to Section 17.12.030 (Plan Check) for the expansion, modification or retrofit of an existing service station where the expansion, modification or retrofit incorporates alternative fuels, including hydrogen, electricity, biofuel, or any other renewable fuel. The designated approving authority may grant the expansion, modification or retrofit even if specified improvements result in a reduction of existing on-site parking. Renovations and modifications of service stations that include alternative fuel infrastructure may include a request for reduction of existing on-site parking spaces. The designated approving authority may approve a parking reduction without a Minor Deviation, Variance, or Conditional Use Permit when the applicant demonstrates, to the satisfaction of the Community Development Director, that the reduction is necessary to accommodate alternative fuel infrastructure.

~~C. Loss of Nonconforming Status for Service Stations. B. Conditions of Approval. In addition to any other conditions which may be imposed by the approving authority, any conditional use permit issued pursuant to this chapter shall include the following conditions:~~

~~1. If the operation of the service station is discontinued for any reason for a continuous period in excess of one hundred and eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permit, consistent with Section 17.16.070 (Permit Revocation or Modification).~~

1. If the service station is abandoned or ceases the selling, storing, and/or dispensing of fossil fuels for a continuous period in excess of six (6) months, the service station shall lose its nonconforming status and any subsequent use of the site shall be in conformity with regulations of the applicable zoning district. The Community Development Director shall have final determination on the date the service station became abandoned or ceased the selling, storing, and/or dispensing of fossil fuels.

2. If the service station loses its nonconforming status, the property owner shall be responsible for the removal of 2.— Upon revocation of the conditional use permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station. The owner shall submit plans to the Community Development Department showing the proposed removal and obtain all required permits to complete the work. The owner shall complete the removal within six (6) months following the date the service station lost its nonconforming status, or as otherwise approved by the Community Development Director. Owners that do not complete the removal within required timeframes would be subject to code enforcement action.

~~3. The applicant to whom a conditional use permit has been granted shall keep on the premises the conditional use permit or a copy thereof. (Ord. 2010-02 § 1 (part), 2010)~~

17.34.040 LOCATION REQUIREMENTS.

A. Abutting Residential Zoning Districts or Uses. No new service stations shall be permitted. No alternative fuel station shall be permitted or located on lots abutting property in any residential zoning district or residential use, unless the designated approving authority can make the finding that the design and operation of the alternative fuel stationservice station, along with the conditions placed upon the entitlement applicationconditional use permit or Design Review, will ensure compatibility with the abutting property or use. Except, such locational or entitlement requirements are inapplicable where prohibited by law. In the event that the property adjacent to an existing service station or alternative fuel station is subsequently rezoned to a residential zoning district or to allow residential uses, such rezoning shall not cause the service station or alternative fuel station to be nonconforming in regard to this location requirement.

B. Proximity to Other ~~Service~~ Stations. In the City of Pinole, a maximum of two (2) service stations and/or alternative fuel stations are permitted at any single intersection; otherwise, ~~service~~ stations shall be separated by a minimum of five hundred (500) feet. However, the city may grant exceptions for stations that are required to relocate due to roadway expansion projects or where required for compliance with regulations. Separation distance shall be measured in a straight line from the property line of said service stations. Where two (2) service stations are located at a single intersection, the city encourages stations to be sited in such a manner as to service different flows of traffic. The city may waive the spacing requirements for infill sites or locations affected by roadway widening or other infrastructure improvements. (Ord. 2010-02 § 1 (part), 2010)

17.34.050 DEVELOPMENT AND DESIGN STANDARDS FOR SERVICE STATIONS AND ALTERNATIVE FUEL STATIONS.

The following requirements apply to all new service stations and qualifying expansions/improvements to existing service stations and new alternative fuel stations, except where such requirements may be superseded by state or federal regulations. Service station and alternative fuel station uses shall also comply with all applicable state and federal regulations regarding site design, pricing signs, containment, maintenance, and operations.

A. Frontage. The minimum public street frontage shall be one hundred and thirty-five (135) feet on each public street for all new alternative fuel service stations.

B. Pump Islands. Service station and alternative fuel station pump islands may be placed in required yards provided they are no closer than fifteen (15) feet to the street right-of-way.

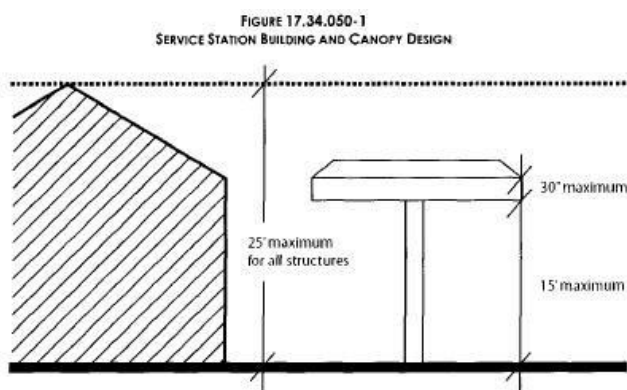
C. Setbacks. Generally, no building shall be located within thirty (30) feet of any public right-of-way or within fifteen (15) feet of any interior parcel line. However, to encourage a more pedestrian streetscape, a primary building with direct access from the street may be located a minimum of fifteen (15) feet from the right-of-way (and outside required landscape corridors). Where the site is located within the Three Corridors Specific Plan area, the development standards of the Specific Plan shall apply.

D. Building Placement and Orientation. Buildings shall be placed outside the required setback areas, but close to the street and oriented to the public view.

E. Building and Canopy Design. The service station or alternative fuel station building and/or canopy shall be designed for architectural compatibility with the surrounding area. Notwithstanding any other requirements in the Zoning Code, the maximum height for all service station buildings (including canopy) shall be twenty-five (25) feet. Pitched roofs are preferred, but not required. In order to reduce the visual impact of the canopy structure and corresponding lighting, the maximum height of the canopy clearance shall be fifteen (15) feet and the maximum width of the canopy fascia shall be thirty (30) inches. ~~A lighting study shall be required in conjunction with the design review process to examine light pollution issues, including but not limited to safety and glare pursuant to~~ The canopy fascia shall match the color and texture of the primary building. See Figure 17.34.050-1 (Service Station Building and Canopy Design). Deviations from these requirements may be allowed in conjunction with comprehensive design review (Section 17.12.150).

FIGURE 17.34.050-1

SERVICE STATION AND ALTERNATIVE FUEL STATION BUILDING AND CANOPY DESIGN



F. Access Driveways.

~~1.a.~~ Driveway dimensions. Driveway design shall be consistent with the City of Pinole Public Works Improvement Standards, except that the minimum width for driveways shall be thirty-five (35) feet. The width shall be expanded to forty-five (45) feet whenever the driveway accesses a street with a width of, or with a planned ultimate width of, eighty-four (84) feet or greater. The throat depth for driveways shall be fifty (50) feet.

~~2.b.~~ Driveway location. Driveways shall be no closer than forty (40) feet from the nearest intersecting point of street right-of-way lines, or as otherwise determined by the Public Works Director for traffic safety.

~~3.e.~~ Number of driveways. No more than two (2) exterior points of access (driveways along abutting streets) shall be provided for each service station, regardless of the length or number of street frontages. No more than thirty-five percent (35%) of the street frontage shall be devoted to curb cuts. Within integrated developments, shared access driveways are preferred.

~~4.d.~~ Accommodation of vehicle stacking. The internal circulation system shall allow for vehicle stacking without blocking ingress and egress on and off the site. The pump island shall be situated to provide stacking space for a minimum of two (2) vehicles behind the vehicle parked at the pump closest to the entrance and/or exit driveway. Sites shall be designed so that the space intended for vehicle stacking shall not block or interfere with the general circulation of traffic within integrated developments.

G. Accommodation of Refueling Trucks. The internal circulation system shall allow for safe and efficient fuel delivery. Where new internal circulation accommodating fuel delivery is proposed, the turning ~~Turning~~ radius information for all fuel delivery trucks accessing the service station shall be provided ~~in conjunction with conditional use permit or design review~~ for review and approval to the satisfaction of the Public Works Director.

H. Landscaping. Landscaping shall be provided consistent with the requirements of Section 17.44.060 (Special Landscape Requirements) for service stations and alternative fuel stations.

I. Signs. Signs shall be consistent with the requirements of Chapter 17.52 (Signs), including exempt gasoline pricing

signs.

J. Fences and Walls. A wall shall be provided between service stations abutting property in any agricultural or residential zoning district or residential use consistent with the requirements of Section 17.42.050 (Special Fence, Wall and Screening Requirements).

K. Lighting. Where there is change to the exterior lighting in conjunction with a permit application for new or modified structures, a lighting study shall be submitted to demonstrate consistency with the requirements of Chapter 17.46 (Lighting). In addition to the lighting requirements of Chapter 17.46 (Lighting), canopy lighting shall be recessed so that the luminary does not extend below the surface of the underside of the canopy.

L. Noise. All outdoor noise generators associated with operation of the service station shall be identified by the applicant during the ~~conditional use permit and/or~~ comprehensive design review process and may require the submittal of a professional noise analysis to quantify noise sources and attenuate noise levels consistent with city noise standards. All outdoor speakers and video/audio pump stations and sound signals associated with the service stations shall be turned off daily between the hours of 10:00 p.m. and 7:00 a.m. (Ord. 2010-02 § 1 (part), 2010)

~~17.34.060 ALTERNATIVE FUEL AND CHARGING STATIONS FOR ELECTRIC VEHICLES.~~

~~Plan check is required pursuant to Section 17.12.030 (Plan Check) for the expansion, modification or retrofit of an existing service station where the expansion, modification or retrofit incorporates biodiesel or other alternative fuels, or charging stations for electric vehicles. The designated approving authority may grant the expansion, modification or retrofit even if specified improvements result in a reduction of existing on-site parking. (Ord. 2010-02 § 1 (part), 2010)~~

5. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.2 Permitted Use Table for San Pablo Avenue [Amendment]

Excerpt of Table 6.2.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

LAND USE AND DEVELOPMENT STANDARDS

LAND USE CLASSIFICATIONS	Old Town Sub-Area						Service Sub-Area				Mixed-Use Sub-Area				
	MDR		RMU	CMU	OPMU	PQI	CMU	OPMU	OIMU	PQI	VHDR	RMU	CMU	OPMU	PQI
Retail	N		P	P	P	N	P	P	P	N	N	P	P	P	N
Veterinary Facility	N		CUP	P	P	N	P	P	P	N	N	CUP	P	P	N
Automotive and Vehicle Use Listings															
<u>Alternative Fuel Station</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Auto Parts Sales	N		CUP	P	P	N	P	P	P	N	N	CUP	P	P	N
Car Wash and Detailing	N		N	N	N	N	N	N	CUP	N	N	N	N	N	N
Service Stations	N		N	N	N	N	N	N	<u>NCUP</u>	N	N	N	N	N	N
Vehicle Services	N		N	CUP	CUP	N	CUP	CUP	CUP	CUP	N	N	CUP	CUP	N
Industrial, Manufacturing, and Processing Use Listings															
Manufacturing - Minor	N		CUP	CUP	N	N	N	N	CUP	N	N	N	N	N	N
Cottage Industry	N		P	P	N	N	P	P	P	N	N	CUP	N	N	N
Personal Storage Facility	N		N	N	N	N	N	N	CUP	N	N	N	N	N	N
Printing and Publishing	N		CUP	P	P	N	P	P	P	N	N	CUP	P	P	N
Recycling Facility – Collection	N		P	P	P	P	P	P	P	P	P	P	P	P	P
Recycling Facility – Processing	N		N	N	N	N	N	N	CUP	N	N	N	N	N	N

Footnotes:

a – Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

b – Not allowed on first floor at street frontage, except for residential development on a property with an affordable housing agreement and when that development includes community benefits as specified in the General Plan.

c – Square footage not to exceed 10,000 Square feet.

d – Not permitted if the same use is preexisting and within 200'

e – See Multi-Family Residential

6. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.8 Permitted Use Table for Pinole Valley Road [Amendment]

Excerpt of Table 6.8.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

LAND USE AND DEVELOPMENT STANDARDS

Land Use Classifications	Old Town Sub-Area				Service Sub-Area		
	MDR	HDR	CMU	PQI	CMU	OPMU	PQI
Automotive and Vehicle Use Listings							
<u>Alternative Fuel Station</u>	P	P	P	P	P	P	P
Auto Parts Sales	N	N	N	N	N	N	N
Car Wash and Detailing	N	N	N	N	N	N	N
Service Stations	N	N	N	N	N	N	N
Vehicle Services	N	N	CUP	CUP	CUP	CUP	CUP
Industrial, Manufacturing, and Processing Use Listings							
Cottage Industry	N	N	P	N	P	P	N
Personal Storage Facility	N	N	N	N	N	N	N
Printing and Publishing	N	MUP	P	N	P	P	N
Recycling Facility – Collection	N	P	P	P	P	P	P

Footnotes:

a – Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

b – Not allowed on first floor at street frontage

c – Square footage not to exceed 10,000 Square feet.

d – Not permitted if the same use is preexisting and within 300'

e – See Multi-Family Residential

7. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.14 Permitted Use Table for Appian Way [Amendment]

Excerpt of Table 6.14.

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Text to be added shown in underline text.

LAND USE AND DEVELOPMENT STANDARDS

Land Use Classifications	Service Sub-Area					Mixed-Use Sub-Area		
	RMU	CMU	OPMU	PQI	HDR	RMU	CMU	PQI
Automotive and Vehicle Use Listings								
<u>Alternative Fuel Station</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Auto Parts Sales	CUP	P	P	N	N	CUP	P	N
Car Wash and Detailing	N	N	CUP	N	N	N	N	N
Service Stations	N	N	<u>NCUP</u>	N	N	N	<u>NCUP</u> [‡]	N
Vehicle Services	N	CUP	CUP	CUP	N	N	CUP	CUP
Industrial, Manufacturing, and Processing Use Listings								
Manufacturing	N	N	N	N	N	N	N	N
Cottage Industry	CUP	CUP	CUP	N	N	CUP	CUP	N
Personal Storage Facility	N	N	N	N	N	N	N	N
Printing and Publishing	CUP	P	P	N	N	CUP	P	N
Recycling Facility – Collection	P	P	P	P	P	P	P	P
Recycling Facility – Processing	N	N	N	N	N	N	N	N

[‡]The service station must be accompanied with a larger retail establishment with a minimum of 50,000 square feet

Footnotes:

a – Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

b – Not allowed on first floor at street frontage

c – Square footage not to exceed 10,000 Square feet.

d – Not permitted if the same use is preexisting and within 300'

e – See Multi-Family Residential

8. Three Corridors Specific Plan Chapter 11 Definitions [Amendment]

Excerpt of Chapter 11.

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Text to be added shown in underline text.

DEFINITIONS

11.1 DEFINITIONS

The following definitions describe unique terms used throughout this document for the purpose of establishing a clear and common understanding.

Accent Trees. Trees used to supplement the required street trees.

Adult Day Care Home. Pursuant to definitions of State law, an adult day care home is a home which provides supervision and non-medical care to six or fewer adults, including elderly persons, in the provider's own home, on a less than 24-hour basis.

Adult-Related Uses. Those uses defined and regulated by Title 17, Chapter 17.56 of the City's Zoning Code.

Alcoholic Beverage Sales. The retail sale of beer, wine, and/or other alcoholic beverages for on- or off premise consumption.

Alley. Alleys are narrow private drives serving commercial and residential development.

Alley Access Parking. Residential or commercial parking that is accessible from an alley.



Alternative Fuel Station. A retail business selling and dispensing motor vehicle fuel other than fossil fuels, including hydrogen, electricity, biofuel, or any other renewable fuel.

Arcade Frontage. An Arcade frontage is nearly identical in character to the Gallery frontage except that the upper stories of the building may project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may access it. This frontage is typically for retail use. An encroachment permit is needed to construct this frontage type, but can be approved as part of Design Review.

DEFINITIONS

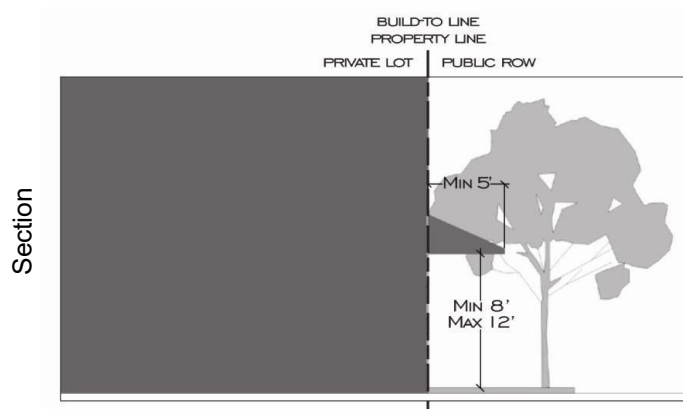
gymnastics studios, environmental awareness, arts, communications, management). Also see “Indoor Fitness and Sports Facilities.”

Schools – Public. Public educational institutions such as community colleges, universities, elementary, middle/junior high schools, high schools, and military academies.

Service Station. A retail business selling and dispensing fossil fuels, including gasoline and diesel, for motor vehicles. Service stations may include the sale of other motor vehicle fuels-gasoline or other motor vehicle fuels.

Setback. The required distance between a property line and a structure. The setback is measured from the property line and/or right of way line.

Shopfront and Awning Frontage. This frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade. A shopfront and awning frontage has substantial glazing on the ground floor. Shopfront and awning frontages provide awnings or canopies cantilevered over the sidewalk.



Prior Public Meeting References

City Council – April 2, 2024

Urgency Ordinance Establishing a Moratorium on New and Expanded Service Stations

Item 10.A.

<https://pinoleca.portal.civicclerk.com/event/56/files/agenda/84>

City Council – May 7, 2024

Urgency Ordinance Extending the Moratorium

Item 9.6.

<https://pinoleca.portal.civicclerk.com/event/57/files/agenda/110>

Planning Commission – January 26, 2026

Recommendation on Zoning Code and Specific Plan Amendments by Planning Commission

Item G.1.

<https://pinoleca.portal.civicclerk.com/event/1045/files/agenda/1066>

**PLANNING COMMISSION RESOLUTION 26-01
WITH EXHIBIT A: MUNICIPAL CODE AMENDMENTS**

RESOLUTION OF THE CITY OF PINOLE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE TO PROHIBIT NEW SERVICE STATION, INCLUDE STANDARDS FOR OPERATION AND MODIFICATION OF SERVICE STATIONS, AND PROVIDE FOR ALTERNATIVE FUEL STATIONS BY AMENDING CHAPTERS 17.12, 17.20, 17.22, AND 17.34 OF THE PINOLE MUNICIPAL CODE AND CHAPTERS 6 AND 11 OF THE THREE CORRIDORS SPECIFIC PLAN.

WHEREAS, the City Council of the City of Pinole adopted an urgency ordinance establishing a temporary moratorium on new service stations or expansion of service stations on April 2, 2024 for a period of 45 days and subsequently extended by 22 months and 15 days by an urgency ordinance on May 7, 2024; and

WHEREAS, as provided in the urgency ordinance, the City of Pinole has an overriding interest in planning and regulating the use of property within the City to maintain quality of life and addressing climate change to maintain public health, safety and welfare; and

WHEREAS, as further provided in the urgency ordinance, fossil-fuel based transportation remains the largest contributor of greenhouse gas emissions, and the City desired to aid in reducing severe negative public health impacts that residents are experiencing, and will continue to experience, by banning the development of new service stations, prohibiting the expansion of existing service stations, and encourage the use of zero emission vehicles; and

WHEREAS, the temporary moratorium is set to expire on March 22, 2026; and

WHEREAS, the City of Pinole adopted the City of Pinole Climate Action and Adaptation Plan (CAAP) in August 2024 establishing measures the City will take to support reducing greenhouse gas emissions; and

WHEREAS, the CAAP establishes an action for the City to prepare an ordinance that bans the development of any new fossil fuel stations and expansion of existing fossil fuel stations prior to the expiration of the urgency ordinance; and

WHEREAS, Pinole Municipal Code ("PMC") Title 17 Zoning Code ("Zoning Code") establishes general regulations on land uses and development standards within the City; and

WHEREAS, The Three Corridors Specific Plan ("Specific Plan") establish specific regulations on land uses and development standards for defined areas within the City identified in the Specific Plan and supersede requirements in the Zoning Code where there is a conflict; and

WHEREAS, the proposed amendments to the Zoning Code and Specific Plan are attached hereto as Exhibit A; and

WHEREAS, the Planning Commission held a duly noticed public hearing related to the proposed amendments on January 26, 2026; and

WHEREAS, after close of the public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by city staff, the staff report, and all other pertinent documents regarding the proposed zoning code amendment; and

WHEREAS, the proposed ordinance amendments are exempt from the California Environmental Quality Act (CEQA) as provided in the following:

1. CEQA Guidelines Section 15061(b)(3) sets forth under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The project involves amendments to the text of the Zoning Code and Specific Plan with no physical impacts to the environment. The amendments would prohibit the development of new service stations and establishes regulation on operation and design of service stations and alternative fuel stations, which result in no specific physical changes to the environment. Projects involving development would be evaluated under CEQA based on discrete site and design characteristics particular to the project. Therefore, this ordinance amendment will have no significant effect on the environment.

2. CEQA Guidelines Section 15301 provides a categorical exemption for operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The amendments would result in existing service station uses (i.e., the fossil fuel-serving use) become nonconforming uses, which would be subject to regulations restricting the ability to expand the nonconforming use. Therefore, this ordinance amendment limits operation and modification of existing service station uses such that there would be negligible or no expansion of service station uses.

3. CEQA Guidelines Section 15308 provides a categorical exemption for actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The amendments are consistent with the policies and practices in the City's Climate Action and Adaptation Plan (CAAP) for environmental protection through actions to address climate change and its impacts, including the actions to reduce greenhouse gas emissions. The CAAP calls for the adoption of an ordinance to prohibit new fossil fuel service stations, which is addressed through the proposed amendments. Therefore, this ordinance amendment is consistent with actions involving regulatory procedures for protection of the environment.

NOW THEREFORE, BE IT RESOLVED, that the above recitals are true and correct and made part of this Resolution.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Pinole hereby recommends that the City Council adopt an ordinance amending Chapters 17.12, 17.20, 17.22, And 17.34 of the Pinole Municipal Code and Chapters 6 and 11 of the Three Corridors Specific Plan, as set forth in Exhibit A, attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 26th day of January, 2026, by the following vote:

AYES: Bender, Huey, Uch, Lam-Julian, Menis, and Chairperson Sandoval

NOES: None

ABSTAIN: None

ABSENT: Martinez



Gabriel Sandoval, Chair, 2025-2026

ATTEST:



David Hanham, Planning Manager

ATTACHMENT A, EXHIBIT A. MUNICIPAL CODE and SPECIFIC PLAN AMENDMENTS

- 1. Pinole Municipal Code Chapter 17.12 Entitlements [Amendment]**
- 2. Pinole Municipal Code Chapter 17.20 Allowed Land Uses and Requirements [Amendment]**
- 3. Pinole Municipal Code Chapter 17.22 Allowed Use Definitions [Amendment]**
- 4. Pinole Municipal Code Chapter 17.34 Automobile Service Stations [Amendment]**
- 5. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.2 Permitted Use Table for San Pablo Avenue [Amendment]**
- 6. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.8 Permitted Use Table for Pinole Valley Road [Amendment]**
- 7. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.14 Permitted Use Table for Appian Way [Amendment]**
- 8. Three Corridors Specific Plan Chapter 11 Definitions [Amendment]**

1. Pinole Municipal Code Chapter 17.12 Entitlements [Amendment]

Excerpt of Section 17.12.080.

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CHAPTER 17.12

ENTITLEMENTS

Sections:

- 17.12.010 Purpose.
- 17.12.020 Applicability.
- 17.12.030 Plan check.
- 17.12.040 Similar use determination.
- 17.12.050 Reasonable accommodation.
- 17.12.060 Administrative use permit.
- 17.12.070 Temporary use permit.
- 17.12.080 Administrative design review.
- 17.12.090 Sign permit.
- 17.12.100 Creative sign program.
- 17.12.110 Sign program.
- 17.12.120 Minor deviations.
- 17.12.130 Variance.
- 17.12.140 Conditional use permit.
- 17.12.150 Comprehensive design review.
- 17.12.160 Development agreements.
- 17.12.170 Specific plans.
- 17.12.180 Rezoning.
- 17.12.190 Zoning Code (text and map) amendment.
- 17.12.200 General plan amendment.
- 17.12.210 Small cell attachment permit.

[...]

17.12.080 ADMINISTRATIVE DESIGN REVIEW.

A. Purpose. The purpose of Administrative Design Review is to provide an efficient process for promoting the orderly and harmonious growth of the city, to encourage development in keeping with the desired character of the city, and to ensure physical and functional compatibility between uses. Administrative design review is intended to provide a process for consideration of minor development proposals to ensure that additions and alterations to the design and layout of existing development will constitute suitable development and will not result in a detriment to the city or to the environment.

B. Applicability. Administrative design review is required for all structural additions to single family, multi-family and non-residential structures and as otherwise required in this Title. Additions for multi-family and non-residential structures that are five hundred (500) square feet or larger require comprehensive design review. Furthermore, all new single family homes shall require comprehensive design review. Issues related to fire and public works compliance are addressed during the plan check process. Issues related to Building Code compliance are addressed at time of building permit issuance.

C. Approving Authority. The designated approving authority for administrative design review is the Community Development Director. Administrative design review approval is required prior to issuance of any building permits or site improvement plans.

D. Application Contents. The application for an administrative design review shall be on a form prepared as prescribed by the Community Development Director.

E. Procedure. The procedures for administrative design review shall be as provided in Chapter 17.10 (General Application Processing Procedures) except as provided below:

1. No public hearing shall be required unless required below.

2. The city shall provide mailed notice pursuant to Section 17.10.050B.2. that the city is considering an application for administrative design review. In addition to the content required under Section 17.10.050B., the mailed notice shall advise

persons that plans for the project are available for public review at City Hall and that the application will be decided unless a written request for hearing is received by the City Community Development Department on or before a date specified in the notice, which shall be at least ten (10) working days after the date of mailing.

3. If no timely written request for hearing is filed, the application shall be administratively approved by the Community Development Director if it is deemed to be consistent with the provisions of this title.

4. If a timely written request for hearing is filed, the application shall no longer be administratively processed and shall instead be processed in accordance with the procedures for comprehensive design review.

5. The Community Development Director may elevate any project to the comprehensive design review process if in the opinion of the Community Development Director, such project, because of location, size, design, or other aspect of the project, warrants a hearing before the Planning Commission.

F. Approval Findings. The approving authority shall make the following findings to approve or conditionally approve an administrative design review application:

1. Compliance with the general plan and any applicable specific plans.

2. Compliance with applicable provisions of the Zoning Code.

3. Compatibility with the surrounding neighborhood.

4. Qualifying single-family residential, multi-family residential, and residential mixed-use projects shall comply with all relevant standards and guidelines in the city's currently adopted design guidelines for residential development.

G. Appeals. Appeal of the approving authority's action on the request for administrative design review permit shall be made in accordance with the procedures specified in Section 17.10.070 (Appeals).

H. Expiration. All approved administrative design review permits are subject to the provisions set forth in Section 17.10.120 (Revocation).

(Ord. 2020-01, § 2, 2020: Ord. 2012-07 § 2, 2012: Ord. 2010-02 § 1 (part), 2010)

[...]

2. Pinole Municipal Code Chapter 17.20 Allowed Land Uses and Requirements [Amendment]

Full Chapter included.

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Text to be added shown in underline text.

CHAPTER 17.20

ALLOWED LAND USES AND REQUIREMENTS

Sections:

17.20.010 Purpose.

17.20.020 Allowed uses and required entitlements.

17.20.010 PURPOSE.

The purpose of this chapter is to establish allowed land uses and requirements for planning entitlements for each of the city's base zoning districts. Allowed uses herein are consistent with and implement the city's general plan corresponding land use designations as shown in Table 17.18.020-1 (Zoning Districts).

(Ord. 2016-03 § 2 (part), 2016; Ord. 2010-02 § 1 (part), 2010)

17.20.020 ALLOWED USES AND REQUIRED ENTITLEMENTS.

Table 17.20.030-1 below identifies allowed uses and corresponding requirements for planning entitlements for all base zoning districts within the city. Definitions for the land uses listed herein (use classifications) are provided in Chapter 17.22 (Allowed Use Definitions). See additional use requirements in Article IV (Special Use Standards). In the table below, any land use shown with a "P" indicates that the land use is permitted by right, a "C" indicates that the land use is permitted in the designated zoning district upon issuance of a conditional use permit (pursuant to Section 17.12.140 (Conditional Use Permit), an "A" indicates that the land use is permitted in the designated zoning district upon issuance of an administrative use permit (pursuant to Section 17.12.060 (Administrative Use Permit), and an "N" indicates that the use is not allowed. Except as otherwise provided for in this title, uses not shown in the table are not permitted. Zoning district names for the zoning district symbols used in the table are as follows:

- LDR = Low Density Residential Zoning District
- R-1 = Suburban Residential Zoning District
- R-2 = Medium Density Zoning District
- R-3 = High Density Zoning District
- R-4 = Very High Density Zoning District
- R = Rural Zoning District
- RC = Regional Commercial Zoning District
- RMU = Residential Mixed Use Zoning District
- CMU = Commercial Mixed Use Zoning District
- OPMU = Office Professional Mixed Use Zoning District
- OIMU = Office Industrial Mixed Use Zoning District
- OS = Open Space Zoning District
- PR = Parks and Recreation Zoning District
- PQI = Public Quasi-Public Institutional Zoning District
- SPBCA = San Pablo Bay Conservation Zoning District

TABLE 17.20.030-1:

ALLOWED USES AND REQUIRED ENTITLEMENTS FOR CITY OF PINOLE BASE ZONING DISTRICTS

<i>Land Use \ Zoning District</i>	<i>LDR</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>R</i>	<i>RC</i>	<i>RMU</i>	<i>CMU</i>	<i>OPMU</i>	<i>OIMU</i>	<i>OS</i>	<i>PR</i>	<i>PQI</i>	<i>SPBCA</i>
Residential Uses															
Adult Day Care Home	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Caretaker Housing	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N
Dwelling, Accessory/ Junior Accessory ⁽¹⁾	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Dwelling, Multifamily	N	N	P	P	P	N	N	P	P	P	C	N	N	N	N
Dwelling, Single Family	P	P	P	P	N	P	N	P	N	N	N	N	N	N	N
Dwelling, Two-Family	N	N	P	P	N	N	N	N	N	P	P	N	N	N	N

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Dwelling, Three- and Four-Family	N	N	P	P	P	N	N	P	P	N	N	N	N	N	N
Emergency Shelter (2)	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N
Family Day Care Home, Large	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Family Day Care Home, Small	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Group Residential/Home	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Home Occupations (3)	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Low Barrier Navigation Center	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
Manufactured Home	P	P	P	P	P	P	N	P	N	N	N	N	N	N	N
Mobile Home Park	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N
Residential Care Facilities	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
Single Room Occupancy Facilities	N	N	C	C	C	N	N	C	C	N	N	N	N	N	N
Supportive Housing (located in housing of a type permitted in the zone)	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
Transitional Housing (2) (located in housing of a type permitted in the zone)	P	P	P	P	P	N	P	P	P	P	P	N	N	N	N
Agriculture, Resource, and Open Space Uses															
Animal Keeping, Domestic Pets (4)	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Animal Keeping, Exotic Animals (4)	P	P	P	P	P	P	N	P	P	N	N	N	N	N	N
Animal Keeping, Livestock (4)	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N
Animal Keeping, Poultry, Rabbits (4)	P	P	C	C	C	P	N	N	N	N	N	N	N	N	N
Equestrian Facility, Commercial	N	N	N	N	N	C	N	N	N	N	N	N	C	N	N
Equestrian Facility, Hobby	N	N	N	N	N	P	N	N	N	N	N	N	C	N	N
Kennels, Hobby	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N
Recreation, Education, and Public Assembly Uses															
Cemeteries, Mausoleums	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N
Clubs, Lodges, and Private Meeting Halls	C	C	C	C	N	N	N	N	C	C	C	N	N	C	C
Community Centers/Civic Uses	C	C	C	C	C	C	N	C	C	C	N	N	P	P	C
Community Garden	P	P	P	P	P	P	N	P	P	P	P	P	P	P	N
Indoor Amusement/Entertainment Facility	N	N	N	N	N	N	C	N	C	N	N	N	N	N	N
Indoor Fitness and Sports Facility	N	N	N	N	N	N	P	C	N	C	C	N	N	P	N
Libraries and Museums	C	C	C	C	N	N	N	C	C	C	C	N	N	C	C
Outdoor Commercial Recreation	C	C	C	C	N	N	N	N	N	N	N	N	P	P	C
Parks and Public Plazas	P	P	P	P	P	P	N	P	P	P	P	N	P	P	P
Public Safety Facility	P	P	P	P	P	P	P	C	C	C	C	N	C	P	C

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Recreational Vehicle Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Religious Institutions	C	C	C	C	C	C	N	N	C	C	C	N	N	C	C
Resource Protection and Restoration	P	P	P	P	P	P	C	N	N	N	N	P	P	P	P
Resource-Related Recreation	P	P	P	P	P	P	N	N	N	N	N	P	P	P	P
Schools, Private and Special/Studios	N	N	N	N	N	N	P	N	C	C	C	N	N	N	N
Schools, Public	P	P	P	P	P	P	N	P	P	P	P	N	N	P	N
Theaters and Auditoriums	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N
Utility, Transportation, and Communication Uses															
Broadcasting and Recording Studios	N	N	N	N	N	N	P	N	N	N	N	N	N	P	N
Bus and Transit Shelters	N	P	P	P	P	N	P	P	P	P	P	N	P	P	P
Bus and Truck Terminal and Parking	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Heliports	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Park and Ride Facility	N	N	C	C	N	N	P	C	C	C	C	N	N	P	N
Parking Facility	N	N	P	P	P	N	P	P	P	P	P	N	N	P	N
Small Cell Wireless Facilities (14)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	N	P/C	P/C	N
Wireless Communication Facility, Freestanding Tower (5)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Wireless Communication Facility, co-location, antenna, satellite (5)	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P
Transit Facilities	N	N	N	N	N	N	P	N	N	C	C	N	N	P	C
Utility Facility and Infrastructure (6)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Retail, Service, and Office Uses															
Adult Oriented Business (7)	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Adult Day Care Facility	C	C	C	C	P	N	N	P	C	N	N	N	N	N	C
Alcoholic Beverage Sales	N	N	N	N	N	N	C	C	C	C	C	N	N	N	N
Ambulance Service	N	N	N	N	N	N	N	C	N	N	P	N	N	N	N
Animal Sales and Grooming	N	N	N	N	N	N	P	C	C	P	P	N	N	N	N
Art, antique, collectable	N	N	N	N	N	N	P	P	P	C	C	N	N	N	N
Artisan Shops	N	N	N	N	N	N	P	P	P	P	C	N	N	N	N
Artist Studio	N	N	P	P	P	P	N	C	C	C	P	N	N	N	N
Banks and Financial Services	N	N	N	N	N	N	P	P	P	P	C	N	N	N	N
Bars and Nightclubs	N	N	N	N	N	N	C	C	C	C	N	N	N	N	N
Bed and Breakfast Inns	N	N	N	N	N	N	N	C	C	N	N	N	N	N	N
Building Materials Store and Yard	N	N	N	N	N	N	P	N	C	N	C	N	N	N	N
Business Support Services	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Call Centers	N	N	N	N	N	N	N	C	C	P	P	N	N	N	N
Card Room	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Check Cashing Business	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N
Child Day Care Facility	C	C	C	C	C	N	C	P	P	P	C	N	N	N	N
Commercial Marijuana Cultivation ⁽¹¹⁾	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Convenience Stores	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Drive-in and Drive-through Sales and Service (8)	N	N	N	N	N	N	P	N	C	C	C	N	N	N	N
Equipment Sales and Rental	N	N	N	N	N	N	C	N	P	C	P	N	N	N	N
Firearm or Firearm Ammunition Sales	N	N	N	N	N	N	C	N	C	N	C	N	N	N	N
Furniture, Furnishings, and Appliance Stores	N	N	N	N	N	N	P	C	P	C	C	N	N	N	N
Garden Center/Plant Nursery	N	N	N	N	N	N	C	N	C	C	P	N	N	N	N
Grocery Stores/Supermarket	N	N	N	N	N	N	P	P	P	C	N	N	N	N	N
Home Improvement Supplies	N	N	N	N	N	N	P	C	C	C	C	N	N	N	N
Hotels and Motels	N	N	N	N	N	N	P	C	C	C	N	N	N	N	N
Hotels and Motels, Extended Stay	N	N	N	N	N	N	P	C	C	C	N	N	N	N	N
Kennels, Commercial	N	N	N	N	N	C	N	N	C	N	C	N	N	N	N
Maintenance and Repair, Small Equipment	N	N	N	N	N	N	P	C	C	C	P	N	N	N	N
Marijuana Delivery ⁽¹²⁾	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Marijuana Dispensary ⁽¹⁰⁾	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Massage Therapy Establishment ⁽⁹⁾	N	N	N	N	N	N	C	P	P	P	C	N	N	N	N
Medical Services, General	N	N	N	N	N	N	P	C	C	P	P	N	N	N	N
Medical Services, Extended Care	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N
Medical Services, Hospitals	N	N	N	N	N	N	N	N	C	P	N	N	N	N	N
Mortuaries and Funeral Homes	N	N	N	N	N	N	N	N	C	C	P	N	N	N	N
Neighborhood Market	N	N	N	N	N	N	N	P	P	C	C	N	N	N	N
Office, Temporary	N	N	N	N	N	N	N	N	C	P	P	N	N	N	N
Offices, Business and Professional	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Offices, Accessory	N	N	N	N	N	N	P	P	P	C	P	N	N	N	N
Pawn Shop	N	N	N	N	N	N	C	N	C	C	C	N	N	N	N
Personal Marijuana Cultivation ⁽¹³⁾	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Personal Services	N	N	N	N	N	N	P	P	P	C	N	N	N	N	N
Restaurants	N	N	N	N	N	N	P	C	P	P	P	N	N	N	N
Retail, Accessory	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
Retail, General	N	N	N	N	N	N	P	P	P	P	C	N	N	N	N
Retail, Warehouse Club	N	N	N	N	N	N	P	N	C	N	N	N	N	N	N
Smoke Shop	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Temporary Real Estate	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N
Thrift Store	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N
Veterinary Facility	N	N	N	N	N	N	C	C	C	C	C	N	N	N	N

Land Use \ Zoning District	LDR	R-1	R-2	R-3	R-4	R	RC	RMU	CMU	OPMU	OIMU	OS	PR	PQI	SPBCA
Automobile and Vehicle Uses															
<u>Alternative Fuel Station</u> (15)	N	N	N	N	N	N	P	N	P	P	P	N	N	N	N
Auto and Vehicle Sales and Rental	N	N	N	N	N	N	C	N	C	C	C	N	N	N	N
Auto and Vehicle Sales, Wholesale	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Auto and Vehicle Storage	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Auto Parts Sales	N	N	N	N	N	N	P	N	N	N	P	N	N	N	N
Car Washing and Detailing	N	N	N	N	N	N	C	N	C	C	C	N	N	N	N
Service Stations (15)	N	N	N	N	N	N	NG	N	NG	NG	NG	N	N	N	N
Vehicle Services, Major	N	N	N	N	N	N	C	N	C	N	C	N	N	N	N
Vehicle Services, Minor	N	N	N	N	N	N	C	N	C	N	C	N	N	N	N
Industrial, Manufacturing, and Processing Uses															
Manufacturing, Major	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N
Manufacturing, Minor	N	N	N	N	N	N	N	N	C	C	P	N	N	N	N
Manufacturing, Small Scale	N	N	N	N	N	N	N	C	C	P	P	N	N	N	N
Printing and Publishing	N	N	N	N	N	N	N	N	C	C	P	N	N	N	N
Recycling Facility, Collection	N	N	N	N	N	N	C	C	C	C	C	N	N	N	N
Recycling Facility, Processing	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N
Recycling Facility, Scrap and Dismantling Facility	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Research and Development	N	N	N	N	N	N	N	C	P	P	P	N	N	N	N
Storage, Personal Storage Facility	N	N	N	N	N	N	C	N	C	N	P	N	N	N	N
Storage, Warehouse	N	N	N	N	N	N	N	N	N	C	P	N	N	N	N
Storage, Yards	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Wholesaling and Distribution	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N

Notes:

- (1) See additional regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units in Chapter 17.70.
- (2) See additional regulations for Emergency Shelters in Chapter 17.62.
- (3) See additional regulations for Home Occupations in Chapter 17.64.
- (4) Additional regulations applicable to animal keeping where permitted are as follows and within Title 6:
 - a. Domestic Pets. Keeping of any combination of five (5) or more cats and dogs is considered a kennel for the purposes of this title.
 - b. Exotic Animals. All exotic animals shall be kept and maintained a minimum distance of 40 feet from any property line, unless contained within the dwelling.
 - c. Livestock. One (1) livestock animal may be permitted for each twenty thousand (20,000) square feet. All livestock animals shall be kept and maintained a minimum distance of twenty (20) feet from any property line and a minimum distance of fifty (50) feet from any residential dwelling.
 - d. Poultry and Rabbits. All poultry animals shall be kept and maintained a minimum distance of twenty (20) feet from any property line.
- (5) See additional regulations for wireless communication facilities in Chapter 17.76.

(6) Utility facilities and infrastructure involving hazardous or volatile gas and/or liquid pipeline development require approval of a conditional use permit.

(7) See additional regulations for adult entertainment businesses in Chapter 17.58

(8) See additional regulations for drive-in and drive-through facilities in Chapter 17.40.

(9) See additional regulations for massage therapy in Chapter 17.66 and Chapter 8.32

(10) Marijuana dispensaries are not permitted in any zoning district. See also, Chapter 5.64 and Chapter 8.33.

(11) Commercial Marijuana Cultivation is not permitted in any zoning district. See also, Chapter 5.64 and Chapter 8.33.

(12) Marijuana Delivery is not permitted in any zoning district. See also, Chapter 5.64 and Chapter 8.33.

(13) Personal Marijuana Cultivation is limited to up to six plants per residence, grown indoors within a locked area, by adults 21 years of age or older. See also, Chapter 8.33.

(14) Facilities meeting all specified requirements in Chapter 17.77 are permitted as noted above except in the Open Space (OS) and San Pablo Bay Conservation Area (SPBCA) District, otherwise a conditional use permit is required. See additional regulations for small cell wireless facilities in Chapter 17.77.

(15) See additional regulations for service stations and alternative fuel stations in Chapter 17.34.

(Ord. 2024-09 § 2, 2024; Ord. 2020-04 § 2, 2020; Ord. 2019-03 § 4, 2019; Ord. 2017-14 § 2 (part), 2017; Ord. 2017-11 § 2, 2017; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-04 § 6, 2016; Ord. 2016-03 § 2 (part), 2016; Ord. 2014-02 § 4, 2014; Ord. 2012-05 § 2, 2012; Ord. 2011-02; Ord. 2010-02 § 1 (part), 2010)

3. Pinole Municipal Code Chapter 17.22 Allowed Use Definitions [Amendment]

Excerpt of Section 17.22.020(G).

Text to be removed shown in strikeout ~~text~~.

Text to be added shown in underline text.

CHAPTER 17.22

ALLOWED USE DEFINITIONS

Sections:

17.22.010 Purpose.

17.22.020 Allowed use definitions.

17.22.010 PURPOSE.

The purpose of this chapter is to define use classifications listed in Chapter 17.20 (Allowed Land Uses and Required entitlements) and throughout this title. Use classifications are land uses that have been grouped into general categories on the basis of common function, product, or compatibility characteristics. This chapter should be used as a reference to Additional definitions for specialized terms used in the Zoning Code can be found in Article VI (Glossary). (Ord. 2010-02 § 1 (part), 2010)

17.22.020 ALLOWED USE DEFINITIONS.

[...]

G. Automobile and Vehicle uses.

1. **AUTO AND VEHICLE SALES AND RENTAL.** Retail establishments selling and/or renting automobiles, trucks, and vans. Includes the sales and rental of mobile homes, recreation vehicles, and boats. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include the sale of auto parts/accessories separate from a vehicle dealership (see "Auto Parts Sales"), bicycle and moped sales (see "Retail, General"), tire recapping establishments (see "Vehicle Services - Major"), businesses dealing exclusively in used parts (see "Recycling Facility - Scrap and Dismantling"), or "Service Station," all of which are separately defined.

2. **AUTO AND VEHICLE SALES, WHOLESALE.** Wholesale establishments selling new and used vehicles and used vehicle parts. This use is normally developed as part of an auto wrecking, junkyard, or salvage yard. Conventional automobile dealerships are listed under "Auto and Vehicle Sales and Rental."

3. **AUTO AND VEHICLE STORAGE.** Facilities for the storage of operative and inoperative vehicles for limited periods of time. Includes, but is not limited to, storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses, and recreation vehicles. Does not include retail sales (see "Auto and Vehicle Sales, Wholesale").

4. **AUTO PARTS SALES.** Stores that sell new automobile parts, tires, and accessories. May also include minor parts installation (see "Vehicle Services"). Does not include tire recapping establishments, which are found under "Vehicle Services - Major" or businesses dealing exclusively in used parts, which are included under "Auto and Vehicle Sales, Wholesale."

5. **CAR WASHING AND DETAILING.** Permanent, drive-through, self-service, and/or attended car washing establishments, including fully mechanized facilities. May include detailing services. Temporary car washes (e.g., fundraising activities generally conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one (1) day) are not part of this use classification.

6. **SERVICE STATION.** A retail business selling and dispensing fossil fuels, including gasoline and diesel, for motor vehicles. Service stations may include the sale of other motor vehicle fuels-gasoline or other motor vehicle fuels. Vehicle services which are incidental to fuel services are included under "Vehicle Services - Minor."

7. **ALTERNATIVE FUEL STATION.** A retail business selling and dispensing motor vehicle fuel other than fossil fuels, including hydrogen, electricity, biofuel, or any other renewable fuel. Vehicle services which are incidental to fuel services are included under "Vehicle Services - Minor."

~~8.7.~~ **VEHICLE SERVICES - MAJOR.** The repair, alteration, restoration, towing, painting, cleaning (e.g., self-service and attended car washes), or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes major repair and body work-repair facilities dealing with entire vehicles; such establishments typically provide towing, collision repair, other body work, and painting services and may also include tire recapping establishments.

~~9.8.~~ **VEHICLE SERVICES - MINOR.** Minor facilities specialize in limited aspects of repair and maintenance (e.g., muffler and radiator shops, quick-lube, and smog check). Does not include repair shops that are part of a vehicle dealership on the same site (see "Auto and Vehicle Sales") or automobile dismantling yards, which are included under "Recycling Facility - Scrap and Dismantling."

[...]

(Ord. 2024-09 § 2, 2024; Ord. 2020-04 § 2, 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-04 §§ 4-5, 2016;
Ord. 2012-05 §
3, 2012; Ord. 2010-02 § 1 (part), 2010)

4. Pinole Municipal Code Chapter 17.34 Automobile Service Stations [Amendment]

Full Chapter included.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

CHAPTER 17.34

AUTOMOBILE SERVICE STATIONS AND ALTERNATIVE FUEL STATIONS

- 17.34.010 Purpose.
- 17.34.020 Applicability.
- 17.34.030 Operation and modification of Service Stations~~Permit requirements and conditions of approval.~~
- 17.34.040 Location requirements.
- 17.34.050 Development and design standards for Service Stations and Alternative Fuel Stations.
- ~~17.34.060 Alternative fuel and charging stations for electric vehicles.~~

17.34.010 PURPOSE.

The purpose of this chapter is to regulate legal nonconforming service station modifications and alternative fuel station development to ensure that the design and operation of such uses are compatible with surrounding uses and activities relative to hazardous materials, noise, circulation, runoff, lighting, and litter, and consistent with the City's goals and policies, including the Climate Action and Adaptation Plan while encouraging and incentivizing the expansion, modification, or retrofit of existing service stations to incorporate biodiesel or other alternative fuels and electric vehicle charging infrastructure. ~~This chapter is also intended to allow for expansion of existing service stations to allow for biodiesel and other alternative fuels and the incorporation of charging stations for electric vehicles.~~ (Ord. 2010-02 § 1 (part), 2010)

17.34.020 APPLICABILITY.

The regulations contained in this chapter shall apply to legal nonconforming new service stations and alternative fuel stations. ~~Service stations subject to this chapter shall only be authorized through entitlement requirements of Article II (Zoning Districts, Allowed Uses, and Development Standards).~~ These regulations shall be in addition to any other development standards and regulations contained elsewhere within the Zoning Code (e.g., lighting). ~~Existing service stations and modification to existing service stations are exempt from the regulations contained in this chapter.~~ (Ord. 2010-02 § 1 (part), 2010)

17.34.030 OPERATION AND MODIFICATION OF SERVICE STATIONS~~REQUIREMENTS AND CONDITIONS OF APPROVAL.~~

A. Operation of Service Stations. ~~New service stations are prohibited. Existing legal nonconforming service station uses may continue to operate, subject to the following:~~ Permit Requirement. Service stations require a conditional use permit or are allowed by right as established in Article II (Zoning Districts, Allowed Uses, and Development Standards). Comprehensive design review pursuant to Section 17.12.150 (Comprehensive Design Review) shall be required for all new service stations. Consistent with Article II (Zoning Districts, Allowed Uses, and Development Services), the Planning Commission is the designated approving authority for service station conditional use permit applications.

1. The number of fossil fuel pumps shall not be increased to exceed the existing number at the service station site.
2. If the number of fossil fuel pumps are permanently reduced, meaning the pump or pumps are fully removed rather than temporarily out of service, no subsequent actions may increase the number of fossil fuel pumps to the number that existed prior to the reduction.
3. Fossil fuel equipment and infrastructure may be repaired, replaced, and/or relocated on the same site where required to ensure preservation of health and safety consistent with regulatory standards; comply with regional, state or federal requirements; reduce fossil fuel use; or support the deployment of alternative fuel infrastructure. Replacement and relocation shall be subject to the requirements under Section 17.34.030(B).
4. Existing service stations shall lose nonconforming status if conditions occur as described in Section 17.34.030(C).

B. Conditions of Approval. ~~In addition to any other conditions which may be imposed by the approving authority, any conditional use permit issued pursuant to this chapter shall include the following conditions:~~

- ~~1. If the operation of the service station is discontinued for any reason for a continuous period in excess of one hundred and eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permit, consistent with Section 17.16.070 (Permit Revocation or Modification).~~
- ~~2. Upon revocation of the conditional use permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station.~~
- ~~3. The applicant to whom a conditional use permit has been granted shall keep on the premises the conditional use permit or a copy thereof.~~

Renovations and Modifications of Service Stations. ~~Renovations and modifications of service stations may be conducted, subject to the following:~~

1. Fossil Fuel Uses. Renovations and modifications associated with the selling, dispensing, and storage of fossil fuel are allowed only where such work is required to ensure preservation of health and safety consistent with regulatory standards; comply with regional, state or federal requirements; reduce fossil fuel use; or support the deployment of alternative fuel infrastructure.

a. Administrative Design Review approval is required for renovations and modifications.

b. Renovations and modifications shall not increase the number of fossil fuel pumps.

c. Maintenance and repair of existing fossil fuel service equipment is not considered a renovation or modification for the purposes of this Section.

2. Other Uses. Renovations and modifications that involve other permitted and conditionally permitted uses on the site (e.g., remodel of a convenience store, installation of alternative fuel pumps, installation of zero-emission vehicle charging stations) may be allowed subject to obtaining required permits.

3. Addition of Alternative Fuel. Plan check is required pursuant to Section 17.12.030 (Plan Check) for the expansion, modification or retrofit of an existing service station where the expansion, modification or retrofit incorporates alternative fuels, including hydrogen, electricity, biofuel, or any other renewable fuel. The designated approving authority may grant the expansion, modification or retrofit even if specified improvements result in a reduction of existing on-site parking. Renovations and modifications of service stations that include alternative fuel infrastructure may include a request for reduction of existing on-site parking spaces. The designated approving authority may approve a parking reduction without a Minor Deviation, Variance, or Conditional Use Permit when the applicant demonstrates, to the satisfaction of the Community Development Director, that the reduction is necessary to accommodate alternative fuel infrastructure.

C. Loss of Nonconforming Status for Service Stations. B. Conditions of Approval. In addition to any other conditions which may be imposed by the approving authority, any conditional use permit issued pursuant to this chapter shall include the following conditions:

1. If the operation of the service station is discontinued for any reason for a continuous period in excess of one hundred and eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permit, consistent with Section 17.16.070 (Permit Revocation or Modification).

1. If the service station is abandoned or ceases the selling, storing, and/or dispensing of fossil fuels for a continuous period in excess of six (6) months, the service station shall lose its nonconforming status and any subsequent use of the site shall be in conformity with regulations of the applicable zoning district. The Community Development Director shall have final determination on the date the service station became abandoned or ceased the selling, storing, and/or dispensing of fossil fuels.

2. If the service station loses its nonconforming status, the property owner shall be responsible for the removal of 2.— Upon revocation of the conditional use permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station. The owner shall submit plans to the Community Development Department showing the proposed removal and obtain all required permits to complete the work. The owner shall complete the removal within six (6) months following the date the service station lost its nonconforming status, or as otherwise approved by the Community Development Director. Owners that do not complete the removal within required timeframes would be subject to code enforcement action.

3. The applicant to whom a conditional use permit has been granted shall keep on the premises the conditional use permit or a copy thereof. (Ord. 2010-02 § 1 (part), 2010)

17.34.040 LOCATION REQUIREMENTS.

A. Abutting Residential Zoning Districts or Uses. No new service stations shall be permitted. No alternative fuel station shall be permitted or located on lots abutting property in any residential zoning district or residential use, unless the designated approving authority can make the finding that the design and operation of the alternative fuel station service station, along with the conditions placed upon the entitlement application conditional use permit or Design Review, will ensure compatibility with the abutting property or use. In the event that the property adjacent to an existing service station or alternative fuel station is subsequently rezoned to a residential zoning district or to allow residential uses, such rezoning shall not cause the service station or alternative fuel station to be nonconforming in regard to this location requirement.

B. Proximity to Other ~~Service~~ Stations. In the City of Pinole, a maximum of two (2) service stations and/or alternative fuel stations are permitted at any single intersection; otherwise, ~~service~~ stations shall be separated by a minimum of five hundred (500) feet. However, the city may grant exceptions for stations that are required to relocate due to roadway expansion projects or where required for compliance with regulations. Separation distance shall be measured in a straight line from the property line of said service stations. Where two (2) service stations are located at a single intersection, the city encourages stations to be sited in such a manner as to service different flows of traffic. The city may waive the spacing requirements for infill sites or locations affected by roadway widening or other infrastructure improvements. (Ord. 2010-02 § 1 (part), 2010)

17.34.050 DEVELOPMENT AND DESIGN STANDARDS FOR SERVICE STATIONS AND ALTERNATIVE FUEL STATIONS.

The following requirements apply to all new service stations and qualifying expansions/improvements to existing service stations and new alternative fuel stations, except where such requirements may be superseded by state or federal regulations. Service station and alternative fuel station uses shall also comply with all applicable state and federal regulations regarding site design, pricing signs, containment, maintenance, and operations.

A. Frontage. The minimum public street frontage shall be one hundred and thirty-five (135) feet on each public street for

all new alternative fuel service stations.

B. Pump Islands. Service station and alternative fuel station pump islands may be placed in required yards provided they are no closer than fifteen (15) feet to the street right-of-way.

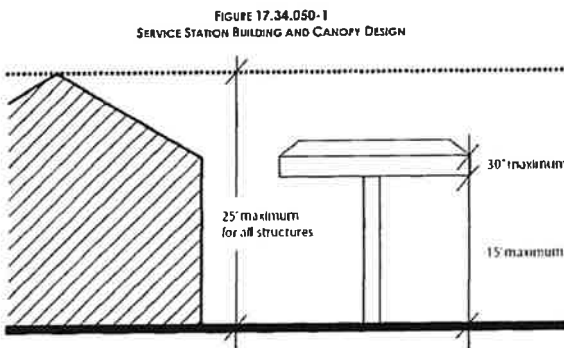
C. Setbacks. Generally, no building shall be located within thirty (30) feet of any public right-of-way or within fifteen (15) feet of any interior parcel line. However, to encourage a more pedestrian streetscape, a primary building with direct access from the street may be located a minimum of fifteen (15) feet from the right-of-way (and outside required landscape corridors). Where the site is located within the Three Corridors Specific Plan area, the development standards of the Specific Plan shall apply.

D. Building Placement and Orientation. Buildings shall be placed outside the required setback areas, but close to the street and oriented to the public view.

E. Building and Canopy Design. The service station or alternative fuel station building and/or canopy shall be designed for architectural compatibility with the surrounding area. Notwithstanding any other requirements in the Zoning Code, the maximum height for all service station buildings (including canopy) shall be twenty-five (25) feet. Pitched roofs are preferred, but not required. In order to reduce the visual impact of the canopy structure and corresponding lighting, the maximum height of the canopy clearance shall be fifteen (15) feet and the maximum width of the canopy fascia shall be thirty (30) inches. ~~A lighting study shall be required in conjunction with the design review process to examine light pollution issues, including but not limited to safety and glare pursuant to~~ The canopy fascia shall match the color and texture of the primary building. See Figure 17.34.050-1 (Service Station Building and Canopy Design). Deviations from these requirements may be allowed in conjunction with comprehensive design review (Section 17.12.150).

FIGURE 17.34.050-1

SERVICE STATION AND ALTERNATIVE FUEL STATION BUILDING AND CANOPY DESIGN



F. Access Driveways.

1.a. Driveway dimensions. Driveway design shall be consistent with the City of Pinole Public Works Improvement Standards, except that the minimum width for driveways shall be thirty-five (35) feet. The width shall be expanded to forty-five (45) feet whenever the driveway accesses a street with a width of, or with a planned ultimate width of, eighty-four (84) feet or greater. The throat depth for driveways shall be fifty (50) feet.

2.b. Driveway location. Driveways shall be no closer than forty (40) feet from the nearest intersecting point of street right-of-way lines, or as otherwise determined by the Public Works Director for traffic safety.

3.e. Number of driveways. No more than two (2) exterior points of access (driveways along abutting streets) shall be provided for each service station, regardless of the length or number of street frontages. No more than thirty-five percent (35%) of the street frontage shall be devoted to curb cuts. Within integrated developments, shared access driveways are preferred.

4.d. Accommodation of vehicle stacking. The internal circulation system shall allow for vehicle stacking without blocking ingress and egress on and off the site. The pump island shall be situated to provide stacking space for a minimum of two (2) vehicles behind the vehicle parked at the pump closest to the entrance and/or exit driveway. Sites shall be designed so that the space intended for vehicle stacking shall not block or interfere with the general circulation of traffic within integrated developments.

G. Accommodation of Refueling Trucks. The internal circulation system shall allow for safe and efficient fuel delivery. Where new internal circulation accommodating fuel delivery is proposed, the turningTurning radius information for all fuel delivery trucks accessing the service station shall be provided in conjunction with conditional use permit or design review for review and approval to the satisfaction of the Public Works Director.

H. Landscaping. Landscaping shall be provided consistent with the requirements of Section 17.44.060 (Special Landscape Requirements) for service stations and alternative fuel stations.

I. Signs. Signs shall be consistent with the requirements of Chapter 17.52 (Signs), including exempt gasoline pricing signs.

J. Fences and Walls. A wall shall be provided between service stations abutting property in any agricultural or residential zoning district or residential use consistent with the requirements of Section 17.42.050 (Special Fence, Wall and Screening Requirements).

K. Lighting. Where there is change to the exterior lighting in conjunction with a permit application for new or modified structures, a lighting study shall be submitted to demonstrate consistency with the requirements of Chapter 17.46 (Lighting). In addition to the lighting requirements of Chapter 17.46 (Lighting), canopy lighting shall be recessed so that the luminary does not extend below the surface of the underside of the canopy.

L. Noise. All outdoor noise generators associated with operation of the service station shall be identified by the applicant during the ~~conditional use permit and/or~~ comprehensive design review process and may require the submittal of a professional noise analysis to quantify noise sources and attenuate noise levels consistent with city noise standards. All outdoor speakers and video/audio pump stations and sound signals associated with the service stations shall be turned off daily between the hours of 10:00 p.m. and 7:00 a.m. (Ord. 2010-02 § 1 (part), 2010)

~~17.34.060 ALTERNATIVE FUEL AND CHARGING STATIONS FOR ELECTRIC VEHICLES.~~

~~Plan check is required pursuant to Section 17.12.030 (Plan Check) for the expansion, modification or retrofit of an existing service station where the expansion, modification or retrofit incorporates biodiesel or other alternative fuels, or charging stations for electric vehicles. The designated approving authority may grant the expansion, modification or retrofit even if specified improvements result in a reduction of existing on-site parking. (Ord. 2010-02 § 1 (part), 2010)~~

5. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.2 Permitted Use Table for San Pablo Avenue [Amendment]

Excerpt of Table 6.2.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

LAND USE AND DEVELOPMENT STANDARDS

LAND USE CLASSIFICATIONS	Old Town Sub-Area					Service Sub-Area					Mixed-Use Sub-Area				
	MDR	RMU	CMU	OPMU	PQI	CMU	OPMU	OPMU	OIMU	PQI	VHDR	RMU	CMU	OPMU	PQI
Retail	N		P	P	N	P	P	P	P	N	N	P	P	P	N
Veterinary Facility	N		P	P	N	P	P	P	P	N	N	CUP	P	P	N
Automotive and Vehicle Use Listings															
<u>Alternative Fuel Station</u>	<u>N</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Auto Parts Sales	N		CUP	P	N	P	P	P	P	N	N	CUP	P	P	N
Car Wash and Detailing	N		N	N	N	N	N	N	CUP	N	N	N	N	N	N
Service Stations	N		N	N	N	N	N	N	<u>N/CUP</u>	N	N	N	N	N	N
Vehicle Services	N		N	CUP	N	CUP	CUP	CUP	CUP	CUP	N	N	CUP	CUP	N
Industrial, Manufacturing, and Processing Use Listings															
Manufacturing - Minor	N		CUP	N	N	N	N	N	CUP	N	N	N	N	N	N
Cottage Industry	N		P	N	N	P	P	P	P	N	N	CUP	N	N	N
Personal Storage Facility	N		N	N	N	N	N	N	CUP	N	N	N	N	N	N
Printing and Publishing	N		CUP	P	N	P	P	P	P	N	N	CUP	P	P	N
Recycling Facility – Collection	N		P	P	P	P	P	P	P	P	P	P	P	P	P
Recycling Facility – Processing	N		N	N	N	N	N	N	CUP	N	N	N	N	N	N

Footnotes:

- a – Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.
- b – Not allowed on first floor at street frontage, except for residential development on a property with an affordable housing agreement and when that development includes community benefits as specified in the General Plan.
- c – Square footage not to exceed 10,000 Square feet.
- d – Not permitted if the same use is preexisting and within 200'
- e – See Multi-Family Residential

6. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.8 Permitted Use Table for Pinole Valley Road [Amendment]

Excerpt of Table 6.8.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

LAND USE AND DEVELOPMENT STANDARDS

Land Use Classifications	Old Town Sub-Area				Service Sub-Area			
	MDR	HDR	CMU	PQJ	CMU	OPMU	PQJ	
Automotive and Vehicle Use Listings								
Alternative <u>Fuel Station</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Auto Parts Sales	N	N	N	N	N	N	N	
Car Wash and Detailing	N	N	N	N	N	N	N	
Service Stations	N	N	N	N	N	N	N	
Vehicle Services	N	N	CUP	CUP	CUP	CUP	CUP	
Industrial, Manufacturing, and Processing Use Listings								
Cottage Industry	N	N	P	N	P	P	N	
Personal Storage Facility	N	N	N	N	N	N	N	
Printing and Publishing	N	MUP	P	N	P	P	N	
Recycling Facility – Collection	N	P	P	P	P	P	P	

Footnotes:

a – Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

b – Not allowed on first floor at street frontage

c – Square footage not to exceed 10,000 Square feet.

d – Not permitted if the same use is preexisting and within 300'

e – See Multi-Family Residential

7. Three Corridors Specific Plan Chapter 6 Land Use and Development Standards – Table 6.14 Permitted Use Table for Appian Way [Amendment]

Excerpt of Table 6.14.

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

LAND USE AND DEVELOPMENT STANDARDS

Land Use Classifications		Service Sub-Area				Mixed-Use Sub-Area			
		RMU	CMU	OPMU	PQI	HDR	RMU	CMU	PQI
Automotive and Vehicle Use Listings									
Alternative Fuel Station		<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>
	Auto Parts Sales	CUP	P	P	N	N	CUP	P	N
	Car Wash and Detailing	N	N	CUP	N	N	N	N	N
	Service Stations	N	N	<u>N</u> CUP	N	N	N	<u>N</u> CUP ²	N
Vehicle Services		N	CUP	CUP	CUP	N	N	CUP	CUP
Industrial, Manufacturing, and Processing Use Listings									
Manufacturing		N	N	N	N	N	N	N	N
	Cottage Industry	CUP	CUP	CUP	N	N	CUP	CUP	N
	Personal Storage Facility	N	N	N	N	N	N	N	N
	Printing and Publishing	CUP	P	P	N	N	CUP	P	N
Recycling Facility – Collection		P	P	P	P	P	P	P	P
Recycling Facility – Processing		N	N	N	N	N	N	N	N

¹ The service station must be accompanied with a larger retail establishment with a minimum of 50,000 square feet

Footnotes:

- a – Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.
- b – Not allowed on first floor at street frontage
- c – Square footage not to exceed 10,000 Square feet.
- d – Not permitted if the same use is preexisting and within 300'
- e – See Multi-Family Residential

8. Three Corridors Specific Plan Chapter 11 Definitions [Amendment]

Excerpt of Chapter 11:

Text to be removed shown in ~~strikeout text~~.

Text to be added shown in underline text.

DEFINITIONS

11.1 DEFINITIONS

The following definitions describe unique terms used throughout this document for the purpose of establishing a clear and common understanding.

Accent Trees. Trees used to supplement the required street trees.

Adult Day Care Home. Pursuant to definitions of State law, an adult day care home is a home which provides supervision and non-medical care to six or fewer adults, including elderly persons, in the provider's own home, on a less than 24-hour basis.

Adult-Related Uses. Those uses defined and regulated by Title 17, Chapter 17.56 of the City's Zoning Code.

Alcoholic Beverage Sales. The retail sale of beer, wine, and/or other alcoholic beverages for on- or off premise consumption.

Alley. Alleys are narrow private drives serving commercial and residential development.

Alley Access Parking. Residential or commercial parking that is accessible from an alley.



Alternative Fuel Station. A retail business selling and dispensing motor vehicle fuel other than fossil fuels, including hydrogen, electricity, biofuel, or any other renewable fuel.

Arcade Frontage. An Arcade frontage is nearly identical in character to the Gallery frontage except that the upper stories of the building may project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may access it. This frontage is typically for retail use. An encroachment permit is needed to construct this frontage type, but can be approved as part of Design Review.

DEFINITIONS

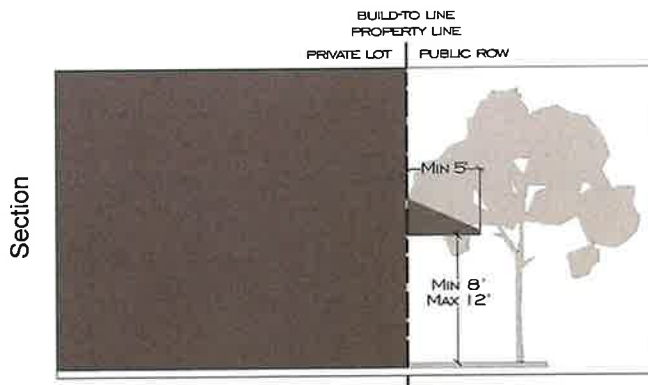
gymnastics studios, environmental awareness, arts, communications, management). Also see “Indoor Fitness and Sports Facilities.”

Schools – Public. Public educational institutions such as community colleges, universities, elementary, middle/junior high schools, high schools, and military academies.

Service Station. A retail business selling and dispensing fossil fuels, including gasoline and diesel, for motor vehicles. Service stations may include the sale of other motor vehicle fuels-gasoline or other motor vehicle fuels.

Setback. The required distance between a property line and a structure. The setback is measured from the property line and/or right of way line.

Shopfront and Awning Frontage. This frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade. A shopfront and awning frontage has substantial glazing on the ground floor. Shopfront and awning frontages provide awnings or canopies cantilevered over the sidewalk.



1
2
3 **MINUTES OF THE REGULAR MEETING**
4 **PINOLE PLANNING COMMISSION**

5
6 **January 26, 2026**

7
8 **THIS MEETING WAS HELD IN A HYBRID FORMAT**
9 **BOTH IN-PERSON AND ZOOM TELECONFERENCE**
10

11
12 **A. CALL TO ORDER:** 7:01 p.m.

13
14 **B. PLEDGE OF ALLEGIANCE**

15
16 **C. LAND ACKNOWLEDGEMENT:** *Before we begin, we would like to acknowledge the*
17 *Ohlone people, who are the traditional custodians of this land. We pay our respects to*
18 *the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land*
19 *that Pinole sits upon, their home. We are proud to continue their tradition of coming*
20 *together and growing as a community. We thank the Ohlone community for their*
21 *stewardship and support, and we look forward to strengthening our ties as we continue*
22 *our relationship of mutual respect and understanding.*

23
24 **D. ROLL CALL**

25
26 Commissioners Present: Bender, Huey, Uch, Lam-Julian, Vice-Chairperson Menis and
27 Chairperson Sandoval

28
29 Commissioners Absent: Martinez

30
31 Staff Present: David Hanham, Planning Manager
32 Justin Shiu, Associate Planner

33
34 Vice-Chairperson Menis reported on his ex-parte communications to his email list about the
35 topics on the meeting agenda and other community events.

36
37 **E. CITIZENS TO BE HEARD**

38
39 Cathy McFarland commented on the City's migration towards the State of California's
40 cleaner environment and now the City wanted service stations prohibited.

41
42 Chairperson Sandoval advised that public comments on service stations would be
43 discussed as part of agenda item G(1) and he asked the speaker to hold her comment
44 until that point in the meeting.

45
46 **F. MEETING MINUTES**

47
48 1. Planning Commission Meeting Minutes for January 12, 2026
49

Vice-Chairperson Menis referenced Page 11 of 132 of the agenda packet, Lines 8 through 18, of the January 12, 2026 meeting minutes, and noted most of the statement in the bullet point which had been attributed to him were primarily comments made by the applicant [Beau Reinberg]. He also asked that the bullet point include a statement that *“He [Vice-Chairperson Menis] had raised a concern that the one-time fee may not offset ongoing needs.”*

MOTION with a Roll Call vote to approve the Planning Commission Meeting Minutes for January 12, 2026, as amended by Vice-Chairperson Menis.

MOTION: Sandoval

SECONDED: Menis

APPROVED: 6-0-1

ABSENT: Martinez

G. PUBLIC HEARINGS:

1. Zoning Code and Specific Plan Amendment PA25-004: New Service Station Prohibitions and Provisions for Modifications and Alternative Fueling Stations

Associate Planner Justin Shiu provided a PowerPoint presentation on the Zoning Code and Specific Plan Amendments PA25-004: New Service Station Prohibitions and Provisions for Modifications and Alternative Fueling Stations. He asked the Planning Commission to adopt Resolution 26-01, recommending to the City Council the adoption of proposed Pinole Municipal Code (PMC) and Specific Plan amendments, as provided in Resolution 26-01, Attachment A, Exhibit A, or with additional recommendations for revisions that may be provided by the Planning Commission.

Mr. Shiu also identified a typographical error in the January 26, 2026 staff report, and noted Page 22 of 132 of the agenda packet, Table 1. Existing Service Stations, had shown the Chevron at 2298 Appian Way as being in the Commercial Mixed Use (CMU) District Service Sub-Area of the Appian Way Corridor, but the CMU should be corrected to read *Office Professional Mixed Use (OPMU) Zoning District*.

Responding to questions from the Planning Commission, Mr. Shiu and Planning Manager David Hanham clarified the following:

- Page 22 of 132 of the agenda packet, Table 1. Existing Service Stations, listed the eight existing service stations in the City, seven of which were located within the corridors covered by the Specific Plan, and one in the Regional Commercial (RC) Zoning District outside of the Specific Plan. The majority of the service stations were existing nonconforming uses as they were not permitted or conditionally permitted uses under the current Zoning Code and Specific Plan. (Bender)
- Attachment A, Page 37 of 132 of the agenda packet, acknowledged a recommendation to revise the third WHEREAS clause to read: *WHEREAS, as further provided in the urgency ordinance, fossil-fuel based transportation remains the largest contributor of greenhouse gas emissions, and the City desire to aid in reducing severe negative public health impacts that residents are experiencing, and will continue to experience, by banning the development of new service stations, prohibiting the expansion of existing service stations, and encourage the use of zero emission vehicles; and* (Bender)

- Attachment A, Pages 56 and 57 of 132 of the agenda packet, Section 17.32.050 Development and Design Standards, E. Building and Canopy Design, acknowledged a recommendation to revise the fourth sentence to read: *In order to reduce the visual impact of the canopy structure and corresponding lighting, the maximum height of the canopy clearance shall be fifteen (15) feet and the maximum height of the canopy fascia shall be thirty (30) inches.* (Bender)
- Pages 45 through 50 of the agenda packet, Table 17.20.03-1, Allowed Uses and Required Entitlements for City of Pinole Base Zoning District, Alternative Fuel Stations would be permitted in the RC, CMU, OPMU and Office Industrial Mixed Use (OIMU) Zoning Districts. Staff clarified the Zoning Code established the general standards in the City, whereas the Three Corridors Specific Plan was the more specific document that applied to many of the major corridors including San Pablo Avenue, Pinole Valley Road and Appian Way. The Specific Plan document was more detailed in zoning designations in each corridor and sub-area, and the Specific Plan document established where exactly the Alternative Fuel Stations would be permitted. (Bender)
- Page 23 of 132 of the agenda packet, clarified the information under Review and Analysis of the January 26, 2026 staff report, particularly the last sentence of the first paragraph which read: *Additionally, the amendments consider enhancements to existing provisions in the Zoning Ordinance that incentivize the expansion, modification, or retrofit of an existing service station to incorporate biodiesel or other alternative fuels or charging stations for electric vehicles,* clarifying a new service station would require a Conditional Use Permit (CUP) and modification of a Use Permit, or discretionary review associated with modifications, and for fuel stations it would be permitted by use in many of the Districts that previously allowed for service stations, reducing some of the application fee requirements associated with some of those uses, and reduce the time associated with notices for a hearing and the like. This was driven by state regulations taking away the discretionary review process for alternative fuel stations, which offered an incentive to reduce permitting costs and fees associated with those uses.

There was also an existing provision in the code which allowed for some parking reductions to be carried over, if the applicant could show why it was required to accommodate new alternative fuel service stations. (Uch)
- Pages 45 through 50 of 132 of the agenda packet, Table 17.20.030-1, Allowed Uses and Required Entitlements for City of Pinole Base Zoning Districts. Clarified Alternative Fuel Stations were not permitted in the Low Density Residential (LDR), Suburban Residential (R-1), Medium Density (R-2), High Density (R-3), Very High Density (R-4), Rural (R), Residential Mixed Use (RMU), Open Space (OS), Parks and Recreation (PR), Public Quasi-Public Institutional (PQI) and San Pablo Bay Conservation Zoning Districts. (Uch)
- A new multifamily or commercial development, as an example, would require Comprehensive Design Review and would require review by the Planning Commission. (Uch)

- The Planning Commission may consider potential conflicting impacts between uses and or how uses may be brought together, and should a new use come and a property be redeveloped with new structures, as an example, the project would require Planning Commission comprehensive design review. (Uch)
- Alternative fuel stations were already regulated by the state which dictated how they could be reviewed. Many electric vehicle (EV) charging stations, as an example, went through a ministerial review process for a building permit regardless of any design aspects that the City may impose. (Uch)
- Page 29 of 232 of the agenda packet, Section 17.23.030(C), Loss of Non-conforming Status for Service Stations, (1) had been amended by staff to read: *If the service station is abandoned or ceases the selling, storing, and/or dispensing of fossil fuels for a continuous period in excess of six (6) months, the service station shall lose its nonconforming status and any subsequent use of the site shall be in conformity with regulations of the applicable zoning district. The Community Development Director shall have final determination on the date the service station became abandoned or ceased the selling, storing, and/or dispensing of fossil fuels.* Clarified the environmental remediation was intended to be captured in the six-month period, as reflected in the amendment, with the six-month period added as a minimum time limit. The Community Development Director may extend that period, should additional time for cleanup be needed. The regulatory agencies would impose the standards for any cleanup and included the State Water Resources Control Board (WRCB) and Department of Toxic Substances Control (DTSC). The City would not bear the responsibility to report to these agencies, the service stations would need to coordinate with the state agencies and it would fall under the property owners' responsibility; however, the City may provide guidance to the property owner, if needed. (Huey)
- As to whether there had been any harm to the existing nonconforming service stations during the City's Urgency Ordinance and moratorium, staff was unaware but when preparing the proposed Zoning Code and Specific Plan Amendments, the City's Sustainability Fellow had reached out to the City's service station owners and some had shared their thoughts and comments, but there were no specific challenges and there were no major objections to the prohibition. (Vice-Chairperson Menis)
- Page 22 of 132 of the agenda packet, again clarified the typographical error in Table 1. Existing Service Stations, which had shown the Chevron at 2298 Appian Way as being in the Commercial Mixed Use (CMU) District Service Sub-Area of the Appian Way Corridor, but CMU should be corrected to read *Office Professional Mixed Use (OPMU) Zoning District.* (Vice-Chairperson Menis)
- Page 64 of 132 of the agenda packet, Land Use Development Standards, clarified the standards for Alternative Fuel Stations in the OPMU and CMU Districts which would be permitted with a Use Permit for occupancy and be considered as a Conforming Use. (Vice-Chairperson Menis)

- The use would be nonconforming if it had the (N) designation “Not Permitted.” Staff also clarified that the existing service stations on Pinole Valley Road had been established prior to 2010, and were legal nonconforming uses when the General Plan and Specific Plan had been adopted. (Vice-Chairperson Menis)
- Page 24 of 132 of the agenda packet, Section 17. 12.080 (B), had been amended to read: *Applicability. Administrative design review is required for all structural additions to single family, multi-family and non-residential structures, and as otherwise required in this Title.* There were other sections in the PMC which mentioned administrative design review but had not been specifically mentioned in this section, which mostly addressed single-family, additions, multifamily and commercial additions not more than 500 square feet in size, and other portions of the PMC included fence exceptions for additional height required through the administrative design review process that were not specifically mentioned. Also, this modification had been added as a catch-all. (Vice-Chairperson Menis)
- Page 29 of 132 of the agenda packet, Section 17.34.030(C)(2) had been amended to read: *If the service station loses its nonconforming status, the property owner shall be responsible for the removal of all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station, and shall return the property to substantially the condition it was in prior to the construction of the service station. The owner shall submit plans to the Community Development Department showing the proposed removal and obtain all required permits to complete the work. The owner shall complete the removal within six (6) months following the date the service station lost its nonconforming status, or as otherwise approved by the Community Development Director.* Clarified the Community Development Director would determine the timeline, if a specific timeline was recommended, and this regulation was currently open-ended. If the property owner did not follow the timeline in the regulation, code enforcement could be imposed to start the code enforcement process. If all code enforcement remedies were exhausted and the removal was not done, the City may step in and start abatement proceedings with a lien placed on the property to allow the City to recover any applicable fees.

Additionally, in terms of the potential for lead gasoline and hazardous substances, those hazards would be regulated under federal or state laws, and those regulatory agencies would monitor any remediation the service station would require when discontinuing operations. (Vice-Chairperson Menis)

- Pages 30 and 31 of 132 of the agenda packet, Section 17.34.050, Development and Design Standards for Service Stations and Alternative Fuel Stations, (E), Building and Canopy Design, reiterated the Specific Plan would override the Zoning Code when there was a conflict, although the Specific Plan did not include any specific height requirements for accessory type structures, which would capture fuel canopies, but there were structural compatibility and design guideline requirements that would apply to this section. Possibly the Specific Plan phrasing could be stricken from this section to avoid any conflicts. (Vice-Chairperson Menis)

- Attachment A, Pages 45 through 50 of 132 of the agenda packet, again clarified the Zoning Districts which permit or did not permit Alternative Fuel Stations, and clarified in consultation with the City Attorney, many of the alternative fuel infrastructure pieces could not be required to go through the discretionary review process, and the infrastructure itself not required to have a CUP. The permitted uses being shown in the table provided a cleaner method to note the specific types of fueling that would be allowed and would not be in violation of any prohibition on discretionary review. (Vice-Chairperson Menis)
- Attachment A, Pages 56 and 57 of 132 of the agenda packet, Section 17.34.050 Development and Design Standards for Service Stations and Alternative Fuel Stations, G. Accommodation of Refueling Trucks, clarified the text amendment shown in this section was intended to capture all types of review processes and a broader application of the requirement. (Vice-Chairperson Menis)
- Attachment A, Pages 56 and 57 of 132 of the agenda packet, Section 17.34.050 Development and Design Standards for Service Stations and Alternative Fuel Stations (E), clarified the language that had been stricken from this section would have required a lighting study in conjunction with the design review process. This was a cleanup item, with the provision and requirement for a lighting study having been merged with subsection (K), Lighting, which read: *Where there is change to the exterior lighting in conjunction with a permit application for new or modified structures, a lighting study shall be submitted to demonstrate consistency with the requirements of Chapter 17.46 (Lighting). In addition to the lighting requirements of Chapter 17.46 (Lighting), canopy lighting shall be recessed so that the luminary does not extend below the surface of the underside of the canopy.* (Vice-Chairperson Menis)
- Attachment A, Page 37 of 132 of the agenda packet, acknowledged the Vice-Chair's statement the third WHEREAS clause was intended to be past tense. (Vice-Chairperson Menis)
- Attachment D, Survey Results, Pages 99 through 125 of 132 of the agenda packet, staff clarified there were no specific identifiers in the survey results. (Vice-Chairperson Menis)
- Page 25 of 132 of the agenda packet, Section 17.22.020(G)(7), had been amended to read: *ALTERNATIVE FUEL STATION. A retail business whose primary on-site use is the sale and dispensing of motor vehicle fuel other than fossil fuels, including hydrogen, electricity, and biofuel. Vehicle services, which are incidental to fuel services, are included under "Vehicle Services - Minor."* Staff clarified these types of energy sources had been referenced in the City's Climate Action and Adaptation Plan (CAAP). If one of these service stations changed owners or ownership transferred, there would be no change to the regulations, but if the specific type of use ceased and no fueling dispensing storage for more than six months, the existing nonconformity would be gone. Change in ownership and rebranding would be permitted and the service station would have to continue as a service station. If the service station were to close, the zoning designation would remain the same, just the permitted use would change. (Chairperson Sandoval)

1 PUBLIC HEARING OPENED
2

3 Whitney Villa Greswold noted that in the year 2050, her children would be 30 and 32 years
4 old, and according to the state's Fourth Climate Change Assessment under High
5 Emissions Scenarios, which the area could be heading towards without more global
6 unified action, average temperatures could rise by approximately four degrees above late
7 20th century averages. Rising temperatures would spur drastic changes to the weather
8 with more prolonged and extreme heat, higher frequency and severity of fires, more
9 droughts and severe rain. The world had not experienced such extreme warming at such
10 a rapid rate and the tipping points to climate destruction were unknown. With
11 environmental protection rollbacks, she suggested the City of Pinole needed to do its part
12 to encourage emission reductions. Global issues could be solved at the local level and
13 she suggested the purpose of government was to look out for the best interests of
14 residents by taking into account sound science. The proposed ban on new service
15 stations was part of a larger portfolio of actions the City should take to reduce emissions
16 and increase community reliance to climatic events that would incur in the coming years.
17 The City could include more bicycle/pedestrian paths, support transit, increase EV
18 chargers, support community emergency response team training, fire hazard mitigation
19 and the like. Proud to be a resident of a City that had foresight and made decisions based
20 on science and who watched out for the health and safety of its residents, she supported
21 the ordinance to prohibit new service stations in the City.
22

23 Cathy McFarland commented on the City's migration towards the state's cleaner
24 environment. The City now wanted service stations prohibited, and provisions and
25 modifications for alternative fuel stations. She found that Pinole was following the state
26 down the rabbit hole with unrealistic goals of all-electric, and suggested it was all about
27 balance and what the system could support along with the cost of operating that system.
28 The state could not support the current grid system on an extremely hot day and as of
29 2024, there were only 1.8 million registered electric vehicles in the state. Most people
30 were barely surviving financially and could not afford a new vehicle, let alone the
31 outrageous electric costs to operate electric vehicles now or in the future.
32

33 Per the top 25 sales tax revenue generators for the City, Ms. McFarland noted five were
34 gas stations which provided the City gas tax revenues. She commented the City also
35 added high density homes with approximately 200 units built with another 400 units to be
36 built in the near future. She questioned where they would get the gas to operate those
37 units. The City needed to take care of Pinole's residents, with the state's pro-housing
38 agenda not protecting the community given all of the project's residents had been
39 subjected to. The City also built senior housing with little parking, which had caused many
40 new issues in the surrounding areas including safety issues. She noted the City now
41 wanted \$390,000 from residents for those areas to help correct the problem. This was the
42 first of three major problems the City was facing, with more pro-housing developments to
43 be built with the same blueprints on Appian Way and Fitzgerald Drive.
44

45 Ms. McFarland added a storm drain project that was to be built prior to and near the senior
46 project had doubled over its projected estimate to over \$700,000. She understood in
47 talking with a City department head there had been issues with the contractor that helped
48 to inflate the new price. The City's lack of oversight rushing into this pro-housing project
49 would cost the City around \$740,000 and the City may turn to residents to pay.

1 Ms. McFarland added a Walk Score had shown the City of Pinole was a car dependent
2 City. On average there were around 21,000 vehicles a day in Pinole, a lot of traffic, all of
3 which would need to continue fueling up. In addition, the City's impact fees and how they
4 would be spent in upcoming years had shown the City was not there for its residents, with
5 the majority of those fees to go towards City-owned property and not to the roads or police.
6 She asked what would happen when taking away the tax revenue from fueling stations
7 and additional gas taxes, and the City became all housing, with no money to support the
8 City. She suggested the City was creating its own problems which were greatly multiplied
9 daily, asked that each and every decision count now and for the future of the entire City
10 of Pinole, and that decisions made be right for the City and its residents.
11

12 Anthony Vossbrink asked what brought the original subject up, assuming it was the City
13 Council, and suggested that be revisited to see where they were, where they were going
14 and why they were there in the first place. He asked whether state or federal agencies
15 had imposed a mandate for the City. He found it odd this started at the same time that
16 some members of the City Council pushed through a moratorium absent public feedback.
17 He suggested there could be an ulterior motive and he would like to know what it was
18 since it could be political.
19

20 Mr. Vossbrink added at the time the Appian 80 project was to get underway the moratorium
21 had been imposed, which stopped the project since Safeway found out what was
22 happening in the City and with the City Council. He learned in planning meetings with the
23 public that Safeway had shown its plans for the property, which included 12 to 18 gas
24 pumps. While things had been green-lit at that time, the majority of the City Council
25 decided against it, and the City lost that income and gas taxes to neighboring cities. Many
26 people, including former City Council member Pete Murray, suggested the City Council
27 consider what Lucky Stores had done and who the City offered a rubber stamp on EV
28 charging stations. The City could have considered EV charging stations to match the
29 number of proposed gas pumps rather than lose the entire Safeway project. He also found
30 it odd the Union 76/Valero Station had been grandfathered-in and picked up additional
31 gas pumps, which occurred at the same time. That service station opened up a couple of
32 years late but was allowed a new gas station after breaking ground twice. He suggested
33 looking at what happened in that situation.
34

35 Mr. Vossbrink further commented the City had not wanted to consider realigning or re-
36 queuing the lights on Pinole Valley Road to limit and reduce carbon emissions and the
37 egress/ingress to the freeway, with traffic back up that caused many problems and carbon
38 emissions along Pinole Valley Road.
39

40 Shoshana Wechsler supported the adoption of Resolution 26-01. A West County resident,
41 and Coordinator for the Sunflower Alliance, an environmental justice organization and
42 Chair of the County Sustainability Commission, but speaking as a Contra Costa County
43 resident, responded to the questions raised by the previous caller as to why to do this.
44 She commented on the President's calls to drill and lead the nation back to the stone age
45 of increased fossil fuel production and consumption by any means necessary. Despite
46 the President's mythologizing about the new Golden Age that awaited, the facts on the
47 ground and in the shared air and waters, told a different story. The world was in a fossil
48 fuel emergency that was intensifying rapidly. She found the City of Pinole was taking
49 action by protecting residents from fossil fuel-related pollution and worsening
50 environmental impacts of climate change.

1 While some were worried about running out of gas or possible gas spikes, and while
2 serious issues, Ms. Wechsler noted the City of Pinole had eight gas stations, running out
3 of gas was not a real likelihood and gas prices were in the hands of a volatile global market
4 and not City government. On a local level, the City could minimize exposure to known
5 health hazards like benzene and carcinogens emitting from gas stations. When speaking
6 of affordability, one also had to factor in the high price of work missed and spiking health
7 care costs and the costs of human life. She noted that 80 percent of gas stations had
8 been projected to be unprofitable by 2035, and remediating a gas station could cost more
9 than \$2 million, with an average cost of over \$243,000 per site. She asked the City
10 planners to adopt the resolution and recommended the City Council adopt the zoning code
11 amendments.
12

13 PUBLIC HEARING CLOSED

14
15 Vice-Chairperson Menis provided the following comments on the agenda item and in
16 response to the public comment:
17

- 18 • A reference to \$390,000 costing citizens was not the net cost to the City; it was the
19 amount of a grant in total with the matching portion of local funds for the City at around
20 \$130,000.
21
- 22 • Referenced Attachment D, survey results, which responses addressed questions
23 about the free market, prices and the potential harm to store owners; and important
24 to note, the ordinance, as amended, would not shut down any existing gas stations
25 now, in 2035 or in 2050, but would prohibit the construction of new gas stations,
26 expansion of gas station pumps at existing gas stations and if the pumps stopped at
27 existing gas stations for a period of time they would no longer be allowed.
28
- 29 • Appreciated the overall polite and reasoned tone taken by both sides in the survey
30 results, and while he recognized one of the respondents had used obscenities and
31 race-based remarks about Council members, he suggested as a community the City
32 could do better about expressing its thoughts and views on issues without stooping
33 to Ad hominem and making racist attacks as a matter of policy.
34
- 35 • Page 25 of 132 of the agenda packet, Section 17.22.020(G)(7), definition for
36 ALTERNATIVE FUEL STATION and Attachment A, Page 49 of 132 of the agenda
37 packet, noted hydrogen had the potential for seepage issues that biofuels and
38 gasoline may not due to the nature of the molecule and how the gas was stored.
39 Suggested fire conditions be imposed on the permitted by right use for Alternative
40 Fuel Stations.
41

42 Mr. Shiu clarified that permitted by right meant it was a land use that was allowed on the site
43 without any special discretionary review and approval. There would be applicable standards
44 outside local regulatory standards, such as state or federal standards.
45

- 46 • Page 29 of 132 of the agenda packet, Section 17.34.030(C), Loss of Nonconforming
47 Status for Service Stations, recommended the end of the clause include a reference
48 to the segments of the PMC that spoke to what happened if there was no compliance
49 with this section.

1 Mr. Shiu suggested it could be noted the use could be subject to code enforcement in the
2 event of non-compliance, which would happen to any use that did not comply with the PMC.

3
4 Mr. Hanham suggested if the Vice-Chair wanted to refer to another section of the PMC, there
5 could be reference to code enforcement actions since there were a number of different
6 sections in the code. He did not recommend limiting it to one section, rather to state that
7 non-compliance could result in code enforcement action.

8
9 Chairperson Sandoval referenced Page 52 of 132 of the agenda packet, Section 17.22.020
10 Allowed Use Definitions, and suggested "renewable fuels" be added to the definitions. He
11 did not want to limit to specifics and recommended leaving it open ended in the event of a
12 solar or water-powered vehicle or some other form of transportation that was necessarily
13 defined, but could still be defined, as "renewable" or "green technology." The same change
14 should be made to Pages 55 and 56 of 132 of the agenda packet, Section 17.34.030
15 Operation and Modification of Service Stations (B)(3), Addition of Alternative Fuel.

16
17 Mr. Shiu confirmed the change could be made anywhere the definition of Alternative Fuel
18 was shown in the documents.

19
20 Chairperson Sandoval otherwise referenced the required setbacks for the pump stations and
21 asked whether the same setbacks would apply to EV charging stations. He commented if a
22 parking lot or prior gas station was converted, as an example, EV infrastructure could be
23 placed closer to the street, and asked whether the infrastructure must be 15-feet from the
24 public right-of-way (ROW).

25
26 Mr. Shiu explained the standard was in the Zoning Code. For many sites EV charging
27 stations were permitted or conditionally permitted. For Alternative Fuel Stations, EV charging
28 stations would be a permitted use and would refer to the setback standards in the Three
29 Corridors Specific Plan, which he described as very generous. EV charging stations as a
30 standalone and not the primary use of the site was governed by typical building code
31 requirements.

32
33 Vice-Chairperson Menis continued his comments, as follows:

- 34
- 35 • Page 24 of 132 of the agenda packet, Section 17.12.080 (B), which currently read:
36 *Applicability. Administrative design review is required for all structural additions to*
37 *single family, multi-family and non-residential structures, and as otherwise*
38 *required in this Title*, and recommended this section be modified to specifically detail
39 what would be "otherwise required in this Title."
 - 40
41 • Page 52 of 132 of the agenda packet, Section 17.22.020 Allowed Use Definitions,
42 recommended an expanded definition of "fossil fuels" be included, while also
43 clearly defining what was being included in the definition. Expressed concern with
44 potential changes from the federal government related to the use of fossil fuels in
45 the future and offered a number of examples where that may happen.
- 46

47 Mr. Shiu confirmed a more detailed definition could be considered for fossil fuels. If there
48 were changes imposed by the federal government, the City would have to follow those
49 changes.

1 Mr. Hanham confirmed if the federal government changed the definition of fossil fuels, the
2 PMC would have to be amended automatically as had been done with changes to state
3 and federal housing codes.
4

5 Speaking to the public comments about the background of the Appian 80 Shopping Center
6 project, Vice-Chairperson Menis noted the initial proposal had been in place before the
7 gas station moratorium. Had the developer used the approved entitlements, the project
8 would not have been impacted by the moratorium. He also responded to the concerns
9 raised by members of the public that the City's moratorium had allowed the property to
10 become blighted, which he stated was not accurate since the original property owner could
11 have built under the approved entitlements. The property had been sold and the current
12 property owner allowed the property to become blighted.
13

14 Messieurs Shiu and Hanham clarified the original entitlements for the Appian 80 Shopping
15 Center had been approved in 2020. There had been extensions after that time with the
16 last extension ending in 2023. The property had been sold in 2022 and the new property
17 owner allowed the entitlements to expire. None of the requirements of the moratorium
18 had been in effect at that time.
19

20 Vice-Chairperson Menis also recognized that some gas station properties had been
21 grandfathered-in such as the Union 76/Valero Station since it was approved before the
22 moratorium was enacted. He asked staff to provide clarification.
23

24 Mr. Hanham confirmed the entitlements for the Union 76/Valero Station had been
25 approved far in advance of the moratorium. There had been PG&E issues that caused
26 delay in construction. This service station would have become a legal nonconforming use
27 with the passage of the ordinance, but at the time it was current and the emergency
28 ordinance would not have affected the construction of that project.
29

30 Vice-Chairperson Menis added there was also some confusion about the overall scope of
31 the ordinance and the zoning text amendments. He reiterated the ordinance, as amended,
32 would not shut down existing gas stations and the approximate 21,000 vehicles passing
33 through the City could still continue to get gas as they did today. He also took the
34 opportunity to highlight many of the findings in Attachment D for the survey results, and
35 based on the responses, the existing network of gas stations in Pinole would remain
36 permitted and would provide an adequate support base for vehicles passing through the
37 City. He hoped with the shift from electric vehicles and associated infrastructure in the
38 future, the number of internal combustion powered vehicles on the road would decrease
39 and the need for gas service stations would likewise drop over time.
40

41 Vice-Chairperson Menis added even given the broader concerns over the practicality of this
42 ordinance or its infringement on the free market, per the survey results, which he again
43 highlighted, respondents had not identified that as a concern. He also recognized the
44 concern that the vast majority of people in Pinole primarily relied on gasoline powered
45 vehicles and the ability to continue to access fossil fuels to power those vehicles along
46 with the concerns with the cost of acquiring new or used electric vehicles. He noted the
47 most likely reason a service station would close down would be due to the free market, as
48 evidenced by the survey results.
49

1 When there were fewer internal combustible vehicles on the street and where it was no
2 longer profitable to own and maintain the gas service stations, they may close naturally.
3 At that point, non-internal combustible vehicles may presumably be reduced in price where
4 the affordability concern would no longer be valid.
5

6 Commissioner Lam-Julian asked what extra revenue the City received from gas stations.
7 She understood the revenue generated from grocery stores was miniscule.
8

9 Mr. Hanham explained the City budget outlined all of the gas taxes the City received, staff
10 did not have that information at hand at this time but it was available in the budget.
11

12 Chairperson Sandoval again requested the addition of “renewable fuels” in the definitions
13 to capture new types of fuels a service station or alternative fuel station could adapt to.
14

15 Vice-Chairperson Menis commented he looked at the agenda packet for the January 20,
16 2026 City Council meeting when the City Council considered the Annual Comprehensive
17 Financial Report (ACFR). The ACFR included information on the taxable sales category
18 for the last 10 fiscal years. Page 474 of the City Council agenda packet included
19 information on taxable sales by category and fuel and service stations as a business
20 group, and included the sale of gas and convenience store goods, which reached a peak
21 of \$412,186 point of sale total in Fiscal Year (FY) 2021, but declined to \$335,807 in FY
22 2024/25. This was considerably less than the general consumer good category or
23 restaurants/hotels category but close to matching the building/construction category, with
24 food and drugs higher.
25

26 Vice-Chairperson Menis reiterated a request to amend Page 24 of 132 of the agenda
27 packet, Section 17.12.080(B), which currently read: *Applicability. Administrative design*
28 *review is required for all structural additions to single family, multi-family and non-*
29 *residential structures, and as otherwise required in this Title*, and recommended this
30 section be modified to explain more explicitly the statement “otherwise required in this Title.”
31 He left it up to staff whether to include the specifics in the staff report, or the text itself.
32

33 Vice-Chairperson Menis reiterated a request to amend Page 29 of 132 of the agenda
34 packet, Section 17.34.030(C)(2), and suggested it would be worthwhile to indicate in this
35 section some of the potential consequences for non-compliance with this section, such
36 “as would occur in any other loss of use,” “x” would happen in this order and identify the
37 potential consequences to be clear to the public and those relying on that segment of the
38 ordinance.
39

40 The Vice-Chairperson again referenced Page 31 of 132 of the agenda packet, Section
41 17.34.050, Development and Design Standards for Service Stations and Alternative Fuel
42 Stations (E) Building and Canopy Design, and asked that the language reading “or
43 Specific Plan” in the notwithstanding clause be stricken.
44

45 Mr. Shiu suggested leaving that section as written, since the Specific Plan did include
46 different height standards depending on the Zoning District and Sub-Areas that could be
47 higher than the 25-foot regulation shown in this section.
48
49

1 Mr. Hanham added there were gas stations in the RC Zoning District outside of the
2 Specific Plan and that standard would be associated to those stations within the RC
3 Zoning District. If standards in the Specific Plan were already set, they would be used for
4 those stations in the Three Corridors Specific Plan. The way Section 17.34.050(E) had
5 been written, and while vague, there were two different areas; one non-Specific Plan and
6 the other Specific Plan, with different standards in each.

7
8 Vice-Chairperson Menis understood, although this was a notwithstanding clause in
9 Section 17.34.050(E) and the text in this section stated it overrode Specific Plans, but the
10 Specific Plan would still govern.

11
12 Mr. Shiu understood the concern was that this section, as written, may provide
13 unnecessary restrictions to heights that would otherwise be provided in the Specific Plan,
14 in which they should strike the reference to "or Specific Plan" in this section, since it would
15 override the Zoning Code.

16
17 Vice-Chairperson Menis referenced Page 57 of 132 of the agenda packet, Section
18 17.34.050, Development and Design Standards, C. Setbacks, which included new language
19 which read: *Where the site is located within the Three Corridors Specific Plan area, the*
20 *development standards of the Specific Plan shall apply* as compared to subsection (E),
21 Building and Canopy Design, which read: *The service station or alternative fuel station*
22 *building and/or canopy shall be designed for architectural compatibility with the*
23 *surrounding area. Notwithstanding any other requirements in the Zoning Code or Specific*
24 *Plan, the maximum height for all service station buildings (including canopy) shall be*
25 *twenty-five (25) feet. Pitched roofs are preferred, but not required. In order to reduce the*
26 *visual impact of the canopy structure and corresponding lighting, the maximum height of*
27 *the canopy clearance shall be fifteen (15) feet and the maximum width of the canopy fascia*
28 *shall be thirty (30) inches. The canopy fascia shall match the color and texture of the*
29 *primary building. See Figure 17.34.050-1 (Service Station Building and Canopy Design).*
30 *Deviations from these requirements may be allowed in conjunction with comprehensive*
31 *design review (Section 17.12.150).*

32
33 Mr. Shiu again understood the concern with the interpretation and recommended striking
34 the language *or Specific Plan* from the notwithstanding clause of Section 17.34.050 (E).

35
36 Vice-Chairperson Menis reiterated his request that "fossil fuels" be added to the definitions
37 to clarify what fossil fuels were.

38
39 Mr. Hanham advised that a definition of fossil fuels could be added.

40
41 Chairperson Sandoval recommended for clarity that fossil fuels be defined as fuels derived
42 from fossil fuels or which were petroleum based. As an example, petroleum-based fuels
43 such as both gas and diesel could be both renewable in the sense if they had carbon
44 captured gasoline that was renewable or biodiesel, fuel derived biologically and used in
45 the same way as a fossil fuel. He would be cautious and wanted to keep the definition
46 vague in a way and not limit a future type of fuel whatever that may be. He preferred not
47 to specifically define fossil fuels.

1 Vice-Chairperson Menis asked if the Chair had concerns with the proposed definition of
2 Alternative Fuel Station, as shown on Page 52 of 132 of the agenda packet. He again
3 recommended a clarification for fossil fuels.
4

5 Chairperson Sandoval again suggested being cautious with the definition since most
6 gasoline sold in the state was around 10 to 15 percent Ethanol, which was a biofuel. He
7 again suggested the definition be vague.
8

9 Vice-Chairperson Menis recommended "biofuel" be defined.
10

11 Chairperson Sandoval reiterated the need to be cautious because there were different
12 fuels that contained different percentages of alcohol and Ethanol, and he offered
13 examples.
14

15 Vice-Chairperson Menis wanted to clarify the intent to the City Council on what would
16 become law and what would not. Again, he wanted more specificity on fossil fuels, as
17 discussed and he wanted the definitions the City was required to use to be noted assuming
18 some of them, such as biofuel, was explicitly defined as a kind of alternative fuel source
19 in state code.
20

21 Mr. Shiu stated staff could do some research on definitions in the state code if that was
22 the direction from the Planning Commission.
23

24 Chairperson Sandoval would be open to defining fossil fuels as a petroleum-based fuel.
25

26 Vice-Chairperson Menis was unsure that should be done since some people still burned
27 coal. Rather, he sought a proper definition of "biofuel" and "fossil fuels," without which
28 there could be situations where there could be prohibitions.
29

30 Chairperson Sandoval again recommended fossil fuels be defined as "petroleum-based,"
31 which would identify the issue and to counter that, an argument could be made for grey
32 hydrogen, which was sometimes petroleum derived and sometimes used as a renewable
33 resource, but not necessarily green fuel. He was of the opinion the Planning Commission
34 could be considering something contrary to the intent.
35

36 Commissioner Bender agreed with the Chair's opinion. He too found the discussion was
37 going too far. He was not thrilled about the use of hydrogen as a fuel source, but he would
38 let it stand. He stated there was a bigger intent for this ordinance to put a stop to new gas
39 stations and he was comfortable with that and overall, with the way the ordinance had
40 been laid out.
41

42 Vice-Chairperson Menis expressed concern if following the Chair's suggestion to narrow
43 the definition of fossil fuels to petroleum-based, which could run into the other direction
44 and narrow the definition of alternative fuels. He commented there had been direct
45 conversion of coal into oil and then gasoline and asked if that would count as a petroleum-
46 based derivative. He noted the current definition of fossil fuels in the ordinance, if it were
47 not changed, would cover that. If petroleum-based was added to the definition to fossil
48 fuels, he expressed concern they could be adding an exception.
49

1 Chairperson Sandoval was unaware of any vision for a vehicle to use coal and gas to
2 power a vehicle in the future. The definition could be left as is and be open to interpretation
3 later on.
4

5 Vice-Chairperson Menis would be open to that but did not want to narrow the definition of
6 fossil fuels.
7

8 Chairperson Sandoval did not want to get too narrow and wide at the same time.
9

10 At this time, Vice-Chairperson Menis withdrew his suggestion on that particular topic. He
11 also referenced Page 60 of 132 of the agenda packet, Land Use and Development
12 Standards, and clarified with staff the land use classifications shown for Alternative Fuel
13 Station and Service Stations, and why some uses were barred, with the intent to line up
14 with the permitted status for Service Stations, which was a carryover item.
15

16 **MOTION** with a Roll Call vote to adopt Resolution 26-01, with Exhibit A: Municipal Code
17 Amendments, a Resolution of the City of Pinole Planning Commission Recommending
18 that the City Council adopt an Ordinance to Prohibit New Service Stations, include
19 Standards for Operation and Modification of Service Stations, and Provide for Alternative
20 Fuel Stations by Amending Chapters 17.12, 17.20, 17.22 and 17.34 of the Pinole
21 Municipal Code and Chapters 6 and 11 of the Three Corridors Specific Plan, subject to
22 the following modifications:
23

- 24 • Chapter 17.12, Entitlements, Section 17.12.080, Administrative Design Review, B.
25 Applicability, staff recommended inclusion in the staff report to the City Council,
26 various other types of projects that may require administrative design review.
27
- 28 • Chapter 17.34, Automobile Service Stations and Alternative Fuel Stations, Section
29 17.34.030, Operation and Modification of Service Stations, C. Loss of Nonconforming
30 Status for Service Stations, (2), to add additional text referencing code enforcement
31 actions for corrections after loss of nonconforming status.
32
- 33 • Chapter 17.34 Automobile Service Stations and Alternative Fuel Stations, Section
34 17.34.050, Development and Design Standards for Service Stations and Alternative
35 Fuel Stations, E. Building and Canopy Design, strike the added text which read: *or*
36 *Specific Plan*.
37
- 38 • Chapter 17.22, Allowed Use Definitions, Section 17.22.020, Allowed Use Definitions,
39 G. Automobile and Vehicle Uses, 7. Alternative Fuel Station, to be amended to read:
40 ALTERNATIVE FUEL STATION. A retail business selling and dispensing motor
41 vehicle fuel other than fossil fuels, including hydrogen, electricity, biofuel or any
42 other renewable fuel. Vehicle services which are incidental to fuel services are
43 included under "Vehicle Services - Minor," and potentially make the same
44 modifications in the documents anywhere the phrase Alternative Fuel Station was
45 used.
46

47 **MOTION: Menis**

SECONDED: Sandoval

APPROVED: 6-0-1

ABSENT: Martinez

1 Chairperson Sandoval identified the 10-day appeal process of a decision of the Planning
2 Commission in writing to the City Clerk.

3
4 **H. OLD BUSINESS**

5
6 1. Appian 80 Ideas and Concepts for Resolution to City Council

7
8 Mr. Hanham presented the staff report dated January 26, 2026, and recommended the
9 Planning Commission select a Planning Commissioner to bring the Appian 80 Ideas and
10 Concepts Resolution to the City Council.

11
12 Chairperson Sandoval was interested in serving as the Planning Commission
13 spokesperson but asked of the role and what was expected when he attended the City
14 Council meeting.

15
16 Mr. Hanham stated a staff report on the Appian 80 Ideas and Concepts Resolution would
17 be presented to the City Council at an upcoming City Council meeting. After the staff
18 presentation, he would turn it over to the Planning Commission representative for further
19 discussion/questions from the City Council on the presentation.

20
21 Commissioner Bender suggested it made sense the Chair would serve as the
22 spokesperson for the Planning Commission who was also the instigator of the Appian 80
23 Ideas and Concepts.

24
25 Vice-Chairperson Menis agreed and while he would have liked to have made the
26 presentation, he recognized Chairperson Sandoval was the Chair and it was his idea and
27 reasonable he would explain the presentation.

28
29 Chairperson Sandoval welcomed any additional feedback the Planning Commission may
30 like forwarded to the City Council.

31
32 **PUBLIC COMMENT OPENED**

33
34 There were no comments from the public.

35
36 **PUBLIC COMMENTS CLOSED**

37
38 Commissioner Uch clarified with Mr. Hanham that Planning Commissioners may attend
39 the future City Council meeting when the item was presented, sit in the audience but not
40 sit together so as not to violate the Brown Act, and Planning Commissioners may address
41 the City Council as private citizens if commenting on the item.

42
43 Commissioner Uch agreed the Chair should represent the Planning Commission. He
44 otherwise complimented the Chair on a great job handling Planning Commission
45 meetings.

46
47 Vice-Chairperson Menis reported that he offered public comment during City Council
48 meetings all the time and there were no issues.

1 **MOTION** to select Chairperson Sandoval to present the Appian 80 Ideas and Concepts
2 Resolution to the City Council.

3
4 **MOTION: Sandoval**

SECONDED: Bender

APPROVED: 6-0-1
ABSENT: Martinez

5
6
7 **I. NEW BUSINESS:** None

8
9 **J. CITY PLANNER'S/COMMISSIONER'S REPORT**

10
11 Messiers Shiu and Hanham provided the following updates:

- 12
13 • The next Planning Commission meeting scheduled for February 9, 2026 would
14 include a CUP review for Uptown Yard.
- 15
16 • The Safety and Environmental Justice Elements had been adopted by the City
17 Council and the Planning Commission was thanked for its work on the documents.
- 18
19 • The Lighting and Landscaping Assessment District (LLAD) for Appian Village had
20 been approved with staff highlighting the purpose of the LLAD.
- 21
22 • Staff had been in contact with the property owners for the former Kmart building who
23 were proceeding with the demolition process, and with the entitlements for the project
24 having been extended to October 2026.
- 25
26 • The property owner for Pinole Shores was in the process of preparing building plans.
- 27
28 • An upcoming Planning Commission meeting would include coordination with the
29 Public Works Department for a Subdivision/Parcel Map for someone who wanted to
30 donate land to the City.

31
32 Vice-Chairperson Menis asked if the demolition for the former Kmart property occurred prior
33 to the expiration of the entitlements in October 2026, and if that meant it would keep the
34 entitlements going.

35
36 Mr. Hanham clarified the applicant may submit for building permit plans any time up to
37 October 2026. The demolition was a condition of approval of the project the applicant had
38 to comply with prior to issuance of a building permit.

39
40 **PUBLIC COMMENTS OPENED**

41
42 There were no comments from the public.

43
44 **PUBLIC COMMENTS CLOSED**

45
46 **K. COMMUNICATIONS**

47
48 Vice-Chairperson Menis reported on upcoming community events.

1 Those events included January 27, 2026, Senior Food Distribution at the Senior Center from
2 10:00 to 11:00 a.m.; Special City Council meeting on January 27, 2026 at 6:00 p.m. for a
3 Closed Session; the Community Services Commission meeting scheduled for January 28,
4 2026 was to be canceled and he invited everyone to a protest on Saturday, January 31, 2026
5 from 11:00 to 2:15 p.m. at the intersection of Tennent and San Pablo Avenues.
6

7 PUBLIC COMMENTS OPENED 8

9 Anthony Vossbrink asked staff for an update on the property behind the 7-Eleven on Pinole
10 Valley Road, which project had been stalled, and for an update on the Parklet Regulations.
11 He reported a new restaurant in the Trader Joe's Shopping Center, Dave's Hot Chicken or
12 an adjoining business, had violated public access and asked staff to check on the matter.
13 He also expressed concern other retailers in the same shopping center had placed outdoor
14 wrought-iron tables and chairs, which obstructed 40 to 50 percent of the existing sidewalk
15 causing possible pedestrian hazards. He noted many businesses in Pinole routinely placed
16 signage/story boards outside of their stores on weekends, which also obstructed the sidewalk
17 corridors up and down Pinole Valley Road, Fitzgerald Drive Shopping Centers, the downtown
18 and along San Pablo Avenue. In one instance, a story board had been chained in front of
19 Pear Street Bistro for around a year and a half, obstructing access to the light switch to cross
20 the street. That sign was finally removed after completion of a development behind the
21 Senior Center. He suggested more active code enforcement and follow-up be provided on
22 those issues in the community. He also asked the Vice-Chair to provide an explanation about
23 a previous comment he made about lane expansion on the Pinole Valley Road on-ramp near
24 Jack in the Box, which was needed to help the flow of traffic.
25

26 PUBLIC COMMENTS CLOSED 27

28 Chairperson Sandoval asked when the Parklet Regulations would go into effect, to which Mr.
29 Hanham explained the City had existing regulations on outdoor dining businesses must
30 adhere to, and staff would have to take a look at the shopping centers to determine whether
31 outdoor dining had been approved. If not, code enforcement could be asked to look into the
32 matter. The outdoor dining furniture was not supposed to impede the path of travel and that
33 was something staff would have to check.
34

35 Chairperson Sandoval also recommended the speaker reach out to Code Enforcement with
36 any code enforcement issues.
37

38 Mr. Hanham added the use of A-frame signage was not allowed in certain districts and staff
39 would have to take a look at that as well. Oftentimes such signage was used on the
40 weekends when City offices were closed and it could be something for code enforcement to
41 research. He also clarified the property behind 7-Eleven was a 29-unit apartment complex
42 with a 17,000 square foot commercial addition to the back of the building, which sat behind
43 7-Eleven and which was an ongoing project. There had been some issues with faults on the
44 property and due to that major expense, the City allowed the activation of the exercise of the
45 entitlements and they were pushing that forward to see the progress. The City may take
46 action based on the conditions of approval and what had been done up to this point.
47

48 Mr. Hanham also acknowledged there had been a real estate sign posted near Pear Street
49 Bistro advertising a subdivision that had been built some time ago.
50

1 Mr. Hanham was uncertain the developer had permission for the sign, but in lot of cases
2 developers placed signs and arrows advertising new development. The development in
3 question occurred prior to his time with the City.
4

5 Mr. Shiu clarified the owner of the property behind 7-Eleven was working on another project,
6 and the Pinole project had outstanding comments on the grading permit, with staff waiting for
7 a response.
8

9 Vice-Chairperson Menis responded to the speaker's question directed to him, and explained
10 he had referenced a project that the County Department of Transportation brought before
11 the City of Pinole in 2020, possibly 2019, where they had discussed various projects linked
12 to Measure J and C funds and Smart Streets and how that was linked to the expansion of
13 the on-ramps. One project had been listed for Pinole, but did not include a timeline and
14 involved the expansion of the eastbound on-ramp from Pinole Valley Road to I-80 eastbound,
15 from one to two lanes to relieve some of the traffic issues. The project depended on County
16 and Caltrans funding and was not something where the City of Pinole had direct influence.
17

18 Mr. Hanham commented in most cases the projects could be something recommended by
19 the City, but anything to do with the on- and off-ramps were part of the Association of Bay
20 Area Governments (ABAG) Regional Transportation Plan, and he was uncertain of the status
21 of those projects.
22

23 Vice-Chairperson Menis asked whether an approved outdoor dining permit for Peet's Coffee
24 automatically extended to cover Dave's Hot Chicken, and Mr. Hanham commented staff
25 would have to determine what had been approved for the shopping center. If staff could not
26 locate an approved outdoor dining permit for the businesses in the shopping center, the
27 businesses would be required to obtain approval of outdoor dining permits.
28

29 **L. NEXT MEETING**

30
31 1. Planning Commission Regular Meeting on February 9, 2026 at 7:00 p.m.
32

33 **M. ADJOURNMENT: 9:44 p.m.**

34
35 Transcribed by:

36
37 Sherri D. Lewis
38 Transcriber

Permanent Service Station Ban Ordinance

Project Engagement

VIEWS

390

PARTICIPANTS

158

RESPONSES

1,341

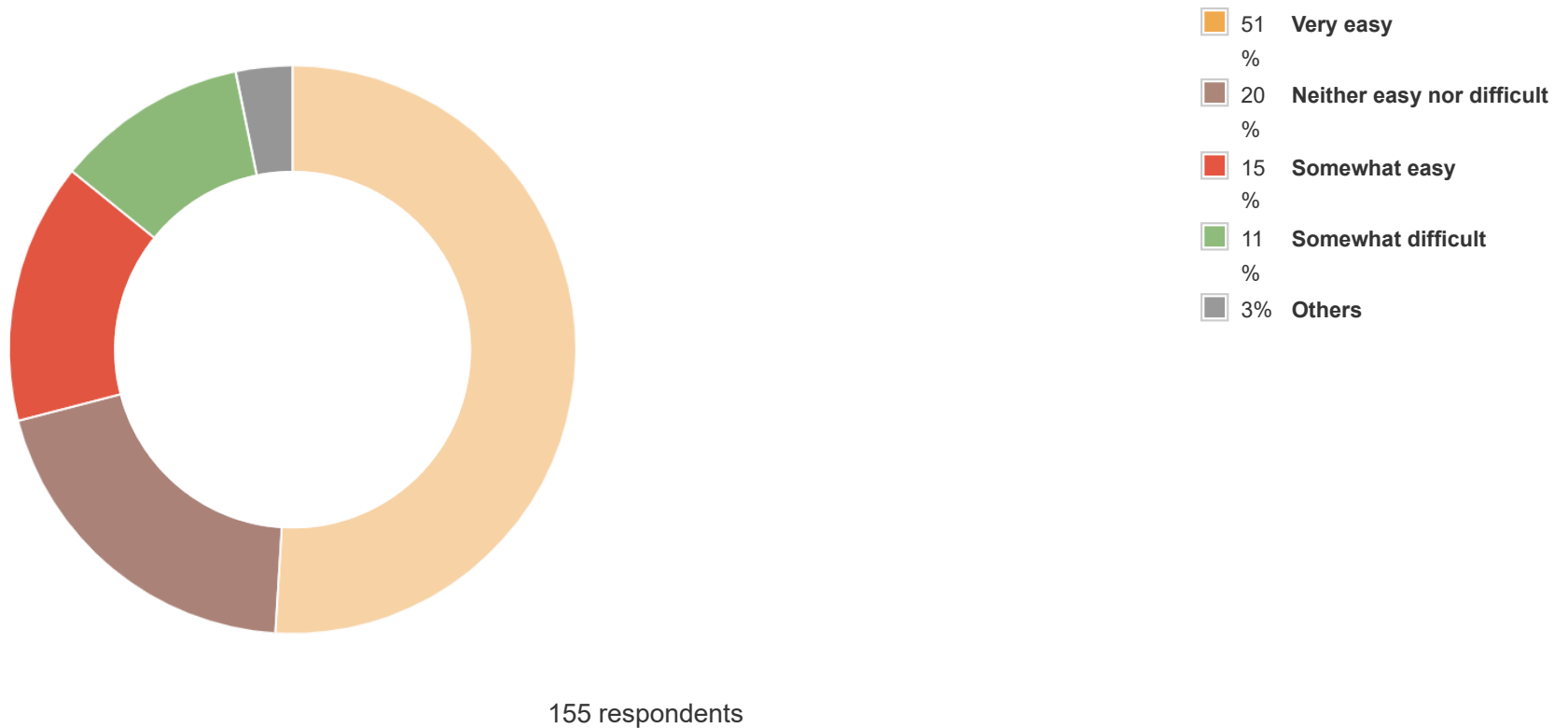
COMMENTS

116

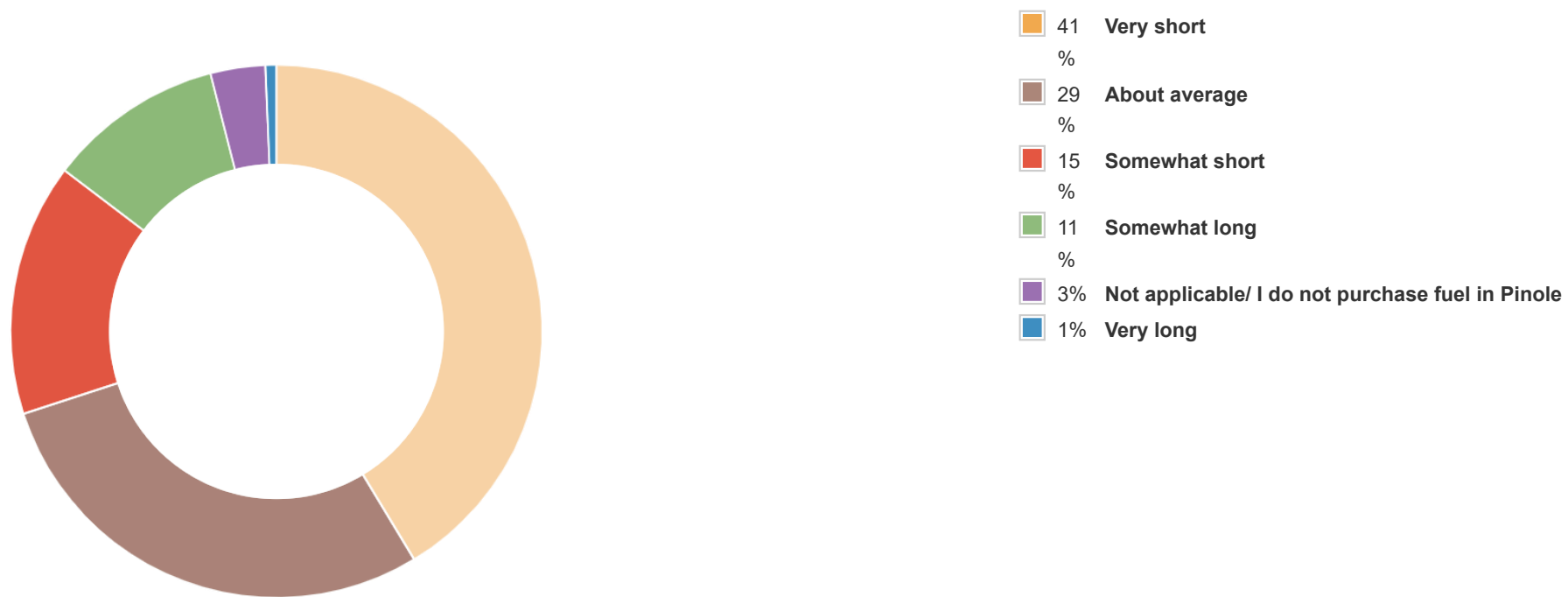
SUBSCRIBERS

1

How easy or difficult is it for you to access a gas station within or near Pinole when you need fuel?



When purchasing fuel in Pinole, how would you describe typical wait times at gas stations?



150 respondents

How familiar are you with the land-use and infrastructure considerations associated with gas stations (such as traffic circulation, groundwater protection, or site remediation requirements)?



150 respondents

How would you rate gas prices at Pinole gas stations compared to gas stations in nearby cities?



148 respondents

How concerned, if at all, are you about greenhouse gas emissions related to transportation?



146 respondents

How familiar are you with the potential community impacts related to the production and distribution of gasoline (such as public health or proximity to industrial facilities)?



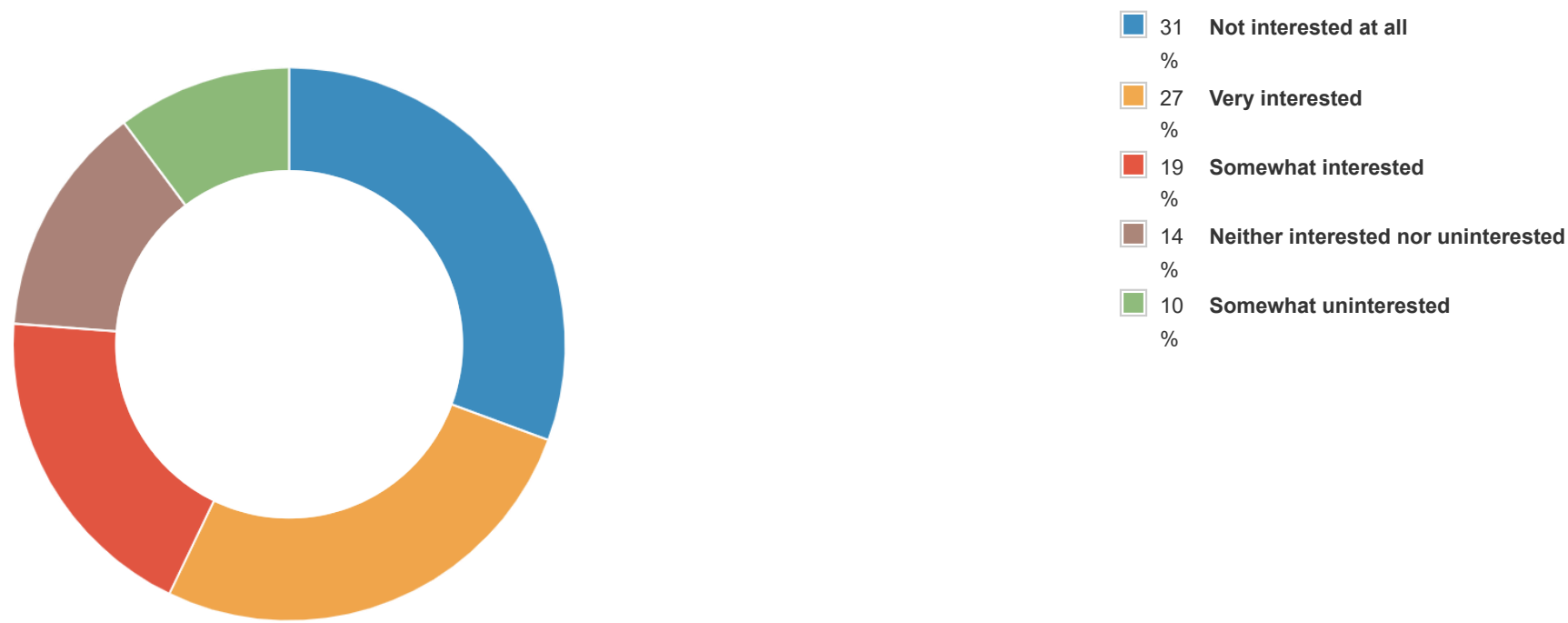
148 respondents

Approximately what percentage of vehicles in your household rely primarily on gasoline for fuel?



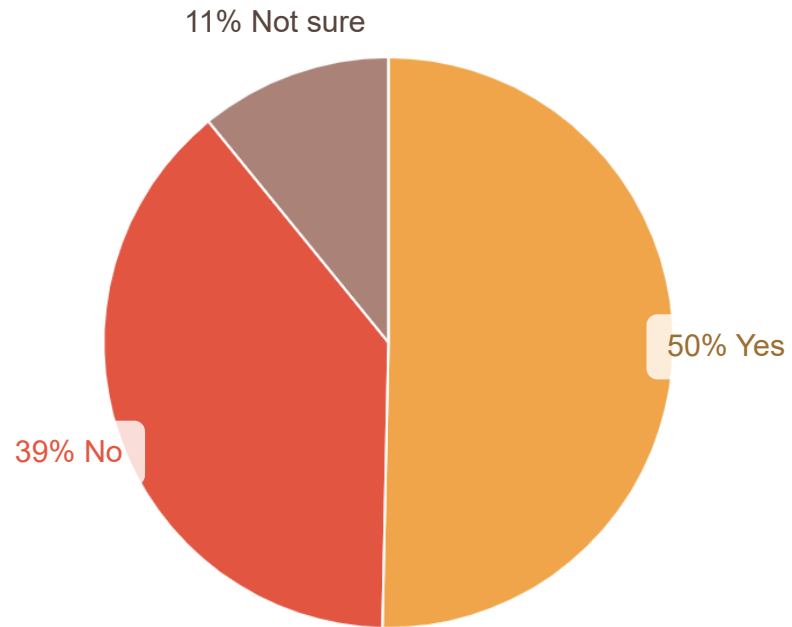
150 respondents

How interested are you in having additional non-gasoline transportation or fueling options available in Pinole?



147 respondents

Do you have concerns about limiting or prohibiting new gas stations in Pinole?



147 respondents

Please share any comments or concerns you would like the City to consider.

I really think you guys need to keep your government noses out of the commercial sector. You guys are way to controlling. You want to turn Pinole into Berkeley?

12/19/2025

👍 21 Agree

The whole point of government is to regulate and look out for the people. This is their job, I'm glad they're considering this move. When have you ever struggled to get gas in Pinole? I don't think you have to drive more than mile from any point in the city to find a gas station. To Pinole leadership, yes please keep your noses where they are, looking out for the health and well being of your citizens.

12/19/2025

👍 5 Agree

I strongly believe competitive market forces should determine how many gas stations are in Pinole; not the City

12/19/2025

👍 20 Agree

This proposed ordinance would prohibit gas stations from updating, improving, adding services like EV charging or markets.. don't we want gas stations to upgrade and improve? Why prohibit that, won't that lead to blight??

12/21/2025

👍 6 Agree

Consider all

The traffic there is on appian way and you guys still want to create more housing

12/19/2025

👍 12 Agree

We need more affordable housing for people and affordable means \$120-\$140K per year for a household of four.

12/19/2025

👍 2 Agree

Let the market decide. don't deprive citizens of their individual choice. Keep government out of it!

12/19/2025

👍 9 Agree

Pinole residents shouldn't be restricted in any way if they need to buy gasoline

12/19/2025

👍 9 Agree

Are you feeling restricted right now? Are you constantly running out of gas on the side of the road lamenting the lack of gas stations? Pinole residents should utilize their government for reasonable protections.

12/19/2025

Because this proposal stopped the rebuilding of Safeway in Tara Hills I am against this ordinance. What a bleak area that is now. Very poor management in so many ways. How much money have you lost in tax revenue because of this decision.

12/19/2025

👍 8 Agree

I strongly believe that competitive market forces should determine number of gas stations in Pinole; not the City

12/19/2025

👍 8 Agree

Your policy ordinance would effectively eliminate a Costco at the former Safeway location. Why not work on road infrastructure. Pinole roads stink.

12/20/2025

👍 7 Agree

I believe we need competitive markets for gas stations, grocery stores whatever. Limiting them makes it easier for business to control prices in their favor not the consumer. The plans for a Safeway store and gas stations would have been great for the City and it's citizens.

12/19/2025

👍 7 Agree

Take your woke climate opinions to Berkeley. More gas stations add competition to lower fuel prices.

12/19/2025

👍 7 Agree

If an existing station closed down, I think a new one should be able to replace it. If there were fewer stations, people would have to drive farther to get gas, which would create more greenhouse gas emissions, not less.

12/19/2025

👍 7 Agree

I don't see how limiting gas stations is going to do ANYTHING to limit global warming. By the time someone needs GAS it is to late. A gas vehicle has been purchased they are going to get gas somewhere if not in Pinole, and at that point it just does not matter. Your good intentions are dually noted, but your thinking process is just way to progressive.

12/19/2025

👍 7 Agree

Pinole is short sighted if they think limiting gas/fueling stations within the city will bring Pinole rainbows and sunshine! Do you understand the implications of thinking we (Pinole/California/USA) can go all electric in the coming years. We don'r have an electric grid to support that, and it would not be able to be established for years/decades. Rolling Brownouts and advertisements (sponsored by the state) not to use electricity between certain hours might be a clue. Get your heads out of the sand! There are other things you should focus on that can do more for the residents of Pinole!

12/21/2025

👍 6 Agree

Gas powered vehicles will be with us for many more years.

12/20/2025

👍 6 Agree

Isn't this what prevented Pinole from having a new Safeway with a gas station?? Safeway is our primary grocery store and where we buy gas because it has the best prices so we now shop and fill up in Hercules instead of Pinole. This is lost sales tax and revenue for Pinole. I get the environment issues but think this a bad decision by the council.

12/19/2025

👍 6 Agree

I agree, we should be thinking of ways to attract the MOST tax revenue, not way of discouraging it.

12/21/2025

👍 5 Agree

It would be problematic if a grocery store such as Safeway did not move to, or stay in Pinole because we did not permit it to include its own gas station. I believe this already occurred, leading to closure of the Pinole Safeway.

12/19/2025

👍 6 Agree

It will be years before fully alternative fuels(EV or hydrogen)are common. I patronize Chevron exclusively for personal reasons & many others don't. They are much higher priced than some alternatives. The needed taxes that the city would be missing out on by eliminating all future gas stations would be a bad move on the city's part. It already killed the Pinole Appian center development. Not saying we should add a bunch of gas stations but banning any more or upgrades of current ones is a big mistake. People will go to nearby cities and spend their fuel \$ there and all those new homes being built will have many cars needing fuel. I agree Pinole is starting to be an over regulated Berkeley, not good at all!

12/19/2025

⬆️ 6 Agree

The City of Pinole needs to become more realistic! Yes we live within the Bay Area Bubble, however, common sense needs to prevail!

12/21/2025

⬆️ 5 Agree

I believe gas stations provide a vital service to the community and limiting or banni.g stations put an undue burden on lower income individuals due too stations not having competition which would make it almost a monopoly for the very few existing stations

12/20/2025

⬆️ 4 Agree

We don't need more restrictions on gas stations at this time. Pinole should focus on other priorities, such as public safety, economic development, and roadway safety.

12/19/2025

⬆️ 4 Agree

We have lost at least 5 stations in Pinole that I am adware of. More stations means more competition. Please do not prohibit new stations. That is a one sided highly political approach. Let the market decide. Please keep politics out of business. We need more stations, not less.

12/19/2025

⬆️ 4 Agree

Question 2 is subjective and largely depends on the time of day people purchase gas. I typically go late at night or on weekends.

Restricting expansion could limit future upgrades and lead to aging or potentially unsafe stations over time. We already have a significant charging station areas at Pinole Vista, Transit Center among others. Adding a small number of additional chargers near Pinole Valley Shopping Center or downtown Pinole may be reasonable, but anything beyond that seems unnecessary. I own two hybrid vehicles and charge them exclusively at home, which is also the case for many electric vehicle owners.

We shouldn't be Investing time and money in projects that are not a priority, resources would be better spent on community needs with a more direct impact. For example, adding lighting to the soccer fields on PV Rd. would be a far better investment. It is disheartening to see young children trying to practice without adequate lighting.

12/19/2025

4 Agree

Pinole should not dictate the community's access to local fuel. You have better things to do with your time. Besides with 2 refineries (1 local), leaving California, we aren't going to see alot of new stations, so this is a moot question, and once again Pinole needs to address other local needs.

12/19/2025

4 Agree

we need more gas stations as the population of pinole increases with the low income housing coming which will create more crime in addition to more traffic.

12/19/2025

4 Agree

I think having to drive farther to find gas causes more pollution.

12/19/2025

3 Agree

traffic and street being blocked, double parking by both cars and especially by delivery truck is really a problem and causes congestion especially during school hours already - dont need additional problems

12/19/2025

3 Agree

If there is a ban on new gas stations, what happens to the motorists who use gas and the old stations are not replaced, where do residents go to get gas?

12/19/2025

3 Agree

Pinole is a town. Seems like there's too much effort being made on subjects beyond basic infrastructure (drive on our streets lately?). I want our city leaders dedicated to our city and looking for some future political ladder step. Take care of the basics 1st - public safety, Library, parks, streets, cleanliness, etc...

1/8/2026

⬆ 2 Agree

I like the idea of electric vehicles, but they are still too expensive. Making it harder to get gas is like taxing poorer and working class people (a longer drive to try and get cheaper gas elsewhere).

12/25/2025

⬆ 2 Agree

I feel the city should NOT develop a new ordinance to limit fossil fuel stations for the following reasons:

We continue to be told that the city is facing financial strain. New commercial businesses, and the improvement of existing businesses, can help combat our economic strain by increasing property tax, sales tax, permit fees, etc. Why would we limit or discourage commercial growth at this time? We should be doing as much as we can to encourage it!! Bring reliable commercial businesses into our city!

Commercial business provide employment opportunities to the local community. New businesses increase the number of available jobs to our community members.

Access to Refueling stations supports workers, delivery services, and regional commerce. These will help improve the economy and Pinole should openly support doing what we can to improve the economy, not stifle it.

Gas stations are important to have during disasters. Modern stations include generators that remain operational during outages and provide resources during a disaster.

New gas stations will improve equity and accessibility by increasing our community's access to essential transportation services.

State law and regulations outline appropriate environmental protections that are required for the safe operation of gas stations. If there is concern about environmental impact, utilize our already existing government agencies to ensure standards are met.

I don't know the actual figures, but I believe fueling stations are a long term need that will bring consistent revenue and job opportunities into our city.

We are being told the city's financial situation is dire. If that is true, limiting commercial growth is a luxury that our community politicians shouldn't practice at this time. Allow the market, free trade, and the creativity of entrepreneurs decide what is, or isn't, needed. Our city politicians have proven they struggle at managing the city's long term financial needs....

12/21/2025

👤 2 Agree

With Phillips 66 and Valero, and later Shell Oil shutting down, we need more gas stations. The price of gas will be over \$8 once the refineries close down.

12/20/2025

👤 2 Agree

An out right ban is too drastic. Manage development of additional gas stations, or expansion of such facilities, on a case-by-case basis. An out right ban is more an ideological position, and ties the hands of future government officials to weigh choices and opportunities.

12/19/2025

👍 2 Agree

No Comment

12/19/2025

👍 2 Agree

I think there is no reason for anyone to build a new gas station anywhere in the Bay Area. Gasoline powered vehicles are adequately served by the existing network. Hopefully electric or other zero emissions vehicles will make up a growing percentage of the transportation fleet in the future

12/19/2025

👍 2 Agree

This is ridiculous! This is nothing more than bullying people to get electric vehicles, which infrastructure in California cannot support. This ordinance is a strong arm attempt, once again, by the city of Pinole and is very discriminatory.

1/10/2026

👍 1 Agree

I am writing as a concerned resident to express my thoughts regarding the recent discussions about banning new gas stations in our city. While I understand the intent behind such policies, I strongly believe our time and resources would be better spent addressing the ongoing issues with our roads and infrastructure.

Many of our streets are in poor condition, with potholes, uneven pavement, and inadequate maintenance creating daily inconveniences and safety hazards for drivers, cyclists, and pedestrians alike. These problems affect commuters, emergency responders, and local businesses, and they contribute to vehicle damage and increased repair costs for residents.

Rather than focusing on restricting new gas stations, I urge the city to prioritize repairing and maintaining our roads. Improving infrastructure will have a direct and positive impact on public safety, traffic flow, and overall quality of life. Well-maintained roads also reflect positively on the city and demonstrate a commitment to responsible governance.

I respectfully ask that you reconsider your priorities and direct more attention and funding toward fixing our streets. This is an issue that affects nearly every resident and deserves immediate action

1/10/2026

👍 1 Agree

Those are some vague questions that can be used either for or against new/existing infrastructure. Why not just ask if I think we should ban gas stations? Gas stations should be allowed on all of Fitzgerald as well as within 1000 feet of any freeway off-ramp or on-ramp. Just don't put them downtown or in the residential areas.

I had a Tesla for over 5 years, but PGE cost have gotten to the point where I switched to a hybrid instead and get the same cost per mile plus the convenience of gas.

1/8/2026

👍 1 Agree

The city of Pinole is not well supported by public transit. The local bus does a fine job of getting you around town, but it is not really feasible to take it to other cities. The closest BART station to me is still a 20 minute car ride away, which is not conducive to opting for transit. Why does the BART not reach communities past Richmond? The north parts of the east bay have been neglected by BART, unlike the (wealthier) inland areas like Walnut Creek and Dublin. Why does Benecia, Vallejo, Pinole and these cities not get to benefit from BART?

If BART is not an option in the future, then perhaps the city of Pinole could get some park and ride type of service to take people to the BART station. This could further reduce the need for Pinole residents to drive

1/5/2026

👍 1 Agree

Longer term if Hilltop mall ever actually redevelopes it needs to have a BART extension. That would help a ton of folks that commute from Pinole/tara Hills/Hercules to the ferry in Richmond or to the El Cerrito Del Norte bart station.

Unfortunately that would kinda require Richmond leadership to be competent which seems like a pipe dream

1/8/2026

This regulation proposal will have no significant effect on green house gas. You will make our ease of purchase more difficult. Pinole will lose the sales tax income on gasoline sales. Climate Change is not an issue of importance for our city council. Stick to local issues that improve our lives and not make it less convenient. We will vote against supporters of this business unfriendly ordinance.

12/28/2025

👍 1 Agree

No more gas stations. It would increase traffic

12/21/2025

👍 1 Agree

I don't think we need more stations or for our stations to be expanded. A simple/reasonable updating of stations as needed for better fueling and safety is appreciated and I'm sure the independent stations would appreciate some kind of help with upgrades.

12/21/2025

👍 1 Agree

I definitely do not want to see more gas stations that are primarily intended to serve commuters who do not live in Pinole but travel along I-80 freeway.

12/20/2025

👍 1 Agree

more gas stations bring in more tax revenue.. The city already has big problems with basic infrastructure issues such as the aging sewer system. Taxes will be rising... no matter what we do.. why not let others that come into Pinole to shop pay for our infrastructure.

1/9/2026

I believe we have more than enough gas stations to serve our community of 20,000 people and also those that come to shop here.

12/20/2025

👍 1 Agree

Attracting business and tax revenue INTO Pinole is the best strategy. And drivers commuting on 80 are a wonderful resource!!

We need to develop the idea of bringing taxes INTO Pinole from people that don't live here.

12/21/2025

👍 1 Agree

There are too many gas stations and fast food restaurants in Pinole. Neither is good or healthy for the community and our environment. There's a gas station practically every block, especially at the city center. The housing developments are also a huge concern for our community as it causes more congestion and the infrastructure is not there to serve this expansion, such as overpacked classrooms, more traffic, crime, pollution and there aren't any urgent care/ER facilities to serve this growing population. Dwindling resources would only create more problems in this small city.

12/20/2025

👍 1 Agree

Didn't we have medical services and emergency services across the street from the middle school a while ago. Those shut down for a reason, and now they are building high density homes. I wonder if our politicians could have done more to keep those essential services here.

12/21/2025

These top comments are surprising, "We want more gas stations! Let the market decide!" We have too many gas stations already. This city is like 12 square miles in total and we have how many gas stations? I can think of 6-7 off the top of my head. Never has there been a line more than 1 car long in all the years I've lived here. Just as the market has a role, so does government. I for one support limiting certain industries with the goal of keeping our land and people healthy. What are these free market people hoping for 5 more gas stations so our downtown is just an asphalt jungle of gas smells and exhaust? When has the introduction of more gas stations ever had an effect on the price in any meaningful way. These comments all feel pretty disingenuous and makes me wonder who is actually the person behind the keyboard.

12/19/2025

👍 1 Agree

This feels too limiting. We have enough gas stations in Pinole; we do not need any more, but putting limits on expansion seems counterintuitive, considering all the new housing that's being built or was recently built. I own both an EV and a gas-powered car, mostly because the EV long charging times are highly inconvenient. Don't restrict gas stations, just build more EV charging stations. Or expand the gas stations to INCLUDE EV chargers.

12/19/2025

👍 1 Agree

The proposed ordinance will prohibit a gas station's ability to upgrade, improve environmental protections, install EV chargers, etc.

This ordinance is a focused assault on gas stations... and doesn't take community needs into consideration.

12/21/2025

👍 5 Agree

affordable housing traffic in the future

12/19/2025

👍 1 Agree

We have enough gas stations

12/19/2025

👍 1 Agree

Great idea. We don't need more gas stations!

12/19/2025

👍 1 Agree

There are plenty of gas stations in the city.

12/19/2025

👍 1 Agree

No more gas stations! There are plenty in Pinole. The old gas station that was on the corner of Tennent and San Pablo Ave contaminated much of the area just under Old Town with no remediation. Stop the madness! We need to drive electric vehicles and not rely on fossil fuels.

12/19/2025

👍 1 Agree

It seems that Pinole has plenty of gas stations and given the future direction toward other forms of energy, combined with the environmental impact of having gas stations, I think it makes a lot of sense to prohibit the future addition and expansion of gas stations in Pinole.

12/19/2025

👍 1 Agree

Have you measured greenhouse gas emissions around Trader Joe's/I 80/Pinole Valley Rd in the afternoon after students are released from school? I think the traffic circulation there is worse than at any gasoline fueling station I've observed in Pinole (cannot say the same about neighboring communities).

12/19/2025

👍 1 Agree

Prohibiting is too strong a word given that the infrastructure for electricity is substandard to say the least. and most people still drive a gasoline vehicle and will continue to do so. There are enough gas stations in Pinole right now, however, with the influx of hundreds if not thousands of new residents that could become a challenge. New housing should from now on also be mandated to include EV charging. Existing housing should be mandated to include EV charging where EVs are owned and used.

12/19/2025

👍 1 Agree

We have plenty of gas stations where dense housing is being considered. There are two large facilities in the Fitzgerald area, another across the freeway, two on Pinole Valley Road and a couple on the San Pablo corridor. Why would we need more gas stations as more people have moved to hybrids. Heck I forget to fill my hybrid and mainly use electricity. I like the Tesla charging station up at Fitzgerald and notice that people connect their cars and go shopping. It would be nice if another electric charging station is planned and it could be near any new housing development or revitalization of the business corridor.

12/19/2025

👍 1 Agree

I agree about the need for charging stations but I don't think you really speak for those of us not lucky enough to own a hybrid or electric vehicle.

12/19/2025

👍 2 Agree

The free market will drive this. Government control and manipulation is not the best answer.

12/21/2025

I appreciate so much that Pinole is doing this to protect our environment and our health.

1/20/2026

Most of the scientific papers that have climate change alarmism are paid for by companies that have an interest in non-fossil fuel energy solutions. These papers cherry-pick data that supports the interests of the companies that paid for them, and ignore data that contradicts those interests. The science shows that the climate temperatures have varied wildly over history, including before there was significant, or any, human activity. To think that human activity has much affect on climate is arrogance.

People will always need gasoline and other fossil fuels. If they cannot get gas in Pinole, they will go elsewhere. So all this proposal will do is reduce revenue for Pinole.

1/16/2026

This is America and competition is always better for the consumers. The city has already done in the Safeway Shopping Center by curtailing their plans for gas pumps and cheaper gas. The gas taxes are now going to Hercules so much for our roads. The other side is with any station upgrades or new stations tagging on EV charging stations or one day Hydrogen pumps could be additionally required as a bargaining item for the necessary approvals.

1/16/2026

More EV chargers! The Pinole Supercharger on Fitzgerald is a great recent addition but it's often full or close to full with resulting frequent surge/more expensive pricing as a result. The non Tesla chargers at Sprouts are also regularly used and sometimes no free chargers available there too ... What about another SuperCharger in the Bowling Alley parking lot??

1/15/2026

Gas cars are still very widely used. Having more gas stations would increase competition and drive down prices.

1/14/2026

John gioria says go electric so te 2 zesty mayor's, Yellow and brown lick taints in agreement.

1/14/2026

Additional gas stations are not needed, replace/fix the current ones with effective, modern and with compliant standards only.

1/12/2026

The need for gas stations will dissipate naturally when and if enough people adopt use of fully electric or hydrogen cars instead of gas or hybrid cars.

1/11/2026

Absolutely terrible survey. Biased and leading questions. Poor grammar, double-negative "not unconcerned" makes someone concerned. Diesel is not gasoline and therefore can be considered an alternate to gasoline in this survey but I have no doubt the council wants to restrict diesel access as well. How much sales tax is the council denying the city, that could be used to fix our roads, by banning new/expansion of fuel stations? This does not address the priorities of the citizens: safety and good roads.

1/10/2026

I am very concerned with your liberal agenda that has failed everywhere it's been attempted.

Stop with YOUR DEMOCRAT DRIVEN AGENDA and do what Pinole taxpayers PAY you to do.

Fix our roads, add amenities like gas stations that add to our life in many ways, fund police and do not force your political nonsense on them, look at the firefighters budget and the crushing debt of their BLOATED PENSIONS AND WAGES!!!

1/10/2026

Quit CONTROLLING EVERY ASPECY OF OUR LIVES. Let is make our own choices. I an on leaving this Communist area soon.

1/10/2026

Don't listen to petroleum companies dire warnings about California denying itself. We don't need any more gas stations than those already existing.

1/10/2026

Fix our ROADS

1/9/2026

With all the new housing developments in Pinole, we need more gas stations and pumps, not less. Also, fixing our roads should be top priority.

1/9/2026

weather you like it or not, fossil fuel is not going away.

1/9/2026

I think it is a bad idea to limit the amount of pumps at a gas station. It is more important for people to have more pumps and more options.

1/9/2026

Pinole seems like it already has more gas stations than other towns per capita. I don't think we really need anymore.

That being said Pinole needs to really focus on alternatives by working with the county since right now travel by car is literally the only option since generally westcat service is so poor.

While I'm happy to see all the new developments going in I also had concerns that it seems like barely any retail or additional transit service/infrastructure is being planned to support all of the new residents which will just end up with them being car dependent too.

1/8/2026

Working with the county destroying the local towns

1/9/2026

The all electric mandate in CA will likely be delayed due to grid capacity issues. Let existing gas stations make improvements and allow the Safeway site establish a gas station if they deem it necessary to redevelop the site.

1/8/2026

Fix the roads first

1/8/2026

San Pablo though downtown from Richmond parkway to the bridge is soo bad.

1/8/2026

We have more gas stations than new locally-owned restaurants it seems. No more has stations please!! Everyone goes to Safeway in Hercules anyway. Unless our old Safeway is to get a gas station- that's ok.

1/8/2026

Pinole needs to address issues that affect Pinole residents and stay in our lane...

1/8/2026

I like where I get my gas and feel there are enough stations around town to pick from and that we don't necessarily have to have more stations as I don't have a problem now with what is available.

1/8/2026

Not everyone has electric vehicles nor can afford them. If Safeway was to put their hat back in for acquiring the Tara Hills Safeway property I would support a lower priced reliable gas station.

1/8/2026

Please fix the roads first.

1/8/2026

I believe that there are plenty of gas stations in Pinole already. Our car is hybrid (EV + gas) and we trickle charge it at home and still use gas for longer trips but we would consider getting an EV for our next car if there was more charging infrastructure. Never once have we waited more than an minute in line for gas. I believe Pinole should be a progressive environmental leader and make the healthier choice for our residents and families. We don't need more gas stations in Pinole.

1/5/2026

Forcing people to travel for fuel does not solve the problem you are wanting to address.

1/4/2026

would this limit new EV charging at gas stations? or adding markets? both of those don't seem problematic to me

1/3/2026

I drive a diesel so options are limited, but 2 fuel depots for me in Pinole is more than enough.

12/25/2025

I think the market should determine how many gas stations are needed. Until we can make the alternative more affordable for most people, gas unfortunately is the option. Insurance for electric cars are very expensive and having electric panels doesn't even pay for itself anymore due to the waste of energy if you don't have a battery. The state recently reduced how much people can be paid out through PG&E so why would people opt to go "green" if it's so much more expensive? Make it more affordable then people will buy in!

12/23/2025

I don't shop for gas in Pinole I can get it much cheaper in Rodeo or downtown Walnut Creek the gas stations are just plain overpriced!!!

12/22/2025

We have enough gas stations for our 20,000 people living here in Pinole and for additional people who come to shop here.

12/20/2025

You seem to be in the minority Mr./Ms./Mss./Them/They/It, The whole point of government is to regulate and look out for the people. This is their job, I'm glad they're considering this move. When have you ever struggled to get gas in Pinole? I don't think you have to drive more than mile from any point in the city to find a gas station. To Pinole leadership, yes please keep your noses where they are, looking out for the health and well being of your citizens. I do agree that some government regulation is in order, but I feel that it should be less than more. We seem to disagree. I'm with Reagan.

12/19/2025

None at this time

12/19/2025

I believe we need to eventually stop using fossil fuels. The sooner we start, the better. However, a transition that takes into account the most disadvantaged citizens is important.

12/19/2025

We do not need more gas stations.

12/19/2025

n/a

12/19/2025

We need more merchandise stores

12/19/2025

We need more non-chain merchandise stores that would bring people to downtown. Maybe a beer garden, a florist, a boutique, we need to revitalize downtown.

12/19/2025

👍 3 Agree

The market will drive this.

12/21/2025

No

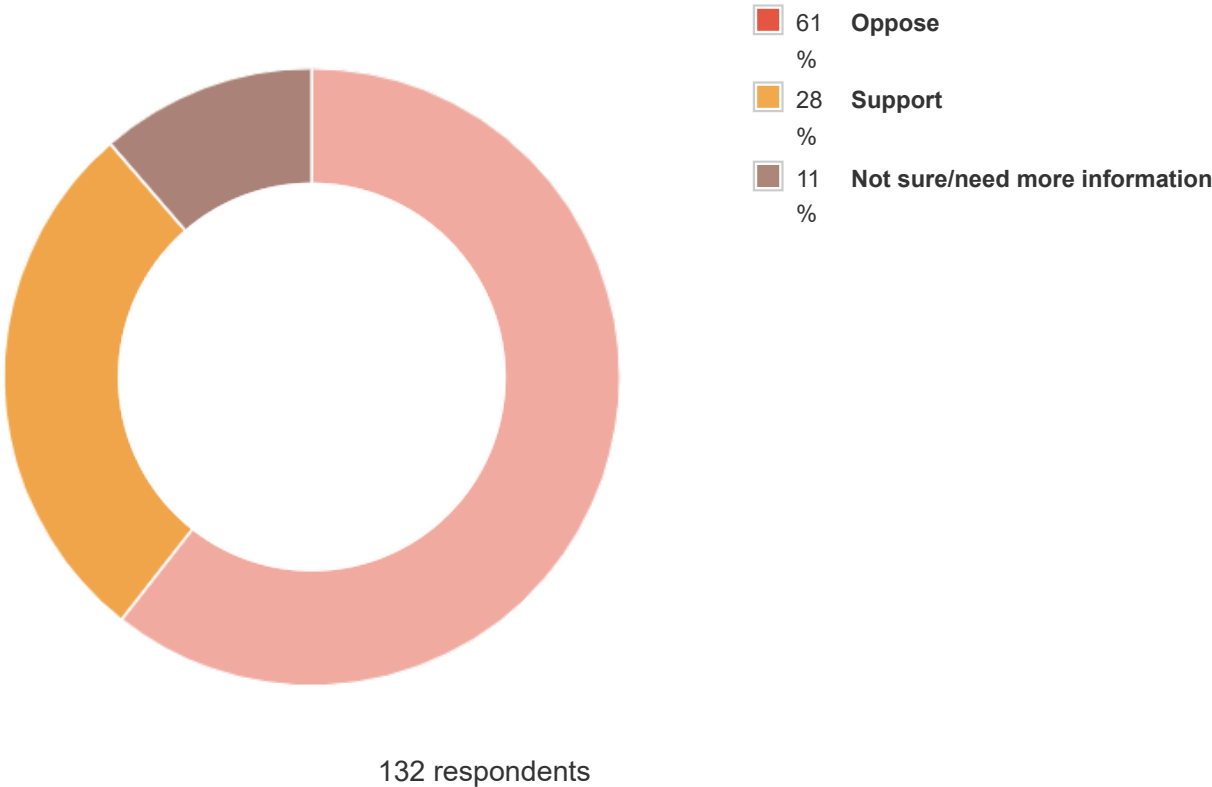
12/19/2025

Permanent Service Station Ban Ordinance

Project Engagement

VIEWS	PARTICIPANTS	RESPONSES	COMMENTS	SUBSCRIBERS
397	267	2,380	237	1

* Do you support or oppose the ordinance as describe above?



* If you support the ordinance, what are your top reasons? (Select up to 3)

70%	Pinole already has enough gas stations; fueling access and wait times are generally adequate	23 ✓
64%	Environmental and public health concerns (e.g., groundwater contamination, emissions, hazardous materials)	21 ✓
36%	Encourages investment in alternative fuel infrastructure (EV charging, hydrogen, etc.)	12 ✓
33%	Climate and sustainability goals: prioritize transition to cleaner transportation and expand EV charging instead of adding new gas stations	11 ✓
27%	Aligns with state climate policies and positions Pinole as proactive in sustainability	9 ✓
18%	Reduces land-use conflicts and preserves space for housing, parks, and retail	6 ✓
18%	Improves community appearance by avoiding additional asphalt-heavy developments	6 ✓
12%	Supports long-term planning for future transportation needs	4 ✓
9%	Helps manage traffic and safety issues near sensitive areas (schools, residential streets)	3 ✓
6%	Provides clear and consistent development standards for businesses and residents	2 ✓
0%	Other	0 ✓

33 Respondents

If you oppose the ordinance, what are you top reasons? (Select up to 3)

65%	City priorities: resources should focus on roads, safety, and other infrastructure needs	51 ✓
62%	Market and competition should determine the number of stations; limiting them may reduce competition and affect fuel prices	48 ✓
49%	Equity and affordability: many residents still rely on gasoline; EVs and charging can be costly or impractical for some households	38 ✓
38%	Some view the ordinance as unnecessary or overly restrictive for current community needs	30 ✓
36%	Economic impacts: new or expanded stations can bring jobs and sales tax revenue; restrictions may shift purchases to neighboring cities	28 ✓
27%	Practical considerations: California's electric grid and charging infrastructure may not be ready for full EV adoption; transition will take time	21 ✓
27%	Transition to EVs may not be realistic for all households due to cost and infrastructure gaps	21 ✓
24%	Restrictions could limit redevelopment opportunities and discourage commercial growth	19 ✓
24%	Residents may need to drive farther for fuel, increasing travel time and emissions	19 ✓
14%	Fueling stations provide resilience during emergencies (e.g., backup power during outages)	11 ✓
1%	Other	1 ✓

78 Respondents

* Which approach do you think the City should take regarding the draft ordinance? (Select all applicable)

60%	Don't move forward with the ordinance	64 ✓
18%	Modify the ordinance to allow replacement-in-kind if a station closes (no net increase in total stations)	19 ✓
16%	Keep the current draft ordinance as described above	17 ✓
16%	Modify the ordinance to allow case-by-case review instead of a permanent ban	17 ✓
9%	Modify the ordinance to allow new stations under a Conditional Use Permit with location limits and traffic/health mitigations	10 ✓
8%	Modify the ordinance to cap total pumps/stations citywide and require community/environmental safeguards	9 ✓
1%	Other	1 ✓

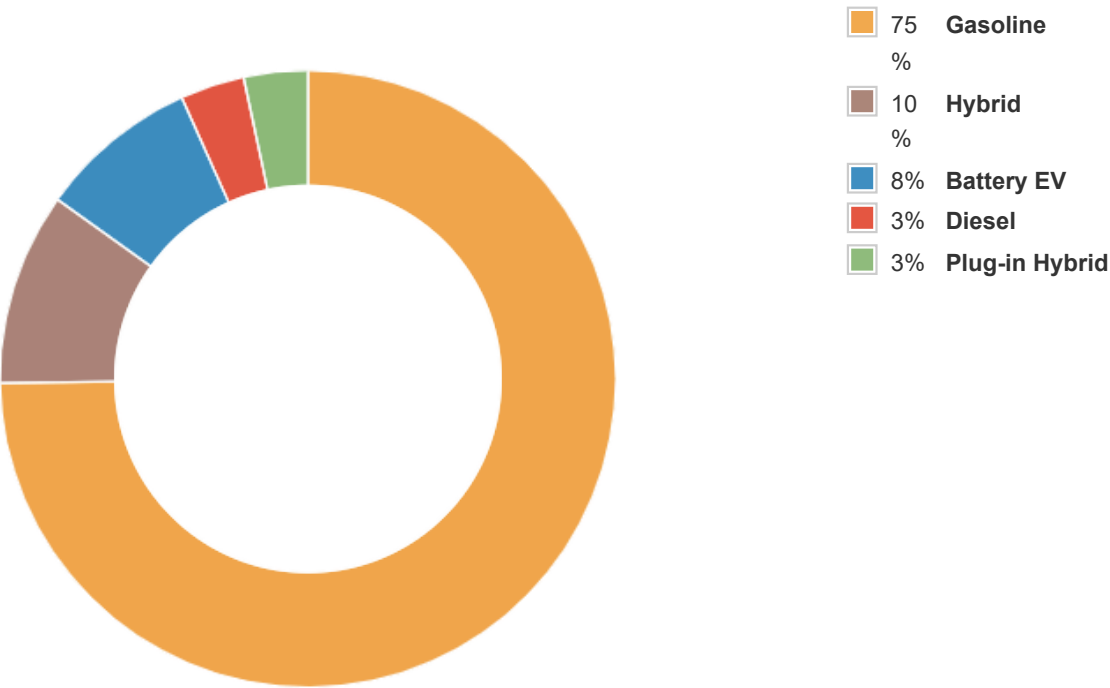
107 Respondents

* What information would help you decide? (Check all that apply)

83%	Economic impact analysis (sales tax, jobs, redevelopment effects)	10 ✓
50%	Traffic and health impact analysis near sensitive areas (schools/downtown)	6 ✓
42%	Grid capacity and resilience considerations during the transition	5 ✓
17%	Other	2 ✓

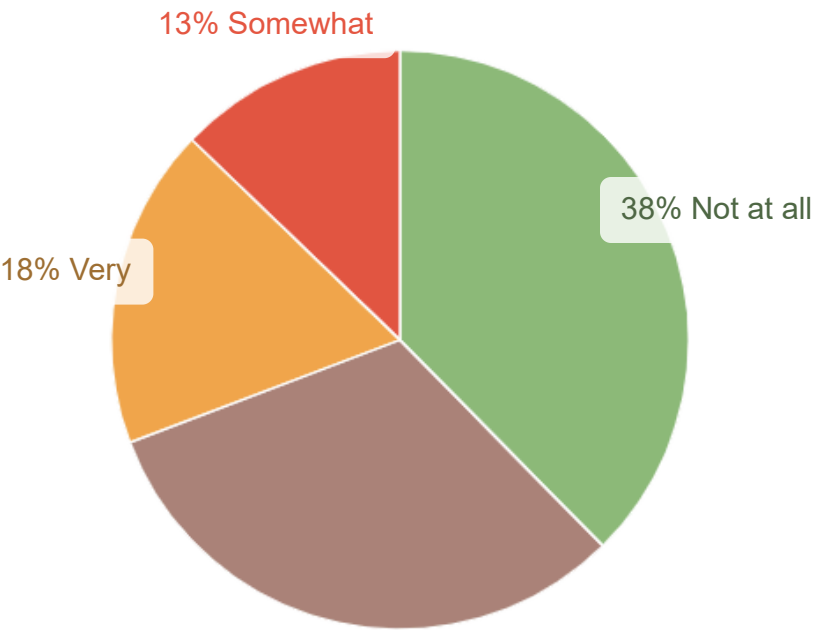
12 Respondents

What is your primary vehicle type?



119 respondents

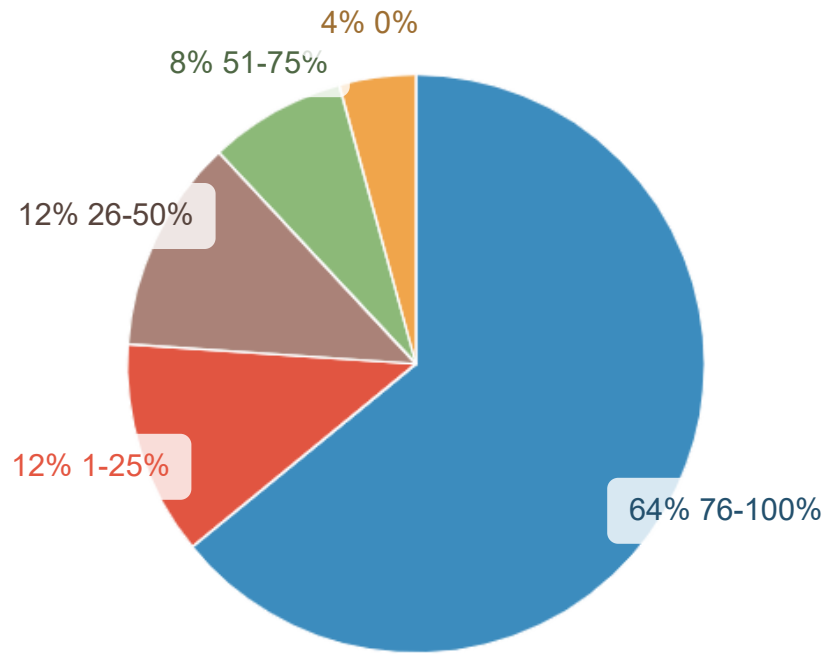
Are you interested in additional non-gas fueling options in Pinole?



32% Neutral

117 respondents

What is your household reliance on gasoline?



117 respondents

What is your ZIP or neighborhood?

You are limiting our future options !! You are putting in over 400 new units and may also put in many more if the Safeway is also slated to be business and residential. If you are so worried about fuel and going green why is the city constantly bringing in more high density housing to create more problems and more financial difficulty for our city

2/6/2026

⬆ 12 Agree

Why is Pinole not doing what is best for Pinole and its residents. Don't copy what it appears other neighboring communities are doing (?to be Progressive). Our roads need to be improved and repaved as well as our sidewalks. Safer roads and walk ways make for a safer city. It's bad enough we have had and will have refineries closing, raising the cost of Fuel as well as the main ingredient of many daily use products, by creating a fuel desert in our community, we lose the benefit of tax revenues, jobs and yes residents will be to travel further to buy fuel. My wife and I have just about had it with all the daft ideas politicians keep heaping on us. It may be time for us to make our exodus from the state (ever closer to our breaking point). The city is mirroring the state in saying we don't need a middle class. Ever closer to the tipping point!

2/7/2026

⬆ 11 Agree

Electric cars weigh more than gasoline cars up to 1000 lbs more for SUVs and 1500-3000 lbs more for Trucks. Our roads in Pinole are not doing very well and the Fourth Power Law, states that the damage a vehicle does to the road is proportional to the weight per axle raised to the fourth power. Thus an electric sedan is roughly 3 times damaging than its counterpart gas engine sedan and the SUV and trucks even more. Something to think about as we push for more electric cars.

2/7/2026

👍 11 Agree

This is nonsense. Do not approve this ordinance. It is unwise and unnecessary.

2/7/2026

👍 6 Agree

94564. Competition should dictate businesses; not some City ordinance

2/7/2026

👍 5 Agree

94564. How about more transparency from Pinole government? It's no coincidence government wants to increase housing density so it views allowing expansion of gas stations as an obstacle to that effort for increased housing density. This permanent gas station ban is totally unnecessary and can only hurt consumers by limiting fossil fuel availability who aren't interested or prepared to invest in higher retail cost EVs.

2/10/2026

👍 4 Agree

94564. Dumbest thing if heard of in a long time

2/7/2026

👍 4 Agree

I have a hard time as it is trying to get gas at the gas stations around because there's not enough pumps. This is ridiculous.

2/11/2026

👍 3 Agree

You ask "What is your ZIP or neighborhood?" but should this not be the place for comments? Perhaps ask what comments then ask what is your ZIP.

2/8/2026

👍 3 Agree

Concentrate on road repair all over our community, provide security services at the Lucky/Planet Fitness shopping center.... and Fitzgerald shopping center as well. Shutting down the Pinole Safeway has really affected the residents as we now have to travel into Hercules Safeway location (beautiful store), but horrendous parking any given day of the week! In addition there is NOT enough handicap parking spots in any of our shopping areas.... Especially in the Big 5/Planet Fitness parking lots. After taking up 15+ spots for charging stations, it's a nightmare to find a spot that is close to the merchants we need to patronize... especially for Seniors!

2/7/2026

👍 3 Agree

your survey does not allow for mistakes or variance I have 1 hybrid and 1 gas vehicle.

2/7/2026

⬆ 3 Agree

94564. Please DO NOT pass this ordinance especially with all the new housing developments the city has approved. I am disappointed by the city's decision not to move forward with the updated Safeway /gas stations and instead are considering even more housing units. I do not feel the city is listening to the current resident's concerns and our needs. This may push me to move to a city where home owners' voices are actually listened to.

2/20/2026

⬆ 2 Agree

Please allow MORE gas stations especially since all the new housing development projects the city has approved. You are limiting our options at the expense of the residents. I do not feel represented by your choices.

2/20/2026

⬆ 2 Agree

Transportation wise, the city should be fixing its roads so they're not so potholed and worry less about additional gas stations which may or may not even be built.

2/14/2026

⬆ 2 Agree

Old town

2/11/2026

⬆ 1 Agree

94564. All new business will need approval before opening anyways. There is no need to pass an ordinance that restricts options. Instead, set realistic goals of improving clean technology options but leave in flexibility just in case.

2/11/2026

⬆ 1 Agree

I was wondering why the parks on wright and pvr are always closed I thought our taxes mean we can use them your thoughts on this matter would be helpful thanks

2/7/2026

⬆ 1 Agree

The question, "What is your household reliance on gasoline?", is confusing. I rely on gasoline to get groceries but I guess I could walk to the grocery store. What percentage reliance would that be?

2/6/2026

⬆ 1 Agree

94564. This ordinance is nonsense would be move against the people. Please don't adapt Governor Newsom strategies by banning this and banning that - this is Pinole. The infrastructure is not given anywhere, especially when people live in high-density housing - where are they supposed to charge? Road maintenance should be the Number 1 TOP PRIORITY!

2/23/2026

94564/Wright Ave

2/23/2026

94803

2/22/2026

94564

2/22/2026

94564

2/22/2026

94564

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2/21/2026

94564 Please leave us alone. Government governs best that governs least! One job- fix our roads!

2/21/2026

👤 1 Agree

94564

2/21/2026

Pinole Valley

2/21/2026

94564

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2/19/2026

94564

2/18/2026

94564

2/14/2026

94564

2/13/2026

This ordinance will do nothing to prevent global warming. Put the ordinance on a ballot for people to decide.

2/13/2026

⬆ 1 Agree

94533

2/12/2026

94564

2/12/2026

94564

2/12/2026

94564

2/11/2026

94564

2/11/2026

94564

2/11/2026

94564. If the point is to decrease reliance on oil, start with the reliance, not the supplier. Neighborhood e-bikes so people don't use cars just to go to the shopping centers. Subsidized community grocery delivery vans to decrease short car rides. Paid for with a city tax on fuel station proceeds or something similar. I don't see this ban having any impact besides making gas more unaffordable.

2/11/2026

94564

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Downtown Pinole

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Pinole Valley. 94564

2/6/2026

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2/6/2026

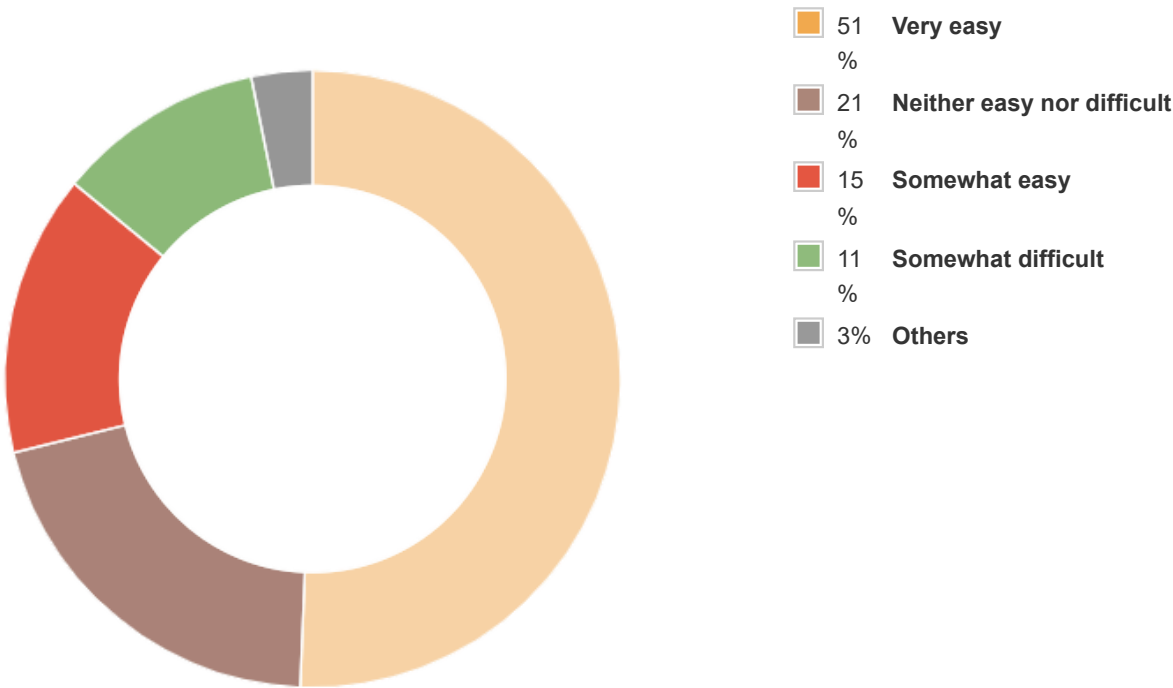
94564

2/6/2026

94564

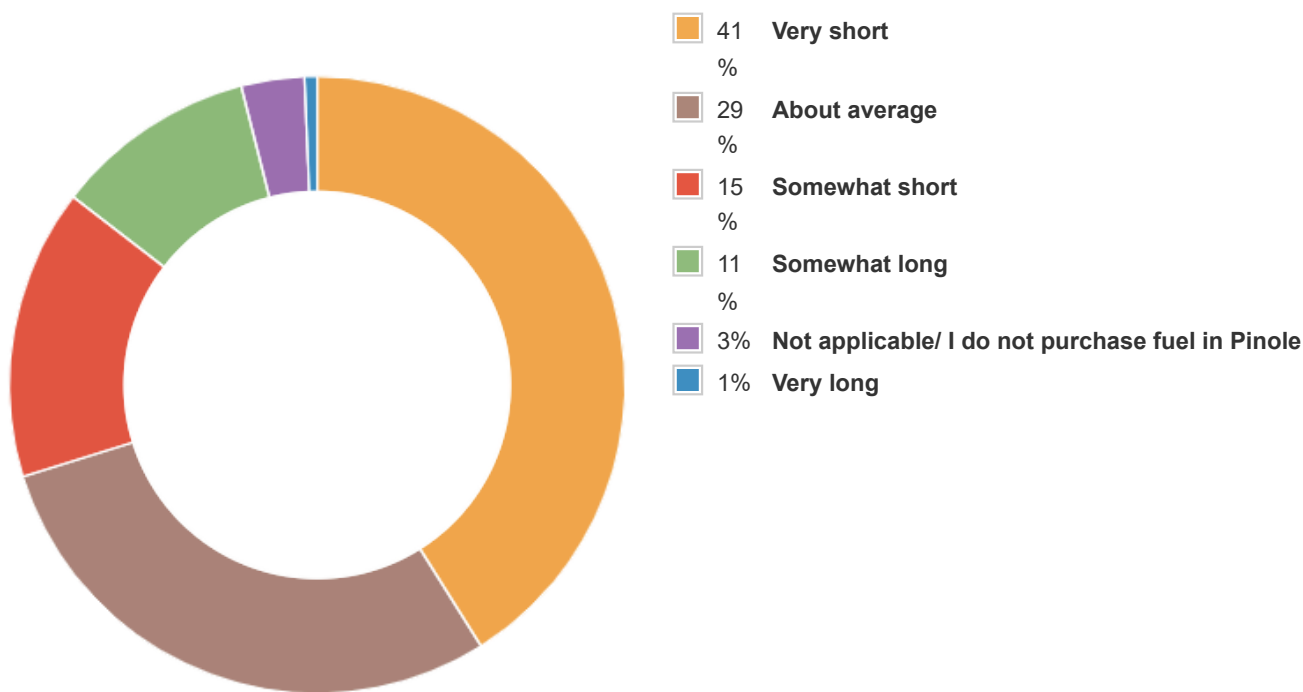
2/6/2026

How easy or difficult is it for you to access a gas station within or near Pinole when you need fuel?



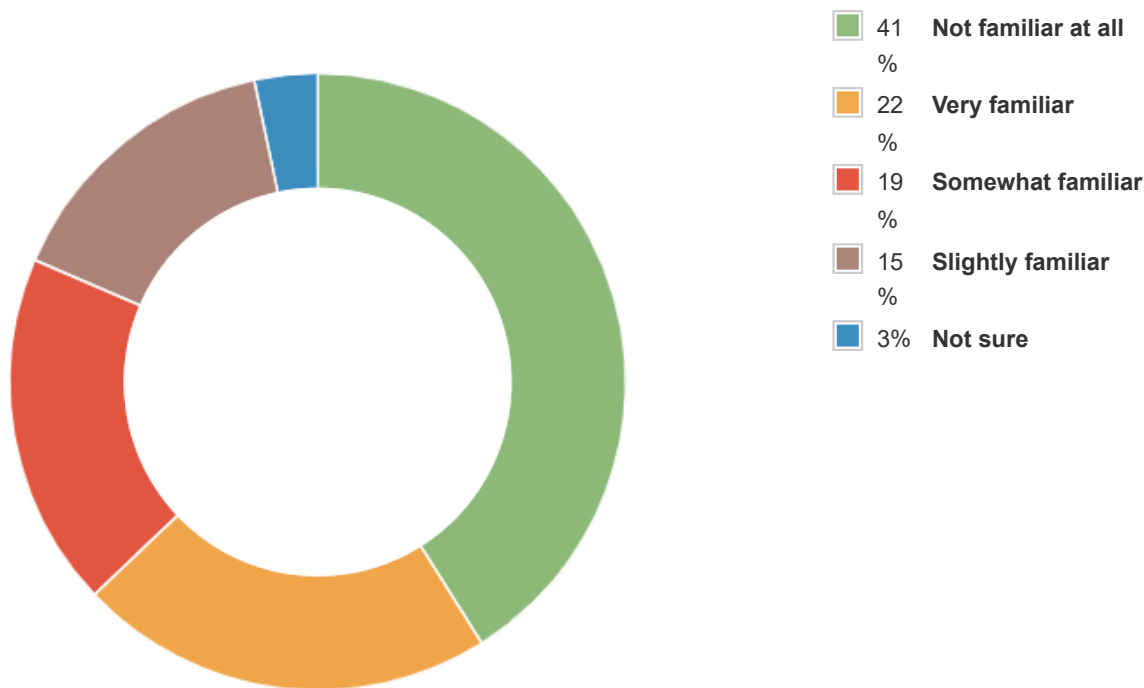
156 respondents

When purchasing fuel in Pinole, how would you describe typical wait times at gas stations?



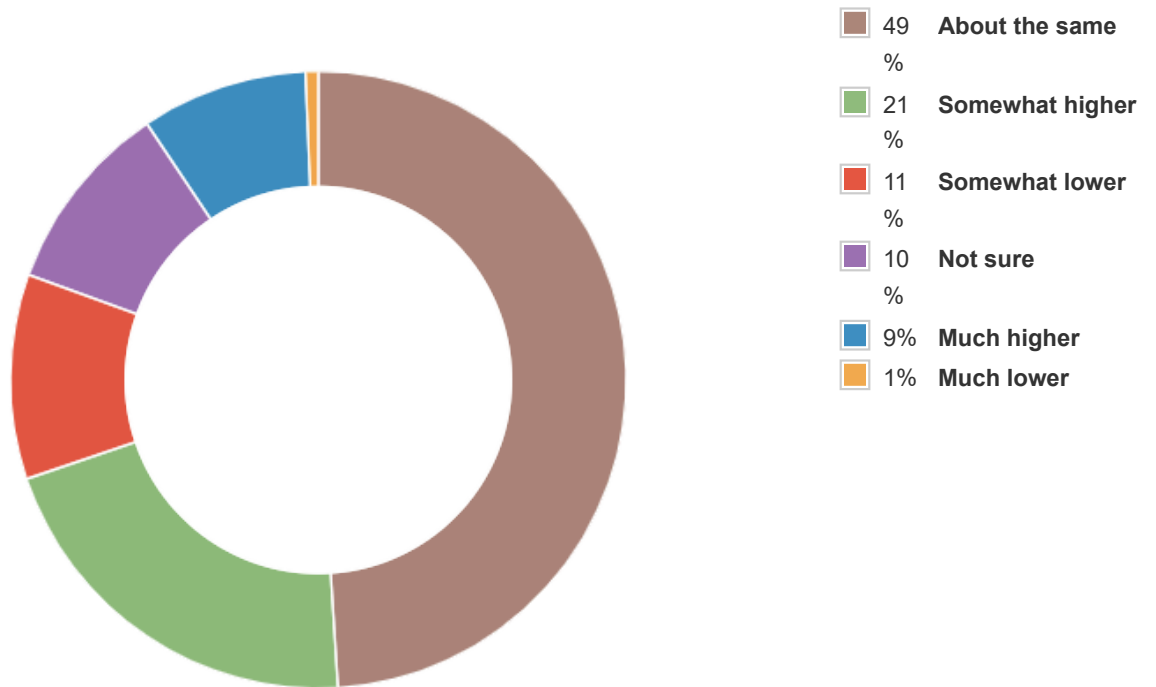
151 respondents

How familiar are you with the land-use and infrastructure considerations associated with gas stations (such as traffic circulation, groundwater protection, or site remediation requirements)?



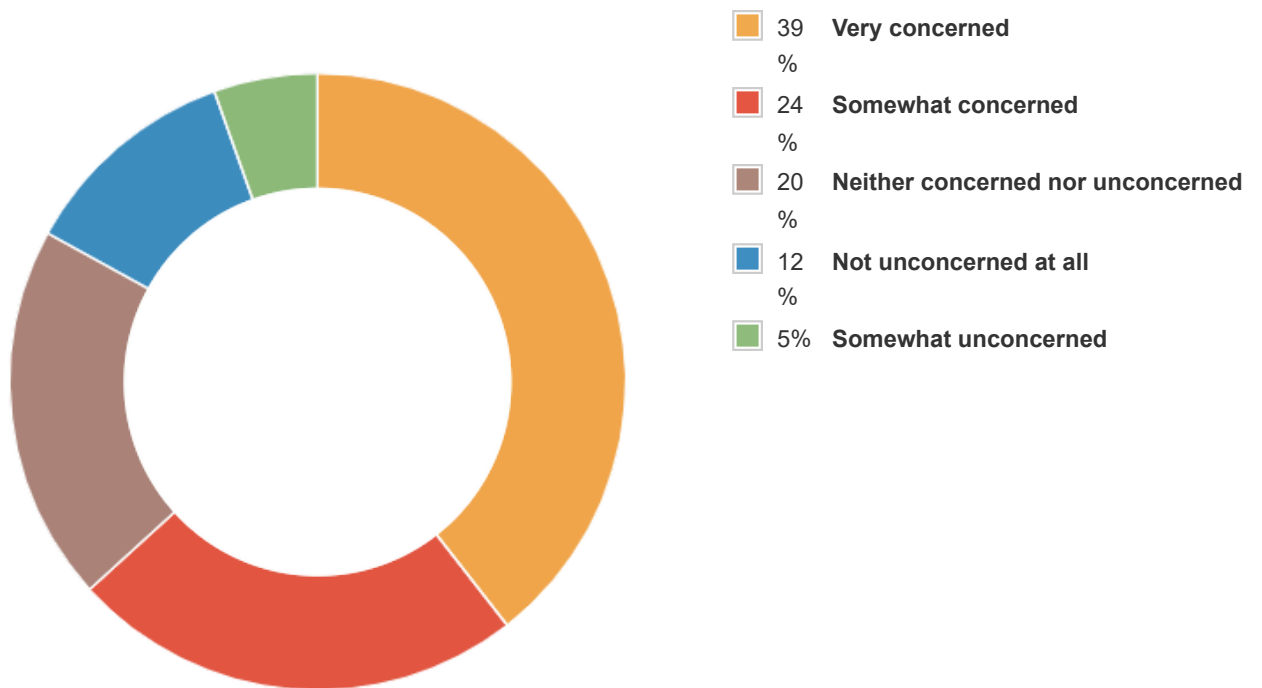
151 respondents

How would you rate gas prices at Pinole gas stations compared to gas stations in nearby cities?



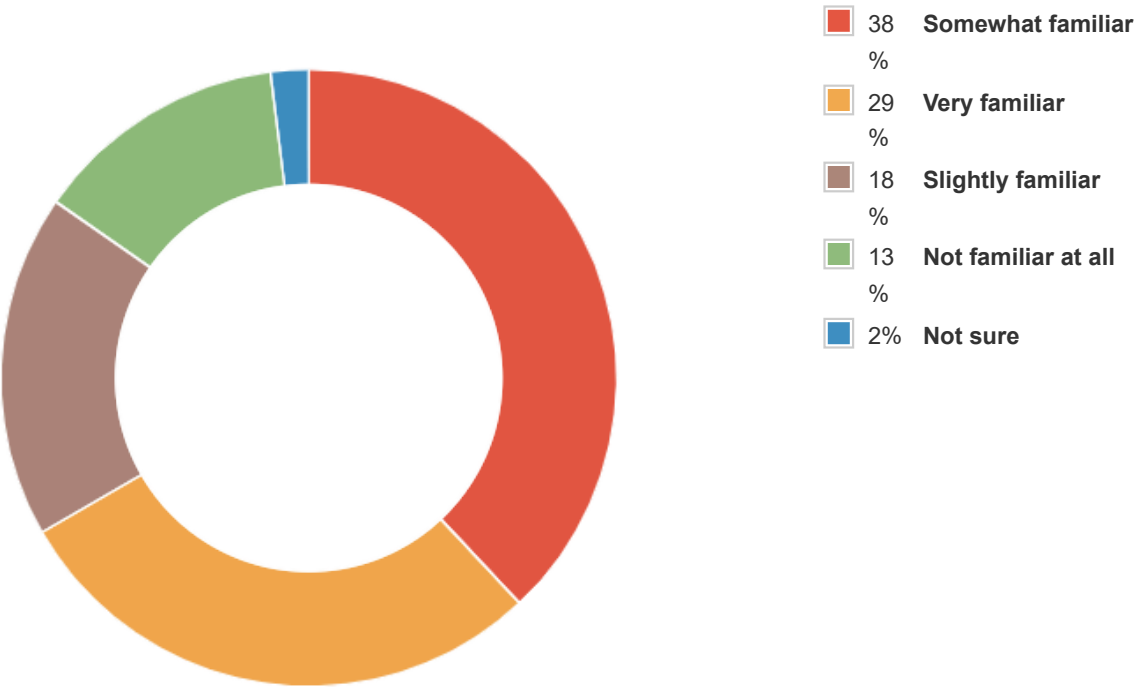
149 respondents

How concerned, if at all, are you about greenhouse gas emissions related to transportation?



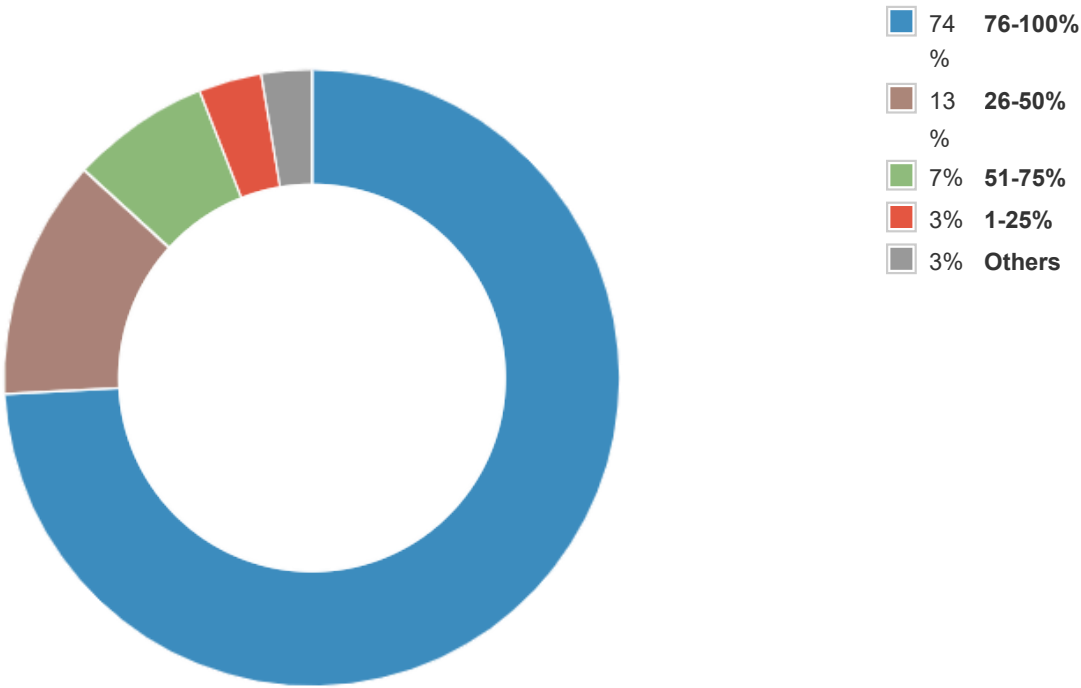
147 respondents

How familiar are you with the potential community impacts related to the production and distribution of gasoline (such as public health or proximity to industrial facilities)?



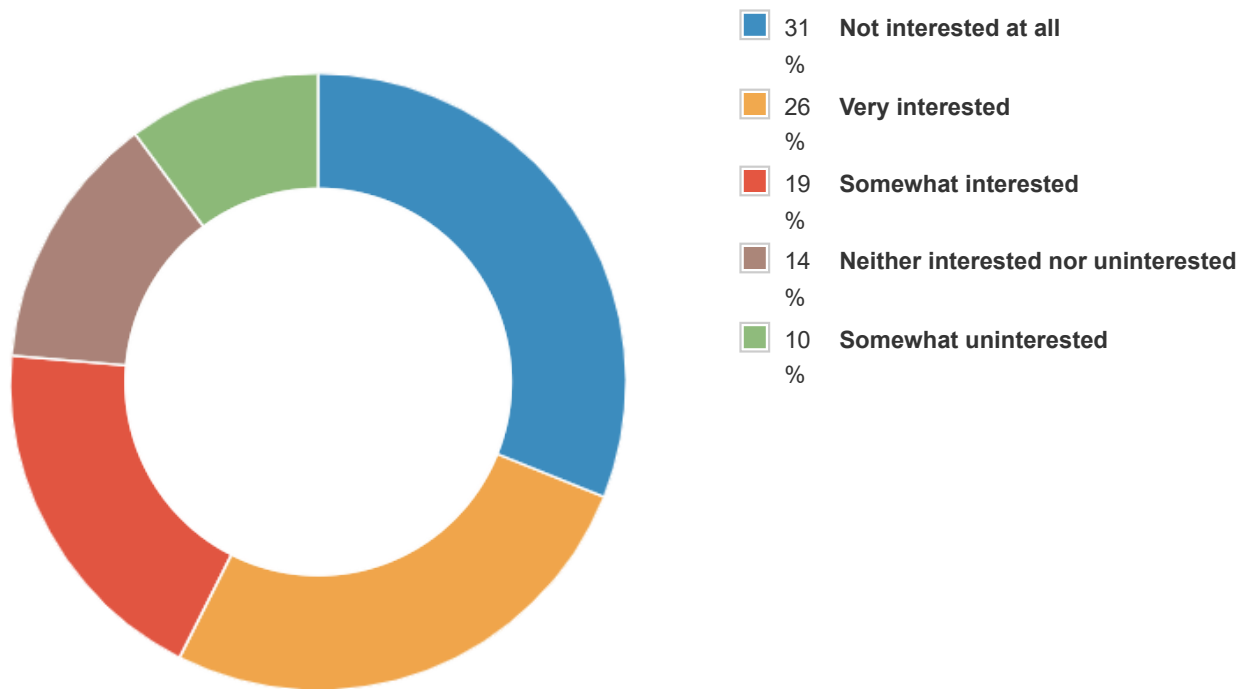
150 respondents

Approximately what percentage of vehicles in your household rely primarily on gasoline for fuel?



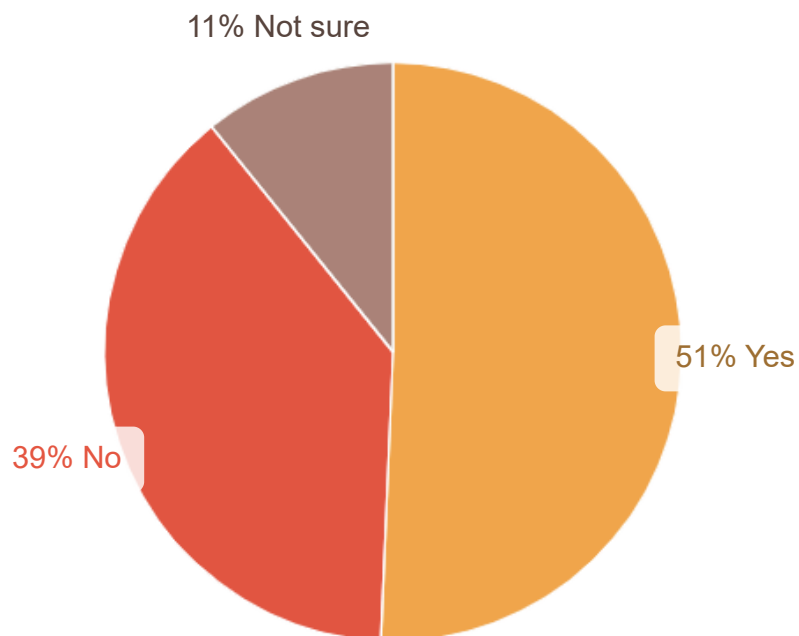
151 respondents

How interested are you in having additional non-gasoline transportation or fueling options available in Pinole?



148 respondents

Do you have concerns about limiting or prohibiting new gas stations in Pinole?



148 respondents

Please share any comments or concerns you would like the City to consider.

I really think you guys need to keep your government noses out of the commercial sector. You guys are way to controlling. You want to turn Pinole into Berkeley?

12/19/2025

👍 21 Agree

The whole point of government is to regulate and look out for the people. This is their job, I'm glad they're considering this move. When have you ever struggled to get gas in Pinole? I don't think you have to drive more than mile from any point in the city to find a gas station. To Pinole leadership, yes please keep your noses where they are, looking out for the health and well being of your citizens.

12/19/2025

👍 5 Agree

I strongly believe competitive market forces should determine how many gas stations are in Pinole; not the City

12/19/2025

👍 20 Agree

This proposed ordinance would prohibit gas stations from updating, improving, adding services like EV charging or markets.. don't we want gas stations to upgrade and improve? Why prohibit that, won't that lead to blight??

12/21/2025

👍 6 Agree

Consider all

The traffic there is on appian way and you guys still want to create more housing

12/19/2025

👍 12 Agree

We need more affordable housing for people and affordable means \$120-\$140K per year for a household of four.

12/19/2025

👍 2 Agree

Let the market decide. don't deprive citizens of their individual choice. Keep government out of it!

12/19/2025

👍 9 Agree

Pinole residents shouldn't be restricted in any way if they need to buy gasoline

12/19/2025

👍 9 Agree

Are you feeling restricted right now? Are you constantly running out of gas on the side of the road lamenting the lack of gas stations? Pinole residents should utilize their government for reasonable protections.

12/19/2025

Because this proposal stopped the rebuilding of Safeway in Tara Hills I am against this ordinance. What a bleak area that is now. Very poor management in so many ways. How much money have you lost in tax revenue because of this decision.

12/19/2025

⬆ 8 Agree

I strongly believe that competitive market forces should determine number of gas stations in Pinole; not the City

12/19/2025

⬆ 8 Agree

Your policy ordinance would effectively eliminate a Costco at the former Safeway location. Why not work on road infrastructure. Pinole roads stink.

12/20/2025

⬆ 7 Agree

I believe we need competitive markets for gas stations, grocery stores whatever. Limiting them makes it easier for business to control prices in their favor not the consumer. The plans for a Safeway store and gas stations would have been great for the City and it's citizens.

12/19/2025

⬆ 7 Agree

Take your woke climate opinions to Berkeley. More gas stations add competition to lower fuel prices.

12/19/2025

⬆ 7 Agree

If an existing station closed down, I think a new one should be able to replace it. If there were fewer stations, people would have to drive farther to get gas, which would create more greenhouse gas emissions, not less.

12/19/2025

⬆ 7 Agree

I don't see how limiting gas stations is going to do ANYTHING to limit global warming. By the time someone needs GAS it is to late. A gas vehicle has been purchased they are going to get gas somewhere if not in Pinole, and at that point it just does not matter. Your good intentions are dually noted, but your thinking process is just way to progressive.

12/19/2025

⬆ 7 Agree

Pinole is short sighted if they think limiting gas/fueling stations within the city will bring Pinole rainbows and sunshine! Do you understand the implications of thinking we (Pinole/California/USA) can go all electric in the coming years. We don't have an electric grid to support that, and it would not be able to be established for years/decades. Rolling Brownouts and advertisements (sponsored by the state) not to use electricity between certain hours might be a clue. Get your heads out of the sand! There are other things you should focus on that can do more for the residents of Pinole!

12/21/2025

⬆ 6 Agree

Gas powered vehicles will be with us for many more years.

12/20/2025

⬆ 6 Agree

Isn't this what prevented Pinole from having a new Safeway with a gas station?? Safeway is our primary grocery store and where we buy gas because it has the best prices so we now shop and fill up in Hercules instead of Pinole. This is lost sales tax and revenue for Pinole. I get the environment issues but think this a bad decision by the council.

12/19/2025

⬆ 6 Agree

I agree, we should be thinking of ways to attract the MOST tax revenue, not way of discouraging it.

12/21/2025

⬆ 5 Agree

It would be problematic if a grocery store such as Safeway did not move to, or stay in Pinole because we did not permit it to include its own gas station. I believe this already occurred, leading to closure of the Pinole Safeway.

12/19/2025

⬆ 6 Agree

It will be years before fully alternative fuels(EV or hydrogen)are common. I patronize Chevron exclusively for personal reasons & many others don't. They are much higher priced than some alternatives. The needed taxes that the city would be missing out on by eliminating all future gas stations would be a bad move on the city's part. It already killed the Pinole Appian center development. Not saying we should add a bunch of gas stations but banning any more or upgrades of current ones is a big mistake. People will go to nearby cities and spend their fuel \$ there and all those new homes being built will have many cars needing fuel. I agree Pinole is starting to be an over regulated Berkeley, not good at all!

12/19/2025

⬆ 6 Agree

The City of Pinole needs to become more realistic! Yes we live within the Bay Area Bubble, however, common sense needs to prevail!

12/21/2025

⬆ 5 Agree

I believe gas stations provide a vital service to the community and limiting or banni.g stations put an undue burden on lower income individuals due too stations not having competition which would make it almost a monopoly for the very few existing stations

12/20/2025

⬆ 4 Agree

We don't need more restrictions on gas stations at this time. Pinole should focus on other priorities, such as public safety, economic development, and roadway safety.

12/19/2025

⬆ 4 Agree

We have lost at least 5 stations in Pinole that I am aware of. More stations means more competition. Please do not prohibit new stations. That is a one sided highly political approach. Let the market decide. Please keep politics out of business. We need more stations, not less.

12/19/2025

⬆ 4 Agree

Question 2 is subjective and largely depends on the time of day people purchase gas. I typically go late at night or on weekends.

Restricting expansion could limit future upgrades and lead to aging or potentially unsafe stations over time. We already have a significant charging station areas at Pinole Vista, Transit Center among others. Adding a small number of additional chargers near Pinole Valley Shopping Center or downtown Pinole may be reasonable, but anything beyond that seems unnecessary. I own two hybrid vehicles and charge them exclusively at home, which is also the case for many electric vehicle owners.

We shouldn't be Investing time and money in projects that are not a priority, resources would be better spent on community needs with a more direct impact. For example, adding lighting to the soccer fields on PV Rd. would be a far better investment. It is disheartening to see young children trying to practice without adequate lighting.

12/19/2025

⬆ 4 Agree

Pinole should not dictate the community's access to local fuel. You have better things to do with your time. Besides with 2 refineries (1 local), leaving California, we aren't going to see a lot of new stations, so this is a moot question, and once again Pinole needs to address other local needs.

12/19/2025

⬆ 4 Agree

we need more gas stations as the population of pinole increases with the low income housing coming which will create more crime in addition to more traffic.

12/19/2025

⬆ 4 Agree

I think having to drive farther to find gas causes more pollution.

12/19/2025

⬆ 3 Agree

traffic and street being blocked, double parking by both cars and especially by delivery truck is really a problem and causes congestion especially during school hours already - don't need additional problems

12/19/2025

⬆ 3 Agree

If there is a ban on new gas stations, what happens to the motorists who use gas and the old stations are not replaced, where do residents go to get gas?

12/19/2025

⬆ 3 Agree

Pinole is a town. Seems like there's too much effort being made on subjects beyond basic infrastructure (drive on our streets lately?). I want our city leaders dedicated to our city and looking for some future political ladder step. Take care of the basics 1st - public safety, Library, parks, streets, cleanliness, etc...

1/8/2026

⬆ 2 Agree

I like the idea of electric vehicles, but they are still too expensive. Making it harder to get gas is like taxing poorer and working class people (a longer drive to try and get cheaper gas elsewhere).

12/25/2025

⬆ 2 Agree

I feel the city should NOT develop a new ordinance to limit fossil fuel stations for the following reasons:

We continue to be told that the city is facing financial strain. New commercial businesses, and the improvement of existing businesses, can help combat our economic strain by increasing property tax, sales tax, permit fees, etc. Why would we limit or discourage commercial growth at this time? We should be doing as much as we can to encourage it!! Bring reliable commercial businesses into our city!

Commercial business provide employment opportunities to the local community. New businesses increase the number of available jobs to our community members.

Access to Refueling stations supports workers, delivery services, and regional commerce. These will help improve the economy and Pinole should openly support doing what we can to improve the economy, not stifle it.

Gas stations are important to have during disasters. Modern stations include generators that remain operational during outages and provide resources during a disaster.

New gas stations will improve equity and accessibility by increasing our community's access to essential transportation services.

State law and regulations outline appropriate environmental protections that are required for the safe operation of gas stations. If there is concern about environmental impact, utilize our already existing government agencies to ensure standards are met.

I don't know the actual figures, but I believe fueling stations are a long term need that will bring consistent revenue and job opportunities into our city.

We are being told the city's financial situation is dire. If that is true, limiting commercial growth is a luxury that our community politicians shouldn't practice at this time. Allow the market, free trade, and the creativity of entrepreneurs decide what is, or isn't, needed. Our city politicians have proven they struggle at managing the city's long term financial needs....

12/21/2025

⬆ 2 Agree

With Phillips 66 and Valero, and later Shell Oil shutting down, we need more gas stations. The price of gas will be over \$8 once the refineries close down.

12/20/2025

⬆️ 2 Agree

An out right ban is too drastic. Manage development of additional gas stations, or expansion of such facilities, on a case-by-case basis. An out right ban is more an ideological position, and ties the hands of future government officials to weigh choices and opportunities.

12/19/2025

⬆️ 2 Agree

No Comment

12/19/2025

⬆️ 2 Agree

I think there is no reason for anyone to build a new gas station anywhere in the Bay Area. Gasoline powered vehicles are adequately served by the existing network. Hopefully electric or other zero emissions vehicles will make up a growing percentage of the transportation fleet in the future

12/19/2025

⬆️ 2 Agree

This is ridiculous! This is nothing more than bullying people to get electric vehicles, which infrastructure in California cannot support. This ordinance is a strong arm attempt, once again, by the city of Pinole and is very discriminatory.

1/10/2026

⬆️ 1 Agree

I am writing as a concerned resident to express my thoughts regarding the recent discussions about banning new gas stations in our city. While I understand the intent behind such policies, I strongly believe our time and resources would be better spent addressing the ongoing issues with our roads and infrastructure.

Many of our streets are in poor condition, with potholes, uneven pavement, and inadequate maintenance creating daily inconveniences and safety hazards for drivers, cyclists, and pedestrians alike. These problems affect commuters, emergency responders, and local businesses, and they contribute to vehicle damage and increased repair costs for residents.

Rather than focusing on restricting new gas stations, I urge the city to prioritize repairing and maintaining our roads. Improving infrastructure will have a direct and positive impact on public safety, traffic flow, and overall quality of life. Well-maintained roads also reflect positively on the city and demonstrate a commitment to responsible governance.

I respectfully ask that you reconsider your priorities and direct more attention and funding toward fixing our streets. This is an issue that affects nearly every resident and deserves immediate action

1/10/2026

⬆️ 1 Agree

Those are some vague questions that can be used either for or against new/existing infrastructure. Why not just ask if I think we should ban gas stations? Gas stations should be allowed on all of Fitzgerald as well as within 1000 feet of any freeway off-ramp or on-ramp. Just don't put them downtown or in the residential areas. I had a Tesla for over 5 years, but PGE cost have gotten to the point where I switched to a hybrid instead and get the same cost per mile plus the convenience of gas.

1/8/2026

👍 1 Agree

The city of Pinole is not well supported by public transit. The local bus does a fine job of getting you around town, but it is not really feasible to take it to other cities. The closest BART station to me is still a 20 minute car ride away, which is not conducive to opting for transit. Why does the BART not reach communities past Richmond? The north parts of the east bay have been neglected by BART, unlike the (wealthier) inland areas like Walnut Creek and Dublin. Why does Benecia, Vallejo, Pinole and these cities not get to benefit from BART?

If BART is not an option in the future, then perhaps the city of Pinole could get some park and ride type of service to take people to the BART station. This could further reduce the need for Pinole residents to drive

1/5/2026

👍 1 Agree

Longer term if Hilltop mall ever actually redevelopes it needs to have a BART extension. That would help a ton of folks that commute from Pinole/tara Hills/Hercules to the ferry in Richmond or to the El Cerrito Del Norte bart station.

Unfortunately that would kinda require Richmond leadership to be competent which seems like a pipe dream

1/8/2026

This regulation proposal will have no significant effect on green house gas. You will make our ease of purchase more difficult. Pinole will lose the sales tax income on gasoline sales. Climate Change is not an issue of importance for our city council. Stick to local issues that improve our lives and not make it less convenient. We will vote against supporters of this business unfriendly ordinance.

12/28/2025

👍 1 Agree

No more gas stations. It would increase traffic

12/21/2025

👍 1 Agree

I don't think we need more stations or for our stations to be expanded. A simple/reasonable updating of stations as needed for better fueling and safety is appreciated and I'm sure the independent stations would appreciate some kind of help with upgrades.

12/21/2025

👍 1 Agree

I definitely do not want to see more gas stations that are primarily intended to serve commuters who do not live in Pinole but travel along I-80 freeway.

12/20/2025

👍 1 Agree

more gas stations bring in more tax revenue.. The city already has big problems with basic infrastructure issues such as the aging sewer system. Taxes will be rising... no matter what we do.. why not let others that come into Pinole to shop pay for our infrastructure.

1/9/2026

I believe we have more than enough gas stations to serve our community of 20,000 people and also those that come to shop here.

12/20/2025

👍 1 Agree

Attracting business and tax revenue INTO Pinole is the best strategy. And drivers commuting on 80 are a wonderful resource!!

We need to develop the idea of bringing taxes INTO Pinole from people that don't live here.

12/21/2025

👍 1 Agree

There are too many gas stations and fast food restaurants in Pinole. Neither is good or healthy for the community and our environment. There's a gas station practically every block, especially at the city center. The housing developments are also a huge concern for our community as it causes more congestion and the infrastructure is not there to serve this expansion, such as overpacked classrooms, more traffic, crime, pollution and there aren't any urgent care/ER facilities to serve this growing population. Dwindling resources would only create more problems in this small city.

12/20/2025

👍 1 Agree

Didn't we have medical services and emergency services across the street from the middle school a while ago. Those shut down for a reason, and now they are building high density homes. I wonder if our politicians could have done more to keep those essential services here.

12/21/2025

These top comments are surprising, "We want more gas stations! Let the market decide!" We have too many gas stations already. This city is like 12 square miles in total and we have how many gas stations? I can think of 6-7 off the top of my head. Never has there been a line more than 1 car long in all the years I've lived here. Just as the market has a role, so does government. I for one support limiting certain industries with the goal of keeping our land and people healthy. What are these free market people hoping for 5 more gas stations so our downtown is just an asphalt jungle of gas smells and exhaust? When has the introduction of more gas stations ever had an effect on the price in any meaningful way. These comments all feel pretty disingenuous and makes me wonder who is actually the person behind the keyboard.

12/19/2025

👍 1 Agree

This feels too limiting. We have enough gas stations in Pinole; we do not need any more, but putting limits on expansion seems counterintuitive, considering all the new housing that's being built or was recently built. I own both an EV and a gas-powered car, mostly because the EV long charging times are highly inconvenient. Don't restrict gas stations, just build more EV charging stations. Or expand the gas stations to INCLUDE EV chargers.

12/19/2025

👍 1 Agree

The proposed ordinance will prohibit a gas station's ability to upgrade, improve environmental protections, install EV chargers, etc.

This ordinance is a focused assault on gas stations... and doesn't take community needs into consideration.

12/21/2025

👍 5 Agree

affordable housing traffic in the future

12/19/2025

👍 1 Agree

We have enough gas stations

12/19/2025

👍 1 Agree

Great idea. We don't need more gas stations!

12/19/2025

👍 1 Agree

There are plenty of gas stations in the city.

12/19/2025

👍 1 Agree

No more gas stations! There are plenty in Pinole. The old gas station that was on the corner of Tennent and San Pablo Ave contaminated much of the area just under Old Town with no remediation. Stop the madness! We need to drive electric vehicles and not rely on fossil fuels.

12/19/2025

⬆️ 1 Agree

It seems that Pinole has plenty of gas stations and given the future direction toward other forms of energy, combined with the environmental impact of having gas stations, I think it makes a lot of sense to prohibit the future addition and expansion of gas stations in Pinole.

12/19/2025

⬆️ 1 Agree

Have you measured greenhouse gas emissions around Trader Joe's/I 80/Pinole Valley Rd in the afternoon after students are released from school? I think the traffic circulation there is worse than at any gasoline fueling station I've observed in Pinole (cannot say the same about neighboring communities).

12/19/2025

⬆️ 1 Agree

Prohibiting is too strong a word given that the infrastructure for electricity is substandard to say the least. and most people still drive a gasoline vehicle and will continue to do so. There are enough gas stations in Pinole right now, however, with the influx of hundreds if not thousands of new residents that could become a challenge. New housing should from now on also be mandated to include EV charging. Existing housing should be mandated to include EV charging where EVs are owned and used.

12/19/2025

⬆️ 1 Agree

We have plenty of gas stations where dense housing is being considered. There are two large facilities in the Fitzgerald area, another across the freeway, two on Pinole Valley Road and a couple on the San Pablo corridor. Why would we need more gas stations as more people have moved to hybrids. Heck I forget to fill my hybrid and mainly use electricity. I like the Tesla charging station up at Fitzgerald and notice that people connect their cars and go shopping. It would be nice if another electric charging station is planned and it could be near any new housing development or revitalization of the business corridor.

12/19/2025

⬆️ 1 Agree

I agree about the need for charging stations but I don't think you really speak for those of us not lucky enough to own a hybrid or electric vehicle.

12/19/2025

⬆️ 2 Agree

The free market will drive this. Government control and manipulation is not the best answer.

12/21/2025

The top 25 tax revenue incomes have 5 gas stations included on Pinole's list. You will have over 600 new homes / apartments so where will we all be getting gas if you keep decreasing the number of stations. We barely have enough to survive on so most can't buy new cars. We no longer have telephone poles - we have electric trees emitting EMF around the clock. Tell California and their agendas to stay out of our town because they are destroying it !!!

1/22/2026

There are 5 gas stations on your top 25 tax revenue incomes plus they also bring in gas taxes. Also you are adding over 600 new homes / apartments so where will we be getting gas in the future. We don't have money for new vehicles - we barely have money to survive on ! PINOLE has to stop California's agenda that is destroying our town and leaving us tax payers with the bill.

1/22/2026

I appreciate so much that Pinole is doing this to protect our environment and our health.

1/20/2026

Most of the scientific papers that have climate change alarmism are paid for by companies that have an interest in non-fossil fuel energy solutions. These papers cherry-pick data that supports the interests of the companies that paid for them, and ignore data that contradicts those interests. The science shows that the climate temperatures have varied wildly over history, including before there was significant, or any, human activity. To think that human activity has much affect on climate is arrogance.

People will always need gasoline and other fossil fuels. If they cannot get gas in Pinole, they will go elsewhere. So all this proposal will do is reduce revenue for Pinole.

1/16/2026

This is America and competition is always better for the consumers. The city has already done in the Safeway Shopping Center by curtailing their plans for gas pumps and cheaper gas. The gas taxes are now going to Hercules so much for our roads. The other side is with any station upgrades or new stations tagging on EV charging stations or one day Hydrogen pumps could be additionally required as a bargaining item for the necessary approvals.

1/16/2026

More EV chargers! The Pinole Supercharger on Fitzgerald is a great recent addition but it's often full or close to full with resulting frequent surge/more expensive pricing as a result. The non Tesla chargers at Sprouts are also regularly used and sometimes no free chargers available there too ... What about another SuperCharger in the Bowling Alley parking lot??

1/15/2026

Gas cars are still very widely used. Having more gas stations would increase competition and drive down prices.

1/14/2026

John gioria says go electric so te 2 zesty mayor's, Yellow and brown lick taints in agreement.

1/14/2026

Additional gas stations are not needed, replace/fix the current ones with effective, modern and with compliant standards only.

1/12/2026

The need for gas stations will dissipate naturally when and if enough people adopt use of fully electric or hydrogen cars instead of gas or hybrid cars.

1/11/2026

Absolutely terrible survey. Biased and leading questions. Poor grammar, double-negative "not unconcerned" makes someone concerned. Diesel is not gasoline and therefore can be considered an alternate to gasoline in this survey but I have no doubt the council wants to restrict diesel access as well. How much sales tax is the council denying the city, that could be used to fix our roads, by banning new/expansion of fuel stations? This does not address the priorities of the citizens: safety and good roads.

1/10/2026

I am very concerned with your liberal agenda that has failed everywhere it's been attempted. Stop with YOUR DEMOCRAT DRIVEN AGENDA and do what Pinole taxpayers PAY you to do. Fix our roads, add amenities like gas stations that add to our life in many ways, fund police and do not force your political nonsense on them, look at the firefighters budget and the crushing debt of their BLOATED PENSIONS AND WAGES!!!

1/10/2026

Quit CONTROLLING EVERY ASPECY OF OUR LIVES. Let is make our own choices. I an on leaving this Communist area soon.

1/10/2026

Don't listen to petroleum companies dire warnings about California denying itself. We don't need any more gas stations than those already existing.

1/10/2026

Fix our ROADS

1/9/2026

With all the new housing developments in Pinole, we need more gas stations and pumps, not less. Also, fixing our roads should be top priority.

1/9/2026

weather you like it or not, fossil fuel is not going away.

1/9/2026

I think it is a bad idea to limit the amount of pumps at a gas station. It is more important for people to have more pumps and more options.

1/9/2026

Pinole seems like it already has more gas stations than other towns per capita. I don't think we really need anymore.

That being said Pinole needs to really focus on alternatives by working with the county since right now travel by car is literally the only option since generally westcat service is so poor.

While I'm happy to see all the new developments going in I also had concerns that it seems like barely any retail or additional transit service/infrastructure is being planned to support all of the new residents which will just end up with them being car dependent too.

1/8/2026

Working with the county destroying the local towns

1/9/2026

The all electric mandate in CA will likely be delayed due to grid capacity issues. Let existing gas stations make improvements and allow the Safeway site establish a gas station if they deem it necessary to redevelop the site.

1/8/2026

Fix the roads first

1/8/2026

San Pablo though downtown from Richmond parkway to the bridge is so bad.

1/8/2026

We have more gas stations than new locally-owned restaurants it seems. No more gas stations please!! Everyone goes to Safeway in Hercules anyway. Unless our old Safeway is to get a gas station- that's ok.

1/8/2026

Pinole needs to address issues that affect Pinole residents and stay in our lane...

1/8/2026

I like where I get my gas and feel there are enough stations around town to pick from and that we don't necessarily have to have more stations as I don't have a problem now with what is available.

1/8/2026

Not everyone has electric vehicles nor can afford them. If Safeway was to put their hat back in for acquiring the Tara Hills Safeway property I would support a lower priced reliable gas station.

1/8/2026

Please fix the roads first.

1/8/2026

I believe that there are plenty of gas stations in Pinole already. Our car is hybrid (EV + gas) and we trickle charge it at home and still use gas for longer trips but we would consider getting an EV for our next car if there was more charging infrastructure. Never once have we waited more than an minute in line for gas. I believe Pinole should be a progressive environmental leader and make the healthier choice for our residents and families. We don't need more gas stations in Pinole.

1/5/2026

Forcing people to travel for fuel does not solve the problem you are wanting to address.

1/4/2026

would this limit new EV charging at gas stations? or adding markets? both of those don't seem problematic to me

1/3/2026

I drive a diesel so options are limited, but 2 fuel depots for me in Pinole is more than enough.

12/25/2025

I think the market should determine how many gas stations are needed. Until we can make the alternative more affordable for most people, gas unfortunately is the option. Insurance for electric cars are very expensive and having electric panels doesn't even pay for itself anymore due to the waste of energy if you don't have a battery. The state recently reduced how much people can be paid out through PG&E so why would people opt to go "green" if it's so much more expensive? Make it more affordable then people will buy in!

12/23/2025

I don't shop for gas in Pinole I can get it much cheaper in Rodeo or downtown Walnut Creek the gas stations are just plain overpriced!!!

12/22/2025

We have enough gas stations for our 20,000 people living here in Pinole and for additional people who come to shop here.

12/20/2025

You seem to be in the minority Mr./Ms./Mss./Them/They/It, The whole point of government is to regulate and look out for the people. This is their job, I'm glad they're considering this move. When have you ever struggled to get gas in Pinole? I don't think you have to drive more than mile from any point in the city to find a gas station. To Pinole leadership, yes please keep your noses where they are, looking out for the health and well being of your citizens. I do agree that some government regulation is in order, but I feel that it should be less than more. We seem to disagree. I'm with Reagan.

12/19/2025

None at this time

12/19/2025

I believe we need to eventually stop using fossil fuels. The sooner we start, the better. However, a transition that takes into account the most disadvantaged citizens is important.

12/19/2025

We do not need more gas stations.

12/19/2025

n/a

12/19/2025

We need more merchandise stores

12/19/2025

We need more non-chain merchandise stores that would bring people to downtown. Maybe a beer garden, a florist, a boutique, we need to revitalize downtown.

12/19/2025

 3 Agree

The market will drive this.

12/21/2025

No

12/19/2025
