

**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: March 3, 2026

