

**CITY COUNCIL MEETING
MINUTES
April 21, 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 5:30 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 T. Murphy, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Cameron Sasai, Council Member
Maureen Toms, Council Member

B. STAFF PRESENT

Garrett Evans, Interim City Manager
Heather Bell-Spears, City Clerk
Eric Casher, City Attorney
Heba El-Guindy, Public Works Director
David Hanham, Planning Manager
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell-Spears announced the agenda had been posted on April 16, 2026 at 3:00 p.m. with all legally required written notices. The agenda packet had been amended to include supplemental materials for Items 7(b)(2) and 7(b)(3) and a correction memo had been issued for Item 9E.

Those materials and any written comments received in advance of the meeting, had been 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.

Mayor Tave reported that Item 4B would be considered at the end of the meeting and any reportable items or actions would be reported at the next City Council meeting. The City Council convened into Closed Session for Item 4A at this time.

4. CONVENE TO A CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Gov. Code §54956.8

Property: APN: 430-330-027, 2860 Pinole Valley Road

Agency Negotiators: Interim City Manager Garrett Evans, City Attorney Eric Casher

Negotiating Parties: Frank and Joe Zichichi

Under Negotiation: Price & Terms

B. PUBLIC EMPLOYEE APPOINTMENT

Gov. Code §54957

Title: City Manager

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 6:15 p.m., Mayor Tave reconvened the meeting into open session. There was no report from the Closed Session for Item 4A.

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.

Peter Murray stated he did not support an Elected Mayor. He urged self-reflection and commented that in the past Councilmembers had determined the nature of how they manifested oneself dealing with problems and the situation of the City of Pinole as a society. Members of the City Council may have to bargain to get their concerns on the table since an Elected Mayor would be the Mayor's agenda, and equal voices on the City Council would slip away.

Mr. Murray suggested there was a good chance the City Council may not work as a group or think collaboratively anymore. He asked whether this was what the City Council wanted, asked who was being appeased with an Elected Mayor, understood one person pushed this item hard, but asked why a City Council member would put their seat in a position where it would not mean anything. He asked the City Council to consider this action which may have repercussions in the future. He had been present when individuals ascended to the Mayor's ceremonial seat when they suddenly transformed to an "all in charge, dictating Mayor, full of themselves going after staff while limiting Council information to their own agenda and more." He emphasized the City Council had serious deficit spending problems that must be solved.

Rafael Menis reported on the current rate of COVID-19 and Influenza A in the community, with overall data for the state on the Centers for Disease Control and Prevention (CDC) website showing wastewater viral activity levels being low at the present time, although for COVID-19 there were a few wastewater sites not in Contra Costa County, but nearby in Marin and Alameda Counties, which had shown some elevated levels but a low risk. He encouraged people to take precautions as they feel necessary and get vaccinated and boosted on the appropriate schedule. He also announced a protest would be held on April 25, 2026 between 11:00 a.m. and Noon at the intersection of Tennent and San Pablo Avenues, and reported that on May 1, 2026, a General Strike was planned. At that time, people were encouraged not to go to work, school, or purchase anything as part of a general protest for one day in honor of International Worker's Day, and due to the situation where more drastic protests were necessary.

Mr. Menis added he received a comment from a member of the public stating there was a coyote acting in a threatening manner towards them repeatedly over several days and there were concerns with the illumination levels near the Sprouts/bus stop area. He asked who he should reach out to assist that person with protective measures or improve lighting in the area referenced. He also received some comments requesting improved public lighting at Bay Front Park near the sewage plant.

Debbie Long reported she was a life-long conservative Democratic and her comments were in no way maligning the Democratic Party. She commented for several meetings, beginning with the ballot measure for an Elected Mayor now known as Measure D, it had been clear that the City Council majority, especially Council member Sasai and Mayor Pro Tem Murphy, were not interested in anything anyone had to say. She reported an individual sent her information regarding the Contra Costa Young Democrats Club, for which both the Mayor Pro Tem, Council member Sasai and some of the City's Planning Commissioners were members. To be part of the organization members must be younger than 36-years of age. She read the organization supported policies, some defined as a manifesto, which included limiting the public comment period during city meetings to no more than one and a half minutes per commentor, per agenda item; the opinion that excessively long public comments allowed older demographic groups to dominate local conversations and delay important government deliberations; accepting public input through public comment periods at a city meeting heavily favored older, retired, incumbent homeowners who had the time and resources to attend long city meetings on weeknights, and as a result, jurisdictions in Contra Costa County overwhelming received public input from groups that were unrepresentative of their communities.

According to the Young Democrats Club and by proxy, both Mayor Pro Tem Murphy and Council member Sasai, older people were not worth representing their communities, which Ms. Long found to be discrimination at its finest and ageism, supported by at least two Council members and perhaps a violation of the Constitution as it related to free speech. She noted that Mayor Pro Tem Murphy prior to being on the City Council, under Citizens to be Heard in April 2018, said “You old people need to step down for the younger generation.” She found that made it more understandable why Mayor Pro Tem Murphy pushed for an Elected Mayor. One of the things he would be in control of was the agenda and public comment and he could fulfill one of the policies of the Young Democrats Club, and shut up the older generation. There was much more in the information she had been provided she would speak of at a later meeting, since as an older citizen, she would not want to further delay this important government deliberation. She urged everyone to vote no on Measure D.

Jennifer Horn spoke against Measure D, which would be on the ballot on June 2, 2026, and which called for a change of the governing structure of the City from a five-member City Council with a Rotating Mayor to a four-member Council and an Elected Mayor. When she had last spoke on the item, she urged Pinole voters to vote no on Measure D since there was no good apparent reason for the change. She questioned changing something that had been in place for over 100-years, that was not an apparent concern of Pinole voters and continued to work well to serve the Pinole community. Proponents of Measure D should be able to articulate a reason for the change, although the proponents had not done this and there was no reason in the voter education materials or on the ballot, which was odd that three members of the City Council voted to spend \$57,000 to place the measure on the ballot, but articulated no good reason or no reason at all, why this expenditure and the measure were necessary. She also urged a no vote on Measure D since the impact of the measure on the City’s finances was unknown because if it passed while an Elected Mayor’s salary and benefits could be the same as a Council member’s salary that could change at any time. There were no current guidelines in place for determining when to make that change, or whether there would be any limits on the amount of the salary, other than the knowledge the City Council would have the authority to set the Mayor’s salary.

Ms. Horn commented three members of the City Council voted to triple the amount of their travel budget and these same three City Council members voted to spend \$57,000 to place the measure on the ballot, which reason they could not articulate. She asked what would happen if Measure D passed and there would then be an unlimited authority to set the Elected Mayor’s salary. She feared for the City, which was the reason she would vote no on Measure D, and since she wanted the City Council to refocus and spend the City’s limited resources on the true concerns of Pinole voters; roads, parks and public safety. She read into the record a quote from the Earth Team as part of a future presentation, “If it still works, keep it.” She suggested the current government structure still worked and should be kept as is.

Gregg Klein representing Pinole Community Players, asked whether the Community Playhouse could be added to the municipal signs located in downtown Pinole. The Community Playhouse building had been in place for 30-years, Pinole Community Players had been in existence for 40-years providing community services and education in the Pinole community. The Pinole Young Actors Program had been in place for 58-years, having served approximately 20,000 young people during that time period. Since people were unaware where the Community Playhouse was located, he hoped to get assistance from the City to add its name to the bottom of the municipal signs in downtown Pinole.

Ben Nakamura-Bush, Pinole Community Players, Board Member, reported the group had recently partaken in the Easter Egg Hunt at Fernandez Park with their cast for You're a Good Man Charlie Brown, and had been astounded by the number of people unaware the theater existed. The Board discussed the issue and planned to place drama masks in the front of their building as a way of communicating to the public that they were a theater without using written language. The City of Lafayette Town Hall Theatre Company used similar images in the front of its iconic location. He understood there was an opportunity with the City to advertise on City banners, which would be positive for Pinole Community Players to be able to advertise different shows. The banners could be placed in different spaces along Pinole Valley and San Pablo Avenue and at the Farmer's Market. Pinole Community Players was challenged getting out the word about its productions, and wanted to sustain the theater for continued community enjoyment. He hoped to get assistance from the City to make that happen.

William Horton expressed his opposition to Measure D for a directly Elected Mayor, which was not needed, a waste of \$57,000, and would impact residents' quality of life. The City's budget affected residents' daily lives through police, fire, parks and streets, and the effort for a directly Elected Mayor was attempting to fix a problem that did not exist. He suggested the current mayoral rotation was the most effective way of sharing responsibilities and the most democratic way to elect Council members. The current process did not need to be changed or improved. If Measure D passed, there would still be four Council members and one Mayor, who would have to solve budget deficit problems, but they would have decreased the budget by \$57,000 and made the deficit problem worse.

Sheila Grist opposed Measure B, a planned county tax and Measure D, for an Elected Mayor in the City of Pinole. She understood the City Council was also considering a future ballot measure to increase sales taxes.

Mayor Tave rearranged the meeting agenda and moved to Item 8(a), Recognitions/Presentations/Community Events at this time.

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Earth Day

The City Council read into the record a proclamation recognizing April 22, 2026 as Earth Day and presented the proclamation to the Pinole Valley High School (PVHS) Earth Team.

Laila Fong, Gabriela Ornelas, Aniyah Williams, Sanaii Mims, Leonardo Palacios Oseguera, Dominique Acosta, David Ramos, Ileana Miranda-Uch, Irvin Zarza, Mia Ryan, Avery Phillips, Camila Castillo Perdomo, members of the PVHS Earth Team, provided a PowerPoint presentation on the Climate Literacy Framework, which included an overview of Earth Team's Sustainable Youth Internship program and its objectives; knowledge and core issues; local relevance; action steps to be taken to provide affordable sustainable options, student implementation; resources and tools needed to take action and evaluation and feedback.

Mayor Tave thanked PVHS Earth Team for the presentation and encouraged them to continue their civic engagement.

Responding to questions from the City Council, PVHS Earth Team Members clarified the following:

- Tire Road Wear Particles (TRPs) were defined as when a vehicle tire rubbed against the roadway and where small micro plastics and particles from the tires rubbed off, which occurred with low tire pressure, potentially impacting creeks and wildlife. (Martinez-Rubin)
- PVHS Earth Team currently was an independent after-school internship program, which did not currently collaborate with other clubs at PVHS, but there were two volunteer-based clubs at PVHS that could be invited to join Earth Team’s program, to push the goal of spreading climate literacy. Acknowledged the recommendation to keep in mind what was being learned today that could be applied in the future, and a suggestion to consider the application of science careers, such as public health. (Martinez-Rubin)
- PVHS did not have proper recycling, few trash or recycling bins, with students having little knowledge how to properly recycle. There were also few janitors with a lot of trash accumulated; however, there was a class offered titled Environmental Systems in Societies, an advanced class students had to sign up for and Earth Team recognized the need to encourage students to join and learn about climate literacy. Currently, there were no classes offered at PVHS that supported environmental literacy, but students could learn about climate literacy by joining Earth Team. (Sasai)

2. Dolores Huerta Day

The City Council read into the record a proclamation recognizing April, 10, 2026 as Dolores Huerta Day.

Council member Sasai thanked the City Council for recognizing Dolores Huerta Day for the first time in the City of Pinole and City Clerk Bell-Spears for the inclusion of the Filipino Farmworkers in the proclamation language. He reported he had met Ms. Huerta personally a few times and recognized the farmworkers movement was bigger than one person. He expressed his appreciation to all farmworkers.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

B. Presentations

1. Planning Commission Chair Sandoval Presentation: Resolution No. 25-08 – Appian 80 Development Ideas and Concepts

Planning Manager David Hanham introduced Planning Commission Chair Gabriel Sandoval. He also provided a brief overview of the Appian 80 Shopping Center located at 1401 Tara Hills Drive, the former Safeway Center, which had previous development entitlements until 2023. The property had new owners and the Planning Commission had directed staff to bring back different ideas for future development. After multiple discussions, the Planning Commission recommended ideas and concepts for the property for the City Council to consider as part of any future development.

Gabriel Sandoval, Chair of the Pinole Planning Commission, provided a PowerPoint presentation on the Appian 80 Development Ideas and Concepts, as proposed by the Planning Commission, which included an overview of the site at 1401 Tara Hills Drive and the background of the parcel. In April 2025, in response to concerns and feedback from the community regarding the parcel, the Planning Commission discussed the parcel at length, leading to the creation of a draft resolution of development ideas and concepts for the Appian 80 Shopping Center. The resolution proposed mixed use development, including specific design considerations, access and transportation, market and commercial opportunities and potential strategies, and encouraged the City Council to seek community benefits through developer agreements, including green space, community space, partnerships with schools, and Project Labor Agreements (PLAs) and consideration of a commercial land vacancy fee, since a fee could be a very targeted approach for large vacant parcels when there was no project involved and which may be one tool to encourage development. Information was also provided on recent press about new shopping centers in the Bay Area.

Mr. Hanham stated that Planning Commission Resolution 25-08, with Exhibit A, Development Ideas and Concepts had also been included in the agenda packet for City Council consideration.

Responding to questions from the City Council, Planning Commission Chair Sandoval and Planning Manager Hanham clarified the following:

- The developer/owner of the Appian 80 property had not been involved or provided feedback or comments to the Planning Commission when the development ideas and concepts had been discussed; however, Balboa Retail Partners had been invited to attend the meetings. Staff understood someone from Balboa Retail Partners listened to a couple of the Planning Commission meetings but had not participated in-person. (Toms)
- The Community Development Director and Planning Manager had been working with the property owner to learn of the status of the property, but had yet to see a plan. The property owner had also been noticed of the April 21, 2026 City Council meeting. (Toms)
- The Planning Commission Ad Hoc Committee was not involved in this process. (Sasai)
- A commercial land vacancy fee was clarified with the Planning Commission's intent that it was not necessarily to be imposed as a tax, or something that would have to go to the voters, but a fee for vacant parcels that were over a specific square footage in size, to be determined by the City Council or staff. As an example, if the former Safeway site had 50,000 square feet, there could be a specific fee when there were no plans or action from a developer or owner after a specific amount of time, with a fee imposed for a vacant building or parcel.

When something was proposed for development of that parcel, however the future policy may be determined, the fee could be waived as the parcel /building was going through the process. Another example was in a case where permits were pulled no fee would be imposed, but if the property sat vacant for three years, as an example, a fee could be imposed. (Sasai)

- The Planning Commission had not gone into depth on what a potential vacancy fee would entail, nor had it discussed what other cities had done, other than discussing the need to avoid a parcel tax as many cities had done for large anchor tenant developments. The Planning Commission may consider the details of a potential vacancy fee at a later date if that was something the City Council would like to see. (Sasai)
- Acknowledged appreciation for the time and effort staff and the Planning Commission had spent on the Development Ideas and Concepts for the Appian 80 Shopping Center. (Sasai)
- The Planning Commission decided to consider a resolution to forward to the City Council for consideration, with the knowledge the City Council was the final decision maker for any project. Having evaluated the options, the Planning Commission decided to adopt a resolution with findings to be forwarded to the City Council. The Planning Commission had discussed this topic for almost a year, which led to the resolution since the Planning Commission wanted the City Council to know it was ready to do what was needed for the parcel, and for the City Council to consider the recommendations as part of any future development. (Martinez-Rubin)

Council member Martinez-Rubin stated for the record, she had a telephone call with Alison Warner, Managing Director, Balboa Retail Partners, owner of the Appian 80 property, who was aware of this presentation and who had informed her generally that she [Ms. Warner] had been in discussions with staff over the past three years or so, and there were a number of different steps that had to be taken before the property could be developed.

Council member Martinez-Rubin was aware that the examples provided in the PowerPoint presentation probably presented different circumstances with regard to ownership of the parcels, which was a significant situation that needed to be resolved before a single owner could proceed.

Council member Martinez-Rubin added that Ms. Warner also informed her that Balboa Retail Partners was working on preparing a potential presentation that was more fully prepared to the City Council when the time came, but again a number of steps needed to be taken first, including addressing easement agreements in place and consideration that some of the businesses were open for business. Also at some point, there had been environmental concerns associated with some of the businesses that had been in the center in the past. She suggested it would be important to have someone representing the developer present to allow a better understanding about what was doable versus a wish list.

Planning Commission Chair Sandoval described the Planning Commission's development ideas and concepts as more of a wish list and prescription for the City Council, with a high-level overview the Planning Commission sought and which the developer/owner could consider.

Continuing to respond to questions from the City Council, Planning Manager Hanham and Planning Commission Chair Sandoval clarified:

- The property at 1401 Tara Hills Drive, in the area of Appian Way, would allow a maximum of five stories at 50 feet in height; however, if an affordable housing project was proposed that used a density bonus, as an example, there was the ability to waive standards and request concessions to allow the buildings to be taller. (Martinez-Rubin)
- A commercial land vacancy fee would depend on how the fee was set up and depending on how the fee was scheduled and limits set, there would need to be a lot of discussion how the fee would take place. In some cities if a major tenant (Walmart or Target around 65,000 square feet or larger, and in this case Safeway and CVS buildings were close in size), was vacant for a long period of time, and after a certain period of time, there could be a fee charged to the property owner to fill the site. As long as the property remained vacant, the city could continue to charge a fee. Once the vacancy was filled, ownership was changed, or something else was done to trigger the delay of the fee, that would have to be set up in the fee process to be put together. The incentive was to have the buildings occupied so the fee was not in play, or the property owner in the process of selling the building, in which case tenants may come in right after, all depending on the parameters of how the fee was set up. The Appian 80 Shopping Center included the out buildings on the corner of Appian Way and Tara Hills, with the Hillsborough property the majority of the property, which included Bank of America, Safeway, CVS, and a Chinese restaurant, all of which comprised 12.7 acres. (Martinez-Rubin)

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

Mayor Tave thanked Planning Commission Chair Sandoval and Planning Manager Hanham for the presentation. The City Council returned to Item 7 at this time.

7. REPORTS & COMMUNICATIONS

- A. Mayor Report: None
 - 1. Announcements: None
- B. Mayoral & Council Appointments
 - 1. Traffic and Pedestrian Safety Committee

Interim City Manager Evans introduced the item and thanked John Robinson for applying to the Traffic and Pedestrian Safety Committee (TAPS).

City Clerk Bell-Spears presented the staff report dated April 21, 2026, and asked that the City Council, by Minute Order, consider the Interview Subcommittee recommendation and approve John Robinson to the Traffic and Pedestrian Safety Committee.

Council member Martinez-Rubin thanked Mr. Robinson for his interest in the TAPS.

Council member Sasai understood two vacancies would remain on the TAPS.

City Clerk Bell-Spears reported the most recent vacancy was cause for concern since the TAPS did not have a quorum for the body to meet. There had been two applications, but one had withdrawn. Recruitment had been reopened with applications being accepted and there had been interest from one person who would go through the process.

ACTION: Motion by Council members Toms/Mayor Pro Tem Murphy to appoint John Robinson to the Traffic and Pedestrian Safety Committee for a term of two-years, to expire on April 21, 2028.

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

2. Cannabis Ad Hoc Subcommittee

Interim City Manager Evans reported during the March 24, 2026 Special City Council meeting, the City Council directed staff to return with the creation of a Cannabis Ad Hoc Subcommittee regarding the creation of potential Commercial Cannabis Districts in Pinole, which required more analyses before returning to the City Council including zoning, buffer requirements, community workshops and outreach, consumer use and impacts, types of permits, restorative justice efforts, revenue opportunities and ongoing costs to implement a potential cannabis program.

The Cannabis Ad Hoc Subcommittee would, with supportive analyses, recommend to the full City Council the number, types and areas available in Pinole for Commercial Cannabis. Staff recommended the City Council appoint a subcommittee of two Council members for the creation of the Cannabis Ad Hoc Subcommittee.

Council members Martinez-Rubin and Sasai expressed interest in serving on the Cannabis Ad Hoc Subcommittee.

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to appoint Council members Martinez-Rubin and Sasai to the Cannabis Ad Hoc Subcommittee.

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

3. Infrastructure and Transportation Ad Hoc Subcommittee

Interim City Manager Evans reported the City had an extensive Five-Year Capital Improvement Program (CIP), with the most recent CIP including 50 projects with an estimated cost at \$93.7 million. Within the CIP, there were nine facility improvements, five park improvements, eleven sanitary sewer improvements, three storm water improvements, 17 street improvements and five infrastructure assessments. There was need for an Ad Hoc Subcommittee to address the growing transportation concerns, pursuit of grant opportunities and collaboration with neighboring cities and agencies, with the ad hoc subcommittee to emphasize the whole City approach to transportation and public improvements. Staff recommended the City Council appoint an Infrastructure and Transportation Ad Hoc Subcommittee comprised of two Council members.

Mayor Tave and Council member Toms expressed interest in serving on the Infrastructure and Transportation Ad Hoc Subcommittee.

Council member Sasai asked if the purpose of the Infrastructure and Transportation Ad Hoc Subcommittee was to receive reports and bring that information back to the community, recommend policy or provide direction to staff.

Interim City Manager Evans explained the goal of the Infrastructure and Transportation Ad Hoc Subcommittee would be to review the CIP, status of the projects and potentially recommend new projects as appropriate with priorities, with the full City Council to make a decision.

ACTION: Motion by Mayor Tave/Mayor Pro Tem Murphy to appoint Mayor Tave and Council member Toms to the Infrastructure and Transportation Ad Hoc Subcommittee.

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

C. City Council Committee Reports & Communications

Council member Martinez-Rubin reported she attended a WestCAT Board of Directors meeting, with the Board having extended the contract of General Manager Rob Thompson for another year and announced funds had been rolled over from prior years, to provide free transportation as part of the Summer Youth Free Rides Program and free weekend rides for all passengers. She also attended the Wastewater Subcommittee meeting, with consideration of the meeting time and day of the week where staff was narrowing down Wednesdays with the meeting dates to be determined for the remainder of the year, and with no sewer connections reported for the cities of Hercules or Pinole. There had also been a preview of the Hercules-Pinole Wastewater Treatment Plant Operating and Capital Budgets to allow for feedback from those in attendance.

Council member Martinez-Rubin also reported a property management firm had contacted residents due to coyotes in the area. She learned it was pup-rearing season, which was why coyotes were coming down to populated areas. Residents were asked not to contact the Contra Costa County Animal Services about any sightings since coyotes were not hunted animals.

Residents were also asked not to contact the Department of Fish and Wildlife, but if there was contact between a human and a coyote, anyone could contact the Pinole Police Department (PPD). Coyote sightings could also be reported to bayareacoyote.org, an educational research organization that believed in the co-existence of coyotes and humans and who provided preventative information to prevent coyotes from getting close to front and rear yards, which could be done by not leaving food items outside, caring for pets and ensuring they were not outside unsupervised, and make loud noises to scare away coyotes.

Mayor Pro Tem Murphy reported he had been appointed to the National League of Cities Finance, Administration and Intergovernmental Relations Committee, which recently held two meetings focused on federal fiscal policies and impacts on local governments. The committee also heard a presentation from the Bipartisan Policy Center, which highlighted the ongoing importance of preserving tax exempt municipal bonds. He urged the City to remain vigilant about those types of bonds since any changes could affect cities like Pinole, and funding infrastructure and long-term capital projects. The committee would continue to advocate to streamline the Federal Grants Act, to simplify and improve access to federal funding for local governments, with Pinole having received up to \$6 million from the federal government and it needed a process to ensure the process was simplified.

Mayor Pro Tem Murphy also reported the U.S. Senate ROAD to Housing Act included several provisions, which had already been approved and were heading to the House, to incentivize housing production through performance based funding and creation of new tools like the Innovation Fund, along with the Whole Homes Repair Pilot Program, to support local housing development and rehabilitation while also prioritizing housing investment in opportunity zones, such as along I-80, benefitting communities working to expand their housing supply. The next committee meeting would be held on May 21, 2026.

Mayor Pro Tem Murphy also reported he served on the East Bay Economic Development Alliance, representing the Contra Costa Mayors and also served on the Legislative Committee, which was actively supporting bills in the state legislature that strengthened and sustained the small business community, with updates to be shared online and with the City Council. Local small business owners were asked to reach out directly to learn more about the work of the Alliance.

Mayor Pro Tem Murphy added that during the Marin Clean Energy (MCE) Board of Directors meeting, the Board approved a 14 percent reduction in electricity generation rates, aligning the rates with PG&E. MCE also approved a temporary bill credit throughout 2026 to help offset rising costs along with an additional \$10 million investment in the MCE Cares Credit Program, which provided direct bill relief to income qualifying residents and small businesses. He urged residents to check out the mce.org website and aim to apply for the MCE Cares Credit, and asked City staff to post the information in [The Pulse](#). Additionally, National Public Safety Telecommunications Worker's Week was closing out this week and he took the opportunity to express his appreciation to PPD dispatchers for their professionalism and dedication to the City's public safety system.

Council member Sasai reported he attended the WestCAT Board of Directors meeting and he too commented on the Summer Youth Free Rides Program and free weekend rides for all passengers, with staff targeting May 11 or May 18, 2026 to start the programming that would run through the end of July.

Council member Toms reported she attended an East Bay Wildfire Government Coalition Subcommittee meeting, to discuss items to be worked on this year. The subcommittee would review the work that would have to happen in order to respond to the Zone Zero regulations expected to be adopted on May 23, 2026 by the Board of Forestry, which would impact a small geographic area of the City of Pinole, along the ridgeline where the High Fire Severity Zones were located. In other areas in El Sobrante and in the East Bay Hills near the City of Berkeley and East Richmond Heights and Kensington, the regulations would eliminate combustible buildings, fences, landscaping in an area of zero to five feet from a home. She also attended the Wastewater Subcommittee meeting, and commented the flow numbers had always shown Pinole higher even though it had fewer structures and homes than the City of Hercules, a reminder of the City's aging infrastructure and ground water infiltration into the piping system, which was then treated.

Council member Toms also attended Earth Walk festivities and recognized all of the work that staff did in preparing for the event and she also recognized all of the City's partners that participated including the Pinole Garden Club, Friends of Pinole Creek Watershed, non-profits who helped with energy savings, Pinole Artisans, Earth Team and others. She reported that PVHS would host Special Olympics for school programs on April 23 and 24, 2026, with elementary and middle schools on April 23 and the PVHS and transition programs on April 24, 2026.

D. Council Requests for Future Agenda Items

ACTION: Motion by Council member Sasai/Mayor Pro Tem Murphy for the City Council to receive a presentation regarding the City's Opioid Settlement Funds, including available opportunities to appropriate the funds, examples of effective approaches other jurisdictions had taken with those funds and any challenges that could be considered in this process.

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

E. City Manager Report / Department Staff

Interim City Manager Evans reported that Item 9F would be removed from the Consent Calendar to return at a later date. Also, the PPD would host a DUI/Drugs Checkpoint on May 1, 2026 with other participating agencies including the cities of Hercules, San Pablo and El Cerrito and Kensington as part of the Cannabis Tax Fund Grant Program.

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

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 Special City Council Meeting on March 31, 2026 and the Regular City Council Meeting on April 7, 2026.
- B. Receive the April 4, 2026 – April 17, 2026 List of Warrants in the Amount of \$1,091,610.70 and the April 10, 2026 Payroll in the Amount of \$572,445.92.
- C. Adopt a Resolution Approving the Memorandum of Understanding Between the West Contra Costa Integrated Waste Management Authority and the City of Pinole Regarding Implementation of SB 1383 Regulations and Workplan. **Action: Adopt Resolution per Staff Recommendation (Heba El-Guindy)**
- D. Adopt a Resolution to Fix the Employer's Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act with Respect to Pinole Police Employees' Association (PPEA). **Action: Adopt Resolution per Staff Recommendation (Stacy Shell)**
- E. Adopt a Resolution to Approve the Purchase of Police Department Vehicles for Fiscal Year 2025/26. **Action: Adopt Resolution per Staff Recommendation (Melissa Klawuhn, Justin Rogers)**
- F. *Adopt a Resolution Authorizing Acceptance of \$299,495 from the Caltrans Clean California Local Grant Program and Designating the City Manager as the City's Authorized Signatory for Grant Agreement Execution. **Action: Adopt Resolution per Staff Recommendation (Lilly Whalen, Kapil Amin)***
- ITEM REMOVED FROM THE CONSENT CALENDAR TO RETURN AT A LATER DATE*
- G. Adopt a Resolution Approving the Amended and Restated Contra Costa Clean Water Program Agreement (July 1, 2026 – June 30, 2041). **Action: Adopt Resolution per Staff Recommendation (Heba El-Guindy)**
- H. Adopt a Resolution Approving the Purchase of a Z23slt Force Vehicle for \$76,295.61, a 2025 Ford Super Duty F-350 DRW Truck for \$57,511.69 and a 2026 Ford Super Duty F-250 SRW Truck for \$58,369.89. **Action: Adopt Resolution per Staff Recommendation (Heba El-Guindy)**
- I. SB 1216 Letter of Support. **Action: Approve Letter per Staff Recommendation (Garrett Evans)**

Mayor Tave requested Item 9E be pulled from the Consent Calendar for a separate vote since he would not be participating in the item.

Council member Sasai requested Item 9I be pulled from the Consent Calendar for discussion.

PUBLIC COMMENTS OPENED

Rafael Menis provided the following comments on the Consent Calendar:

- Item 9D, commented at some points there was reference to 2026 premiums and at other points reference to 2025 premiums, and asked whether the adjustment would be to the 2025 values or to the 2026 values.
- Item 9G, asked whether the City knew whether the future anticipated fiscal impact of the new agreement was anticipated to be greater or less for the City of Pinole than the prior agreement.
- Item 9F, found it a great idea and was pleased the City was able to receive funding over and above what the grant agency was offering in the first place, given the City was trying to work towards diversity, equity and inclusion by including the community, working on an equitable basis to improve outcomes for traditionally disadvantaged communities and working towards inclusion making the area that the garden and path would be going through better for everyone. Asked whether it would be possible once the park site was created to deed it over to the Confederated Tribes of Lisjan or another group, as part of the City's ongoing process of building improved ties with the native community.
- Item 9H, asked whether more detail could be provided in future presentations since there was a lot of detail as part of a prior presentation on how the various vehicles for the PPD were built out, sources of expenses and capabilities of the vehicle models whereas the agenda item only showed the costs.
- Item 9I, noted in the past when there had been Letters of Support, the text of the bill the City Council was being asked to support had also been attached to the staff report, which would be worthwhile to include in the future benefitting the City Council and the public.
- Item 9E, understood there was a correction memorandum that had been prepared and rather than two there would be one support vehicle. Asked whether there had originally been a misprint or had the PPD changed its budget request.

PUBLIC COMMENTS CLOSED

Interim City Manager Evans asked that staff be able to respond to the inquiries in writing, to be shared with the City Council and the community.

For Item 9I, Council member Sasai explained he had pulled the item to thank the City Council for considering the Letter of Support for Senate Bill (SB) 1216. He had been asked by Senator Christopher Cabaldon to give testimony in the Senate Housing Committee this afternoon, but the bill was no longer active and had been pulled by the author.

While the bill was no longer needed, Council member Sasai asked the City Council to amend the Letter of Support, to still express support for the concept and two-year process for the reintroduction of the bill.

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

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

ACTION: Motion by Council member Sasai/Mayor Pro Tem Murphy to approve Consent Calendar Item 9I, subject to the amendments requested.

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

ACTION: Motion by Council member Toms/Martinez-Rubin to approve Consent Calendar Item 9E, as shown.

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

10. **PUBLIC HEARINGS:** None

11. **OLD BUSINESS:** None

12. **NEW BUSINESS**

A. Overview of Options for Adoption of Wage Theft Ordinance. Action: Report and Provide Direction. (Eric Casher)

City Attorney Eric Casher provided a PowerPoint presentation on the Overview of Local Wage Theft Ordinances, which included the background of wage theft, an employer’s failure to pay wages owed to employees; the state and legal framework; regulations through business license process; regulation through construction projects and the fiscal impact.

City Attorney Casher asked the City Council to receive the report and provide direction to staff on drafting a local wage theft ordinance.

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

- If a private employer was violating minimum wage law, that was a grievance an employee would have against an employer. There was currently no City oversight for those private standards, although there was language in the City's business license application and renewal process, where a business would need to attest to the fact they were complying with the Pinole Municipal Code (PMC) and all laws and regulations of the City. Staff acknowledged the City was not doing anything to oversee that regulation. If an employer was violating minimum wage laws for construction projects, as an example, and if there was a prevailing wage violation, the State Department of Industrial Relations (DIR) had a complaint process where complaints may be filed and cases opened. If a city had a wage theft ordinance in place the ordinance would be in addition to, and not in place of anything done at the state level.

Offering another example, if there was a prevailing wage violation, a subcontractor on a construction project may file a complaint with the DIR which would open a case, investigate the violation and issue a fine at that level. If the City of Pinole had a Wage Theft Ordinance in place, in response to a wage theft violation, it could choose not to issue a Certificate of Completion or impose a fine, if included in the ordinance.

The ordinances that cities adopted typically tried to keep it low on the administrative side, with the ordinance to require an acknowledgment or affidavit that the contractor would attest to being in compliance. If the contractor was found to be in violation, the DIR would file a violation notice and notify the City that the contractor was subject to a violation, and the contractor would have to report that to the City. (Toms)

- If a project involved the use of federal funds, a contractor must comply with the Davis-Bacon Act, which required contractors and subcontractors on federally funded or assisted construction projects over \$2,000 to pay laborers and mechanics no less than the locally prevailing wages and fringe benefits. The federal government had its own requirements for federal prevailing wages, and the State of California had its own prevailing wages regulated through the DIR. (Toms)
- Acknowledged the City of San Jose had its own labor compliance project with City staff who issued violation notices and imposed fines for violations of payment of prevailing wages. A city had the ability to set a different prevailing wage rate for different trades, while the state and federal government could have their own rates, and staff confirmed a city could have a higher rate. There could be an instance where a violation at the city level did not violate state or federal law, and staff acknowledged there could be some overlap. (Toms)
- The business license process was more of an administrative burden given the number of business license applications the City of Pinole received and getting that affidavit requirement for every business license that was submitted and for every renewal, but the affidavit was limited to construction projects. (Sasai)

- If the City Council considered a Wage Theft Ordinance that was narrowly tailored to construction projects, it would be less of an administrative burden given there were fewer such projects. (Sasai)
- Many city ordinances were similar in nature. As an example, the Wage Theft Ordinance for the City of South San Francisco was similar to other cities with a focus on the construction aspect, with most of the ordinances focused on business license issuance or the construction piece. The City of San Jose's ordinance focused on construction, which was less labor intensive and less administrative intensive. (Sasai)
- The City of South San Francisco's administrative costs were unknown, and staff could reach out to their City Attorney to gather that information. Anecdotally, some cities had fully staffed, large departments that administered this type of program like the City of San Jose. Staff would have to research cities the size of Pinole to determine the level of staffing and associated costs, but could pull that information if the City Council decided to move forward with an ordinance. (Sasai)
- Acknowledged concern a complaint had been reported at a City Council meeting by the Northern California Carpenter's Union in 2025, about alleged wage theft related to a project in Pinole. Acknowledged a request that input from the Union be provided on this topic. (Sasai)
- The City of Pinole did not have a Prevailing Wage Ordinance, but any Public Works project was required to pay prevailing wages pursuant to California Labor Code 1720, which applied to all public projects and which included a monetary threshold. (Martinez-Rubin)
- The presentation was made at the direction of the City Council, with an overview provided. The City Attorney was familiar with some of the other ordinances in other cities; again there were enforcement agencies at the state and federal levels to enforce prevailing wages, and the cities that tended to adopt those standards wanted to do something more, such as create a higher standard/threshold for compliance for prevailing wage amounts and the like, and tended to involve larger cities than Pinole, like the cities of San Francisco and San Jose. (Martinez-Rubin)
- Defined minimum wage as set by state law for any and all employment; prevailing wages were unique to construction projects and the trades, and depending on the trade, there were different wage rates that needed to be paid for the different trades on a publicly funded construction project. (Martinez-Rubin)

PUBLIC COMMENTS OPENED

Rafael Menis asked whether there was a way to get data from the state broken out by region to see where wage theft was concentrated; occurred frequently in Pinole; reported or underreported; occurred particularly in one industry and in a particular union area; was in retail or a particular subfield and where the problem was the greatest. Identifying that information would help the City Council see where it should focus the ordinance.

Mr. Menis added that if the problem was more general and not targeted to any given sector, it made sense to have it be a business license requirement, but if more targeted to one specific sector like construction, it made sense to have rules around construction and issuing Certificates of Occupancy. Having more data on prevalence and on category would also be helpful. He also asked how this would apply to minors, in that he was aware that a number of times, some minimum wage laws only applied partially to minors between the ages of 16 and 18, which had a lower rate and sometimes children were assigned random chores and not paid or paid in an amount that would be below the equivalent minimum wage. He asked whether the wage theft laws only applied to adults that would fall under the protection of minimum wage laws, or apply to all persons.

Richard Cossel asked whether wage theft was really a problem in Pinole since no one seemed to know if it was a problem. He expressed concern the City Council may create some administrative function that would cost money for a problem that may not exist or it could create a problem since once it became an administrative function it was possible someone may use it as leverage against an employer, with the City stuck with investigating the matter costing money. He found this was something that larger cities had in place, cities that were larger than Pinole, and where wage theft may be prevalent. He asked whether there were any examples of wage theft in Pinole other than the reference to a comment from a year ago. He reiterated the City may be creating an administrative nightmare that would impact the City for no reason and it made no sense.

PUBLIC COMMENTS CLOSED

Council member Toms suggested the development of an ordinance, spending funds for staff time to create an ordinance, and giving staff one more thing to administer when staff had to tighten belts and focus on the mission to issue building permits, plan check, issue building licenses and the like, would only add another layer to what City staff would be responsible for, when a state agency currently did the very same thing. She stated the City did not need to duplicate services that were already available, and if the City needed to notify employees of their rights and provide a phone number for the state, that was something that could be made available. She did not see the City needed its own ordinance and duplicate something the state already did. Also, the City did not know the status of the individual who complained about wage theft in Pinole or the remedy for resolution. Again, this would just add another layer of unnecessary bureaucracy. She thanked staff for the presentation and would like to see the City Council move on without creating an ordinance.

Council member Martinez-Rubin understood the interest in wanting to protect workers, but she did not know just yet the need for the ordinance and whether there was a problem in Pinole. She recommended the item be tabled and since there was no system in place it was unknown whether or not there was a problem with underreporting. At this time, she could not support moving forward with the ordinance.

Council member Sasai thanked his colleagues for their thoughtful questions and concerns about duplication with state and federal agencies, and while some may see this as administrative work that would take away capacity from other staff work, in his opinion, it was always great to strengthen local worker laws and ensure workers were supported and resourced. He was frustrated with the idea that just because Pinole was of a certain size, it was somehow excluded from policy problems like this.

Council member Sasai stated there was construction happening in Pinole with more to come in the future given the City's Regional Housing Needs Allocation (RHNA) goals. He emphasized that wage theft was prevalent in the state and he read data statewide that 41 percent of workers had experienced wage theft and non-compliance with labor laws. He commented that along with minimum wage and prevailing wage compliance, there were also issues with employers forcing employees to work off the clock, with a lot of education that needed to happen with workers in terms of their rights, which was why the legislature was pushing for language access and continuing to strengthen labor laws. He found the more the City engaged in these discussions and pushed local laws like this, the more capacity to hold employers accountable for misconduct, which was a good thing. He asked the City Attorney about the anticipated administrative costs and time associated with the ordinance. He suggested this was an opportunity for a local wage theft ordinance and he strongly supported moving forward with the ordinance.

Mayor Tave asked whether the ordinance would serve as an intermediate step before going to the state and making a complaint, which could be resolved between the employee and the employer, but when it reached the state it would become an actionable penalty from the state. He asked if that could be outlined in the ordinance.

City Attorney Casher commented it was difficult to say since most of the ordinances he had reviewed had an affidavit or acknowledgement form with a level of self-reporting on the part of the employer, which required knowledge of a violation of hourly wage laws or violation of prevailing wages, which would have to be reported. Oftentimes, when employers received notice from the state of a violation they paid right away or paid the amount in arrears to the employee where employers could report a resolution to the situation and cities would not refuse to use a business license since the violation had been cured. If not, a business license would not be issued. Oftentimes, employers would not know that they were not giving someone a meal and a rest break, as examples, and it was not an issue until brought to their attention.

Mayor Tave asked whether the ordinance would outline some of that information and how the employer would be presented the ordinance with acknowledgement of receipt.

City Attorney Casher hoped that most employers were aware of the requirements. The ordinance would add that additional acknowledgement. Currently, business license applicants were required to acknowledge and agree to comply with all aspects of the PMC, and by having the ordinance, it provided an additional reminder of the labor standards that would be enforced by the City and the state. There could also be a public education component, with communicating out the requirements of the ordinance, providing information to employers of the requirements, with much of this information available on state websites, although information to ensure business owners and employers understood the requirements was important.

Mayor Pro Tem Murphy commented that in 2022, the City Council received a presentation from the DIR and this was a great opportunity to create an understanding. He would like the City Council to have staff invite a representative from the DIR to provide answers to the City Council. He was okay with staff moving forward in an endeavor to create an ordinance and inform more of the resources the state provided. He was aware staff was also working on a Beekeeping Ordinance that did not seem to be an issue for the City Council, and in this case, the City could have some information that could also align with the development of this ordinance.

Mayor Pro Tem Murphy was uncertain of the status of the Beekeeping Ordinance, but suggested in this case, a representative from the state agency could be invited to answer questions about who in Pinole was impacted, where they were impacted, and provide data from Contra Costa County for those who lived/worked in Pinole or in Contra Costa County. He imagined all of the programs from the DIR could be elevated through that presentation.

Council member Martinez-Rubin commented on the differences between not knowing something and proceeding with something that was proposed without the knowledge for the need for the ordinance, and she emphasized the City did not have data that supported that at this point. What had come out of the presentation, was there were a number of labor rights organizations that existed, such as the DIR and others, with the City's role of being supportive of the work those organizations focused on and they had information in place that could be provided to employers. In the interest of being altruistic and creating policy, she stated the City sometimes forgot there were other organizations that had already built and had as a mission the very things the City was interested in supporting for the public, in this case employee rights, with the DIR, the Worker Rights Consortium and other information that could be made available to employees of any sector, rather than having another layer of regulation and an ordinance that would overlap and duplicate work already in place and which the City may not have the capacity to support in an ongoing manner.

Council member Martinez-Rubin supported information posted on the City website in the area that had information on business development/licenses, where the listing of the labor relations and employee rights organizations could be linked and with the public to have more awareness of the information available about employment rights or the rights of employees.

Mayor Tave would like information posted on the City website and was also intrigued with what data was available from the DIR, which could help to inform the ordinance. He would support a motion to have the DIR provide a presentation to the City Council with information related to the City of Pinole and the region, which was the most practical thing to do at this point, to understand the data in Contra Costa County. He suggested that data would help tailor the ordinance more to the practices in Pinole or the bad actors that may be in Pinole. He otherwise suggested wage theft was underreported, with a lot of money left on the table for workers, with workers taken advantage of in this scenario. He would like to know more about cases in the area.

Council member Sasai suggested all of these ideas could be acted on simultaneously. He had spoken to the City Attorney at length about this issue, there were a number of model policies available for wage theft ordinances and it could be copied, pasted and tailored to fit the City's needs, a light lift for the City Attorney's Office. He commented that challenges were anticipated with ordinances and he referenced the immigration policy, which had been adopted in December 2025, where they had anecdotal data, and data of fear within the community and they still acted on the ordinance. The more development was spurred in Pinole, the more housing and commercial development would be constructed. Given the prevalence of wage theft, there may be some occurrences of wage theft in Pinole. He was aware the City Council strongly supported labor, had passed a citywide Project Labor Agreement (PLA) a few years back, and this ordinance was consistent and aligned with those values. Because of that, he found there was no harm with moving forward with this statute.

Council member Sasai offered a motion to direct the City Attorney's Office to come back with a draft ordinance and tie that to the issuance of the final building permits as well as Certificates of Occupancy.

On the motion, Mayor Pro Tem Murphy asked that the motion be amended to include an invitation to the DIR for a presentation to the City Council.

Council member Martinez-Rubin commented that whether there was an ordinance or not, general information was lacking on the City website about employee rights, with some of the labor organizations that someone could Google and identify a listing of the area organizations available that had a specialty to work with employees and inform them to heighten the awareness of their rights.

Mayor Pro Tem Murphy seconded the motion, with the additions.

Council member Toms stated she could not support the motion with the direction to start an ordinance. She could support information on the City website, contact information for state agencies that could protect employees and could support inviting someone from the DIR, but absent those steps first, it was too soon to move forward and draft an ordinance.

ACTION: Motion by Council member Sasai/Mayor Pro Tem Murphy to direct the City Attorney's Office to come back with a draft ordinance and tie that to the issuance of the final building permits as well as Certificates of Occupancy; and include an invitation to the Department of Industrial Relations for a presentation to the City Council and include information on the City website about labor organizations and employee rights.

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

B. Adopt Resolution Approving the City's Active Transportation Plan. Action: Adopt Resolution per Staff Recommendation (Heba El-Guindy)

Interim City Manager Evans introduced the item to approve the City's Active Transportation Plan (ATP), a living document, if approved, would be reviewed from time to time to ensure it was up to date utilizing Best Practices and include input from the community.

Public Works Director Heba El-Guindy provided a PowerPoint presentation on the ATP which included an overview of the main plan goals; types of bicycle facilities; recommended bicycle network improvements; proposed concepts for San Pablo Avenue, Pinole Valley Road, Appian Way and Fitzgerald Drive; recommended pedestrian network improvements with sample improvements provided; non-infrastructure improvements; community outreach and engagement and the staff recommendations to adopt a resolution approving the City's ATP, with the following additions:

- Repeat reference of Bicycle Boulevard as a Class III bikeway with example signage and Marking.
- Show on the recommended bikeways map the existing Class III bikeway on Pinole Valley Road between Ellerhorst Street and San Pablo Avenue.
- Reference the NACTO 2025 Urban Bikeway Design Guide.
- Reference the Caltrans 2025 Bay Area Bike Plan Update and the 2024 Bicycle Best Practices.

Responding to questions from the City Council, Interim City Manager Evans and Public Works Director El-Guindy clarified the following:

- Acknowledged appreciation for City staff and the work with all stakeholders, including implementation of some proposals from recent correspondence from Bike East Bay; acknowledged the ATP needed to be approved at this time in order to qualify for upcoming grants the City would like to apply for with a May deadline, and if the ATP was brought back for more public comment it would allow the City Council to converse with policy experts. The deadline for the Safe Streets and Roads for All (SS4A) Grant was May 26, 2026. Staff could pursue the application, which had already started, with the assumption the ATP would be approved before that date, with two City Council meetings scheduled prior to May 26, 2026, although the City Council meeting of May 5, 2026 would be mostly dedicated to the budget and the Five-Year CIP. (Sasai)
- The ATP could be continued to the second City Council meeting in May, as a Consent Calendar Item or it could involve a second presentation. As long as the ATP was approved prior to the May 26, 2026 grant deadline, the City could submit the application after the ATP was approved. As another option after deliberation, if the City Council approved the ATP at this meeting, staff could return with specific focus and make amendments to the ATP over the next couple of months. Ideally, staff sought City Council feedback on the type of community consultation it would like staff to pursue, with staff prepared to bring back the ATP whenever convenient for the City Council. Acknowledged a recommendation for the ATP to be brought back for amendments. (Sasai)

PUBLIC COMMENTS OPENED

Dani Lanis, Advocacy Manager, Bike East Bay, a 54-year non-profit organization working in Contra Costa and Alameda Counties. Bike East Bay mobilized by bike to create thriving communities that were joyful, safe and inclusive via educational programs with free publicly available classes and community events such as Bike to Wherever Day, to be held on May 14, 2026. Everyone was invited to bike that day. Flyers were available where the code could be scanned for places to ride. He asked the City Council to approve the ATP on a conditional basis enabling staff to reference it in the short term for grant applications. Given the ATP would shape critical infrastructure and traffic safety decisions for the next five to ten years, it was currently insufficient for those needs.

Bike East Bay acknowledged the ATP had been in development for a long time, but asked that the City Council schedule another review of the ATP in six months, or specifically defined period to allow staff to address remaining omissions and concerns and bring the ATP to a more complete state via a revision that the City could confidently implement moving forward. He reported a similar issue had occurred in the City of Pleasant Hill in 2023, which jurisdiction had an incomplete final plan that had been rushed to completion. In that case, Bike East Bay worked with Pleasant Hill City staff and local stakeholders to pause and address the issues, with Pleasant Hill ending up with a more favorable outcome. Bike East Bay had been working with Pleasant Hill City staff on implementation opportunities since that time and would like the same level of confidence and support for the Pinole ATP, but it was not quite there yet.

Rafael Menis provided the following comments on the ATP:

- Page 276 of 533 of the agenda packet, Goal 1, Performance Measure 1.1a of the ATP, which was an explicit City priority to close gaps in walkways and bikeways, particularly in disadvantaged communities. Noted there were some sidewalk gaps in the community that had been mentioned for some time which had not been resolved given there was no plan to address it as a whole and cohesive network.
- Page 278 of 533 of the agenda packet, Objective 3.3, asked whether the goals were feasible, particularly Performance Measure 3.3c, *increase walking and bicycling share of trips 50 percent by 2030*. Asked whether that meant 50 percent of the existing rate or 50 percent of overall trips. Also, asked how many areas would need to be upgraded to LTS 1 or 2 to meet Performance Measure 3.3b, as shown on Page 278 of 533 of the agenda packet.
- Page 293 of 533 of the agenda packet, many of the City's General Plan elements had been referenced with the exception of the Environmental Justice Element which should be included.
- Page 305 of 533 of the agenda packet, found it odd that Class III bike lanes were effectively speaking the least protected, with Class IV separated, Class I joined pedestrian and biking and Class II was clearly labeled bike lanes.
- Page 336 of 533 of the agenda packet, Sidewalk #5 had been highlighted as being just beyond 500 feet of two pedestrian fatal or severe injury collisions, and it seemed as if that could be an area where partial scoring of the safety measures would be worthwhile.

PUBLIC COMMENTS CLOSED

Council member Sasai agreed with some of the stakeholders that just painting bikeways in Pinole was insufficient. The City Council recently received a presentation from the PPD around collision data in Pinole, and he noted the Appian Way and Fitzgerald Drive intersection was terrible. He had been involved in a car accident in the intersection two years ago, and the person who hit him was speeding at 40 miles per hour (MPH) in a 35 MPH corridor. He recommended that any corridor that had more than a 35 MPH speed limit should have protected bikeways since vehicles were traveling too fast and in the instance of a drunk or distracted driver, there had to be a way to ensure protection for both bicyclists and pedestrians.

Council member Sasai wanted the ATP to be as strong on that issue as possible, to ensure there were connected Class IV Protected Bikeways in all of the major corridors in the City. He supported the ATP as is, to be revisited as part of a Special Meeting of the City Council given the improvements that could be considered that could slow down a regular meeting. Given the upcoming budget season, he recommended the ATP be brought back around July or August.

Interim City Manager Evans suggested the ATP could be brought back during a meeting in July, which could coincide with a strategic meeting with the new City Manager, and be a topic that could be brought up with the City Council. A workshop was an excellent suggestion for the ATP.

ACTION: Motion by Council member Sasai/Mayor Tave to adopt a resolution approving the City's Active Transportation Plan with the following additions:

- **Repeat reference of Bicycle Boulevard as a Class III bikeway with example signage and marking.**
- **Show on the recommended bikeways map the existing Class III bikeway on Pinole Valley Road between Ellerhorst Street and San Pablo Avenue.**
- **Reference the NACTO 2025 Urban Bikeway Design Guide.**
- **Reference the Caltrans 2025 Bay Area Bike Plan Update and the 2024 Bicycle Best Practices.**
- **The ATP to come back to the City Council for a Special Meeting in July to revisit the ATP.**

Vote:

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

- C. SB 707 – Public Meeting Disruption Policy. Action: Adopt Policy per Staff Recommendation (Heather Bell-Spears)**

City Clerk Bell-Spears presented the staff report dated April 21, 2026. She recommended the City Council adopt a resolution approving the Public Meeting Disruption Policy.

PUBLIC COMMENTS OPENED

City Clerk Bell-Spears reported there were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Mayor Pro Tem Murphy/Council member Sasai to adopt a resolution approving the Public Meeting Disruption Policy.

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

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

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

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

Anthony Vossbrink requested the City Council formally improve the security of Bay Front Park for public health, safety and quality of life reasons and due to issues that had occurred in the past, with several vehicles being broken into and people had been assaulted in and around the Bay Front Park Trail, at the foot of Tennent Avenue. He asked that the City Council consider infrastructure improvements given that several Council members ran for office on public safety issues. He wanted to see two light emitting diode (LED) light poles in and around the front and center of the parking lot, or the trail across from the trailhead and restrooms, and two security cameras attached to the light poles so that the area could be monitored, as well as two new park signs to show the hours of operation for the park and identify safety issues. He also requested the City Council review banners for the Pinole Library to identify the work being done at the library and to provide information related to the use of the tennis courts.


Mayor Tave reported that on April 17 and 19, 2026 his niece, Malia Tave, competed in the 2026 No Dinx/NCVA Far Western National Qualifier (Girls Volleyball) and her team Ignite VBCF Ignite 13 won the top seed to go to the nationals in Minneapolis, MN, and recognized her achievement.

Mayor Tave reported the City Council would reconvene in Closed Session for Item 4B and would adjourn to a Special City Council meeting on May 2, 2026 in Remembrance of Amber Swartz.

14. CONVENE back to Closed Session for Item 4B and **ADJOURN** to the Special City Council Meeting of May 2, 2026 in Remembrance of Amber Swartz.

At 9:47 p.m., Mayor Tave convened back to Closed Session for Item 4B and adjourned to a Special City Council Meeting on May 2, 2026 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell-Spears CMC
City Clerk
Approved by City Council: May 5, 2026

