

**CITY COUNCIL MEETING
MINUTES
May 19, 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.

Mayor Tave reported for the record the City Council met in Closed Session following the regular City Council meeting of May 5, 2026, to discuss agenda Item 4B, Public Employee Appointment, City Manager. In the Closed Session, the City Council directed the City Attorney to prepare an Employment Agreement for the next City Manager and designate the Mayor and Council member Sasai as City Council Subcommittee members available to advise on the negotiation of terms.

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
Norma Martinez-Rubin, Council Member
Cameron Sasai, Council Member
Maureen Toms, Council Member

COUNCILMEMBERS ABSENT

Devin T. Murphy, Mayor Pro Tem

B. STAFF PRESENT

Garrett Evans, Interim City Manager
Heather Bell-Spears, City Clerk

Eric Casher, City Attorney
Andrea Dwyer, Community Services Director
Maria Picazo, Recreation Manager
Christine Murray, Recreation Coordinator
Markisha Guillory, Finance Director
Heba El-Guindy, Public Works Director
Lilly Whalen, Community Development Director
Kapil Amin, Sustainability Project Manager

City Clerk Heather Bell-Spears announced the agenda had been posted on May 14, 2026 at 4:15 p.m. with all legally required written notices. No written comments had been received in advance of the meeting.

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 LEGAL COUNSEL – ANTICIPATED LITIGATION

Gov. Code §54956.9(d)(2) or (d)(3)
Number of Potential cases: 1

B. 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 and City Attorney Eric Casher
Negotiating Parties: Frank and Joe Zichichi
Under Negotiation: Price & Terms

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 7:14 p.m., Mayor Tave reconvened the meeting into open session with all Council members present. There was no reportable action from the Closed Sessions.

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.

Jennifer Horn urged the voters of Pinole to join her in voting No on Measure D. After months of comments, testimonies, signs, flyers, conversations and the expenditure of \$57,000+ of taxpayer money, voters would decide on Measure D and decide once and for all its fate. Despite all of this, she still does not know why they were here. She had read the comments from the proponents of the measure from prior City Council meetings, on Nextdoor and comments from those against the measure in prior City Council meetings and on Nextdoor, read her prior comments against this measure, including those she first made in January 2026, and she still questioned why they were doing this. It could not be because of any concern about increasing the voice of the people of Pinole, as some have said. The people of Pinole have not asked for this, and when they had spoken, the people of Pinole have said clearly, we don't want this. Now, the City was spending money, time and energy on a measure the voters of Pinole had not asked for and do not want. She found it a solution in search of a problem as one commentator had posted on Nextdoor. She wholeheartedly agreed and for that reason would be voting No on Measure D. If the City Council wanted to have a serious conversation on what governing structure would be good for Pinole, would ensure increased public engagement and addressed any concerns about the legitimacy of the Mayor or consistency in policy, they should have that discussion. Until then, she asked that they leave well enough alone and not fix what clearly was not broken. She urged Pinole voters to vote No on Measure D.

Rafael Menis reported on the current rates of Influenza A and COVID-19 in the State of California and in the region from May 3 to May 9, 2026. Influenza A was very low for most sites and low for one site in Alameda County. COVID-19 was very low for the State as a whole and for most sites near Pinole and very high for one site in Alameda County that always returned a high rate, he suspected may be a reporting error.

Mr. Menis also noted his distress over President Trump's attempt to sue his own Internal Revenue Service (IRS) for \$10 billion and settle with the IRS for \$1.776 billion to provide funds to various insurrectionists President Trump had pardoned, in his opinion, in violation of the 14th Amendment. He suggested that number was too large, difficult to comprehend and he offered a scenario if a Council member decided to sue the City for \$1 million and settled for \$160,000, essentially settling with themselves and directed the City Attorney to settle that would obviously be corrupt. If anyone agreed with his opinion on this matter, he asked them to join at a protest planned on May 23, 2026, from 11:00 a.m. to Noon at the intersection of San Pablo and Tennant Avenues. Additionally, he reported some residents have continued to report issues with the lighting at Bay Front Park, which the City should look into.

Debbie Long referenced the Measure D flyer mailed to Pinole households. On February 3, 2026, a subcommittee which included Mayor Tave and Mayor Pro Tem Murphy had been formed to develop and implement a public education and communications plan so residents had clear, accessible and factual information. When the Measure D flyer came out, people in the community wanted to know what the Yes on D flyer was about. The language in the flyer was unclear which prompted her to contact the City Clerk on May 4, 2026. She had asked who designed and had input on the Measure D flyer, and besides the City Attorney who reviewed the flyer and signed-off on it.

Ms. Long reported on May 15, 2026 she received the following response, *Informational content for Measure D, E and F was developed internally by Communications staff with no intention of supporting a position. Review was conducted to ensure conduct remained neutral and factual,* but there had been no clarification on who else besides the City Attorney had reviewed the flyer and signed-off, which she found to be invasive, as well as a bit defensive. She followed up with a question asking about the status of the subcommittee and requested all correspondence between staff and the subcommittee; however, to date, she had received no answer. She asked how many people have given their stamp of approval on the Measure D flyer since it was never brought back to the full City Council for input. When someone was on a subcommittee they report back to the full City Council with any updates or a final consensus. She asked why the Measure D flyer was not brought back to the full City Council for final input which was the typical process. She found that the majority Council was still running the show and turning their backs on the other two Council members, who were women.

Ms. Long suggested both the City Attorney and the City Clerk who were direct hires of the City Council had learned that counting to three was the most important part of their job. She asked why this matter was not put on the agenda, suggesting it was because the vote to place Measure D on the ballot, had been handed over to the subcommittee and it was implied it should not have been brought back to the full City Council before being published with the County. She also asked who the City Attorney and City Clerk work for, the three Council majority or the community and suggested they were accountable to the full City Council and the community. Had the Measure D flyer had more eyes, it could have been more transparent to the community as to intent. She still expected a detailed answer to her second request to the City Clerk on May 15, 2026, which was due on May 25, 2026. She urged a No vote on Measure D she described as a power grab by a fiscally irresponsible trio of three.

Richard Cossel asked if the three City Council members who voted to place Measure D on the ballot were of the opinion it was truly for the benefit of Pinole and not for personal political gain, they publicly commit today they would not run for Mayor if Measure D passed. That commitment would show the people of Pinole, that this measure was about good governance and not self-advancement.

William Horton suggested Measure D to be considered on the June 2, 2026 ballot was not needed and a waste of \$55,000. He found it unnecessary to have a directly Elected Mayor in the City of Pinole, a City that was small compared to larger cities like the City of San Francisco. The current mayoral rotation had worked efficiently in the City for several decades, and City Council members were democratically elected by a vote of the people every two years. The two highest vote totals, were added to the mayoral list and in four years there would be four different Mayors serving one-year each, sharing the Mayor's duties which process was very democratic. There was no problem that Measure D would fix. As a voter, he asked the City Council to focus on important quality-of-life issues, such as police, fire, parks and streets which were important to resident's daily lives rather than things like cannabis sales. He urged a No vote on Measure D.

Joy Jennings also encouraged Pinole voters to vote No on Measure D.

At this time, Mayor Tave moved to Item 8. Recognitions / Presentations / Community Events, A. Proclamations.

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Mental Health Awareness Month

The City Council read into the record a proclamation recognizing the month of May as Mental Health Awareness Month.

2. Local and Community History Month

The City Council read into the record a proclamation recognizing the month of May as Local and Community History Month.

3. Jewish American Heritage Month

The City Council read into the record a proclamation recognizing the month of May as Jewish American Heritage Month.

4. Public Works Week

The City Council read into the record a proclamation recognizing May 17 through 23, 2026 as Public Works Week, with the proclamation accepted by Public Works Director Heba El-Guindy.

Mayor Pro Tem Murphy commended Public Works Director El-Guindy for her incredible work since her employ with the City of Pinole and who he reported received many compliments from the community. He thanked Public Works Director El-Guindy for her leadership.

Public Works Director Heba El-Guindy expressed her appreciation to the Public Works Department team, recognized the needs were great, with the Public Works team doing their best daily to serve the City of Pinole and the community. She hoped over time they would be able to show the level of success over the years.

5. Emergency Services Week

The City Council read into the record a proclamation recognizing May 17 through 23, 2026 as Emergency Services Week.

6. Affordable Housing Month

The City Council read into the record a proclamation recognizing the month of May as Affordable Housing Month.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

The City Council moved on to Item 7. Reports & Communications.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

No report.

1. Announcements: None

B. Mayoral & Council Appointments

1. Pinole Trustee Appointment to the Contra Costa Mosquito and Vector Control Board

City Clerk Bell-Spears provided the staff report dated May 19, 2026. She recommended the City Council appoint Vivian Ramirez Rodriguez for a two-year term as Pinole's representative on the Contra Costa Mosquito and Vector Control Board.

Council member Toms offered a motion, seconded by Council member Martinez-Rubin to appoint Vivian Ramirez Rodriguez for a two-year term as Pinole's representative on the Contra Costa Mosquito and Vector Control Board.

Vivian Ramirez Rodriguez identified herself as a Pinole resident, Pinole Valley High School (PVHS) alumni, recent graduate of U.C. Berkeley with a major in Public Health and minor in Education and Chicana Latinx Studies and her interest in epidemiology. She suggested she was the best candidate to serve on the Contra Costa Mosquito and Vector Control Board, due to her lifetime residency in Pinole. Last summer she applied for an internship with the Contra Costa Mosquito and Vector Control Board, but took an offer to go to Columbia to teach students about robotics. She was now a teacher.

Council member Martinez-Rubin thanked Ms. Ramirez Rodriguez for her interest in serving as the City's representative on the Contra Costa Mosquito and Vector Control Board. She recognized her background in public health, service to the community as an interact student and her assistance with fundraising for a potential Pinole History Museum. She looked forward to future updates on her service on the Contra Costa Mosquito and Vector Control Board.

Mayor Tave also expressed appreciation to Ms. Ramirez Rodriguez for her interest in serving on the Contra Costa Mosquito and Vector Control Board and he welcomed a future update to the City Council.

ACTION: Motion by Council members Toms/Martinez-Rubin to appoint Vivian Ramirez Rodriguez to a two-year term as Pinole's representative on the Contra Costa Mosquito and Vector Control Board.

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 Toms reported she attended the State of the Schools presentation at Lovonya DeJean Middle School in the City of Richmond, with a presentation from each of the high schools and some middle schools, which included a presentation from the robotics teach from PVHS and Richmond High School. She was proud of the work the students were doing in this field. She also attended a quarterly forum hosted by Senator Tim Grayson for the East Bay Wildfire Working Group Task Force, with information provided on internships available to jurisdictions, a presentation from the Contra Costa County Fire Protection District (CCCFPD), who was mapping their mitigation areas and reported the Diablo Fire Safe Council would hold a meeting this week to receive proposals for wildfire mitigation. She had been working with City staff on mitigation work and funding opportunities for that work, particularly in the Pinole Valley.

Council member Toms also watched on Zoom, but had not participated in a Green Empowerment Zone (GEZ) meeting as the City's Alternate (since she was unaware the primary delegate would not be in attendance). During the meeting presentations were provided from the Sustainable Aviation Fuel Coalition, U.S. Labor Center on workforce and community benefits research and policy discussions and information provided from CoBiz about opportunity zones which she highlighted and which information could be forwarded to the City Manager.

Council member Sasai reported he attended the WestCAT Board of Directors meeting with a presentation on the WestCAT Evolution Marketing Plan, discussions how WestCAT could best provide outreach to the community about service changes and how to encourage people to use public transit and discussion of the release of the WestCAT Evolution Comprehensive Operation Analyses for a 45-day public comment period. He added WestCAT would offer free rides on the weekends, May through July 2026.

Council member Sasai also thanked the Police Chief and the Pinole Police Department (PPD) for its response to a student who developed a three-dimensional printed firearm and brought it to a local school. He spoke with a staff member for Assemblymember Rebecca Bauer-Kahan, who provided information on Assembly Bill (AB) 2047, which was ground breaking legislation requiring all three-dimensional printers sold in the State of California to include blocking features to prevent the printing of dangerous gun parts and ghost guns. While this legislation was receiving opposition, he hoped once it reached the Senate there would be Council support for the bill.

Council member Sasai also commented recently the Voting Rights Act of 1965 had been eviscerated by the Supreme Court. He emphasized the effort for this landmark legislation and commented in some instances black colleagues across the country have been called out for standing up for this legislation. He was very frustrated by this situation, which was a shame and he wanted to encourage people to vote or register to vote if not already registered, given rights being torn down and the racist actions being taken by a racist federal administration. Given his concern with this situation, he wanted to acknowledge these actions as an elected official.

Council member Martinez-Rubin also attended the WestCAT Board of Directors meeting, with the WestCAT Evolution Plan and additional documents derived from that available at westcat.org. As to the WestCAT Evolution Comprehensive Operation Analyses, she reported public comment could be provided during the 45-day public comment period either via email to WestCATEvolution@gmail.com, telephone at (510) 698-1198 or by sending a text message to the same number. She added the consulting firm to WestCAT presented the Board of Directors summaries of the plan and derivatives to attachments or other findings that included recommendations about changes or alterations to existing routes, with the entire plan set of documents available at westcat.org.

Council member Martinez-Rubin also attended the Contra Costa Mayors Conference hosted by the City of Orinda, with a presentation by members of the Board of Directors of the Library Foundation of Contra Costa. She explained why groups like Friends of the Pinole Library were formed, why the Foundation had been established, and reported there was a call for volunteers to serve on their Board and it had been implied they sought people of various socio-economic and ethnic backgrounds that may not otherwise participate on boards, with more information at libraryfoundationcontracosta.org.

D. Council Requests for Future Agenda Items: None

E. City Manager Report / Department Staff

Interim City Manager Garrett Evans provided a follow up to public comments during the May 5, 2026 City Council meeting. In response to the public comment about the use of herbicides/insecticides in City parks, he reported the City practice was to notify the public via signage at a City park, such as a dog park, a week before using said herbicides, with the herbicides used safe around people and pets once applied and dried per directions. Staff was working closely with the Contra Costa Agricultural County Commissioner on application procedures. Generally after two hours of application the parks were reopened. The City does have a contractor that worked on ornamental landscaping in City parks, Pacific Site Management but he was unaware of any contractor named Marine or anyone else affiliated with park maintenance. For insecticides, the City used Terminix, who applied applications to buildings. For more in-depth follow up to this topic, staff would be asked to appear at a July or August City Council meeting to provide a presentation to the community.

Interim City Manager Evans added staff was considering how to increase notifications around these events, so when City parks were being serviced with herbicides, the public would be notified through the City website and social media. He also was happy to learn staff was looking how to add owl and other raptor boxes in certain areas to help provide vermin control.

As to pothole repair, Interim City Manager Evans reported during the months of March and April 2026, 95 different pothole areas had been serviced. He looked forward to continuing that effort with the Public Works Director to provide additional information on roads as part of her Capital Improvement Plan (CIP) presentation.

Interim City Manager Evans further reported staff had been working with Safety for the Bay, with some window clings provided to the City Council at the dais. Staff also had posters and other resources available for businesses, with staff to reach out to businesses to see how they could promote Safety for the Bay around the upcoming World Cup or in general. Lastly, he reminded property owners that the weed abatement deadline in the City of Pinole was May 31, 2026.

Mayor Tave commented on his understanding someone had used rodent pellets in some City parks in Santa Clara which poisoned some pets and he understood someone had been spraying something in Pinole parks. He asked how that information was reported to the public to ensure that people were not taking matters into their own hands when dealing with these issues.

Interim City Manager Evans encouraged anyone to reach out to the City immediately with any cause for concern for anyone applying anything in a City park. He advised the City of Pinole does not use poison pellets but there were some carbon monoxide treatments that could be used, that did not have residual impacts to people or pets. He emphasized poison pellets could go into the ecosystem and if anyone sees that occurring in a City park they were encouraged to reach out to the City.

Mayor Tave asked that appropriate signage be posted to ensure if anyone sees a bad actor, they could reach the City quickly, to which Interim City Manager Evans stated he would speak with the Public Works staff about increasing signage in City parks.

F. City Attorney Report: None

PUBLIC COMMENTS OPENED (Items 7A through 7F)

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

PUBLIC COMMENTS CLOSED

B. Presentations

1. Community Services Summer Presentation

Interim City Manager Evans introduced Community Services Director Andrea Dwyer who would provide a Community Services Summer Presentation.

Community Services Director Andrea Dwyer introduced Recreation Manager Maria Picazo and Recreation Coordinator Christine Murray who oversees the Tiny Tots program. She announced several weeks of the summer camps and Tiny Tots programs were full, swim lessons were full and staff was looking at ways to increase opportunities for more people to enjoy the programs. At this time, she provided a PowerPoint presentation on the Community Services Summer Preview, which included an overview of the Pride and Juneteenth celebration at Fernandez Park scheduled for June 14, 2026 from 12:00 p.m. to 2:00 p.m.; Pinole Car Show and Pancake Breakfast scheduled for June 28, 2026 with the breakfast starting at 7:00 a.m. to 10:00 a.m., tickets \$10 for residents and \$12 non-residents; weekly summer camps beginning June 15, 2026 through August 14, 2026, ages 3 to 12; regular Youth Programs; Swim Center activities and summer session June 15, 2026 through August 14, 2026.

In addition, evening exercise classes at the Senior Center; facility rentals; summer series at Fernandez Park, with concerts from 6:30 to 8:00 p.m. and movies starting at sundown; hiring opportunities for part-time employees, with interested parties encouraged to apply at www.pinole.gov; registration for programs and reservations to be made at www.pinolerec.com and cost recovery levels for the Community Services Department were all highlighted.

Responding to questions from the City Council, Interim City Manager Evans and Community Services Director Dwyer clarified the following:

- The number of participants at outdoor events, could be quantified through technology used by neighboring jurisdictions and Southern California agencies, where they could differentiate between residents and non-residents attending outdoor events, but this technology involved a cost and had not been used in the City of Pinole. Staff could reach out to those agencies using this technology to get more information. (Martinez-Rubin)
- Part-time positions currently being filled included Recreation Leaders and Recreation Custodians, with the number of positions fluctuating based on the enrollment for the summer programs. (Sasai)
- Clarified again the cost recovery levels for the Community Services Department, with the positive category, facilities. Many programs were cost recovery. As an example, for the Youth Camps, the number of students enrolled paid for part-time staff. Equipment maintenance was also balanced into the Community Services Department budget with the need to balance the costs of large equipment with revenue. New programming would be very popular and facility rentals were the revenue generators. The Community Services Department also had to review its contracts to see if they could contract differently in the future, to maximize what the City received and “get the best bang for our buck.” (Sasai)
- The Master Fee Schedule for the Community Services Department offered a good snapshot for each division and with that data, they needed to be strategic moving forward. Staff acknowledged the need to identify for the City Council the data, so when the Community Services Department considered additional events or free programs and services they had to be offset somewhere, with examples provided. It was noted the Community Services Department cost recovery was above the national average of about 18 percent, although they had a ways to go, were not fully rented out, and during the winter season they had to be creative how they offered facility rentals, activities and contracts for use of play fields, as examples. Staff would like to be closer to the 50 or 60 percent of cost recovery margin. (Mayor Tave)
- Acknowledged a recommendation to consider a way to quantify certain outputs, and counting people at a community event, including staff time and actual monetary costs, with the benefits many, including those that were not quantifiable, which it was recognized could be a challenge. (Martinez-Rubin)

- In terms of cultural traditions, acknowledged a recommendation that quinceañeras be explored and other celebrations that other community groups and cultures call for celebration in venues, of which there were few affordable ones in the Bay Area, short of renting private space. Acknowledged the request to promote the beauty and safety of Pinole and access beyond the venue itself, with all of the natural amenities surrounding the Senior Center as an example. Staff clarified cotillions, quinceañeras, bat mitzvahs and other celebrations have been held in Pinole and the Recreation Coordinator does meet with the community to “sell” City spaces. (Martinez-Rubin)

PUBLIC COMMENTS OPENED

Rafael Menis understood there would be a joint Pride and Juneteenth celebration on June 14, 2026, but the City website and calendar of events had shown each event separately to be held on June 6, 2026 for Pride and June 14, 2026 for Juneteenth. He asked for clarification if an edit needed to be made to the City website.

Interim City Manager Evans clarified the joint Pride and Juneteenth event would be held on June 14, 2026, as described.

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 May 5, 2026.
- B. Receive the May 2, 2026 – May 15, 2026 List of Warrants in the Amount of \$1,321,981.78 and the May 8, 2026 Payroll in the Amount of \$567,227.85
- C. Adopt a Resolution Extending Early Enrollment Fee Waiver Period for the Residential Health & Safety Rental Inspection Program. **Action: Adopt Resolution per Staff Recommendation (Jared Murti, Lilly Whalen)**
- D. FY 2025/26 Third Quarter Financial Report. **Action: Receive a Report (Markisha Guillory)**
- E. FY 2025/26 Third Quarter Investment Report. **Action: Receive a Report (Markisha Guillory)**

PUBLIC COMMENTS OPENED

Rafael Menis advised he had provided written comments in advance of the meeting and thanked both the Finance and Public Works Directors for providing responses. He provided the following comments on the Consent Calendar:

- Item 9D, commented on the time lag on Page 97 of 289 of the agenda packet, where it appeared the City received only 9 percent of expected revenue from the Cable Access TV Fund. Asked if that was a typical amount of revenue to receive for that fund at this point of the year, since it seemed low based on his recollection of prior years.
- Item 9E, Page 112 of 289 of the agenda packet, the category of Mutual Funds – Equity in the Section 115 Trust, had a substantially lower yield than any other segment of the City's portfolio in the Section 115 Trust or otherwise, and makes up only half of the Trust. Asked if that was because of risk structuring or some other reason.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council members Martinez-Rubin/Mayor Pro Tem Murphy to approve Consent Calendar Items 9A through 9E, as shown.

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

10. PUBLIC HEARINGS

- A.** Conduct a Public Hearing and Adopt a Resolution, Pursuant to Government Code Section §4217 and its Required Findings: (1) Approving a Single-Source Energy Services Contract with Serious Controls for the Installation of Two Battery Energy Storage Systems at the Pinole Youth Center and the Pinole Tiny Tots/Swim Center and (2) Designating the City Manager as the Authorized Signatory for all Agreements and Associated Documents, which are Currently Pending Approval by the Federal Department of Energy, to Complete these Installations Fully Funded with Marin Clean Energy Pass-Through Federal Funds. **Action: Conduct a Public Hearing and Adopt Resolution per Staff Recommendation (Lilly Whalen, Kapil Amin)**

Interim City Manager Evans introduced the agenda item.

Sustainability Project Manager Kapil Amin provided a PowerPoint presentation to Enact Government Code Section §4217, for Battery Energy Storage Systems Installations (BESS) at Pinole Youth Center and Pinole Tiny Tots/Swim Center, which included an overview of the background; Government Code Section §4217, which allowed for sole-source of energy services contract; the findings as part of Government Code Section §4217 and the staff recommendation to conduct a public hearing pursuant to Government Code Section §4217 and its required findings, and adopt a resolution that would award an Energy Services Contract to Serious Controls for the installation of battery energy storage systems at the Pinole Youth Center and Pinole Tiny Tots/Swim Center and designate the City Manager as the authorized signatory for all agreements and associated documents (pending Department of Energy (DOE) approval).

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

Mayor Pro Tem Murphy thanked staff for bringing the item forward, the work around the City's Climate Action and Adaptation Plan and (CAAP) and securing external opportunities for funding. During his tenure on the City Council, he had been engaged in thinking about how they saw their system of energy as a City and as an agency, and he was pleased to see this work prioritized, which was practical and timely. He encouraged residents to know that this type of infrastructure would improve resilience and also lower long-term operational costs for the City, positioned the City to participate in the State's broader energy transition and with battery storage becoming increasingly important to public facilities, especially sites like the Youth and Swim Centers and the fact the systems help reduce peak energy costs and improved reliability during outages. He emphasized the value of leveraging the federal pass-through funding through the DOE, with the City of Pinole fortunate to receive these funds. He noted the City of Pinole was the only Contra Costa County city which had access to this funding.

Mayor Pro Tem Murphy commented as someone who served on the Marin Clean Energy (MCE) Board of Directors, representing the City of Pinole, it was important that cites the size of Pinole were not left behind and adopting emerging technologies. He acknowledged these projects do not happen automatically, the City worked hard to advocate for these opportunities at the federal level and made the case for smaller cities like Pinole to deserve access to clean energy and resilient funding.

Mayor Pro Tem Murphy was aware of the critiques about the City Council Travel and Training Budget and participation in regional and federal advocacy spaces, but this was exactly why that work mattered. Council members have shown up in Sacramento and Washington, D.C. and that was how the City was able to have access to the funding, with Council members fighting to bring access to the City of Pinole, which effort would continue to be done. Rather than asking local taxpayers to shoulder every infrastructure cost alone, in this case, the advocacy by going straight to Washington D.C. helped position the City to access federal pass-through funding for infrastructure improvements, benefitting residents and public facilities for years.

Mayor Pro Tem Murphy suggested this was an example of Pinole being proactive versus reactive. He thanked staff for pursuing outside investment, modernizing City facilities and making the strategic decisions based on a lot of directives the City Council gave as part of the CAAP, and ensuring they were tied to environmental sustainability and the long-term fiscal health of the City.

Council member Martinez-Rubin could not say enough about all of the behind-the-scenes administrative work that was required and staff's diligence to ensure that all requirements to have a successful application had been met which staff had achieved time and time again. She thanked staff for that effort.

ACTION: Motion by Council members Toms/Martinez-Rubin to adopt a Resolution, Pursuant to Government Code Section §4217 and its Required Findings: (1) Approving a Single-Source Energy Services Contract with Serious Controls for the Installation of Two Battery Energy Storage Systems at the Pinole Youth Center and the Pinole Tiny Tots/Swim Center and (2) Designating the City Manager as the Authorized Signatory for all Agreements and Associated Documents, which are Currently Pending Approval by the Federal Department of Energy, to Complete these Installations Fully Funded with Marin Clean Energy Pass-Through Federal Funds.

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

- B.** Pinole Valley Road Landscape and Lighting Assessment District, First Read of Engineer's Report and FY 2026/27 Rates. **Action: Continue to June 2, 2026 per Staff Recommendation (Heba El-Guindy)**

Interim City Manager Evans asked that the public hearing be opened, the City Council take any testimony and continue the item to the June 2, 2026 City Council meeting.

PUBLIC HEARING OPENED

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

Mayor Tave advised the item would be continued to the City Council meeting of June 2, 2026.

11. OLD BUSINESS: None

12. NEW BUSINESS

- A.** Preliminary Proposed Five-Year Capital Improvement Plan for Fiscal Year 2026/27 through Fiscal Year 2030/31. **Action: Receive a Report (Heba El-Guindy)**

Interim City Manager Evans introduced the item. Staff sought feedback from the City Council with a general focus for the next year, with staff to come back with any revisions at the June 2, 2026 meeting. He asked the City Council to also focus on fund balances, such as balances in accounts for roads, consider spending those funds and focus on roads and get some results, which had been a focus of the City Council and the community. He welcomed comments, thoughts and direction on the Preliminary Proposed Five-Year Capital Improvement Plan (CIP) for Fiscal Year 2026/27 through Fiscal Year 2030/31, and consideration of reducing the number of projects so as to bring results over the next 13-months.

Public Works Director El-Guindy provided a PowerPoint presentation for the Preliminary Proposed Five-Year CIP for Fiscal Year 2026/27 through Fiscal Year 2030/31 and Annual & Priority FY 2026/27 Capital Projects, which included an overview of the Proposed CIP for FY 2026/27 – FY 2030/31; the proposed five-year CIP contained 49 projects under five categories (Facilities, Parks, Sanitary Sewer, Stormwater, and Roads) and 7 infrastructure assessments and the FY 2026/27 Annual and Priority Projects including 9 Facilities, 5 Parks, 9 Sanitary Sewer, 3 Stormwater, and 16 Roads, in addition to 4 Infrastructure Assessments.

A sample of completed projects in FY 2025/26 was highlighted; along with plans for Phase 1 (Pinole Valley Road, Shea Drive, Marlesta Road with 26 new curb camps) – Pavement Rehabilitation, May 2026 which would include road rehabilitation segments, flat topped speed humps and curb ramps and Phase 2 (Savage Avenue, Ramona Street, Ridgecrest Road, Greenfield Circle and Marionola Way) of the Pavement Rehabilitation Project, July 2026, with the funding sources and estimated costs also identified.

The Pavement Rehabilitation Project had gone out to bid on May 15, 2026 for a three-week period, and following that would be the selection of the contractor with staff to return to the City Council for approval of the agreement. The work itself was expected to happen in July, with the second Request for Proposal (RFP) to go out the last week of July/first week of September, when staff would know exactly how much funds were left to work with in the second round.

Public Works Director El-Guindy also walked through the FY 2026/27 Projects for Facilities; Parks; Sanitary Sewer; Stormwater; Roads and Infrastructure Assessments for FY 2026/27; review and approval process for the Preliminary Proposed Five-Year CIP for FY 2026/27 through FY 2030/31 and Five-Year CIP Budget Summary.

Interim City Manager Evans reported the Infrastructure and Transportation Ad Hoc Subcommittee discussed a spreadsheet listing all of the projects and a request to include design percentages, bid issuance and bid due dates, construction start and end dates and a breakdown of the funds so that everyone knows each month the progress of the accounts. Also, staff was presenting to the City Council the utilization of Sewer Enterprise Funds, that were available that had accumulated large amounts of money and the hope to get those monies into the system before they tap into the General Fund. Hopefully, the City Council would also discuss paring down a few things, given there were a total of 45-projects which was a heavy work load for the Public Works Director, and while a CIP Manager was anticipated to be brought on board, that was still only two people doing all of this work. He hoped the City Council would provide input and make the number of projects manageable so staff could deliver to the City Council and the community.

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

- The numbers in the PowerPoint presentation were specific to the fiscal year, not necessarily the cost of the full project. For the Public Facilities Fund, staff expected to end up with a fund balance of \$261,000 by the end of the current fiscal year. There was no additional funding for the Citywide Roof Repairs and Replacement project (FA1702), as an example, outside of the \$300,000 as shown from the Public Facilities Fund. (Mayor Pro Tem Murphy)

- The Pavement Rehabilitation Project had gone out to bid on May 15, 2026 for a three week period, thereafter would be the selection of the contractor with staff to return to the City Council for approval of the agreement, The work itself was expected to happen in July, with the second RFP to be the last week of July/first week of September, when staff would know exactly how much funds were left to work with in the second round. (Toms)
- Pinon-3 Sewer Capacity (SS2402), \$1,000,000, Sewer Enterprise Fund. Whether that would be an appropriate time to also do road resurfacing depended upon the condition of the roadway. Once the pipe was replaced, the trench would be filled in, and depending on the roadway condition and how many lanes, would determine whether there was funding to support resurfacing or not. Also, the Lower Tennant Trunk Sewer Capacity (SS2405) project was clarified with \$500,000 from the Sewer Enterprise Fund in FY 2026/27 for the design with the construction to occur in FY 2027/28, and with the East Bay Municipal Utility District (EBMUD) to replace the water line in 2027/28. The City could share the cost that year and resurface the roadway. (Toms)
- Storm Drain Master Plan, (IN1703), \$75,000 from Measure S and \$200,000 from the Sewer Enterprise Fund, acknowledged concern with funding from the Sewer Enterprise Fund. When staff first looked into the funding for the Master Plan in 2025, the justification for the use of the funds was that the stormwater ended up into the Treatment Plant. (Toms)
- Clarified again the review and approval process and the anticipated consideration of the CIP by the Traffic and Pedestrian Safety Committee (TAPS) on June 10, 2026. Staff clarified the terms for two members of the TAPS has expired. Staff hoped the Commissioners would reapply and continue on the TAPS and if so, there should be a quorum of the TAPS for its June 10, 2026 meeting with one vacancy remaining. Staff confirmed one application had been received for the TAPS which staff would pursue. (Toms)
- Pavement Markings and Signage Upgrades (RO2504), \$100,000 from City Street Improvements, clarified for this fiscal year, some of the funds would be used for the project, with the priority depending on the condition of the pavement markings, the corridor, the volume of traffic served and abutting land uses. While there was no criteria per se, it allowed some flexibility to combine funding with other projects. There was a significant demand Citywide, and \$100,000 could be a reasonable contract to tackle a number of corridors. For the next fiscal year 2026/27, the pavement markings would include Pinole Valley Road, Shea Drive and Marlesta Drive and additional roadways that have rubberized pavement. (Sasai)
- Old Town Traffic Calming (RO2403), \$100,000 from City Street Improvements, clarified there were some constraints due to the construction of the San Pablo Avenue Bridge. In FY 2026/27, staff planned additional accessibility and implemented a number of ramps in the downtown and hoped to supplement that work with additional improvements when able to establish a Complete Streets in coordination with a study with Contra Costa County. (Sasai)

- The \$100,000 allocated for Old Town Traffic Calming, (RO2403), included improvements such as street furniture, upgrades to lighting and elements that would change the overall environment but which were not too costly. Staff acknowledged there was a desire to expand the existing string lighting in the downtown. (Sasai)
- San Pablo Avenue Complete Streets had been in the unfunded portion of the CIP for the last fiscal year. Staff was in the process of proceeding with a study which would serve to inform the design and construction of the project, with the study to be funded by a grant. The design would be informed by the study and the Active Transportation Plan (ATP) currently assumed the inclusion of Class IV Bicycle Facilities, although San Pablo Avenue would have more than bicycle facilities and include parking design, improvements to the sidewalks and street scaping elements. (Sasai)
- A spreadsheet which identified the CIP projects, could be reevaluated by the Infrastructure and Transportation Ad Hoc Subcommittee, to reevaluate the priority scoring applied to the different projects to be brought back to the full City Council for discussion. Clarified the scoring referenced in the project charts was the score from earlier years. No scoring had been done in June 2025, with the scoring retained for reference. It would be good to review the projects with fresh eyes and learn of any recommendations and priorities. (Sasai)
- The Five-Year CIP Budget Summary was again clarified, with the items proposed to be funded by the General Fund and Measure S funds, which would not impact the baseline budget since they were proposed to be funded with the unassigned fund balance or available one-time sources; however, staff recommended a reassessment of the funding source, since some of the CIP projects were ongoing and technically would need funding beyond the next fiscal year. The City Council was asked to consider other sources of funding and possibly leverage the non-General Fund sources for road projects specifically, including the Gas Tax Fund, Measure J, City Street Improvements Fund 325 and Arterial Roads Fund 377, with both of those funds General Fund dollars which have accumulated from transfers from the General Fund over the years. Staff suggested leveraging and starting with those funds before using General Fund dollars and Measure S funds for ongoing capital projects. (Mayor Pro Tem Murphy)
- Park upgrades were not part of the road work which was separate from upgrades to City parks. Clarified Improvements to City Parks (PA2501), \$200,000 from Growth Impact Fees, was an annual project for upgrades to City parks, with additional improvements planned at the dog park subject to a community workshop to take place in the near future, and with improvements planned to other City parks. Staff described this project, as an umbrella project for general improvements within various City parks. Rehabilitation of Pinole Valley Park Soccer Field (PA1901), \$210,000 from Growth Impact Fees and Fernandez Park Improvements (PA2401), \$350,000 from Growth Impact Fees, were projects with specific improvements. (Mayor Pro Tem Murphy)

- The Growth Impact Fees could be used to rehabilitate parks and could be used for facilities. The amounts shown have taken into account how much there was in the individual accounts, whether they would be depleted in a couple of years or not and had taken into account how much the City would receive in gas taxes, and Measure J annually in addition to any accumulation over time, which was the reason for an unfunded amount in years to come. Staff would also continue to be aggressive in pursuing grant funds for all projects and there was the potential for July onward, to using Vehicle Impact Fees (VIFs) for road projects. Staff also had around \$3.3 million in the waste account and were considering other improvements that could be done with those funds. (Mayor Pro Tem Murphy)
- Staff continued to evaluate other possible sources of funding opportunities and further clarified the Traffic Impact Fees go into the Growth Impact Fees, all amalgamated together. Staff further clarified the City collected a number of development impact fees, which go into one fund, were segmented into the various areas and include public safety, buildings and equipment, public facilities, recreation facilities and fees collected for storm drains (which were low) and wastewater development fees, separate from the Sewer Enterprise Fund. (Mayor Pro Tem Murphy)
- Recognized large trucks that travel on Tennent Avenue to the Corporation Yard and Wastewater Treatment Plant and residents' argument since the trucks were using the road, the Sewer Enterprise Fund could be used to repave the road; however staff clarified some of the trucks were not necessarily related to the treatment plant and were part of the City's fleet including maintenance operations. The treatment plant housed the majority of the City's fleet, including maintenance trucks whether they were related to the treatment plant or not. Lower Tennent Truck Sewer Capacity (SS2405), \$500,000 from the Sewer Enterprise Fund was again clarified and in the following year would include the replacement of the trunk line and EBMUD would replace the water lines in the same area. There had already been coordination between the two agencies related to the cost of resurfacing the roadway and this would be a two-year project. (Mayor Pro Tem Murphy)
- Recycled Water Feasibility Plan (IN2103), \$100,000, Sewer Enterprise Fund, clarified a Request for Proposal (RFP)/Request for Qualifications (RFQ) could be done in July or August, with a report back to the City Council when distributed. (Mayor Pro Tem Murphy)
- Upgrades to the Pinole Shores Corporation Yard (FA2602) were due to storm damage to the locker room and offices. The building itself was not initially intended to house offices, but some repairs have been done to make the space function better. This project was not urgent and could be pushed back a year or two. Staff clarified the building was initially planned to house the maintenance fleet but due to planned upgrades to the water treatment plant, some projects would require the utilization of the space and removal of the building, but they were not scheduled for FY 2026/27 or FY 2027/28, but for later years. The \$400,000 from Measure S, identified for FA2602, would be used for utility connections, purchasing three used new trailers, lockers, offices, break room and a portable restroom, with the City to fund electric vehicle (EV) chargers using a grant. Also, establishment of parking spaces to house some of the maintenance fleet to ensure the corporation yard was functional and safe, cameras, replacement of the fence and an electric gate. (Martinez-Rubin)

- Public Safety Building Upgrades (FA2301), the lockers and restroom components could be delayed. Staff had a list of items that needed upgrades to the City's public safety buildings, but did not have quotes for everything with the \$400,000 to be allocated from Growth Impact Fees, an estimate. (Martinez-Rubin)
- Rehabilitation of Pinole Valley Park Soccer Field (PA1901), was again clarified. Staff reported in this fiscal year, the City contracted out to replace damaged areas of the turf and some upgrades were made to the irrigation system. The allocation of \$210,000 of Growth Impact Fees for the project, was the amount that would be paid for two contractors, the supplier of pre-fabricated restrooms to be installed in the parking area and construction of the foundation for utility connections near the skatepark. (Martinez-Rubin)
- Fernandez Park Improvements (PA2401), this project would involve significant improvements that were needed including seating areas, upgrades to lighting, repairs to playground damage and other multiple areas that require upgrades. (Martinez-Rubin)
- Skatepark Rehabilitation (PA2202), this project was first established in 2022 and staff planned to implement repairs and a retaining wall in this fiscal year; however there were too many upgrades of a higher priority. It was assumed if the improvements were made, the skatepark would be used more, but to date the City had received no complaints about usage at the skatepark. (Martinez-Rubin)
- Appian Way Complete Streets (IN2105), staff confirmed the project had been on the books since 2021. The City had received Strategic Management Planning Program (STMP) grant funding for this round but the funds could be lost if not used. Staff hoped the project would proceed and was described as valuable and worth pursuing since it was a plan to establish a complete street design on a key corridor. Appian Way was an arterial and one of the priority safety corridors within the City experiencing the highest number of fatal and severe injury collisions and the project would affect Appian Way from El Sobrante north and how far north was dependent on what could be afforded. (Martinez-Rubin)
- Of the number of projects that were grant dependent with timelines, staff clarified all projects were fully funded, none were dependent on a grant or whether the fund was available or not, it was a matter of City Council prioritization of whether to spend the funds on the project. As an example, if there was a desire to reduce the use of Measure S funds, the project for the Corporation Yard Upgrades alone could potentially save \$400,000 for this fiscal year. Of the number of projects that were shovel ready, some of the projects even using grant funds were for design only. Staff acknowledged a request to know the number of projects that could physically move to the construction stage. Again, while some projects may be shovel ready, others were not but must continue such as the Replacement of the San Pablo Avenue bridge over the Burlington Northern-Santa Fe (BNSF) Railroad (RO1710), which was entering the design phase and which would take over a year. (Mayor Tave)
- EV Charging Infrastructure (FA2501), some EV charging stations would be open to the public and be revenue generators, while others would not. (Mayor Tave)

PUBLIC COMMENTS OPENED

Rafael Menis provided the following comments on the Preliminary Proposed Five-Year Capital Improvement Plan for Fiscal Year 2026/27 through Fiscal Year 2030/31:

- As to the use of VIFs, asked how long would it be before the City could determine the actual use of the VIFs. Understood the VIFs were currently unusable possibly for some legal reason.
- Pinon-3 Sewer Capacity (SS2402), he recently brought up issues with potholes near the intersection turning to the south off Pinon Avenue onto San Pablo Avenue and the left-hand turn also had potholes in that lane, with a ticket for repair having been created about a week ago. Asked how that interacted with the potential renovation of that segment of the roadway, as the Pinole Shores 3 process moved forward.
- Asked the Public Works Director to opine on what CIP projects she would recommend be removed from the list of CIP projects.

Debbie Cyr, asked about Fernandez Park Improvements (PA2401). She commented five years ago the bridge was to be replaced, was currently in a bad state of repair with community events being held. This was a huge safety hazard which had been reported repeatedly over the past five years. She asked whether the repair was a priority. She reported she had already tripped and fallen, her partner had tripped and the City recently placed orange circles around the wood. Given an upcoming community event was planned and she asked of the City's plans for repair.

PUBLIC COMMENTS CLOSED

City Attorney Eric Casher understood as the Public Works Director had mentioned a portion of the VIFs would be eligible for expenditure in July 2026. As to what the VIFs could be expended on, they were for public works and infrastructure related projects.

Mayor Tave asked whether the VIFs had been incorporated into the budget.

Public Works Director El-Guindy commented the way the VIFs were set up, it was to reflect the impacts from the garbage trucks on the roadways, with 100 percent allocated towards pavement rehabilitation. If the City were to utilize the funds, they would be added to the planned project. As to how much had been collected so far, the City has received \$1.2 million.

Public Works Director El-Guindy also clarified in response to the public, about the needed repair to a bridge at Fernandez Park, the Public Works Department recently replaced some of the wood boards on the bridge, although additional damage took place recently and additional material needed to be ordered.

Mayor Pro Tem Murphy asked for more information on the bridge repair, to which Public Works Director El-Guindy advised the Community Services Director observed youth damaging the wood boards and she had talked to the youth and their parents at that time. Most of the time, staff was unaware how the bridge was damaged other than through regular wear and tear. The most recently repaired wood panels had not been damaged, but the older wood panels were easily damaged. As to whether different products had been considered rather than the use of wood, that would be a more complicated change.

As an example, one of the bridges, had been recommended for replacement a number of years ago and to make major changes could trigger additional requirements.

Mayor Pro Tem Murphy would like to see more roads repaved in the next fiscal year. He understood they don't have the capacity to add any more CIP projects and he clarified no new projects were being added to the CIP at this time.

Public Works Director El-Guindy explained the Public Works Department would utilize the season as much as possible, going out for bids, setting up agreements and the like, with the work itself and any contracting out including inspections, which would come before the City Council for approval as part of a separate agreement for an outside inspector the City had worked with on another project. The majority of the CIP projects already had consultants on-board, which would be further identified on the spreadsheet to be brought back to the City Council.

Mayor Pro Tem Murphy asked whether any CIP project listed did not have a team of consultants, and Public Works Director El-Guindy noted small scale projects were being done in-house and she offered examples. She could list all of that information for the City Council.

Mayor Pro Tem Murphy asked about the assessment of projects for this year. He asked whether there was a percentage of staff time spent on the nine different categories as shown in the Sample of Completed Projects in FY 2025/26. He sought a way to help prioritize what the City Council wanted to see for the next year in those categories and based on the staff time. Based on the anecdotal and experiential comments from residents, while staff should spend all of its time on roads, that was not reasonable. He sought a way to prioritize the staff time being spent on the different categories.

Public Works Director El-Guindy explained the projects were handled between the various divisions within the Public Works Department, some by maintenance staff, some by wastewater and engineering staff. The Sample of Completed Projects in FY 2025/26 was not a list of all projects that were completed and did not reflect all projects that were ongoing. Information on the scheduling of projects and which team would be dedicated to which project, could be provided.

Mayor Pro Tem Murphy found that staff had a good plan and he recognized the challenge to determine what to scale back. He would like to hear from staff at some point, and before the current budget year ends, to learn whether the Public Works Director had an opinion whether one or two CIP projects could be scaled back and based on her experience in the City.

Public Works Director El-Guindy had previously mentioned a project that was not necessary for this fiscal year, but it was up to the City Council to decide priorities. From the perspective of just doing roads, not upgrading parks and facilities over the years had caused some deteriorated conditions and involved negative impacts that may not be as visible as the condition of the roads. Public Works Director El-Guindy suggested one project in her opinion that was not a priority for this fiscal year and since it would use Measure S funds would be the Corporation Yard project (FA2602).

Council member Toms shared the same question as to what the Public Works Director El-Guindy would recommend be removed from the CIP for this fiscal year or could be delayed. She sought more specifics of what were reasonable CIP projects to actually get done this fiscal year, and what was not, and possibly move them off into the future to allow some projects to be closed out.

Public Works Director El-Guindy commented the vast majority of the CIP projects were dictated by the timing of grant funds, were already ongoing and needed to continue to progress to reach the point of being shovel ready. Most projects were restricted in a way, and while some projects which may not move forward such as Pinole Creek Trail Upgrade (PA2601), which may not materialize and Skatepark Rehabilitation (PA2202), which was planned for this fiscal year but pushed due to other higher priority projects, staff accomplished a lot this fiscal year and there remained some projects to be completed by the end of the fiscal year. With new staff members coming on-board and the consultants they had been working with and having done this work for over 30-years, she was not alarmed by the list of CIP projects and felt it was doable while also recognizing it was the City Council's decision.

Council member Toms reported during the Infrastructure and Transportation Ad Hoc Subcommittee meeting, she had indicated her support for outside consultants for engineering and inspection work, more so than what they had now, if that was what it took to complete the CIP list.

Public Works Director El-Guindy stated she could supply a list of the consultants that worked with the City.

Mayor Tave commented they had to consider other forms of delivery, whether augmented with consultants or not.

Council member Toms confirmed the Mayor's understanding that if necessary they may have to consider augmenting the work staff was able to do to deliver the projects. She appreciated the Public Works Director's confidence in her capacity to move forward on the CIP.

Council member Martinez-Rubin echoed the comments from Council member Toms and the role of the City Council to make decisions based on the information provided. She recalled in past years, a matrix had been developed which the then Public Works Director had used at the time. She was unsure that was the same matrix to be considered for the scoring of projects, but which she found to be helpful. She appreciated the establishment of criteria for decision making purposes.

Council member Martinez-Rubin would like the matrix to include the following information: clarification whether the individual projects whether implemented or not and regardless of the phase they may be in the next year, clarification if the lack of implementation negatively impacted the City meeting regulatory requirements or compliance, which projects should be on the top of the list with respect to priority, were the projects funded, could projects be managed using existing staff and if not consideration of other options towards delivery and completion. She would like to see the status of the projects as engineers know them, which would be helpful and which she described as delivery of service and completion of a project.

Regardless of the phase in which the project currently appeared in the CIP, Council member Martinez-Rubin would also like to know whether the project supported service priorities, which information would be helpful for the City Council to consider what was a service priority. She would also like to see whether the project was being conducted in coordination with other cities or regional bodies, and provided examples.

Council member Martinez-Rubin commented the projects funded by the Sewer Enterprise Fund or were required for compliance with the Regional Water Quality Control Board (RWQCB), should also be clarified in the matrix.

ACTION: Motion by Council member Sasai/ Mayor Tave to extend the City Council meeting to 11:30 p.m.

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

Mayor Tave would like a better understanding in the spreadsheet of the different funding sources and sequencing of projects once they had the dates. He also recognized it had become evident over the years the Public Works Department was overtaxed with staff redlined up against impossible deadlines with underfunded projects. He wanted to ensure what they say they would do for the next fiscal year was the smart move, specific, measurable, reliable, timely and had smart goals, and it was clear to staff, the City Council and the public.

Mayor Tave also asked that the spreadsheet include some type of rubric of how they develop the scoring mechanism, which had been forgotten over the last four years. There had been a rubric used in the past, and there had been a lengthy City Council meeting about what priorities could be including regulatory requirements, whether there was a safety hazard, operational wants and needs and a better understanding how to stratify the work and slice that data set against those criteria. He also suggested the funding should be scored as well, and whether it was something which involved a grant with limited funds for a limited duration for a specific use that required some type of match, as an example. He would like to see where that money was coming from. As another example, Measure S funds were being shown as a funding source for some projects but the funds were not in a pot specific to a project.

Offering another example, Upgrade of Stormwater System and Trash Capture (SW2501) had shown the allocation of \$150,000 in Measure S funds, and Mayor Tave asked whether those funds were allocated in 2021 or 2022 and had been set aside. He asked if that was a planning number and they were waiting for the City Council to actually fund the project.

Finance Director Guillory clarified the \$150,000 in Measure S funds for Upgrade of Stormwater System and Trash Capture (SW2501) was the proposed amount.

Referencing the same project, Mayor Tave commented he had assumed in 2021/22, they needed \$400,000 for the smart trash cans they had asked for five years ago and he thought they would have been putting away about \$80,000 from that time to now in order to have the \$400,000 to fund the project. However, that had not been done with the slate wiped clean and funds reallocated. In the meantime, the CIP list keeps growing and staff could not fully complete the work. While he recognized the volume of work was not the fault of staff, there was no guarantee they would see the \$150,000 in Measure S funds in the next fiscal year. That was the uncertainty when the City Council gives direction that there was a plan in place to fund the projects which was what he thought they were doing, although they were wiping the slate clean each year. He wanted to see the projects they were not doing, how was that funding being distributed between those projects they were asking for and offered an accounting scenario he asked staff to consider.

Finance Director Guillory explained that an account would not have been set up, staff would have budgeted if that was the City Council direction where an appropriation for that amount for that project would have been identified. There was no separate account set up. She also clarified a designation or commitment on the City's balance sheet, from an accounting perspective could be considered, with a commitment to a specific project but the accounting had not been done that way, in that they started over each year, from a zero budget and build it up each year.

Mayor Tave noted that was the hard part he had with more projects coming. He referenced the Recycled Water Feasibility Plan (IN2103), which had started at \$50,000 and was now at \$100,000 from the Sewer Enterprise Fund, with no allocations associated with it. That was one of these things where had the plan been done earlier, or at least allocated in such a way it would have honored what the City Council put forward and the public would have better understood the commitment made to fully allocate funds for the project. That would also have given the Public Works team and staff some runway, with these projects not necessarily have to be reviewed every year.

Public Works Director El-Guindy understood the concerns, but there were different practices in different jurisdictions. By keeping the funds in the project account, rather than putting back into the funding source and reallocating the following year, she understood that point, ideally it would stay within the project account and it would be tracked over time and what was implemented versus the funding and how much was spent. Referencing Stormwater Drain Master Plan (IN1703), in that case, the project scope had increased.

Mayor Tave commented based on the big picture, and from the City Council standpoint, they needed to ensure what they were doing was realistic and that needed to be understood by constituents. He again sought prioritization at the City Council level to give clear direction to the City Manager and staff to ensure they had clearly defined projects. When they move priorities they could move the funding along with it, and he offered examples.

Mayor Tave would like to see the flexibility provided, which would also provide flexibility for the City Manager to manage priorities and fund or defund projects, so that the money allocated matched the timeline for the project.

Public Works Director El-Guindy suggested that would be helpful to track over time, if they were to keep the funds into the project account, with Upgrade of Stormwater System and Trash Capture (SW2501), with the allocation of \$150,000 Measure S funds, used as an example, and with clarification they now had 33 existing trash capture devices that were cleaned and maintained.

Mayor Tave found the information provided was a planning document, but it was not real yet, they were trying to make it real based on the funding and resources they had. It was great that roads were being prioritized up front. His priorities were roads, public safety, and Americans with Disabilities Act (ADA) access. He suggested this was a great start, but the resources they had need to be dedicated to show results this summer which was the only construction window they had. He was pleased RFPs have gone out, but was curious what other projects were ready to go to get completed within the budget they had. He again recognized the strain on staff given the requirements needing to be met, and he wanted to ensure staff had a platform to voice any concerns to the City Manager so that the City Council was ready to support projects moving forward.

As to the use of Measure S funds, and given where they were in the budget, Mayor Tave suggested it made no sense to dive into that, but if there was a way to allocate funds over time, that could be a model to explore.

Council member Martinez-Rubin stated based on her perspective, priorities should be the regulatory requirements the City must meet. There were unfunded mandates the City must comply with and there were consequences for not meeting those mandates that could be reflected in the plan and they had to pay attention to that. Not suggesting roads should not be amongst the priorities, there were other entities that place mandates/and or burdens on a city that trickle down to burdens on City staff which should not be ignored.

Mayor Tave understood that would be included in the rubric under discussion. He asked if staff had enough direction.

Interim City Manager Evans suggested there were different sorting mechanisms that could be prepared for the City Council, including identifying any regulatory mandates for the 45 CIP projects and the consequences if that was not done, whether a 100 or 95 percent design could be done in a few months, with possibly a few projects identified as a priority as a possible scenario, so as to get them done, ready to go and out to bid and built. He suggested they sort this in a few different formats to allow quick reference checks, which would be productive for the City Council.

Mayor Tave suggested study, planning, design, request for bid estimates, bid comes in and they have construction and then get into the construction phase and close out, as examples and if they had that kind of classification for the CIP projects, they could have the conversation from a City Council standpoint, and have that available to the public to inform residents what they were doing and what was anticipated would get done.

Council member Toms suggested it may also be informative to find out what division was overseeing the project. As an example, Pavement Markings and Signage Upgrades (RO2504), sounded like maintenance and that was not going to have so much of an impact on staff time, whereas wastewater projects would be the other work group that would handle those items. It would not make sense for RO2504, to slip off of the CIP list when it was not impacting staff time.

Public Works Director El-Guindy would be happy to clarify that information, but asked for clarification in that \$300,000 in Measure S funds would be going to storm water projects, following mandates which was something she would not be able to eliminate.

Mayor Tave clarified he was saying that the use of Measure S funds had to be limited. If there was a regulatory requirement, that recommendation would come back from staff. Once they had a matrix and some type of criteria to sort, they would be able to know what was regulatory, which the City Council would be looking to staff to help sort and communicate to the City Council and the public, so the City Council may make decisions on how to allocate resources.

Public Works Director El-Guindy thanked the City Council for the feedback.

Mayor Tave thanked staff for their work, recognized it was not easy and he thanked City staff for their patience.

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.*

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

14. ADJOURN to the Regular City Council Meeting of June 2, 2026 in Remembrance of Amber Swartz.

At 11:10 p.m., Mayor Tave adjourned to a Regular City Council Meeting of June 2, 2026 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell-Spears CMC
City Clerk

Approved by City Council: June 2, 2026

