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CITY COUNCIL

Vincent Salimi, Mayor
Devin Murphy, Mayor Pro Tem
Anthony Tave, Council Member
Maureen Toms, Council Member
Norma Martínez-Rubin, Council Member

**PINOLE CITY COUNCIL
MEETING AGENDA**

**TUESDAY
November 15, 2022
5:00 P.M**

Please note: HYBRID MEETING FORMAT

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

Attend VIA ZOOM TELECONFERENCE – Details provided below

Please note: Updated COVID-19 safety protocols will be posted outside the City Council Chambers. Please review this information before entering the Council Chambers.

How to Submit Public Comments:

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

Via Zoom:

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

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

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

Webinar ID: 893 3500 0272

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

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

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

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

Please note: Updated COVID-19 safety protocols will be posted outside the City Council Chambers. Please review this information before entering the Council Chambers.

OTHER WAYS TO WATCH THE MEETING

LIVE ON CHANNEL 26. They are retelecast the following Thursday at 6:00 p.m. The Community TV Channel 26 schedule is published on the city's website at www.ci.pinole.ca.us.

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

If none of these options are available to you, or you need assistance with public comment, please contact the City Clerk, Heather Bell at (510) 724-8928 or hbell@ci.pinole.ca.us .

Americans With Disabilities Act: In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a City Meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the City Clerk's Office at (510) 724-8928. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hbell@ci.pinole.ca.us .

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

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

2. LAND ACKNOWLEDGMENT

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

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

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

4. CONVENE TO A CLOSED SESSION

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

A. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code § 54957.6

Agency designated representatives: Andrew Murray, City Manager, Stacy Shell, Human Resources Director

Represented employees: Local 1, IAFF, PPEA

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

6. CITIZENS TO BE HEARD (Public Comments)

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

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

B. Mayoral & Council Appointments

C. City Council Committee Reports & Communications

D. Council Requests for Future Agenda Items

E. City Manager Report / Department Staff

F. City Attorney Report

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

A. Proclamations

1. United Against Hate Week

B. Presentations

None

9. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine or 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 Regular Meeting Minutes of November 1, 2022
- B. Receive the October 29, 2022- November 11, 2022 List of Warrants in the Amount of \$524,664.82, the November 11, 2022 Payroll in the Amount of \$540,208.93.
- C. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 [Action: Adopt Resolution per Staff Recommendation (Casher)]
- D. Resolution Approving an Agreement with RSG For Affordable Housing Consultation Assistance Including Monitoring, Compliance and Reporting, and Appropriating Funding from the Housing Successor Fund for this Purpose [Action: Adopt Resolution per Staff Recommendation (Whalen)]
- E. Authorize The City Manager to Execute Amendments to Extend Existing On-Call Service Contracts for Engineering and Environmental Services And Execute New On-Call Service Contracts Related To Wastewater And Stormwater [Action: Adopt Resolution per Staff Recommendation (Mishra)]
- F. Receive the Fiscal Year (FY) 2022/23 First Quarter Financial Report [Action: Receive Report (Guillory)]
- G. Receive the Quarterly Investment Report for the First Quarter (Ending September 30, 2022) [Action: Receive Report (Guillory)]
- H. Receive The Quarterly Report on Implementation of the Greenhouse Gas Inventory and Climate Action and Adaptation Plan for Fiscal Year (FY) 2022-23 First Quarter [Action: Receive Report (Whalen)]
- I. Fiscal Year (FY) 2022/23 First Quarter Report on Implementation of Capital Improvement Plan (CIP) Projects [Action: Receive Report (Mishra)]
- J. Receive the Quarterly Report on Implementation of the Strategic Plan for Fiscal Year (FY) 2022-23 First Quarter [Action: Receive Report (Murray)]
- K. Award a Construction Contract for Installation of an Electric Vehicle Charging Station (CIP Project # FA2002) [Action: Adopt Resolution per Staff Recommendation (Kaur)]

- L. Approve an Amendment to Extend the Term of the Employment Agreement for the City Manager [Action: Adopt Resolution per Staff Recommendation (Shell)]
- M. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent between May and August 2022, Considered at an Administrative Hearing on October 6, 2022 [Action: Adopt Resolution per Staff Recommendation (Stone)]

10. PUBLIC HEARINGS

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

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- A. Introduction and First Reading of an Ordinance to Adopt the 2022 California Building Standards Code and Update the City's Building and Fire Code [Action: Introduce and waive the first reading of an Ordinance adopting the 2022 Building Standards Code with updates to the City's Building and Fire Code (Casher)]

11. OLD BUSINESS

- A. Review and Feedback on Draft 2023-2031 Housing Element Update and Authorize Submittal to State HCD [Action: Receive Report and Provide Direction (Whalen)]

12. NEW BUSINESS

- A. Receive Information Regarding Potential Sister City Arrangements and Provide Direction [Action: Receive Report and Provide Direction (Rogers)]

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

Open only to members of the public who did not speak under the first Citizens to Be Heard, Agenda Item 6

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

14. ADJOURNMENT to the Regular City Council Meeting of December 6, 2022 in Remembrance of Amber Swartz.

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

POSTED: November 10, 2022 at 10:00 AM

Heather Bell, CMC
City Clerk

**CITY COUNCIL MEETING
MINUTES
November 1, 2022**

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 Salimi called the Regular Meeting of the City Council to order at 5:00 p.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

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

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

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Alex Mog, Assistant City Attorney
Sanjay Mishra, Public Works Director
Neil Gang, Chief of Police
Misha Kaur, Capital Improvement and Environmental Program Manager
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Thursday, October 27, 2022 at 3:00 p.m. with all legally required written notices. Written comments were received in advance of the meeting, posted to the City website and distributed to the City Council and staff and made available in the Council Chambers.

Following an inquiry, Mayor Salimi and Council member Tave reported due to the proximity of their residences they would have a conflict of interest with Item 10A and would be required to recuse themselves from the discussion.

4. CONVENE TO A CLOSED SESSION:

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

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Gov. Code §54957

Title: City Manager

2. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code §54957.6

Agency designated representatives: Mary Egan, Municipal Resources Group

Unrepresented employee: City Manager

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 6:38 p.m., Mayor Salimi reconvened the meeting into open session. There was no reportable action from the Closed Session.

6. CITIZENS TO BE HEARD (Public Comments)

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

Rafael Menis, Pinole, provided an update on COVID-19-related case statistics for the City of Pinole and encouraged people to continue to wear masks indoors at large gatherings. He also thanked Tony Vossbrink for meeting with him and going over concerns he had related to the Pinole Dog Park and a fire trail related to the dog park, which had a significant portion fail due to improper drainage and with a failure in the dog park itself leading to garbage the dog park had been built upon to remerge hazardous to humans and dogs. He reported he had reached out to City staff with images for possible remediation and staff had responded.

Mr. Menis also reminded everyone that November 8, 2022 was Election Day and he detailed the voting options available to registered voters, identified the City Council candidates including himself, described each candidate's qualifications and urged registered voters to vote.

City Clerk Bell identified a request to read a two-page letter from James Tillman, dated, November 1, 2022, into the record, which Deputy City Clerk Stone did at this time; however, Mr. Tillman was in the audience and addressed the City Council on some of the points in that letter along with a request for clarification of the number of Pinole Police Officers who had retired and left the City this year, how many were on-duty now, how many active Police Officers were doing shift work and how many shifts each Police Officer performed. He requested the consideration of more Police Officers in Pinole.

Mayor Salimi stated the City Council supported the Pinole Police Department and City staff would get back to Mr. Tillman with a response to his questions. He added that based on the statistics, the number of reported crimes in Pinole had consistently decreased over the past few years and Pinole was a safe City.

Jeff Rubin, Pinole, President of the Pinole Historical Society, reported the Pinole Historical Society had resumed in-person programs after the pandemic, with its first program in September. The Historical Society would host a presentation from the Contra Costa History Center on Friday, November 4, 2022 at the Pinole Sportsman's Club at 201 Pinon Avenue at 6:30 p.m., which would be free to all Pinole Historical Society members, their guests and the public. Volunteers from the History Center would highlight the vast research archives telling the story of the County's past with more information available at the Pinole Historical Society website pinolehistoricalsociety.org and at the History Center website at cocohistory.org. In addition, the Annual Veteran's Day Memorial and Flag Retirement Ceremony would be held on Friday, November 11, 2022 at 11:00 a.m. in Fernandez Park with participation from the Pinole Valley High School marching band and choir and the community. Anyone with an American Flag could bring the flag to the event so that Boy Scout Troops 81 and 86, who would be present at the ceremony, could retire the flag with dignity.

Tony Vossbrink, Pinole, asked why the information to call into the meeting had not been provided to the public on the top and bottom banner of the Zoom screen to allow for public participation and a timer displayed. He otherwise reported on a number of street lights in the City which had been inoperable for almost a year; reported the Pinole Library parking lot lights had been repaired after months if not years of non-service; and the security camera at the Senior Center had been repaired but crime in Pinole continued to increase regardless of the statistics reported by the Mayor. He reported on a recent incident that involved a low flying helicopter with spot lights in his neighborhood, but nothing had been reported to the community. He also suggested the City should also post a reward to address the criminal activities occurring on Fitzgerald Drive, assign a special task force and consider a police station in that area.

Mayor Salimi asked technology staff to ensure that an identification number and telephone number was displayed on Zoom for public participation but noted that information had been posted on the City Council agendas.

Maria Alegria, Pinole, read into the record written comments she would provide to the City Clerk to be part of the public record. She referenced the Pinole Historical Society and the Pinole History Museum, which she suggested had engaged in political campaigning for three candidates for the Pinole City Council, including Council member Martinez-Rubin. She pointed out that Section 501 (c)(3) organizations were prohibited from directly or indirectly participating in or intervening in any political campaign on behalf of, or in opposition to any candidate for elected public office.

Ms. Alegria suggested Council member Martinez-Rubin's husband Jeff Rubin, President of the Pinole Historical Society, a non-profit organization, had violated this section by posting on both the Pinole History Museum and Pinole Historical Society Facebook pages to encourage the public to attend a Pinole City Council Forum on October 22, 2022 at Pinole Valley High School, and had also encouraged the public to vote for three candidates for the City Council while also disparaging another Council member for not voting for the renovation of the Faria House. Also, Council member Martinez-Rubin and her husband had made personal contributions to the Pinole Historical Society and Pinole History Museum of over \$15,000. She suggested Council member Martinez-Rubin had a conflict of interest related to decisions to support the renovation of the Faria House for the Pinole History Museum and she urged the City Council to reject any further discussions with the Pinole History Museum regarding its role in securing a lease agreement to have the museum at the Faria House.

City Attorney Eric Casher advised a question had been posed to him as the City Attorney regarding the City's role in enforcing what had been suggested in the comments. He stated it was not the City's position or had it ever been to enforce the tax exempt status of non-profits within the City of Pinole, which would apply for any organization within the City and which had been communicated to the member of the public who had posed the question.

Mayor Salimi modified the meeting agenda and moved to Item 8. Recognitions/Presentations/Community Announcements at this time.

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

A. Proclamations

1. Honoring St. Joseph's School – 75th Anniversary

The City Council read into the record the proclamation honoring St. Joseph's School's 75th Anniversary.

Mark Bryne, a member of the St. Joseph Parish for 35 years, explained that Father Geoffrey Baraan had been unable to attend given that he was on a tour of the Holy Land and he had been asked to accept on his behalf and on behalf of St. Joseph's Parish. He thanked the City Council for the recognition and looked forward to serving the community for years to come. He also commented that as a friend of Carol Lujan he wanted to be part of future plans to make Tennent Avenue safer for pedestrians.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

B. Presentations

1. Updates from the West Contra Costa County Unified School District (WCCUSD) - Superintendent Kenneth Chris Hurst

Dr. Kenneth Chris Hurst, Sr. Ed.D, Superintendent, West Contra Costa County Unified School District (WCCUSD) introduced the WCCUSD Team including Trustee Area 1, Jamela Smith-Folds; Elizabeth Sanders, Director of Communications; LaResha Huffman, Chief Academic Officer; Michael Booker, Disaster Preparedness and Safety Consultant; and Dr. Robert McEntire, Chief Business Officer.

An extensive PowerPoint presentation was provided which included an overview of the background and experience of Dr. Hurst; the details for the WCCUSD Strategic Planning Process and next steps; highlights of the STAR Reading and Math State benchmarks by Primary Ethnicity, CSU and UC Systems Admission Rates 2021; UC System Admission Rates Over Time; Core Instructional Programming; Efforts to Improve Climate and Enrollment; Wrap-Around Services and Supports; COVID Safety, S.M.A.R.T.E.R Strategy; COVID Resources; Safety Resources; School Safety Tracker; Opportunities and Risks to Fiscal Condition; Budget Changes Since Adoption; Increased LCFF Funding Changes Assumptions; Changes to Revenues, Expenditures and Fund Balance 2022/23; and the Components of the Ending Fund Balance.

Jamela Smith-Folds was pleased to be the WCCUSD Trustee for Area 1 and identified all of the Pinole schools in the WCCUSD and their distinguished achievements. She stated that Pinole had great schools with a lot of student involvement.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Murphy thanked Dr. Hurst for his achievements; reported he had attended one of the Strategic Planning meetings at Pinole Valley High School and was pleased with the interaction and engagement and hoped that information would be made available to the City so that it could be disseminated to the public. He also thanked the WCCUSD for allowing him to conduct a back to school tour of all Pinole schools on the occasion of the new school year and hear from the students on what they wanted such as more counselors, health centers at every school and before and after school program activities. He encouraged his fellow Council members to do the same back to school tour. He also wanted to see the City increase its partnership with the WCCUSD and amplify the needs of the students.

Mayor Pro Tem Murphy asked whether the WCCUSD owned land within the City of Pinole given there had been student interest in community gardens and he wanted to promote such activities at all schools in the City, and Dr. Hurst stated he would have to get back to the Mayor Pro Tem with information.

Mayor Pro Tem Murphy also spoke to the traffic issues around Pinole Middle School and West County Mandarin School and asked for an update, to which Michael Booker, Disaster Preparedness and Safety Consultant, explained that the WCCUSD had been in conversations with the City as to those traffic issues and the City had assisted with cones and police availability as needed,. The WCCUSD would continue to address some of the issues on a more permanent basis.

Public Works Director Sanjay Mishra reported he had worked directly with the school Principals to provide traffic cones and signs as temporary measures, with no left turn into the school facility, and with the red curbing and loading and unloading zones to be painted in front of the school along with permanent no left-turn signs. Staff was also working with a consultant to provide a permanent solution such as a crosswalk and other proposed changes in the area including a right-turn lane to Appian Way and widening the sidewalk, all of which would take some time. As part of next steps, the City would engage with the residents and business owners in the area when a final and permanent solution had been identified.

City Manager Andrew Murray reiterated the City had installed some short-term temporary improvements such as the traffic cones and no left-hand turn signs, and would paint the No Parking and loading and unloading zones, weather permitting. School stakeholders and City staff understood that permanent engineering solutions were needed. The City had a consultant on-board, promised to get back to the WCCUSD by the end of the calendar year with options such as a dedicated right-turn lane as one left Mann Drive onto Appian Way, permanent no left-turn signage into the parking lot, a raised and possible beacon crosswalk, along with permanent signage and possible engineering barriers to address U-turns onto Mann Drive along with the widening of the sidewalk on Mann Drive on the school site.

Mr. Booker advised that the WCCUSD had a few meetings with the community of Pinole Middle School and West County Mandarin School on the plans moving forward and the Principals of those schools had communicated with the school families about the traffic issues in those areas.

City Manager Murray emphasized the City followed the three E's of traffic safety; education, enforcement and engineering and he commended the WCCUSD for establishing expectations and communicating around the safety needs, with the City to design effective engineering solutions.

Mayor Pro Tem Murphy asked the status of any plans for student transportation and was informed by Dr. Robert McEntire, Chief Business Officer that the WCCUSD contracted out for all of its transportation services and regularly went out to bid and set the criteria for what they valued given the importance of being good stewards in the community.

Trustee Smith-Folds added that transportation was an equity issue with Area 1 busing students with special education needs in addition to students at West County Mandarin School who were also bused given a required transfer from one location to another. There was no district-wide transportation, but that was to be discussed as an equity barrier or uplifter through an environmental lens. Additionally, it was noted that some students in the WCCUSD used WestCAT and transportation was an issue the WCCUSD was aware of and needed to address.

Mayor Pro Tem Murphy thanked the WCCUSD Team for all of their work, and again spoke to his tour of Pinole schools, and was pleased Pinole was the only city in the State of California that addressed dual-Mandarin needs with West County Mandarin School. He added the school tracker in the PowerPoint presentation needed to be modified to identify Pinole schools, not unincorporated Contra Costa County. He again was interested in the feedback from the students and teachers and urged metrics be prepared on those issues to track the progress and improvements for students and teachers. He suggested the City would benefit from a stronger and strategic partnership with that information.

Council member Toms also thanked the WCCUSD Team for the presentation and reported she had participated in a recent tour of Pinole Valley High School with past alumni and the City should be proud of its achievements. She clarified with Mr. Booker the start and end times for Pinole Middle School and West County Mandarin School had been staggered with all options considered to mitigate the traffic situation and with the possible additional staggering of times for both schools.

Council member Toms found that WestCAT had been convenient for many middle school students and reminded everyone that the month of October had been free for WestCAT users and that should be promoted more in the future. She also highlighted with Dr. McEntire the current budget numbers and concerns raised by the County Office of Education with the continued risk to the WCCUSD negotiations.

Council member Tave thanked the WCCUSD Team for the presentation and asked whether or not there was a performance metric that identified below, at, and above-grade level students that could be monitored in-house. He reported he had been contacted about shuffling teachers at several schools and he asked for an update.

Dr. Hurst advised that the data requested could be made available on the WCCUSD website. A presentation would be made at the November 2, 2022 WCCUSD Board meeting on that same data. He highlighted the number of teachers who had resigned prior to the summer and the effort with job fairs to close that gap, although numerous vacancies remained and were being filled with long-term substitute teachers and peer teachers.

LaResha Huffman, Chief Academic Officer, detailed the staffing process the WCCUSD followed pursuant to contractual requirements and guidelines required to consolidate teachers.

Council member Tave also commented that in 2018/2019 there had been discussions about security on-campus and the removal of the School Resource Officers (SROs), which discussion had split the community. He asked whether there was any data available to show that criminal activities on-campus had decreased even with the removal of the SROs and was informed by Dr. Hurst that he and Mr. Booker had spoken with every Police Chief and City Council in the WCCUSD on what a positive relationship looked like between the WCCUSD and the cities and there had been a request for that information to be provided in writing. Once they had all that information the WCCUSD would engage the community on what that positive relationship looked like with feedback and guidance from the WCCUSD Board.

Mr. Booker reiterated the WCCUSD had been actively engaged for some time with the Police Chiefs in the WCCUSD, as discussed, with that information to be presented to each city and the WCCUSD Board; however, every city was different and they had to look at a non-cookie cutter approach and needed to get all information in an appropriate manner before moving forward.

Council member Tave sought time on the local level to have that conversation with the community. He also sought a metric of WCCUSD positions filled and vacant. He thanked the WCCUSD for its after school programs and thanked the WCCUSD Team and Trustee Smith-Folds for their leadership.

Council member Martinez-Rubin suggested safety was an area that needed attention and should complement whatever metric/data could be obtained. She referred specifically to the mass shooting at Uvalde, Texas which highlighted the importance of prevention.

Council member Martinez-Rubin supported public schools, found all of the programming that existed was of great value but emphasized that the safety of students and teachers required the prevention aspect of safety. Of the staff tracked, she asked about the top three issues over the past three years.

Mr. Booker explained that they look at the number of intruder incidents on the campuses, number of fights and number of weapons brought on campus, and address those issues moving forward. The WCCUSD had a collaborative relationship with the Pinole Police Department to make sure that any information deemed worthy of their knowledge would be provided to the Pinole PD. The statistics for 2018/2019 were not one way or another in terms of incidents on-campus or fights, and with the pandemic there was little data for that period and the WCCUSD was currently tracking some highlights from previous years.

Council member Martinez-Rubin sought an actual partnership with the WCCUSD to include the funding of SROs and along with those conversations and interactions between school staff and the community recommended ongoing discussions of the prevention aspects. She recognized that different systems needed to be at play and the intersection of those systems, education, justice and safety in schools must not ignore the prevention or escalations on-campus that occurred by students on-site or some other way. She also recognized that they lived along a corridor where there were crimes of opportunity and with the community bisected by I-80 had led to concerns for students and residents. She urged the WCCUSD to move quickly beyond the discussions and partner with other cities with what was already evidence on the value of SROs and if in the future the City could partner with funding that would be a great plus.

Trustee Smith-Folds explained that the WCCUSD listened to its stakeholders and one of the greatest stakeholders were the students who had been asked about safety. Many wanted the wrap-around services on-campus, such as a trusted adult on campus. Efforts had been made to instill in students that if they see something, say something and go to an adult or consider an anonymous tip line. Many incidents had been prevented in this way and campus security officers were the first line of defense for the students and could point them to the resources on campus, but as discussed students had identified greater needs. The one point of entry after the pandemic and having lanyards had increased safety and work was being done with consistency over time to allow the students to see the change they were looking for since the students were guiding this conversation.

Dr. Hurst acknowledged the comments from the City Council and the perspectives on emotional and physical safety, and advised as a Superintendent he must listen to stakeholders and the conversation around SROs was not an easy conversation. He stated the City Council's comments on SROs would be broached carefully with information brought to the WCCUSD Board but he did not have a timeline. He emphasized that physical, social and emotional safety was very important but there was no guarantee there would be SROs on-campus and that would depend on stakeholders, teachers and students.

Council member Martinez-Rubin further clarified with Ms. Huffman the data provided had included special education students but the data had not been segregated. She would ensure that information was available on the WCCUSD website.

Council member Martinez-Rubin, as a member of the WestCAT Board, updated the services provided to students of Pinole Valley High school and the integration of the students outside of the Pinole zip code, which had been made possible due to the WestCAT lines and which had continued through the pandemic. She thanked the WCCUSD Team for the presentation and looked forward to ongoing and future changes.

Mayor Salimi appreciated the work of the WCCUSD Team and the challenges they had faced for years. He added a large portion of taxes had been devoted to education, he supported education, and he pointed out the more successful the school district the greater the property values in a community.

The WCCUSD Team thanked the City Council which had been invited to participate in all WCCUSD public meetings, with all information available on the WCCUSD website.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, stated he had been asked by Christy Lam-Julian to provide her comments. She had asked how much the WCCUSD had earmarked for the consultant cited for the guiding coalition and questioned the prudence of that expenditure given ongoing labor negotiations. As to Pinole Valley High School and the UC Admission Rates as shown in the PowerPoint presentation, he noted the admission rate for Pinole Valley School was one of the lowest for 2019, had spiked to around 80 percent in 2020 but had decreased in 2021 to 64 percent. He asked if that was a product of the pandemic or the applicant pool. Pursuant to the budget figures, he recognized that the cost for books and supplies had increased over the initial costs but stated that even with inflation those costs were remarkable and he requested clarification.

PUBLIC COMMENTS CLOSED

2. Update from the California Department of Insurance – (CDI) – Mary Beth Bykowsky

City Clerk Bell reported there had been a request to reschedule the presentation to a future meeting.

Mayor Salimi again modified the meeting agenda and moved on to the Consent Calendar.

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 Special Meeting Minutes of October 10, 2022 and the Regular Meeting Minutes of October 18, 2022
- B. Receive the October 15, 2022 – October 28, 2022 List of Warrants in the Amount of \$861,471.37, and the October 28, 2022 Payroll in the Amount of \$545,125.51

- C. Resolution Authorizing the City of Pinole Membership in the CivicWell **[Action: Adopt Resolution per Staff Recommendation (Whalen)]**
- D. Adopt a Resolution Amending the Master Salary Schedule **[Action: Adopt Resolution per Staff Recommendation (Shell)]**
- E. Resolution Authorizing the City Manager to Execute a Legal Services Agreement with Sher Editing LLP Regarding PCB Litigation **[Action: Adopt Resolution per Staff Recommendation (Shell)]**

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, supported the Consent Calendar, as is.

PUBLIC COMMENTS CLOSED

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

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

Mayor Salimi again modified the meeting agenda and moved on to Item 12. New Business, with the items taken out of order from how they had been shown on the meeting agenda.

12. NEW BUSINESS

- C. Establishment of a Project Labor Agreement (PLA) Ad Hoc Subcommittee **[Action: Adopt Resolution per Staff Recommendation (Murray)]**

City Manager Murray presented the staff report and recommended the City Council adopt the resolution contained in Attachment A to the November 1, 2022 staff report.

Council member Toms expressed the desire to serve on the Project Labor Agreement (PLA) Ad Hoc Subcommittee given her experience with Public Works projects.

Council member Tave also expressed the willingness to serve on the PLA Ad Hoc Subcommittee.

Mayor Pro Tem Murphy offered a motion, seconded by Council member Tave, to adopt the resolution in Attachment A.

On the motion, Council member Martinez-Rubin requested a revision to the last Now, Therefore Be it Resolved clause as shown on Page 1 of the resolution, as follows:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole does hereby establish the Project Labor Agreement (PLA) Ad Hoc Subcommittee composed of

two Council Members appointed by the City Council and a Planning Commissioner and a Community Services Commissioner selected among the Planning Commission and Community Services Commission by its respective members and appointed by the Mayor, staffed by the Public Works Director.

Mayor Pro Tem Murphy retracted his motion.

City Clerk Bell clarified the City Council also needed to appoint two Council members to serve on the Ad Hoc Subcommittee.

PUBLIC COMMENTS OPENED

Joe Lubas, Policy Analyst, Associated Builders & Contractors, Northern California Chapter, expressed disapproval of this action given what had happened with the Pinole-Hercules Water Pollution Control Plant Upgrade, a PLA project supported by the City Council with the most reasonable low bid for the project significantly over the Engineer's Estimate of what the project would cost. He asked the City Council to not move forward and that any subcommittee should include contractors both union and merit so that at all views had a seat at the table.

Maria Alegria, Pinole, encouraged the City Council to approve the PLA Ad Hoc Subcommittee. She pointed out the Council Chambers had been built with a PLA, the building was beautiful, sustainable and welcoming. She asked that there be regular reporting from the PLA Ad Hoc Subcommittee to the public to allow the public to opine on any issues and that the labor partners union also have a seat at the table.

Eric Christen, Executive Director, Coalition for Fair Employment in Construction, a statewide organization formed in 1998 solely to oppose discriminatory and wasteful PLAs, asked what problem the PLA would seek to remedy given record inflation and the fact the construction industry was facing construction industry inflation not previously seen. He suggested a PLA would not be considered unless someone was pushing for it, such as special interest groups and former politicians for big labor interests who wanted a monopoly and to exclude the labor force that chose to work labor free, which was evident in the State of California pursuant to the Bureau of Labor Statistics. He questioned why the City Council sought to change the way it did business and asked for a rationale for that action.

If a PLA Ad Hoc Subcommittee was formed, Mr. Christen suggested it should include all parties including supporters and those opposed to these types of discriminatory agreements. He suggested that PLAs only forced non-union construction firms to hire an all-union work force, those that were non-union must pay into union health and welfare pension plans and would never invest since investing requirements were five to ten years in length. PLAs precluded one from wanting to bid since construction companies did not get a user work force, PLAs excluded non-union apprenticeship programs and forced non-union workers to pay union dues. He suggested PLAs had no use or purpose in 2022. If the City Council voted for a PLA Ad Hoc Subcommittee all sides should be represented.

Tom Hansen, Business Manager, International Brotherhood of Electrical Workers (IBEW) Local 302 and President, Contra Costa County Building Trades, commented that this was something the City Council had considered for some time.

Mr. Hansen was present as a resource for staff and looked forward to working with City staff through the details of the PLA. He appreciated the commitment to labor in the Bay Area.

Mayor Salimi stated for the record he was not running for re-election but when he had run for office in 2018, he been approached by the labor union and had refused the money, explaining that he would help the union because he believed in unions and the quality of work and unions made the country stronger, but he was not voting for their money but what was right for what needed to be done.

PUBLIC COMMENTS CLOSED

Council member Toms recommended the last Now, Therefore Be it Resolved clause as shown on Page 1 of the resolution, be further modified, as follows:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole does hereby establish the Project Labor Agreement (PLA) Ad Hoc Subcommittee composed of two Council Members appointed by the City Council and a Planning Commissioner and a Community Services Commissioner selected among the Planning Commission and Community Services Commission by its respective members and staffed by the Public Works Director.

Mayor Salimi advised there was consensus to appoint Council members Tave and Toms to serve on the PLA Ad Hoc Subcommittee. He clarified the Ad Hoc Subcommittee would include two Council members, one Planning Commissioner and one Community Services Commissioner.

City Manager Murray requested two separate motions; one on the resolution and another the City Council appointments to the PLA Ad Hoc Subcommittee.

ACTION: Motion by Council members Martinez-Rubin/Tave to adopt a Resolution of the City Council, County of Contra Costa, State of California, Creating the Project Labor Agreement (PLA) Ad Hoc Subcommittee, to be modified as follows:

Revise the last Now, Therefore Be it Resolved clause as shown on Page 1 of the resolution, to read:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole does hereby establish the Project Labor Agreement (PLA) Ad Hoc Subcommittee composed of two Council Members appointed by the City Council and a Planning Commissioner and a Community Services Commissioner selected among the Planning Commission and Community Services Commission by its respective members and staffed by the Public Works Director.

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

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to Select Council members Tave and Toms to serve on the Project Labor Agreement (PLA) Ad Hoc Subcommittee.

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

A. Adopt Resolution Approving Communication and Engagement Plan [Action: Adopt Resolution per Staff Recommendation (Murray)]

City Manager Murray presented the staff report and recommended the City Council adopt the resolution contained in Attachment A to the November 1, 2022 staff report.

Jennifer Nentwig, Principal, and Karen Villasenor, Business Analyst, Tripepi Smith, provided a PowerPoint presentation for the City of Pinole's Communication and Engagement Plan, an overview of the research and development of the plan to provide a framework to strengthen the City's communication efforts and help City Hall more effectively reach and engage residents by improving access to timely, helpful and accurate information about Pinole and its services while also providing easy, meaningful and successful ways to engage with residents and promote transparency in the City's decision-making process and outcomes of key citywide issues.

Recommendations the City Council was asked to consider included:

Planning: Recommendation to shift from reactive to proactive communications and cross-departmental communications planning to help increase public engagement.

Website: Highest profile and most utilized communication platform by residents, visitors and stakeholders with recommended focus on a user-friendly, easily navigable design.

Social Media: Recommendation for consistent and compelling content, leveraging both City and Police Department platforms and building a strong presence.

City Branding: The City of Pinole used the seal as the City's logo, with a recommendation for a consistent use of branding tools throughout City Hall with easily identifiable logos and colors in all messaging.

Newsletter: The bi-monthly City Manager's Report covered critical and interesting City information and would benefit from an updated look and feel with a recommendation to leverage social media to increase traffic and subscriptions.

Policies and Procedures: Recommendation for the establishment of policies to help manage communications efforts with formal policy examples including a Social Media Policy (internal and external), Media Relations/Inquiry Policy and a Branding/Style Guide.

Crisis Management: Preparation was key with a recommendation for a clear process to lessen confusion and provide clear next steps for residents and staff.

Media Relations: Recommendation to build and cultivate relationships with reporters and increase connections with news outlets and regularly develop and share press releases with the media.

Language Access: Recommendation to expand language access to ensure all information was accessible to all parts of the community.

Residents Academy: Recommendation for resident engagement and encourage education about the inner workings and processes of local government through a Residents Academy; and

Metrics: Recommendation to regularly analyze metrics to gather insights to help improve communications efforts, use a data driven approach to help guide important decisions and help the City know what efforts are more efficient and effective in reaching its residents.

PUBLIC COMMENTS OPENED

Maria Alegria, Pinole, was ecstatic to see the presentation and was glad to see the City Council would do what it said it would but wanted the Council to be aware when evolving out of the pandemic that person-to-person contact was needed. She suggested the Police Chief had done an excellent job reaching out to the community and with the consolidation with the Contra Costa County Fire Protection District (CCCFPD), this was an opportunity to reach out to the community further and consider more outreach such as the Mayor Pro Tem's coffee chats as an example. She also referenced the recent United Against Hate Week (UAHW) efforts and she was proud to be a citizen of Pinole, was proud of the work the City Council had done, and would like the City Council to build on that vision for a united community. She urged the City Council to adopt the Communications and Engagement Plan.

Cordell Hindler, Richmond, thanked the consultant for the presentation, found the concept to be unique, and agreed with the previous speaker and asked the City Council to approve the Communications and Engagement Plan.

PUBLIC COMMENTS CLOSED

Council member Toms reported she had participated in the on-line presentations and had received all of the information she needed from that presentation and from the staff report.

Mayor Pro Tem Murphy thanked the City Manager for the work with community engagement which had been a priority of his and it was great to see the plan was one of action. He acknowledged some of the elements were already at work and thanked the Communications and Technology Subcommittee for its early work on this effort. He was interested in seeing some of the metrics the consultant had recommended which could be considered as quarterly updates.

Mayor Pro Tem Murphy referenced Pinole Community Television (PCTV) and commented that public transparency was important and PCTV was part of the Communications and Engagement Plan. He hoped the investment in PCTV would not just be met with the plan but with a budget behind it to ensure that PCTV had the resources beyond the bare minimum, ways to creatively increase its capacity and some of the programming it had offered in the past, such as supporting public media education for youth in Pinole.

Mayor Pro Tem Murphy also wanted to see a Youth Commission as part of the Communications and Engagement Plan and referenced the cities of Antioch and Pittsburg that allowed youth to serve on regular Commissions such as the Planning, Community Services and Traffic and Pedestrian Safety Commissions, and he wanted to see that explored for Pinole.

Council member Martinez-Rubin thanked the consultant for the extensive presentation but acknowledged not all of the recommendations would be feasible. She appreciated the recommendation for a Residents Academy and reported in 1994 she had joined a Municipal Services Task Force that had educated her on the services provided by cities. She agreed with many of the tasks recommended but wanted appropriate representation for residents of all ages in the community given the leaning towards digital and social media in that an inclusive city needed to recognize the traditional means of communication, in-person types of events, and City sponsored and created content to highlight the City's talent and ability to present its factually-based information rather than content that could be co-opted by another organization and represented incompletely, which had occurred in the past. She looked forward to some of the recommendations actually being implemented.

Mayor Salimi commented the City's website domain was easy to remember but he would recommend a rebranding of the website that was easy to type and remember.

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to Adopt a Resolution of the City of Pinole, County of Contra Costa, State of California, Approving the City of Pinole Communication and Engagement Plan.

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

B. Traffic Safety Improvements on The Tennent Avenue Corridor [Action: Discuss and Provide Direction (Mishra)]

Public Works Director Mishra introduced Misha Kaur, Capital Improvement and Environmental Program Manager, who provided a PowerPoint presentation on the Safety Improvements on the Tennent Avenue Corridor, which included an overview of the corridor collision history for the segment of Tennent Avenue between San Pablo Avenue and Pinole Valley Road. The presentation also included the background of a traffic fatality that had occurred in July 2022 on Tennent Avenue and Pear Street; the details of the Local Road Safety Plan (LRSP) that would identify, analyze and prioritize roadway safety improvements to reduce fatalities and injuries using existing conditions analyses from 2015-2019 collision data; and as part of the collision analyses identify collision trends, types, severity, violation category, lighting conditions and geographic analysis, which included spatial identification of top trends. The Tennent Avenue Corridor had been identified as a high-injury corridor with two high-injury intersections at Tennent Avenue and San Pablo Avenue and Tennent Avenue and Pinole Valley Road. The LRSP Tennent Avenue Corridor Countermeasures and Recommendations included a number of improvements which were also identified.

Ms. Kaur introduced Traffic Consultant Robert Stevens, CSW-ST2, who provided an overview of the concepts and ideas to address the immediate concerns at Tennent Avenue and Pear Street and Tennent Avenue and Plum Street, and highlighted the traffic study which included a speed survey, traffic counts (auto, pedestrian and bicycle), evaluation of current circulation patterns and community input, including feedback from a meeting at St. Joseph School on October 5, 2022. He also walked through the guidelines and standards for the use of stop signs and explained that based on the data and traffic volume neither of the two streets warranted a stop sign.

Based on the analysis, the consultant and staff recommended the following traffic safety improvements for the two intersections on the Tennent Avenue Corridor:

Tennent Avenue and Pear Street

- Bulb outs at all the corners which will require removal of several parking stalls to increase visibility; high-visibility crosswalks and pavement markings on all legs; and high-visibility yield road signs.

Tennent Avenue and Plum Street

- Bulb outs at all the corners which will require removal of several parking stalls to increase visibility; a Rectangular Rapid Flashing Beacon (RRFB); high-visibility crosswalks and pavement markings on all legs; and high-visibility yield road signs.

In addition, continued meetings with St. Joseph School to review its student drop-off and pick-up procedures to minimize the potential of pedestrian and vehicular conflict was recommended.

Mr. Stevens described some of the measures that had been considered but had not been recommended for either of the two streets included a traffic-calming circle, roundabout and speed humps and a High-Intensity Activated Crosswalk Beacon (HAWK) Signal and noted the reasons why each had not been warranted had been outlined in the November 1, 2022 staff report.

Ms. Kaur asked the City Council to provide direction on the next steps that may include a revision to the Capital Improvement Program (CIP) and appropriate funding to implement the recommended traffic safety improvements at Plum and/or Pear Streets; complete additional analysis on the feasibility of other types of traffic safety improvements (i.e. roundabouts, K-71 bollards and the like); or wait to receive the LRSP and take any desired action on its recommendations related to the Tennent Avenue Corridor.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, referenced the traffic and circulation guidelines and the thresholds that must be met to warrant certain safety improvements and asked for clarification. He understood why the City would not want the same beacon for any particular roadway but questioned why any beacon was not warranted for the Pear and Tennent Avenue intersection given the recent fatality that had occurred at that intersection. As to the higher visibility markings for crosswalks, he questioned how fast they would fade and how often they would have to be maintained.

Public Works Director Mishra clarified the high-visibility markings at both intersections involved a concrete surface and would likely wear out faster than other surfaces and would have to be maintained more regularly at least every three years.

Mr. Stevens again clarified the stop warrant analysis threshold and noted that two Rectangular Rapid Flashing Beacons (RRFB) should not be placed adjacent to one another since drivers would not pay attention and it would be more effective to ticket the intersection. He also noted the bulb-outs would prevent vehicles from parking on the shoulder so that if a person walked out, a vehicle would not be able to drive around them and two vehicles would be unable to pass one another. The bulb-outs would regulate the right-of-way (ROW). He again detailed the thresholds warranting stop signs and traffic signals and confirmed that neither intersection met the criteria.

Maria Alegria, Pinole, commented her granddaughter was a student of the pre-school at St. Joseph School and she would like nothing more than to walk with her to school and take her to Fernandez Park, but she was terrified to walk across the street from St. Joseph School across San Pablo Avenue given the traffic conditions. She suggested the City needed to stop people from speeding and from using Tennent and San Pablo Avenues as a speed way to the freeway. The staff report had not mentioned the traffic from the freeway and what was driving motorists to drive so fast to reach the freeway, which also passed Collins Elementary School. She urged the City Council to consider a greater vision and make traffic-calming and pedestrian safety the top priority of the CIP. She cited all of the resources available to the City and emphasized lives mattered, people wanted to come to the downtown and it should be made safer for families. She urged the City Council to have a wider vision when deliberating the issue.

Tony Vossbrink, Pinole, stated the call-in numbers for the Zoom meeting had still not been posted and he asked that he not be cut off at three minutes since other speakers had been allowed an extended period of time to speak, which he suggested was a violation of the Brown Act. He asked why input from the City's Traffic and Pedestrian Safety Committee (TAPS) or the Police Department had not provided any input on this discussion. He also questioned why none of the recommendations had emphasized traffic enforcement and asked of the current enforcement numbers for the Tennent Avenue Corridor as well as those before and during COVID. He understood the Police Department had curtailed enforcement and citations during COVID due to other priorities and accidents were not being reported and suggested the numbers cited in the collision data were questionable given the number of unreported accidents.

Frankie Martinez, Pinole, a resident of Old Town Pinole, reported on the number of erratic drivers and while the majority of drivers were following the rules, the others must be addressed. He too was uncertain of the accuracy of the collision data and enforcement numbers and spoke to the use of speed trailers and suggested if a camera was added it would allow fines to be imposed, which could impact a speeder's driver's license. He asked the City Council to consider everything possible to slow the speed of traffic in the difficult and scary areas of the City.

Peter Murray, Pinole, spoke to the recent fatality along the Tennent Avenue Corridor, which he understood had occurred due to distracted driving. He asked how the staff recommendations would address erratic and distracted drivers and liked the idea of a camera on the speed trailers that would capture whether someone was talking on a cell phone. He was otherwise uncertain how to change the culture of distracted drivers.

City Manager Murray clarified that TAPS had discussed traffic interventions throughout the City and in particular the Tennent Avenue Corridor, and their comments had been forwarded to the traffic consultant. Similarly, the Police Department had been involved in those conversations and were in support of the proposed engineering solutions intended to address the distracted driving problems with the RRFB, specifically intended to get drivers attention. He suggested that distracted driving was a societal, behavioral and cultural issue and no amount of police enforcement would counteract that behavior. The intent was also to have persistent intervention methods in place to avoid the requirement of having someone constantly monitor drivers. He added that staff would have to get back to the speakers who had suggested cameras on top of the speed trailers/radar devices and would discuss that with the Police Department.

PUBLIC COMMENTS CLOSED

Council member Tave asked whether temporary fixes with feedback from St. Joseph School had been considered and was informed by Public Works Director Mishra that temporary fixes could be considered such as the use of K-71 bollards but would involve a cost to remove any temporary solutions when a permanent solution had been installed.

Council member Tave recommended that temporary fixes be considered now to see if they worked to educate and train drivers to be ready for the future permanent improvements and to create the choke point where people would reduce their speed in the affected areas. He liked the plans, emphasized the need to address concerns now, and understood the need for all improvements.

City Manager Murray was uncertain the K-71 bollards were the right option and suggested possibly some water-filled barriers that may also mimic the bulb-outs, but staff was seeking direction from the City Council on the recommendations provided or options through a future CIP update. A full-blown permanent installation would require some appropriation of funding in the CIP, and in the meantime a temporary solution could be considered. Feedback and educating drivers was also important as effective measures.

Mr. Stevens suggested temporary solutions were great since they helped people to be comfortable with changes but he would not expect a reduction in vehicle speeds with the K-71 bollards, although they could provide a visual cue to help drivers navigate the intersection. He found that people were less observant of conditions on the road, and there needed to be a design where pedestrians and people navigating the street were able to clearly see oncoming vehicles and make eye contact with drivers, to ensure drivers were not distracted. He reiterated that while the K-71 bollards would provide that visual cue, they would not provide the same level of security a true bulb-out would provide. He suggested an easy and quick solution would be to remove some of the on-street parking to improve sight distances.

Council member Martinez-Rubin supported the more permanent solution and means of creating safety and visibility. She suggested safety over speed should also be considered and appreciated consideration and existence of the RRFB and having something that both enhanced visibility during the day and which would also be helpful at dusk. Also, the Tennent Avenue Corridor was not the only area in the City where residents had expressed concern.

Mayor Pro Tem Murphy again clarified with staff the collision data for the Tennent Avenue Corridor had not included solutions for the intersection at Tennent and San Pablo Avenues.

Public Works Director Mishra advised that the data provided was part of the LRSP, the City was in the process of completing that plan and the solutions for that segment would be part of the LRSP and was not part of this effort.

Mayor Pro Tem Murphy asked whether the closure of Tennent Avenue during particular hours of the day had been considered to address pedestrian safety and Public Works Director Mishra stated that option had not been evaluated. Tennent Avenue was an arterial roadway that connected to the I-80 on- and off-ramps, impacting the entire arterial system in the City, and it would not be prudent to close it although the traffic data could be reviewed to determine whether or not it would be possible. The same would apply to the San Pablo Avenue and Pinole Valley Road segments.

Mayor Pro Tem Murphy liked the bulb-out idea but asked whether or not full sidewalks could be extended on both sides of Tennent Avenue, to which Public Works Director Mishra suggested if there was adequate ROW and funds that option could be possible.

Mayor Pro Tem Murphy also clarified with Public Works Director Mishra that the K-71 bollard was a type of bollard manufactured by a certain company used for situations where delineation was needed for a bicycle and pedestrian way from vehicles. It was not a hard bollard but offered visual cues for separation from a bicycle and pedestrian path.

Mayor Pro Tem Murphy again suggested an extension of the sidewalk could be a solution to the issues on Tennent Avenue and that trees could possibly be added along the sidewalks. He asked whether that solution had been considered, and Mr. Stevens agreed that mature trees with a beautiful canopy and anything that constrained or made the road appear narrow and tunnel-like tended to slow vehicles down. Some cities had also implemented gateway symbols or markers as one entered a community but care needed to be taken with what would be implemented and how the corridor was treated as a whole.

Mayor Pro Tem Murphy suggested trees would be an added benefit, add to the beautification of Pinole, provide the ability to cool down the community and provide mental health benefits. He asked whether trees could be included in the staff recommended options, and Public Works Director Mishra stated for this proposal the improvements were only for the two intersections and not for the entire corridor. When the entire corridor was considered, adding trees could be considered at that time. The LRSP was scheduled to be presented to the City Council at its November 15, 2022 meeting and at that time staff would provide an update on the progress to date, with another workshop required to be conducted prior to the final adoption of the LRSP.

City Manager Murray suggested they were really speaking of a Complete Streets project for this area of Tennent Avenue and he did not expect the LRSP would likely include recommendations with expanded sidewalks which could narrow the corridor, the planting of trees or other curb management. He suggested those options could be considered as a potential CIP project which would include economic and community development benefits. He also suggested that discussion be considered during the CIP since he was not of the opinion those options would naturally flow from any of the other projects, such as the LRSP or a Tree Master Plan.

Mayor Pro Tem Murphy emphasized that discussion needed to be had especially for an evidence-based solution that may also benefit the City's Climate Action Plan (CAP) when developed.

The Mayor Pro Tem also commented that he walked downtown Pinole daily, had a conversation with a constituent around the loss of life in the corridor, and saw this effort as a strategic plan for a more walkable downtown Pinole. He sought a broader thought process about why Tennent Avenue was so important in downtown Pinole. While he appreciated the staff recommendations and highly supported the recommendations for both intersections, he was also challenged with what he saw as a lack of connection and development of plans across different agencies. He wanted to see staff work to integrate the plans more, recognized it would not be easy, but emphasized that collaboration was important when considering solutions.

Mayor Pro Tem Murphy added he had received feedback from the St. Joseph community about the mental health impacts of the recent fatality on students at St. Joseph School and that piece could be mitigated in the design such as consideration of using the crosswalk as another beautification project in Pinole. He suggested the use of rainbow crosswalks could make people remember that a school was nearby and that there had been a fatality at that crosswalk. He looked forward to the staff recommendations including drainage improvements, use of recycled water and the replacement of Prune Street.

Council member Toms verified with Public Works Director Mishra that the LRSP would be presented to the City Council on November 15 with the final LRSP anticipated to be adopted by the City Council in early January 2023. She supported the staff recommendations which were important for the school community and those who walked in the downtown. As part of the LRSP, she hoped the next phase of this project would include the elimination of the free right-turn at San Pablo Avenue to Tennent Avenue, which in her opinion encouraged speeding on Tennent Avenue as one left San Pablo Avenue. She found the bulb-outs would increase the line of sight for pedestrians on the sidewalk, would narrow the street and provide some traffic calming and she described an accident in the past related to passing vehicles where the bulb-outs would help to prohibit such traffic maneuvers.

As to the recommendation for considering K-71 bollards, Council member Toms was not interested in seeing those used. As an example, the City of Richmond had used the same bollards in its community but half were run over or missing and offered a false sense of safety.

Council member Toms asked about the next steps if the City Council were to move forward with the staff recommendations, whether there would be a discussion as part of the next quarterly CIP report or a review of the CIP, and City Manager Murray suggested that would be appropriate timing.

Council member Toms also asked of the design timing and her hope the construction of the improvements could occur in the summer to avoid conflicts with school traffic.

Public Works Director Misha suggested once funding was available the design could occur in a couple of months given there were only two intersections and construction could occur during the summer months.

Mayor Salimi suggested the City should not just rely on the traffic/collision statistics but also consider safety citing the recent fatality in the intersection. He asked staff whether or not the cost of tickets could be increased for distracted drivers.

City Attorney Casher advised it was a violation of the State Vehicle Code to use cell phones while operating a vehicle with a base fine of \$20, but sections of the Vehicle Code included a not-to-exceed penalty amount. There may be an option to impose a higher fine for that type of traffic offense and he would have to consult with the Police Chief on how that could be implemented.

Mayor Salimi asked the City Attorney to get back to the City Council with an update

Council member Toms offered a motion, seconded by Mayor Pro Tem Murphy to move forward with the safety recommendations that had been identified in the PowerPoint presentation.

On the motion, City Manager Murray understood the direction to staff was to come back with a quarterly report and potential modifications to the CIP to include this item. To move this item forward would require the appropriation of funding and to do that would be to consider the quarterly update on the CIP. The appropriation of funding was not on the agenda at this time. That discussion had been scheduled to occur in February 2023 when more detailed costs could be identified.

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to move forward with the safety recommendations identified in the PowerPoint presentation as follows:

Tennent Avenue and Pear Street:

Bulb outs at all the corners which will require removal of several parking stalls to increase visibility; high-visibility crosswalks and pavement markings on all legs; and high-visibility yield road signs.

Tennent Avenue and Plum Street:

Bulb outs at all the corners which will require removal of several parking stalls to increase visibility; a Rectangular Rapid Flashing Beacon (RRFB); high-visibility crosswalks and pavement markings on all legs; and high-visibility yield road signs; and

Provide direction to staff to come back with a quarterly report and potential modifications to the CIP to include this item.

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

Responding to the public comment, Police Chief Neil Gang reported the Pinole Police Department had been involved with the item the entire time, which had involved a total collaborative approach with City staff, residents and St. Joseph School. He also spoke to the increase in poor driving behavior nationwide after the pandemic and clarified in response to suggestions to use speed cameras stated that was not an option since they were prohibited in the State of California. Red light cameras were allowed to be used but were not an option for the corridor being discussed.

Police Chief Gang explained that distracted driving was difficult to enforce on a two-lane road as opposed to highway traffic, and while a tool that was used it was typically reactive to distracted driver behavior. The Police Department would continue to educate the public about distracted driving. He also clarified the Police Department had not been ordered not to enforce traffic laws, and while there had been a reduction in enforcement during the pandemic that had related to staffing challenges, which had driven some of the results the community may have seen. He added that while raising fees could be considered, no studies had shown a nexus that increased fees would stop some of the poor driving behavior but he would sit down with the City Attorney to discuss that issue.

ACTION: Motion by Mayor Salimi/Mayor Pro Tem Murphy to extend the City Council meeting to 11:30 p.m.

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

Mayor Pro Tem Murphy commented that the safety improvements would include drainage improvements and road reconstruction and he would like at the next City Council meeting a conversation around a Tree Master Plan, which had been a recommendation of the Beautification Committee. He asked that staff identify the types of safety improvements in line with infrastructure plans in place so that it did not appear the City was only spending funds on the seven safety improvement items described but also setting the tone on infrastructure.

City Manager Murray clarified the reference to drainage improvements and road reconstruction was localized to just the intersection under discussion where the bulb-outs would be installed, but was not on the corridor and would not have the same efficiencies if combined with other projects.

Public Works Director Mishra confirmed the City Manager's comments with respect to drainage improvements to address catching rain/storm water from one side and directing it to the next point to drain to an inlet required as part of the installation of a bulb-out, which was the reason the cost was a bit higher. Demolition of the road was required to construct the bulb-out just for the two intersections but if any future projects came along for the sidewalk those would be the areas to consider recycled water pipes and other improvements.

Mayor Pro Tem Murphy did not understand the complexity of the issue and suggested many residents also struggled with the engineering framework. He spoke to cost efficiency and integration of known improvements and wanted the City Council to continue the conversations to make them more connected.

Council member Martinez-Rubin suggested the Mayor Pro Tem narrow his interest and suggest a future agenda item in January to discuss his approach.

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

7. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements

Mayor Salimi reported he had received requests from the Iranian community to do some free tree art decorations and murals and had forwarded the requests to the City Manager. He also reported he had received around 300 comments since the October 18, 2022 City Council meeting thanking the City of Pinole for the Human Rights in Iran proclamation and with the distribution of the press release.

- B. Mayoral & Council Appointments: None
- C. City Council Committee Reports & Communications

Mayor Pro Tem Murphy thanked the WCCUSD staff, teachers, Parent Teacher Associations (PTAs) and the school communities for the Trunk or Treat events at Pinole schools; thanked the Recreation and Community Services Department staff for the recent evening outdoor movie; Dolan's Lumber for the recent breakfast to celebrate its accomplishments and customers; and Friends of Pinole Creek Watershed, the Contra Costa Resource Conservation District and several Pinole Valley High School students for hosting the first in-person Pinole Creek Allies Clean-Up.

Council member Toms reported she had attended an online composting workshop with a link of the recording planned to be shared with the City Council; outdoor movie night; and announced the Ellerhorst Elementary School community would be marking Ruby Bridges Walk to School Day on November 14, 2022, which was also the start of UAHW, and encouraged everyone to participate.

Council member Martinez-Rubin reported she had attended the East Bay Municipal Utility District (EBMUD) Board and West Contra Costa Transportation Advisory Committee (WCCTAC) meetings, and briefed the City Council on the discussions and presentations provided.

- D. Council Requests for Future Agenda Items

Council member Martinez-Rubin requested a future agenda to recognize the Pinole Valley High School Girls Volleyball Team for winning the Tri-County Athletic League Championship, and the Pinole Valley High School Girls Tennis Team for winning its league title, to be recognized at the City Council meeting on December 6, 2022. Consensus given.

Mayor Pro Tem Murphy requested a future agenda item for a presentation from EBMUD. Consensus given.

Mayor Pro Tem Murphy requested another future agenda item for consideration of a Memorandum of Understanding (MOU) or an agreement with EBMUD where the City of Pinole would have one pipeline to be repaired immediately for all City residents to use for water in the event of a major earthquake or other emergency. Consensus given.

Council member Martinez-Rubin also suggested as part of a presentation from EBMUD that it include the exploration of partnerships in the MOU, and City Manager Murray suggested as part of a presentation from EBMUD it could be asked to identify potential partnerships and have a conversation about that separate from the prior future agenda item request.

Mayor Salimi requested a future agenda item for consideration of murals and tree decoration from the Iranian community.

On the request, City Manager Murray understood that multiple forms of art were being installed in different communities related to the human rights issue in Iran where artists would install art in Pinole free of charge if the City was interested. An agenda item could include a discussion of what could be presented subject to City Council approval. Consensus given.

E. City Manager Report / Department Staff

City Manager Murray updated the City Council on events for UAHW with more information on the City website and social media platforms; and identified the tentative items scheduled for the November 15, 2022 City Council meeting.

F. City Attorney Report: None

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

The City Council moved on to Item 10A. Mayor Salimi and Council member Tave stepped down from the dais due to potential conflicts of interest and both left the meeting at 11:23 p.m.

ACTION: Motion by Council members Toms/Martinez-Rubin to extend the City Council meeting to 12:00 a.m.

Vote:	Passed	3-0-2
	Ayes:	Murphy, Martinez-Rubin, Toms
	Noes:	None
	Abstain:	None
	Absent:	Salimi, Tave (recused)

10. PUBLIC HEARINGS:

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

A. Ordinance Adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code **[Action: Introduce and waive the first reading of an ordinance adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code per Staff Recommendation (Casher)]**

Assistant City Attorney Alex Mog provided a PowerPoint presentation which included the background of the effort to consider a Historic Preservation Overlay (HPO). He highlighted the existing Old Town Design Review regulations and the parameters of the proposed HPO, which would create a Historic Preservation Overlay Zone.

The overlay was a type of supplemental zoning designation that established extra regulations but would not change the permitted uses. The proposed ordinance would designate properties for inclusion within the HPO Zone by the City Council, the initial HPO Zone was in Old Town Pinole and properties could be added or removed in the future. The Old Town Design Guidelines would be applied through the otherwise applicable design review process and no new permit or entitlement would be required, rather the Design Guidelines would be considered when evaluating a permit or entitlement request from a property in the HPO Zone. The changes to be made as part of the HPO Zone included the elimination of the Zoning Administrator's authority to determine whether a project would be a cultural resource and elimination of a section that identified potential incentives for historic preservation.

The Historic Preservation Overlay Design Guidelines adopted in 1997 as the Old Town Design Guidelines had not been applied in recent years. Projects in the HPO Zone would be required to comply with the guidelines that contained a mix of mandatory requirements and recommendations. The Design Guidelines would ensure special attention and consideration of the historic character and uniqueness of Old Town rather than strict compliance with specific detailed requirements. A project would not need to satisfy every single element in order to comply with the guidelines overall and the ability to impose subjective guidelines may be limited in some situations.

Assistant City Attorney Mog also highlighted the review hierarchy of the General Plan, Three Corridors Specific Plan, Zoning Code and Design Review Guidelines, and clarified where an inconsistency existed the higher document would control. He added the Municipal Code Update Subcommittee had reviewed the ordinance and proposed specific changes that had been incorporated into the revised Design Guidelines in an effort to ensure consistency with the Three Corridors Specific Plan, but clarified the Design Guidelines may be amended at any time by resolution of the City Council. The Design Guidelines were not before the City Council at this time for adoption but would be presented to the City Council concurrently with the second reading of the proposed ordinance if that occurred.

If the City Council, members of the Committee, or the public had any additional feedback on the Design Guidelines, that could be incorporated prior to the next Council meeting. If adopted, the Ordinance would go into effect 30 days after adoption. The Design Guidelines may be adopted at any point prior to the effective date of the ordinance.

Assistant City Attorney Mog recommended the City Council introduce and waive the first reading of an ordinance adding Chapter 17.28, Historic Preservation Overlay, to the Pinole Municipal Code (PMC) and provide direction regarding related Design Guidelines.

PUBLIC HEARING OPENED

Rafael Menis, Pinole, expressed concern with the size of the area that the HPO covered in that the Three Corridors Specific Plan, San Pablo Avenue Sub-Framework Figure 6.1, as shown on Page 227 of the Three Corridors Specific Plan, had shown the area covered in the Old Town Subarea that was much smaller in size and with all of the area to the north and south of San Pablo Avenue not included in the Subarea. The area to be covered by the HPO was far larger than the Old Town Subarea, and intruded into the Mixed-Use Subarea between Alvarez Avenue and Appian Way, tied into the extension of the types of architecture that fell under the purview of the Design Review Guidelines.

Mr. Menis suggested that spoke to adding in 1960s style architecture that was culturally valuable and worthy of preservation, but which went beyond the original scope of the Old Town Design Guidelines intended to preserve the nature of the downtown area. As such, he suggested the HPO would have to be expanded to include 1960s architecture but at the same time became less coherent as a set of goals when not just covering 1940s and Victorian architecture rather than just the nature of the Old Town Corridor itself. As a result, he found the HPO to be too broad.

Frankie Martinez, Pinole, understood the agenda would include consideration of the HPO and adoption of the Old Town Design Guidelines. He commented that in 2021, a committee at the direction of the City Council and comprised of members of the City Council and the Planning Commission had discussed numerous changes to the documents, now 100 pages in length. Last fall, that committee had asked City staff to finalize the many changes and bring them back to the committee for review. He had contacted City staff to ask why that committee had not been given the opportunity to review the HPO document. The same concerns had been raised with the Chair of the Planning Commission and he expressed concern the committee had not completed its work on a very complex document.

In particular, Mr. Martinez referenced Section 17.28.040, Designation Process subsection A, and Section 17.28.050, Special Guideline for Design Review subsection B, and the fact the language read as if this was now a mandatory process. He hoped that neighbors would be asked whether or not they wanted to opt into the HPO, with many examples that were incorrect in the document. He added the Planning Commission had also requested the removal of a section related to homes past Tennent Avenue, past the Burlington-Northern Santa Fe (BNSF) Railroad out towards the water on Tennent Avenue, and had requested the removal of Orleans Drive, Calais Drive, Tennent Court, La Salle Drive and others from the HPO; however, the HPO still showed those streets in the document.

Mr. Martinez requested a joint workshop to again review the document with those changes in mind given that more needed to be done and to solicit input from City leadership and neighbors. He asked that the City Council refer the HPO back to the committee to allow the opportunity to review and complete its work.

David Rupert, Pinole, a resident outside of the proposed HPO, reported he had submitted documents to the City in the past which were of interest in considering the HPO. As he had mentioned in 2021, he had suggested the City consider the City of Pasadena, a community that had considered an overlay very well, to determine whether or not an overlay was feasible for Pinole. He was uncertain that recommendation had been considered. He concurred with the comments raised by Mr. Menis that the HPO was overly inclusive, could cause problems for properties that may not fall under the definition of a historical residence, and agreed with the comments raised by Mr. Martinez that the HPO should be referred back to the committee that had been formed for further input and review of the questions that had been raised and the process being used to create the HPO to ensure it benefitted all citizens of Pinole.

Maria Alegria, Pinole, suggested it was not good practice to make decisions that would guide planning, zoning and guidelines for Old Town at such an hour. Rather, she asked the City Council to heed the advice of the Planning Commission and go slow to ensure this was done right and listen to the members of the community who had been appointed to provide wisdom, particularly as it related to Old Town Pinole and the earlier discussions on pedestrian safety and traffic calming to see how that could be incorporated into the plan.

Ms. Alegria also asked the City Council to refer the matter back to the committee and provide clarification whether incentives would be provided, who would pay for those incentives, and whether the City would create its own historical area and be thoughtful in the process.

PUBLIC HEARING CLOSED

Council member Toms responded to the public comments and clarified that the mid-century neighborhoods had been included in the HPO. As a member of the committee, she recalled there had been a suggestion that be removed but there had also been a discussion that neighborhood was one of the first standard neighborhoods in Pinole and the mid-century neighborhood had value, not just the Craftsman and Victorian homes, and that inclusion had been purposeful and did not have to meet the same outline as the Three Corridors Specific Plan. The area of the bowling alley, Sprouts and Kaiser had also been intentionally included in the HPO so that as new uses came in, such as potentially around the bowling alley and changes that could occur over time on some of the other newly developed parcels, those would be included as well.

Council member Toms did not oppose a continuation of the agenda item but based on her notes everything that had been discussed had been included, although it made sense to have a final redline version of the document be reviewed by the committee. She suggested staff had done a good job to ensure the Design Guidelines complied with Senate Bill (SB) 9 and the Accessory Dwelling Unit (ADU) requirements. She asked whether the item could be continued to a date certain so that re-noticing was not required to allow the committee to review the final product.

Council member Martinez-Rubin understood the committee had the opportunity to review the final document as recently as a week and a half ago, with discussions that were deliberate and thoughtful over a period of two years since discussions had started on this matter. Also, some of the commenters were members of that same committee. She emphasized the time spent already and noted that the last committee meeting had the full attendance of its members, and by the time of the second reading there would be another opportunity for more public comment. She found there had been ample discussion and review of the item.

Mayor Pro Tem Murphy was not opposed to continuing the item to the next meeting of the City Council.

City Clerk Bell reported the next City Council agenda included five discussion items and if the item was continued to a date certain it could be re-noticed for the benefit of the public, although if that was done one of the five items on the next meeting agenda may have to be deferred.

Council member Martinez-Rubin offered a motion in support of the staff recommendation. There was no second to the motion and the motion failed.

Mayor Pro Tem Murphy offered a motion to extend the City Council meeting to 12:08 a.m. There was no second to the motion and the motion failed.

City Attorney Casher advised that given the motions and lack of a second, there was no action on Item 10A, which would have to be re-noticed for the first reading.

ACTION: Motion by Council members Toms/Martinez-Rubin to continue an Ordinance Adding Chapter 17.29, Historic Preservation Overlay to the Municipal Code, to the November 15, 2022 City Council meeting.

Vote: **Failed** **2-1-2**
 Ayes: **Martinez-Rubin, Toms**
 Noes: **Murphy**
 Abstain: **None**
 Absent: **Salimi, Tave (recused)**

ACTION: Motion by Council members Toms/Martinez-Rubin to extend the City Council meeting to 12:10 a.m.

Vote: **Passed** **3-0-2**
 Ayes: **Murphy, Martinez-Rubin, Toms**
 Noes: **None**
 Abstain: **None**
 Absent: **Salimi, Tave (recused)**

Council member Toms offered a motion to refer the ordinance adding Chapter 17.29, Historic Preservation Overlay to the Municipal Code to the committee with a meeting to be scheduled in the next two to three weeks to close the loop on some of the concerns that had been raised.

Council member Martinez-Rubin stated the committee had the opportunity to provide written comments.

Council member Toms recommended the item be continued to a date certain of December 6, 2022 but was informed by the City Clerk that was the date for reorganization but she deferred to the City Manager on agenda planning.

City Manager Murray suggested it was up to the City Council.

Council member Martinez-Rubin wanted the existing members of the committee to be part of the discussion to avoid the need to potentially start over if there were new members.

On the discussion, Council member Toms stated the Planning Commission had previously reviewed the HPO and had been satisfied with the base document.

Assistant City Attorney Mog confirmed that the Planning Commission had reviewed the HPO with minor changes recommended and the City Council had later appointed the committee to review the document further but it had not been sent back to the Planning Commission.

Mayor Pro Tem Murphy commented he had heard from many residents about the HPO and he had identified issues that had not been discussed including an elimination of the incentives, which was something he wanted to see included. Residents had concerns with additional and supplemental permitting and he had concerns with the erasure of indigenous communities, extra red tape, limited support for small businesses in the HPO and the use of staff time. If this matter needed to be moved to the next City Council with a conversation in 2023, he would be happy to do that since he currently did not see a path forward given the concerns.

Council member Toms suggested if the item was continued several of the issues identified could be addressed. She noted in 1997 when the Old Town Design Guidelines had been adopted, the City had a Redevelopment Agency which helped provide financing and assistance for design, which the City no longer had. The HPO had been streamlined to eliminate some of the red tape.

Council member Martinez-Rubin added that even with all of the discussions and comments, one of the main thrusts for the HPO was to maintain the historic character of Pinole, but comments were being made that detracted from that effort. She suggested if people were as interested as they claimed to be they were coming in far too late in this process, which had been under discussion and had involved staff time for the past two years. Also, additional steps had been taken to mail notices to everyone in the area who could be affected by the HPO, with no response. The comments received were from people who had continually provided input to defer this matter again and again, which was interesting and rather than have something that maintained the character of Pinole they were continually detracting from the ordinance.

Council member Toms restated her motion, seconded by Council member Martinez-Rubin to refer the ordinance adding Chapter 17.29, Historic Preservation Overlay to the Municipal Code to the committee, with a meeting to be scheduled in the next two to three weeks to close the loop on some of the concerns raised and continue the public hearing to a date certain of December 6, 2022.

ACTION: Motion by Council members Toms/Martinez-Rubin to Refer an Ordinance Adding Chapter 17.29, Historic Preservation Overlay to the Municipal Code to the HPO committee and continue the public hearing to a date certain of December 6, 2022.

Vote:	Failed	2-1-2
	Ayes:	Martinez-Rubin, Toms
	Noes:	Murphy
	Abstain:	None
	Absent:	Salimi, Tave (recused)

Mayor Pro Tem Murphy explained that he could not offer a motion since he did not want to support the item moving forward. He opposed the use of more staff time on this matter or another item on the December 6 meeting agenda.

Council member Toms pointed out the City had a set of Design Guidelines that were 25 years old. If not updated, the Design Guidelines would be out of date and non-compliant with ADU and SB 9 requirements. She suggested possibly a future agenda item was needed to bring the item back, otherwise it would die.

Council member Toms offered a motion, seconded by Council member Martinez-Rubin to return the Ordinance Adding Chapter 17.29, Historic Preservation Overlay, to the Municipal Code to the HPO committee.

ACTION: Motion by Council members Toms/Martinez-Rubin to Return an Ordinance Adding Chapter 17.29, Historic Preservation Overlay, to the Municipal Code, to the HPO committee.

Vote:	Failed	2-1-2
	Ayes:	Martinez-Rubin, Toms
	Noes:	Murphy
	Abstain:	None
	Absent:	Salimi, Tave (recused)

Council member Toms stated at a future meeting she would request a future agenda item to discuss the Ordinance Adding Chapter 17.29, Historic Preservation Overlay to the Municipal Code in order to determine the next steps.

11. OLD BUSINESS: None

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

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

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

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

14. ADJOURNMENT to the Regular City Council Meeting of November 15, 2022 in Remembrance of Amber Swartz.

At 12:12 a.m., Mayor Pro Tem Murphy adjourned the meeting to the Regular City Council Meeting of November 15, 2022 in Remembrance of Amber Swartz.

Submitted by:

Heather Bell, CMC
City Clerk

Approved by City Council:



City of Pinole, CA

9B

WARRANT LISTING

By Vendor Name

Payment Dates 10/29/2022 - 11/11/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 4LE00 - 4LEAF, INC.					
J3681A21	100404	11/11/2022	100-231-42101	FIRE INSPECTION REBECCA LAURICELLA FIRE	17,640.00
Vendor 4LE00 - 4LEAF, INC. Total:					17,640.00
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
19593757 102722	100405	11/11/2022	100-222-42201	WATER FOR PD	264.66
5025519 100622	100352	11/04/2022	500-641-42201	WATER FOR WPCP	185.74
Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:					450.40
Vendor: 2063 - ALLIANT INSURANCE SERVICES, INC.					
2120239	100353	11/04/2022	100-116-42101	CONSULTING FEES JULY 2022	2,083.33
2120240	100353	11/04/2022	100-116-42101	CONSULTING FEES AUGUST 2022	2,083.33
2120241	100353	11/04/2022	100-116-42101	CONSULTING FEES SEPTEMBER 2022	2,083.33
2120242	100353	11/04/2022	100-116-42101	CONSULTING FEES SERVICES OCTOBER 2022	2,083.33
2120243	100485	11/11/2022	100-116-42101	BENEFIT BROKER CONSULTING FEES HR	2,083.33
Vendor 2063 - ALLIANT INSURANCE SERVICES, INC. Total:					10,416.65
Vendor: 2073 - ALLIED FLUID PRODUCTS CORP					
INV45653	100486	11/11/2022	500-641-42108	BLIND FLANGE HATCH COVER CY	100.34
INV45830	100486	11/11/2022	500-641-44306	GREEN NON-ASB RING GASKET WPCP	41.93
Vendor 2073 - ALLIED FLUID PRODUCTS CORP Total:					142.27
Vendor: AME52 - AMERICAN MESSAGING SERVICE, LLC					
W4102378WK	100487	11/11/2022	525-118-43101	MESSAGING FIRE	43.81
Vendor AME52 - AMERICAN MESSAGING SERVICE, LLC Total:					43.81
Vendor: 2005 - ANIMAL DAMAGE MANAGEMENT, INC					
5944C	100488	11/11/2022	100-345-42108	TWICE PER MONTH PEST CONTROL BASEBALL FIELDS	250.00
Vendor 2005 - ANIMAL DAMAGE MANAGEMENT, INC Total:					250.00
Vendor: 2218 - ANTHONY LUNARDINI					
11102022	100489	11/11/2022	100-221-42304	END OF THE YEAR CEREMONY FOR PINOLE PD	900.00
Vendor 2218 - ANTHONY LUNARDINI Total:					900.00
Vendor: ARA01 - ARAMARK UNIFORM SERVICES					
860105970 10312022	100490	11/11/2022	100-342-44410	MONTHLY STATEMENT-GENERAL MAINTENANCE	171.82
860105970 10312022	100490	11/11/2022	100-343-44410	MONTHLY STATEMENT-GENERAL MAINTENANCE	874.74
860105970 10312022	100490	11/11/2022	500-642-44410	MONTHLY STATEMENT-GENERAL MAINTENANCE	515.48
939388000 10312022	100490	11/11/2022	100-231-42107	LAUNDRY SERVIES WPCP, PSC, FIRE	156.56
939388000 10312022	100490	11/11/2022	100-231-42107	LAUNDRY SERVIES WPCP, PSC, FIRE	156.56
939388000 10312022	100490	11/11/2022	209-552-43804	LAUNDRY SERVIES WPCP, PSC, FIRE	328.93
939388000 10312022	100490	11/11/2022	209-552-43804	LAUNDRY SERVIES WPCP, PSC, FIRE	321.37
939388000 10312022	100490	11/11/2022	500-641-44410	LAUNDRY SERVIES WPCP, PSC, FIRE	362.41

WARRANT LISTING

Payment Dates: 10/29/2022 - 11/11/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
939388000 10312022	100490	11/11/2022	500-641-44410	LAUNDRY SERVIES WPCP, PSC, FIRE	329.86
939388000 10312022	100490	11/11/2022	500-641-44410	LAUNDRY SERVIES WPCP, PSC, FIRE	329.86
939388000 10312022	100490	11/11/2022	500-641-44410	LAUNDRY SERVIES WPCP, PSC, FIRE	324.08
Vendor ARA01 - ARAMARK UNIFORM SERVICES Total:					3,871.67
Vendor: ARM04 - ARMOR LOCKSMITH SERVICES					
80184	100354	11/04/2022	100-222-42108	FIX BROKEN LOCK CYLINDER FOR THE RECORDS ROOM	32.00
80212	100354	11/04/2022	209-552-42108	EXTRA KEY FOR JEREMY'S OFFICE PSC	51.81
Vendor ARM04 - ARMOR LOCKSMITH SERVICES Total:					83.81
Vendor: ARM09 - ARMOUR PETROLEUM SVC/EQUP					
WO-23046	100355	11/04/2022	100-343-42108	NOZZLE CRADLE BROKEN REPAIR CY	635.04
Vendor ARM09 - ARMOUR PETROLEUM SVC/EQUP Total:					635.04
Vendor: ATT01 - AT&T					
000018953679	100356	11/04/2022	525-118-43101	PHONE PD	2,844.44
Vendor ATT01 - AT&T Total:					2,844.44
Vendor: BAX00 - BADGE FRAME, INC.					
523430	100491	11/11/2022	100-222-42201	ENGRAVE NAME PLATES FOR OFFICERS PD	57.92
Vendor BAX00 - BADGE FRAME, INC. Total:					57.92
Vendor: 2419 - BARG COFFIN LEWIS & TRAPP, LLP					
47048	100357	11/04/2022	207-344-42102	CLASS ACTION SETTLEMENT PW	220.00
Vendor 2419 - BARG COFFIN LEWIS & TRAPP, LLP Total:					220.00
Vendor: BAY04 - BAY AREA BARRICADE SVC.					
R-93531	100358	11/04/2022	200-342-42514	RENTAL BARRICADE TYPE 1 PW	1,023.12
Vendor BAY04 - BAY AREA BARRICADE SVC. Total:					1,023.12
Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS					
6403963	100359	11/04/2022	209-552-43804	DAILY LUNCH FOOD SUPPLIES PSC	1,446.21
6403964	100359	11/04/2022	209-552-43804	DAILY LUNCH FOOD PROGRAM PSC	57.10
6407458	100492	11/11/2022	209-552-43804	DAILY LUNCH PROGRAM SUPPLIES PSC	1,056.76
Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:					2,560.07
Vendor: BOU01 - BOUND TREE MEDICAL, LLC					
84733489	100493	11/11/2022	100-231-42101	MEDICAL SUPPLIES FOR FIRE	103.29
Vendor BOU01 - BOUND TREE MEDICAL, LLC Total:					103.29
Vendor: 1654 - BRINK'S INCORPORATED					
12108223	100494	11/11/2022	100-115-42101	TRANSPORTATION FINANCE	254.57
Vendor 1654 - BRINK'S INCORPORATED Total:					254.57
Vendor: CAL04 - CALCON SYSTEMS, INC.					
52076	100360	11/04/2022	500-641-42107	SERVICE CALL WPCP	1,348.00
52105	100360	11/04/2022	500-641-42107	FLOW CALIBRATIONS WPCP	2,915.50
Vendor CAL04 - CALCON SYSTEMS, INC. Total:					4,263.50
Vendor: CAL20 - CALIFORNIA ASSOCIATION OF PROFESSIONAL FIREFIGHTERS					
NOVEMBER 2022	100495	11/11/2022	100-231-41008	FIRE LTD	324.50
NOVEMBER 2022	100495	11/11/2022	105-231-41008	FIRE LTD	88.50
Vendor CAL20 - CALIFORNIA ASSOCIATION OF PROFESSIONAL FIREFIGHTERS Total:					413.00
Vendor: CAL97 - CALIFORNIA BUILDING STANDARDS COMMISSION					
Q3 2022	100496	11/11/2022	212-462-34211	CBSC PERIOD OF JULY 1 - SEPT.30, 2022	119.25
Vendor CAL97 - CALIFORNIA BUILDING STANDARDS COMMISSION Total:					119.25

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Vendor: CAL74 - CALIFORNIA MUNICIPAL STATISTICS, INC.					
22102104	100361	11/04/2022	100-115-42101	PROFESSIONAL SERVICES FINANCE	550.00
Vendor CAL74 - CALIFORNIA MUNICIPAL STATISTICS, INC. Total:					550.00
Vendor: CAL01 - CALTEST ANALYTICAL LAB					
701290	100362	11/04/2022	500-641-44305	ROUTINE MONITORING WPCP	209.00
701576	100362	11/04/2022	500-641-44305	CHEMICALS FOR LAB WPCP	724.85
Vendor CAL01 - CALTEST ANALYTICAL LAB Total:					933.85
Vendor: CCP03 - CCP INDUSTRIES					
IN03127859	100363	11/04/2022	500-641-42109	WIPES DELCIATE TASK WPCP	478.14
Vendor CCP03 - CCP INDUSTRIES Total:					478.14
Vendor: 2060 - CENTRAL CONCRETE SUPPLY CO., INC.					
2210-093582	100364	11/04/2022	500-641-44306	SAND WPCP	41.44
Vendor 2060 - CENTRAL CONCRETE SUPPLY CO., INC. Total:					41.44
Vendor: CIT08 - CITY MECHANICAL, INC					
86881	100365	11/04/2022	100-343-42108	HVAC CH SERVICE	1,228.42
87100	100365	11/04/2022	209-557-42108	HVAC SWIM CENTER	1,585.73
87142	100497	11/11/2022	209-554-42108	HVAC PYC	1,112.15
87147	100497	11/11/2022	100-343-42108	HVAC POST OFFICE	447.88
87148	100497	11/11/2022	209-558-42108	HVAC MEMORIAL HALL	463.12
87496	100497	11/11/2022	100-343-42108	HVAC CH	11,420.00
Vendor CIT08 - CITY MECHANICAL, INC Total:					16,257.30
Vendor: FAI04 - CITY OF FAIRFIELD					
230214	100498	11/11/2022	100-221-42511	RANGE USE FEE PD	3,416.00
Vendor FAI04 - CITY OF FAIRFIELD Total:					3,416.00
Vendor: 2242 - COLE PRO MEDIA, LLC					
3196	100499	11/11/2022	225-221-42514	TRANSPARENCY ENGAGEMENT ADVISING OCTOBER 2022	2,000.00
Vendor 2242 - COLE PRO MEDIA, LLC Total:					2,000.00
Vendor: COL02 - COLE-PARMER INSTRUMENT CO					
3280363	100366	11/04/2022	500-641-44305	CONDUCTIVITY TESTERS LAB WPCP	108.63
Vendor COL02 - COLE-PARMER INSTRUMENT CO Total:					108.63
Vendor: COM20 - COMCAST					
0018658-10142022	100367	11/04/2022	100-231-43105	CABLE FIRE	49.55
0050875-10142022	100367	11/04/2022	100-117-43105	CABLE FOR CH	29.86
0210511-10162022	100500	11/11/2022	100-222-43105	INTERNET PD	175.59
0413784-10182022	100367	11/04/2022	525-118-43101	INTERNET TINY TOTS	146.80
Vendor COM20 - COMCAST Total:					401.80
Vendor: CON56 - CONCENTRA MEDICAL CENTERS					
76953614	100501	11/11/2022	100-221-42101	PHY PRE PLACE PD	1,016.00
77108323	100501	11/11/2022	100-221-42101	PHYS PRE PLACEMENT PD	1,016.00
Vendor CON56 - CONCENTRA MEDICAL CENTERS Total:					2,032.00
Vendor: CON93 - CONCORD UNIFORMS LLC					
19982	100502	11/11/2022	100-222-44410	MENS TRS WOOLD PANTS	208.42
19992	100502	11/11/2022	100-221-42514	NAME TAG CLUTCH BACK SILVER PD	16.41
19999	100502	11/11/2022	100-222-44410	NAME TAG CLUTCH BACK SILVER PD	82.04
Vendor CON93 - CONCORD UNIFORMS LLC Total:					306.87
Vendor: CON10 - CONTRA COSTA COUNTY POLICE CHIEFS' ASSOCIATION					
22-17	100503	11/11/2022	100-221-42401	FISCAL YEAR 22/23 MEMBERSHIP DUES	775.00
Vendor CON10 - CONTRA COSTA COUNTY POLICE CHIEFS' ASSOCIATION Total:					775.00
Vendor: CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT					
705367	100368	11/04/2022	200-342-42101	TRAFFIC SIGNAL MAINTENANCE SEPT. 2022	6,737.53

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705367	100368	11/04/2022	310-347-42101	TRAFFIC SIGNAL MAINTENANCE SEPT. 2022	1,540.00
705367	100368	11/04/2022	310-348-42101	TRAFFIC SIGNAL MAINTENANCE SEPT. 2022	357.90
Vendor CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT Total:					8,635.43
Vendor: CON95 - CONTRA COSTA COUNTY TREASURER					
ASD M7160	100369	11/04/2022	100-551-42101	SERVICES OCTOBER THROUGH DECEMBER 2022	38,592.75
Vendor CON95 - CONTRA COSTA COUNTY TREASURER Total:					38,592.75
Vendor: 1310 - CONTRA COSTA TRANSPORTATION AUTHORITY					
2023-00000006	100370	11/04/2022	215-342-42106	STREET LIGHT DATE COST SHARING	5,000.00
Vendor 1310 - CONTRA COSTA TRANSPORTATION AUTHORITY Total:					5,000.00
Vendor: 1639 - COOKING ROUND THE WORLD					
1147	100371	11/04/2022	209-555-43801	COOKING ROUND THE WORLD INSTRUCTOR FEE	1,050.00
Vendor 1639 - COOKING ROUND THE WORLD Total:					1,050.00
Vendor: 1539 - CORDICO PSYCHOLOGICAL CORPORATION					
6136	100504	11/11/2022	100-221-42101	PRE EMPL PSYCH EVAL PD	800.00
Vendor 1539 - CORDICO PSYCHOLOGICAL CORPORATION Total:					800.00
Vendor: 1445 - CORTEZ TIRES AND AUTO REPAIR					
22591	100505	11/11/2022	100-221-42107	TURN SIGNAL SOCKET AND WIRING REPAIRS	1,460.61
22662	100505	11/11/2022	100-221-42107	OIL CHANGE AND BRAKES	747.22
Vendor 1445 - CORTEZ TIRES AND AUTO REPAIR Total:					2,207.83
Vendor: D&L01 - D&L SUPPLY COMPANY INC.					
0000137560	100372	11/04/2022	500-642-42514	SEWER BARREL PW	842.55
Vendor D&L01 - D&L SUPPLY COMPANY INC. Total:					842.55
Vendor: DEP02 - DEPARTMENT OF CONSERVATION					
Q3 2022	100506	11/11/2022	212-462-33215	SMIP AND SEISMIC HAZARD MAPPING FEE	400.28
Vendor DEP02 - DEPARTMENT OF CONSERVATION Total:					400.28
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
84796697	100373	11/04/2022	100-10601	GASOLINE UNL CY	2,375.79
84808438	100507	11/11/2022	100-10601	CORP YARD GASOLINE UNL	2,105.10
84822247	100507	11/11/2022	100-10601	CORP YARD GASOLINE UNL	2,602.79
Vendor 1443 - DIESEL DIRECT WEST, INC. Total:					7,083.68
Vendor: DOL01 - DOLAN'S LUMBER					
OCTOBER 2022	100508	11/11/2022	100-345-44306	CITYWIDE PURCHASES	47.66
OCTOBER 2022	100508	11/11/2022	500-641-44306	CITYWIDE PURCHASES	93.40
OCTOBER 2022	100508	11/11/2022	500-641-44306	CITYWIDE PURCHASES	159.96
OCTOBER 2022	100508	11/11/2022	500-642-44306	CITYWIDE PURCHASES	6.60
Vendor DOL01 - DOLAN'S LUMBER Total:					307.62
Vendor: 2451 - DORIS RAMIREZ-CHAVEZ					
10242022	100509	11/11/2022	209-557-36403	REFUND UNABLE TO PARTICIPATE IN SWIM LESSONS	58.00
Vendor 2451 - DORIS RAMIREZ-CHAVEZ Total:					58.00
Vendor: EBM01 - EBMUD					
231771-10192022	100374	11/04/2022	100-343-43102	2691 APPALOOSA TRAIL- IRRIGATION USE ONLY	298.81
231774-10192022	100374	11/04/2022	100-343-43102	3001 Simas Ave--Irrigation Use Only	75.88
231775-10192022	100374	11/04/2022	100-343-43102	3061 Simas Ave--Irrigation Use Only	75.88
387765-10242022	100510	11/11/2022	100-345-43102	2520 APPIAN WAY-IRRIGATION USE ONLY	260.34
388057-10212022	100374	11/04/2022	100-343-43102	1960 Sarah Dr--Irrigation Use Only	260.34

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
388506-10242022	100510	11/11/2022	100-345-43102	1470 FITZGERALD DR-IRRIGATION USE ONLY	168.04
435474-10172022	100374	11/04/2022	209-559-43102	2937 Pinole Valley Rd--Tennis Court Restrooms	95.22
464589-10212022	100374	11/04/2022	100-345-43102	659 Tennent Ave--Parks & Gardens--Blackies Storage	50.23
464595-10262022	100510	11/11/2022	209-554-43102	635 Tennent Ave--Pinole Youth Center/CTV	89.53
464595-10262022	100510	11/11/2022	505-119-43102	635 Tennent Ave--Pinole Youth Center/CTV	89.54
464596-10262022	100510	11/11/2022	100-345-43102	2310 Park St--Fernandez Park Baseball Field	7,150.11
465183-102622	100510	11/11/2022	201-343-43102	2361 San Pablo Ave--Old Bank Building	147.19
465190-10252022	100510	11/11/2022	201-343-43102	813 Fernandez Ave--Irrigation Use Only	60.28
465395-10262022	100510	11/11/2022	100-345-43102	1095 Nob Hill Ave--Parks & Gardens--Meadow Park	1,483.17
465422-10242022	100510	11/11/2022	500-641-43102	80 TENNENT AVE--WASTE WATER TREATMENT PLANT	1,015.00
465553-10252022	100510	11/11/2022	100-343-43102	2301 1/2 San Pablo Ave--Irrigation Use Only	91.06
465569-10242022	100510	11/11/2022	209-558-43102	601 Tennent Ave--Memorial Hall	105.04
465922-10242022	100510	11/11/2022	100-343-43102	636 Tennent Ave--Irrigation Use Only	60.28
465923-10262022	100510	11/11/2022	100-231-43102	880 Tennent Ave--Public Safety Facility/Building	611.74
465924-10262022	100510	11/11/2022	100-222-43102	880 Tennent Ave--Public Safety Facility/Building	1,138.73
465924-10262022	100510	11/11/2022	100-223-43102	880 Tennent Ave--Public Safety Facility/Building	253.05
465924-10262022	100510	11/11/2022	100-231-43102	880 Tennent Ave--Public Safety Facility/Building	1,138.74
466363-10262022	100510	11/11/2022	100-345-43102	1818 Canyon Dr--Irrigation Use Only	899.55
466529-10212022	100374	11/04/2022	100-345-43102	656 Pinole Shores Dr--Irrigation Use Only	75.88
466531-10202022	100374	11/04/2022	100-343-43102	800 PINOLE SHORES DR-IRRIGATION USE ONLY	140.03
466532-10202022	100374	11/04/2022	100-343-43102	901 Pinole Shores Dr--Irrigation Use Only	75.88
466535-10202022	100374	11/04/2022	100-343-43102	1001 Pinole Shores Dr--Irrigation Use Only	75.88
466536-10202022	100374	11/04/2022	100-343-43102	2401 Del Monte Way--Irrigation Use Only	50.23
466640-10212022	100374	11/04/2022	100-343-43102	726 San Pablo Ave--Irrigation Use Only	75.88
466641-10212022	100374	11/04/2022	100-343-43102	880 San Pablo Ave--Irrigation Use Only	75.88
466642-10212022	100374	11/04/2022	100-343-43102	1400 San Pablo Ave--Irrigation Use Only	74.37
466643-10212022	100374	11/04/2022	100-343-43102	2000 San Pablo Ave--Irrigation Use Only	75.88
513648-10252022	100510	11/11/2022	100-343-43102	2161 Plum St--Parking Lot Irrigation	91.06
520576-10192022	100374	11/04/2022	100-345-43102	2948 VON DOOLEN CT-IRRIGATION USE ONLY	75.35
524589-10262022	100510	11/11/2022	100-345-43102	592 Marlesta Rd--Irrigation Use Only	1,467.73
526819-10192022	100374	11/04/2022	100-345-43102	2501 Pfeiffer Way--Irrigation Use Only	168.04
529821-10262022	100510	11/11/2022	209-552-43102	2500 Charles St--Senior Center	970.30
529852-10242022	100510	11/11/2022	209-552-43102	2500 Charles St--Senior Center	2,463.58

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
532187-10252022	100510	11/11/2022	100-343-43102	2601 Charles St--Irrigation Use Only	60.28
540499-10252022	100510	11/11/2022	100-343-43102	1230 Pinole Valley Rd--Irrigation Use Only	60.28
541397-10252022	100510	11/11/2022	100-343-43102	1601 Marlesta Rd--Irrigation Use Only	60.28
544461-10262022	100510	11/11/2022	100-110-43102	2131 Pear St--Offices--City Hall	3.13
544461-10262022	100510	11/11/2022	100-111-43102	2131 Pear St--Offices--City Hall	7.56
544461-10262022	100510	11/11/2022	100-112-43102	2131 Pear St--Offices--City Hall	6.93
544461-10262022	100510	11/11/2022	100-115-43102	2131 Pear St--Offices--City Hall	20.53
544461-10262022	100510	11/11/2022	100-116-43102	2131 Pear St--Offices--City Hall	6.93
544461-10262022	100510	11/11/2022	100-117-43102	2131 Pear St--Offices--City Hall	55.42
544461-10262022	100510	11/11/2022	100-343-43102	2131 Pear St--Offices--City Hall	98.74
544461-10262022	100510	11/11/2022	200-342-43102	2131 Pear St--Offices--City Hall	17.63
544461-10262022	100510	11/11/2022	212-461-43102	2131 Pear St--Offices--City Hall	6.68
544461-10262022	100510	11/11/2022	212-462-43102	2131 Pear St--Offices--City Hall	17.76
544461-10262022	100510	11/11/2022	285-464-43102	2131 Pear St--Offices--City Hall	5.29
544461-10262022	100510	11/11/2022	505-119-43102	2131 Pear St--Offices--City Hall	5.29
545474-10262022	100510	11/11/2022	100-110-43102	2131 Pear St--Offices--City Hall	7.65
545474-10262022	100510	11/11/2022	100-111-43102	2131 Pear St--Offices--City Hall	18.35
545474-10262022	100510	11/11/2022	100-112-43102	2131 Pear St--Offices--City Hall	16.82
545474-10262022	100510	11/11/2022	100-115-43102	2131 Pear St--Offices--City Hall	49.86
545474-10262022	100510	11/11/2022	100-116-43102	2131 Pear St--Offices--City Hall	16.82
545474-10262022	100510	11/11/2022	100-117-43102	2131 Pear St--Offices--City Hall	134.58
545474-10262022	100510	11/11/2022	100-343-43102	2131 Pear St--Offices--City Hall	239.80
545474-10262022	100510	11/11/2022	200-342-43102	2131 Pear St--Offices--City Hall	42.82
545474-10262022	100510	11/11/2022	212-461-43102	2131 Pear St--Offices--City Hall	16.21
545474-10262022	100510	11/11/2022	212-462-43102	2131 Pear St--Offices--City Hall	43.13
545474-10262022	100510	11/11/2022	285-464-43102	2131 Pear St--Offices--City Hall	12.85
545474-10262022	100510	11/11/2022	505-119-43102	2131 Pear St--Offices--City Hall	12.85
553826-10252022	100510	11/11/2022	310-348-43102	2677 Pinole Valley Rd--Irrigation Use Only	60.28
554167-10262022	100510	11/11/2022	100-345-43102	1600 Primrose Lane--Irrigation Use Only	1,069.32
554625-10262022	100510	11/11/2022	209-558-43102	601 Tennent Ave--Memorial Hall	312.96
565167-10262022	100510	11/11/2022	201-343-43102	2100 San Pablo Ave--Offices--Faria House	423.64
565168-10212022	100374	11/04/2022	201-343-43102	2100 San Pablo Ave--Irrigation Use Only	50.23
565169-10262022	100510	11/11/2022	201-343-43102	2100 San Pablo Ave--Offices--Faria House	109.74
570108-10252022	100510	11/11/2022	310-347-43102	1303 Pinole Valley Rd--Irrigation Use Only	696.15
571919-10212022	100374	11/04/2022	100-343-43102	2329 Orleans Dr--Irrigation Use Only	50.23
				Vendor EBM01 - EBMUD Total:	25,390.74
Vendor: 2380 - ELIZABETH A. LYNN					
OCTOBER 2022	100512	11/11/2022	209-552-43802	EXERCISE CLASSES OCTOBER 2022 PSC	32.90
				Vendor 2380 - ELIZABETH A. LYNN Total:	32.90
Vendor: FIL07 - FILEONQ, INC					
10509	100513	11/11/2022	525-118-42106	SOFTWARE MAINTENANCE PD	4,252.17
				Vendor FIL07 - FILEONQ, INC Total:	4,252.17
Vendor: 1612 - FIRST VANGUARD RENTALS & SALES					
1-505273-4	100514	11/11/2022	100-345-42511	WATER WAGON CY	603.21
1-505670	100376	11/04/2022	100-343-44306	SOLAR LIGHT TOWER CY	1,145.63
				Vendor 1612 - FIRST VANGUARD RENTALS & SALES Total:	1,748.84

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: FIS01 - FISHER SCIENTIFIC					
7517904	100515	11/11/2022	500-641-44305	FLASK VOLUMETIC CARBOY RECTANGULAR WPCP	577.93
Vendor FIS01 - FISHER SCIENTIFIC Total:					577.93
Vendor: FOR02 - FORENSIC SERVICES DIVISION					
PINPD-2209	100517	11/11/2022	100-222-42101	BILLABLE SERVICES FOR SEPTEMBER 2022	3,800.00
PIPD-322	100516	11/11/2022	100-222-42101	BLOOD WITHDRAWAL JULY - SEPTEMBER 2022	612.99
Vendor FOR02 - FORENSIC SERVICES DIVISION Total:					4,412.99
Vendor: 2443 - GALINDO TREE CARE INC.					
10292022	100518	11/11/2022	100-231-42512	WORK ON TOWNS COURT FIRE	9,900.00
Vendor 2443 - GALINDO TREE CARE INC. Total:					9,900.00
Vendor: GLO08 - GLOBALSTAR					
000000039926368	100519	11/11/2022	525-118-43101	SOFTWARE MAINTENANCE	135.13
Vendor GLO08 - GLOBALSTAR Total:					135.13
Vendor: GRA03 - GRAINGER					
9488111783	100520	11/11/2022	500-641-44306	PUSH BUTTON CONTROL STATION WPCP	121.28
9492268975	100520	11/11/2022	500-641-44306	ANTISEIZE TAPE, PIPE JOINT SUPPLIES WPCP	125.91
Vendor GRA03 - GRAINGER Total:					247.19
Vendor: HAR01 - HARRINGTON INDUSTRIAL PLASTIC, LLC					
006N4457	100377	11/04/2022	500-641-44306	RETAINING RING PVC AND STRAINERS WPCP	142.32
006N4557	100377	11/04/2022	500-641-44306	ELBOW PVC SUPPLIES WPCP	52.17
Vendor HAR01 - HARRINGTON INDUSTRIAL PLASTIC, LLC Total:					194.49
Vendor: HEA01 - HEALTH CARE DENTAL TRUST					
320729	100521	11/11/2022	100-110-41002	DENTAL OCTOBER 2022	415.57
320729	100521	11/11/2022	100-111-41002	DENTAL OCTOBER 2022	364.69
320729	100521	11/11/2022	100-112-41002	DENTAL OCTOBER 2022	127.85
320729	100521	11/11/2022	100-113-41002	DENTAL OCTOBER 2022	108.99
320729	100521	11/11/2022	100-115-41002	DENTAL OCTOBER 2022	364.69
320729	100521	11/11/2022	100-116-41002	DENTAL OCTOBER 2022	178.73
320729	100521	11/11/2022	100-221-41002	DENTAL OCTOBER 2022	108.99
320729	100521	11/11/2022	100-221-41002	DENTAL OCTOBER 2022	1,392.12
320729	100521	11/11/2022	100-222-41002	DENTAL OCTOBER 2022	50.88
320729	100521	11/11/2022	100-222-41002	DENTAL OCTOBER 2022	357.46
320729	100521	11/11/2022	100-223-41002	DENTAL OCTOBER 2022	1,195.83
320729	100521	11/11/2022	100-231-41002	DENTAL OCTOBER 2022	1,052.71
320729	100521	11/11/2022	100-341-41002	DENTAL OCTOBER 2022	229.61
320729	100521	11/11/2022	100-343-41002	DENTAL OCTOBER 2022	1,112.93
320729	100521	11/11/2022	105-221-41002	DENTAL OCTOBER 2022	601.53
320729	100521	11/11/2022	105-231-41002	DENTAL OCTOBER 2022	50.88
320729	100521	11/11/2022	105-231-41002	DENTAL OCTOBER 2022	180.53
320729	100521	11/11/2022	106-222-41002	DENTAL OCTOBER 2022	127.85
320729	100521	11/11/2022	106-231-41002	DENTAL OCTOBER 2022	108.99
320729	100521	11/11/2022	209-551-41002	DENTAL OCTOBER 2022	127.85
320729	100521	11/11/2022	209-552-41002	DENTAL OCTOBER 2022	91.58
320729	100521	11/11/2022	209-554-41002	DENTAL OCTOBER 2022	115.07
320729	100521	11/11/2022	212-461-41002	DENTAL OCTOBER 2022	255.70
320729	100521	11/11/2022	212-462-41002	DENTAL OCTOBER 2022	178.73
320729	100521	11/11/2022	500-641-41002	DENTAL OCTOBER 2022	805.05
320729	100521	11/11/2022	500-642-41002	DENTAL OCTOBER 2022	229.61
320729	100521	11/11/2022	505-119-41002	DENTAL OCTOBER 2022	255.70
320729	100521	11/11/2022	998-20105	DENTAL OCTOBER 2022	-326.97
320729	100521	11/11/2022	998-20105	DENTAL OCTOBER 2022	252.57
320729	100521	11/11/2022	998-20105	DENTAL OCTOBER 2022	127.85

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
322087	100521	11/11/2022	100-110-41002	DENTAL CARE NOVEMBER 2022	415.57
322087	100521	11/11/2022	100-111-41002	DENTAL CARE NOVEMBER 2022	236.84
322087	100521	11/11/2022	100-112-41002	DENTAL CARE NOVEMBER 2022	255.70
322087	100521	11/11/2022	100-113-41002	DENTAL CARE NOVEMBER 2022	108.99
322087	100521	11/11/2022	100-115-41002	DENTAL CARE NOVEMBER 2022	364.69
322087	100521	11/11/2022	100-116-41002	DENTAL CARE NOVEMBER 2022	178.73
322087	100521	11/11/2022	100-221-41002	DENTAL CARE NOVEMBER 2022	1,341.24
322087	100521	11/11/2022	100-221-41002	DENTAL CARE NOVEMBER 2022	108.99
322087	100521	11/11/2022	100-222-41002	DENTAL CARE NOVEMBER 2022	50.88
322087	100521	11/11/2022	100-222-41002	DENTAL CARE NOVEMBER 2022	357.46
322087	100521	11/11/2022	100-223-41002	DENTAL CARE NOVEMBER 2022	1,144.95
322087	100521	11/11/2022	100-231-41002	DENTAL CARE NOVEMBER 2022	1,240.06
322087	100521	11/11/2022	100-341-41002	DENTAL CARE NOVEMBER 2022	229.61
322087	100521	11/11/2022	100-343-41002	DENTAL CARE NOVEMBER 2022	1,112.93
322087	100521	11/11/2022	105-221-41002	DENTAL CARE NOVEMBER 2022	601.53
322087	100521	11/11/2022	105-231-41002	DENTAL CARE NOVEMBER 2022	50.88
322087	100521	11/11/2022	105-231-41002	DENTAL CARE NOVEMBER 2022	180.53
322087	100521	11/11/2022	106-222-41002	DENTAL CARE NOVEMBER 2022	127.85
322087	100521	11/11/2022	106-231-41002	DENTAL CARE NOVEMBER 2022	108.99
322087	100521	11/11/2022	209-551-41002	DENTAL CARE NOVEMBER 2022	255.70
322087	100521	11/11/2022	209-552-41002	DENTAL CARE NOVEMBER 2022	91.58
322087	100521	11/11/2022	209-554-41002	DENTAL CARE NOVEMBER 2022	115.07
322087	100521	11/11/2022	212-461-41002	DENTAL CARE NOVEMBER 2022	255.70
322087	100521	11/11/2022	212-462-41002	DENTAL CARE NOVEMBER 2022	178.73
322087	100521	11/11/2022	500-641-41002	DENTAL CARE NOVEMBER 2022	914.04
322087	100521	11/11/2022	500-642-41002	DENTAL CARE NOVEMBER 2022	229.61
322087	100521	11/11/2022	505-119-41002	DENTAL CARE NOVEMBER 2022	255.70
322087	100521	11/11/2022	998-20105	DENTAL CARE NOVEMBER 2022	252.57
322087	100521	11/11/2022	998-20105	DENTAL CARE NOVEMBER 2022	127.85
Vendor HEA01 - HEALTH CARE DENTAL TRUST Total:					21,136.54
Vendor: IED02 - IEDA, INC. 23944	100522	11/11/2022	100-116-42101	LABOR RELATIONS CONSULTING FEES NOVEMBER 2022	2,436.39
Vendor IED02 - IEDA, INC. Total:					2,436.39

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: CUL03 - ISING'S CULLIGAN-LIVERMORE					
379X08219508	100523	11/11/2022	500-641-44305	PORTABLE EXCHANGE SERVICE DEIONIZATION WPCP	501.85
Vendor CUL03 - ISING'S CULLIGAN-LIVERMORE Total:					501.85
Vendor: MOO14 - ISSAC MOORE					
OCTOBER 2022	100524	11/11/2022	209-552-43802	EXERCISE CLASSES OCTOBER 2022 PSC	405.00
Vendor MOO14 - ISSAC MOORE Total:					405.00
Vendor: JWE01 - J. W. ENTERPRISES - NORTH					
244923	100378	11/04/2022	100-551-42511	PORTABLE TOILET RENTAL RECREATION	142.77
Vendor JWE01 - J. W. ENTERPRISES - NORTH Total:					142.77
Vendor: 1285 - JACKSON LEWIS P.C.					
8123215	100525	11/11/2022	100-116-42102	INVESTIGATION MATTER PD	3,661.50
Vendor 1285 - JACKSON LEWIS P.C. Total:					3,661.50
Vendor: COR15 - JACQUELINE L CORL-SEIDEL					
OCTOBER 2022	100526	11/11/2022	209-552-43802	BALANCE AND YOGA CLASSES OCTOBER 2022 PSC	357.70
Vendor COR15 - JACQUELINE L CORL-SEIDEL Total:					357.70
Vendor: 2450 - JANELLE JORGENSEN					
10242022	100527	11/11/2022	209-557-36403	REFUND FOR SWIM LESSON FEE	116.00
Vendor 2450 - JANELLE JORGENSEN Total:					116.00
Vendor: 1611 - JANICE M. BYER					
OCTOBER 2022	100528	11/11/2022	209-552-43802	EXERCISE CLASSES OCTOBER 2022 PSC	720.00
Vendor 1611 - JANICE M. BYER Total:					720.00
Vendor: JAN92 - JAN-PRO OF THE GREATER BAY AREA					
14632	100379	11/04/2022	209-554-42108	JANITORIAL SERVICES PYC	456.00
14633	100379	11/04/2022	209-552-42108	JANITORIAL SERVICE PSC	422.00
14634	100379	11/04/2022	209-552-43810	JANITORIAL SERVICES KITCHEN PSC	405.00
14635	100379	11/04/2022	209-553-42108	JANITORIAL SERVICES TINY TOTS	487.00
Vendor JAN92 - JAN-PRO OF THE GREATER BAY AREA Total:					1,770.00
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000031527	100380	11/04/2022	500-641-44302	SLUDGE REMOVAL WPCP	4,927.47
Vendor KEL09 - KELLER CANYON LANDFILL Total:					4,927.47
Vendor: KEN09 - KENNEDY AND ASSOCIATES, INC.					
22-184	100381	11/04/2022	207-344-42101	STORMWATER SUPPORT ANNUAL REPORT PW	1,551.75
Vendor KEN09 - KENNEDY AND ASSOCIATES, INC. Total:					1,551.75
Vendor: KNO03 - KNORR SYSTEMS, INC.					
SI240937	100382	11/04/2022	209-557-42108	MINI BULK SODIUM HYPOCHLORITE CY	1,766.98
Vendor KNO03 - KNORR SYSTEMS, INC. Total:					1,766.98
Vendor: LAK01 - LAKESHORE					
629578102022	100383	11/04/2022	209-553-42514	SCHOOL SUPPLIES TINY TOTS	358.74
Vendor LAK01 - LAKESHORE Total:					358.74
Vendor: LAN01 - LANER ELECTRIC SUPPLY, INC					
932913	100529	11/11/2022	100-343-44306	LED MED BASE SPECIAL ORDER LIGHTS BULB CY	384.70
Vendor LAN01 - LANER ELECTRIC SUPPLY, INC Total:					384.70
Vendor: LAN15 - LANGUAGE LINE SERVICES					
10674522	100530	11/11/2022	100-223-42101	OVER THE PHONE INTERPRETATION PD	145.70
Vendor LAN15 - LANGUAGE LINE SERVICES Total:					145.70

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: CUR03 - LN CURTIS & SONS					
INV641881	100384	11/04/2022	100-231-42107	HUSQVARNA CUSTOM FIRE	28.99
Vendor CUR03 - LN CURTIS & SONS Total:					28.99
Vendor: MAN01 - MANNA FOODS, INC.					
981119	100531	11/11/2022	209-552-43804	DAILY LUNCH PROGRAM MEAT PSC	245.07
981126	100531	11/11/2022	209-552-43804	DAILY LUNCH PROGRAM MEAT PSC	296.91
991263CR	100531	11/11/2022	209-552-43804	DAILY LUNCH PROGRAM CREDIT PSC	-66.80
Vendor MAN01 - MANNA FOODS, INC. Total:					475.18
Vendor: 1311 - M-GROUP					
2003340	100385	11/04/2022	212-20339	ON CALL PLANNING SERVICES	155.00
2003340	100385	11/04/2022	212-20345	ON CALL PLANNING SERVICES	387.50
2003340	100385	11/04/2022	212-461-42101	ON CALL PLANNING SERVICES	17,011.25
2003456	100385	11/04/2022	212-20345	ON CALL PLANNING SERVICES	387.50
2003456	100385	11/04/2022	212-461-42101	ON CALL PLANNING SERVICES	19,646.25
Vendor 1311 - M-GROUP Total:					37,587.50
Vendor: MIK02 - MIKE'S APPLIANCES					
85890	100532	11/11/2022	100-222-42107	ICE MAKER PD	356.50
Vendor MIK02 - MIKE'S APPLIANCES Total:					356.50
Vendor: MUN07 - MUNICIPAL POOLING AUTH.					
INV002866	100533	11/11/2022	100-116-42101	DOT DRUG & ALCOHOL TESTING PROGRAM	152.65
Vendor MUN07 - MUNICIPAL POOLING AUTH. Total:					152.65
Vendor: MYE01 - MYERS STEVENS & TOOHEY CO					
1390900	100534	11/11/2022	100-221-41008	POLICE LTD	475.20
1390900	100534	11/11/2022	100-223-41008	POLICE LTD	206.80
1390900	100534	11/11/2022	105-221-41008	POLICE LTD	89.10
Vendor MYE01 - MYERS STEVENS & TOOHEY CO Total:					771.10
Vendor: NAP03 - NAPA VALLEY COLLEGE					
11012022	100535	11/11/2022	100-223-42301	DISPATCHER ACADEMY FOR ALIZA KING PD	203.00
11012022-2	100535	11/11/2022	100-223-42301	DISPATCHER ACADEMY FOR VALERIA SANDOVAL	203.00
Vendor NAP03 - NAPA VALLEY COLLEGE Total:					406.00
Vendor: 2441 - NELSON CONNECTS					
6402714	100536	11/11/2022	100-341-42103	ADMIN ASSISTANT PERSON PW	1,389.96
6403416	100536	11/11/2022	100-341-42103	ADMIN ASSISTANT PERSON PW	1,211.77
6403906	100536	11/11/2022	100-341-42103	ADMIN ASSISTANT PERSON PW	1,092.96
6405781	100536	11/11/2022	100-341-42103	ADMIN ASSISTANT PERSON PW	1,805.76
6406453	100536	11/11/2022	100-341-42103	ADMIN ASSISTANT PERSON PW	1,900.80
6407552	100536	11/11/2022	100-341-42103	ADMIN ASSISTANT PERSON PW	1,425.60
Vendor 2441 - NELSON CONNECTS Total:					8,826.85
Vendor: 2448 - NSI LAB SOLUTIONS, LLC.					
411922	100537	11/11/2022	500-641-44305	LAB SUPPLIES WPCP	348.65
Vendor 2448 - NSI LAB SOLUTIONS, LLC. Total:					348.65
Vendor: O'R01 - O'REILLY AUTOMOTIVE, INC					
OCTOBER 2022	100386	11/04/2022	100-345-44306	CITYWIDE SUPPLIES PURCHASES	47.70
OCTOBER 2022	100386	11/04/2022	100-345-44306	CITYWIDE SUPPLIES PURCHASES	49.35
OCTOBER 2022	100386	11/04/2022	207-344-42107	CITYWIDE SUPPLIES PURCHASES	39.49
Vendor O'R01 - O'REILLY AUTOMOTIVE, INC Total:					136.54
Vendor: OTI01 - OTIS ELEVATOR COMPANY					
100400948939	100538	11/11/2022	209-554-42108	MAINTENANCE SERVICE NOV. 2022 PYC	177.94

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
100400949433	100387	11/04/2022	100-343-42108	ELEVATOR MAINTENANCE NOVEMBER 2022 CH	120.69
100400949468	100538	11/11/2022	100-222-42108	MAINTENANCE SERVICE NOV. 2022 SAFETY BLDG.	120.64
F10000044937	100538	11/11/2022	100-343-42108	MAINTENANCE SERVICE CH	125.00
F10000044939	100538	11/11/2022	209-554-42108	MAINTENANCE SERVICE PYS	125.00
F1000044694	100538	11/11/2022	100-222-42108	MAINTENANCE SAFETY BLDG.	125.00
Vendor OTI01 - OTIS ELEVATOR COMPANY Total:					794.27
Vendor: PAC41 - PACIFIC ECORISK					
18555	100388	11/04/2022	500-641-44305	ACUTE WET TESTING WPCP	1,046.00
Vendor PAC41 - PACIFIC ECORISK Total:					1,046.00
Vendor: PAC55 - PACIFIC SITE MANAGEMENT					
62123	100539	11/11/2022	277-20334	TRAFFIC MEDIAN ON PVR SPRINKLER COVERAGE	10,000.00
Vendor PAC55 - PACIFIC SITE MANAGEMENT Total:					10,000.00
Vendor: LON02 - PATRICIA LONG					
OCOTBER 2022	100540	11/11/2022	209-552-43802	CWLD PSC	165.20
Vendor LON02 - PATRICIA LONG Total:					165.20
Vendor: PGE01 - PG&E					
0081-10182022	100389	11/04/2022	200-342-43103	2501 SAN PABLO AVE TRAFFIC CONTROLLER	77.65
0209-10182022	100389	11/04/2022	200-342-43103	S/E CORNER SAN PABLO AVE & TENNETT TRAFFIC SIGNAL	83.51
0466-10182022	100389	11/04/2022	209-554-43103	635 TENNETT AVE YOUTH CTR/CATV	138.38
0466-10182022	100389	11/04/2022	505-119-43103	635 TENNETT AVE YOUTH CTR/CATV	207.58
0813-10172022	100389	11/04/2022	200-342-43103	2149 1/2 APPIAN WAY TRAFFIC SIGNAL	58.46
0923-10172022	100389	11/04/2022	100-110-43103	2131 PEAR ST	89.53
0923-10172022	100389	11/04/2022	100-111-43103	2131 PEAR ST	117.80
0923-10172022	100389	11/04/2022	100-112-43103	2131 PEAR ST	129.58
0923-10172022	100389	11/04/2022	100-115-43103	2131 PEAR ST	322.77
0923-10172022	100389	11/04/2022	100-116-43103	2131 PEAR ST	94.24
0923-10172022	100389	11/04/2022	100-117-43103	2131 PEAR ST	1,048.41
0923-10172022	100389	11/04/2022	100-343-43103	2131 PEAR ST	1,953.11
0923-10172022	100389	11/04/2022	200-342-43103	2131 PEAR ST	341.62
0923-10172022	100389	11/04/2022	212-461-43103	2131 PEAR ST	141.36
0923-10172022	100389	11/04/2022	212-462-43103	2131 PEAR ST	355.75
0923-10172022	100389	11/04/2022	285-464-43103	2131 PEAR ST	117.80
1093-10312022	100541	11/11/2022	500-642-43103	W END/HAZEL AVE SEWAGE PLANT	464.16
1121-10192022	100389	11/04/2022	200-342-43103	DEL MONTE & SAN PABLO TRAFFIC CONTROL LIGHT	70.84
1233-10192022	100389	11/04/2022	200-342-43103	SAN PABLO AVE TRAFFIC SIGNAL	80.45
2222-10252022	100541	11/11/2022	100-345-43103	STREET AND HIGHWAY LIGHTING	49.39
2222-10252022	100541	11/11/2022	200-342-43103	STREET AND HIGHWAY LIGHTING	14,088.83
2222-10252022	100541	11/11/2022	310-347-43103	STREET AND HIGHWAY LIGHTING	280.00
2222-10252022	100541	11/11/2022	310-348-43103	STREET AND HIGHWAY LIGHTING	400.00
2620-10192022	100389	11/04/2022	200-342-43103	N/W CORNER APPIAN WAY & FITZGERALD DR TRAFFIC SIG	102.29
2793-10182022	100389	11/04/2022	200-342-43103	1451 FITZGERALD DR TRAFFIC SIGNAL	4.66
3311-10182022	100389	11/04/2022	200-342-43103	PINOLE VALLEY RD & HENRY TRAFFIC CONTROLLER	109.10

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
3537-10172022	100389	11/04/2022	100-343-43103	659 TENNENT AVE PARKING LOT LIGHTS	7.35
3850-10172022	100389	11/04/2022	100-345-43103	601 TENNENT AVE CARETAKER'S SHED	55.24
3914-10172022	100389	11/04/2022	100-345-43103	FERNANDEZ PARK BALLPARK LIGHTING	363.15
4065-10172022	100389	11/04/2022	209-559-43103	2937 PINOLE VALLEY RD TENNIS CT LIGHTS	216.65
4193-10182022	100389	11/04/2022	200-342-43103	HWY 80 PINOLE VALLEY RD TRAFFIC CONTROLLER	59.13
4256-10262022	100541	11/11/2022	500-641-43103	11 TENNANT AVE	55,949.27
4368-10172022	100389	11/04/2022	200-342-43103	APPIAN WAY & TARA HILLS TRAFFIC SIGNAL	111.27
5127-10182022	100389	11/04/2022	500-642-43103	893 1/2 SAN PABLO AVE PUMP STATION	37.22
5137-10172022	100389	11/04/2022	209-557-43103	2450 SIMAS AVE SWIM CTR	1,167.96
5374-10182022	100389	11/04/2022	200-342-43103	1220 PINOLE VALLEY RD TRAFFIC SIGNAL	94.07
6521-10272022	100541	11/11/2022	200-342-43103	IFO 971 SAN PABLO AVE- TRAFFIC SIGNAL CONTROL	97.59
6897-10272022	100541	11/11/2022	200-342-43103	PINOLE VALLEY RD & ESTATES AVE-TRAFFIC LIGHT CTRL	62.63
6969-10172022	100389	11/04/2022	201-343-43103	2361 SAN PABLO AVE PARKING LOT LIGHTS	297.37
7114-10182022	100389	11/04/2022	200-342-43103	2429 SAN PABLO AVE	92.21
7509-10172022	100389	11/04/2022	200-342-43103	TARA HILLS DR 500 FT APPIAN WAY TRAFFIC SIGNAL	60.12
7547-10262022	100541	11/11/2022	100-222-43103	880 Tennent Ave-Public Safety Facility	3,645.07
7547-10262022	100541	11/11/2022	100-223-43103	880 Tennent Ave-Public Safety Facility	729.01
7547-10262022	100541	11/11/2022	100-231-43103	880 Tennent Ave-Public Safety Facility	2,916.06
8086-10182022	100389	11/04/2022	200-342-43103	N/S BORDER CITY OF PINOLE	113.07
8687-10192022	100389	11/04/2022	200-342-43103	FITZGERALD DR IFO LONG JOHN SILVERS TRAFFIC SIGNAL	94.79
9824-10182022	100389	11/04/2022	310-347-43103	1303 PINOLE VALLEY RD TRAFFIC CONTROL SVC	100.84
9900-10132022	100389	11/04/2022	200-342-43103	2303 GRANADA CT TRAFFIC CONTROL SERVICE	293.00
9961-10262022	100541	11/11/2022	209-552-43103	2500 CHARLES ST-SENIOR CENTER	3,936.79
9985-10172022	100389	11/04/2022	201-343-43103	NEAR 795 FERNANDEZ PARKING LOT LIGHTS	78.56
Vendor PGE01 - PG&E Total:					91,505.69
Vendor: 1009 - PRECISION IT CONSULTING					
12818	100391	11/04/2022	525-118-47106	MONITOR'S (2) CITY CLERKS ADMIN	554.03
12820	100391	11/04/2022	525-118-42510	SPARE ACROBAT LICENSE FEE	347.60
12836	100391	11/04/2022	525-118-47106	SPARE DESKTOP AND DOCK /MONITORS FOR JEREMY R.	2,405.61
12837	100391	11/04/2022	525-118-42105	SOPHOS FIREWALL RENEWAL	2,167.79
12874	100391	11/04/2022	525-118-47106	LAPTOP FOR ROXANE STONE	2,262.14
12875	100391	11/04/2022	525-118-47106	LAPTOP FOR MARIA PICAZO	1,958.52
12877	100391	11/04/2022	525-118-42105	MERAKI WIRELESS AP LICENSING	496.75
Vendor 1009 - PRECISION IT CONSULTING Total:					10,192.44
Vendor: 2388 - PRESTIGE PRINTING AND GRAPHICS					
80601	100542	11/11/2022	100-111-42201	BUSINESS CARDS FOR OLIVIA AND FIONA	95.30

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80601	100542	11/11/2022	100-112-42201	BUSINESS CARDS FOR OLIVIA AND FIONA	95.30
Vendor 2388 - PRESTIGE PRINTING AND GRAPHICS Total:					190.60
Vendor: 2025 - RAY MORGAN COMPANY, LLC.					
3883420	100392	11/04/2022	525-118-42107	COPIER LEASES	1,619.24
Vendor 2025 - RAY MORGAN COMPANY, LLC. Total:					1,619.24
Vendor: RIC06 - RICHMOND BLUEPRINT & LITHO CO INC					
7233	100543	11/11/2022	212-462-42201	CORRECTION NOTICE FORMS BLDG.	751.79
Vendor RIC06 - RICHMOND BLUEPRINT & LITHO CO INC Total:					751.79
Vendor: 1973 - ROBIN RABER-LUNA					
11022022	100544	11/11/2022	209-552-43804	SNACKS FOR SNACK BAR PSC	197.49
Vendor 1973 - ROBIN RABER-LUNA Total:					197.49
Vendor: J&O01 - RUBBER DUST INC.					
152974	100545	11/11/2022	100-345-42107	LEFT TIRE REPAIRED AT SITE CY	258.23
153068	100545	11/11/2022	100-343-42107	COOLANT LEAK REPAIRS RADIATOR CY	763.76
153075	100545	11/11/2022	100-345-42107	REPAIR FLAT TIRE AT SITE CY	258.23
153131	100545	11/11/2022	500-642-42107	BRAKES & OIL CHANGE CAMERA INSPECTION VAN CY	2,027.69
Vendor J&O01 - RUBBER DUST INC. Total:					3,307.91
Vendor: 1450 - RUBENSTEIN SUPPLY COMPANY					
S2420557.001	100393	11/04/2022	209-552-42108	CONTEMPORARY STYLE HOT & COLD FAUCET	860.50
Vendor 1450 - RUBENSTEIN SUPPLY COMPANY Total:					860.50
Vendor: 1204 - S & L BODY AND FRAME					
1178	100546	11/11/2022	100-221-42107	PATROLS CAR WASH SEPT. AND OCT. 2022 PD	1,200.00
Vendor 1204 - S & L BODY AND FRAME Total:					1,200.00
Vendor: 1679 - SAFEUILT, LLC					
81939	100394	11/04/2022	212-462-42101	PLAN CHECKING	7,251.08
82742	100394	11/04/2022	212-462-42101	PLAN CHECKING FEES	6,025.73
Vendor 1679 - SAFEUILT, LLC Total:					13,276.81
Vendor: 2449 - SAVECO NORTH AMERICA, INC.					
PART22202-PL	100547	11/11/2022	500-641-44306	BRUSH AND RUBBER PLATE BULK SUPPLIES WPCP	1,222.41
Vendor 2449 - SAVECO NORTH AMERICA, INC. Total:					1,222.41
Vendor: 1714 - SHERRI D. LEWIS					
CC010PINOLE-FY2022/23	100548	11/11/2022	100-112-42101	PREPARE MINUTES FOR CC MTG 101822 CITY CLERK	1,087.50
PC03PINOLE-FY2022/23	100548	11/11/2022	212-461-42514	PREPARE MINUTES PC MTG 102422 PLANNING	487.50
Vendor 1714 - SHERRI D. LEWIS Total:					1,575.00
Vendor: 2260 - SKL SOLUTIONS, INC.					
220034	100395	11/04/2022	500-642-42101	CONSTRUCTION INSPECTOR PW	1,050.00
Vendor 2260 - SKL SOLUTIONS, INC. Total:					1,050.00
Vendor: 2048 - SONIC.NET, LLC					
1005084588	100549	11/11/2022	525-118-43101	SOFTWARE MAINT DECEMBER 2022	449.00
Vendor 2048 - SONIC.NET, LLC Total:					449.00
Vendor: SQU00 - SQUARE DEAL GARAGE					
41015	100396	11/04/2022	100-343-42107	WORK DONE ON CAR 35	1,387.65
41203	100396	11/04/2022	100-343-42107	BRAKE INSPECTIONS CAR 42	80.00
Vendor SQU00 - SQUARE DEAL GARAGE Total:					1,467.65
Vendor: STA42 - STAPLES BUSINESS CREDIT					
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	32.91
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	98.74

WARRANT LISTING

Payment Dates: 10/29/2022 - 11/11/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	17.58
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	177.80
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	98.24
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	74.41
1645025952	100550	11/11/2022	100-111-42201	CITYWIDE OFFICE SUPPLIES	94.48
1645025952	100550	11/11/2022	100-112-42201	CITYWIDE OFFICE SUPPLIES	150.29
1645025952	100550	11/11/2022	100-115-42201	CITYWIDE OFFICE SUPPLIES	43.85
1645025952	100550	11/11/2022	100-222-42201	CITYWIDE OFFICE SUPPLIES	115.83
1645025952	100550	11/11/2022	100-222-42201	CITYWIDE OFFICE SUPPLIES	159.10
1645025952	100550	11/11/2022	100-222-42201	CITYWIDE OFFICE SUPPLIES	55.67
1645025952	100550	11/11/2022	100-341-42201	CITYWIDE OFFICE SUPPLIES	136.91
1645025952	100550	11/11/2022	209-551-42201	CITYWIDE OFFICE SUPPLIES	94.60
1645025952	100550	11/11/2022	212-462-42201	CITYWIDE OFFICE SUPPLIES	4.91
Vendor STA42 - STAPLES BUSINESS CREDIT Total:					1,355.32
Vendor: STE20 - STERICYCLE, INC.					
3006222074	100551	11/11/2022	100-222-42101	DISPOSAL OF MEDICATION AND SHARP OBJECTS PD	60.45
Vendor STE20 - STERICYCLE, INC. Total:					60.45
Vendor: 2418 - STONE MUNICIPAL GROUP					
10054	100397	11/04/2022	106-231-42101	FISCAL ANALYSIS TO CONTRACT FIRE SERVICES	5,700.00
Vendor 2418 - STONE MUNICIPAL GROUP Total:					5,700.00
Vendor: 1253 - TARAH ORNELAS					
832	100552	11/11/2022	209-552-43809	NEWSLETTER PRINTING NOV. 2022 PSC	305.90
833	100552	11/11/2022	209-552-43807	CRAFT FAIR BANNER PSC	192.92
843	100398	11/04/2022	100-111-42201	SIGNS PINOLE STANDS UNITED AGAINST HATE	534.30
Vendor 1253 - TARAH ORNELAS Total:					1,033.12
Vendor: EDJ01 - THE ED JONES CO., INC.					
51618	100553	11/11/2022	100-222-42514	GERMAN SILVER BADGE PD	676.56
Vendor EDJ01 - THE ED JONES CO., INC. Total:					676.56
Vendor: 2452 - THE YOGA COP INC.					
1	100554	11/11/2022	100-221-42304	GROUP YOGA PACKAGE PD	1,120.00
Vendor 2452 - THE YOGA COP INC. Total:					1,120.00
Vendor: 2365 - TRIPEPI, SMITH AND ASSOCIATES, INC.					
8718	100399	11/04/2022	100-111-42101	WEBSITE ADMINISTRATOR	1,788.75
Vendor 2365 - TRIPEPI, SMITH AND ASSOCIATES, INC. Total:					1,788.75
Vendor: USP02 - UNITED STATES POSTAL SVC					
10202022	100400	11/04/2022	100-111-42201	USPS MARKETING MAIL PERMIT P1 41	275.00
Vendor USP02 - UNITED STATES POSTAL SVC Total:					275.00
Vendor: UNI38 - UNIVAR USA INC					
50659774	100555	11/11/2022	500-641-44303	SOD HYPO LIQUI WPCP	6,860.34
50679110	100555	11/11/2022	500-641-44303	SOD BISULFITE WPCP	7,467.48
Vendor UNI38 - UNIVAR USA INC Total:					14,327.82
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
5228	100401	11/04/2022	209-554-42108	JANITORIAL SUPPLIES PYC	226.93
5346	100401	11/04/2022	100-343-42108	JANITORIAL SUPPLIES CY	736.64
5373	100401	11/04/2022	100-222-42108	JANITORIAL SUPPLIES PD	292.37
5374	100401	11/04/2022	100-343-42108	JANITORIAL SUPPLIES CH	351.30
5643	100556	11/11/2022	100-343-42108	JANITORIAL SUPPLIES CY	476.86
Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:					2,084.10
Vendor: USB06 - US BANK					
OCTOBER 2022	100557	11/11/2022	100-20018	CITYWIDE CREDIT CARDS RECEIPTS	40,401.14
Vendor USB06 - US BANK Total:					40,401.14

WARRANT LISTING

Payment Dates: 10/29/2022 - 11/11/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: VER02 - VERIZON WIRELESS					
9918262447	100402	11/04/2022	525-118-43101	CITYWIDE CELL PHONES	5,715.72
Vendor VER02 - VERIZON WIRELESS Total:					5,715.72
Vendor: VIS01 - VISION SERVICE PLAN					
816339296	100558	11/11/2022	100-110-41003	VISION COVERAGE NOVEMBER 2022	74.44
816339296	100558	11/11/2022	100-111-41003	VISION COVERAGE NOVEMBER 2022	55.83
816339296	100558	11/11/2022	100-112-41003	VISION COVERAGE NOVEMBER 2022	74.44
816339296	100558	11/11/2022	100-113-41003	VISION COVERAGE NOVEMBER 2022	18.61
816339296	100558	11/11/2022	100-115-41003	VISION COVERAGE NOVEMBER 2022	55.83
816339296	100558	11/11/2022	100-116-41003	VISION COVERAGE NOVEMBER 2022	37.22
816339296	100558	11/11/2022	100-221-41003	VISION COVERAGE NOVEMBER 2022	372.20
816339296	100558	11/11/2022	100-222-41003	VISION COVERAGE NOVEMBER 2022	93.05
816339296	100558	11/11/2022	100-223-41003	VISION COVERAGE NOVEMBER 2022	241.93
816339296	100558	11/11/2022	100-223-41003	VISION COVERAGE NOVEMBER 2022	-18.61
816339296	100558	11/11/2022	100-231-41003	VISION COVERAGE NOVEMBER 2022	260.54
816339296	100558	11/11/2022	100-231-41003	VISION COVERAGE NOVEMBER 2022	18.61
816339296	100558	11/11/2022	100-341-41003	VISION COVERAGE NOVEMBER 2022	55.83
816339296	100558	11/11/2022	100-343-41003	VISION COVERAGE NOVEMBER 2022	167.49
816339296	100558	11/11/2022	105-221-41003	VISION COVERAGE NOVEMBER 2022	93.05
816339296	100558	11/11/2022	105-231-41003	VISION COVERAGE NOVEMBER 2022	18.61
816339296	100558	11/11/2022	106-222-41003	VISION COVERAGE NOVEMBER 2022	18.61
816339296	100558	11/11/2022	106-231-41003	VISION COVERAGE NOVEMBER 2022	18.61
816339296	100558	11/11/2022	209-551-41003	VISION COVERAGE NOVEMBER 2022	37.22
816339296	100558	11/11/2022	209-552-41003	VISION COVERAGE NOVEMBER 2022	37.22
816339296	100558	11/11/2022	209-554-41003	VISION COVERAGE NOVEMBER 2022	18.61
816339296	100558	11/11/2022	212-461-41003	VISION COVERAGE NOVEMBER 2022	37.22
816339296	100558	11/11/2022	212-462-41003	VISION COVERAGE NOVEMBER 2022	37.22
816339296	100558	11/11/2022	500-641-41003	VISION COVERAGE NOVEMBER 2022	186.10
816339296	100558	11/11/2022	500-642-41003	VISION COVERAGE NOVEMBER 2022	55.83
816339296	100558	11/11/2022	505-119-41003	VISION COVERAGE NOVEMBER 2022	37.22
816339296	100558	11/11/2022	998-20106	VISION COVERAGE NOVEMBER 2022	55.83
Vendor VIS01 - VISION SERVICE PLAN Total:					2,158.76
Vendor: LUK00 - VIVIENNE F. KEARSLEY-LUKE					
OCTOBER 2022	100559	11/11/2022	209-552-43802	GENTLE YOGA CLASSES OCTOBER 2022 PSC	93.10
Vendor LUK00 - VIVIENNE F. KEARSLEY-LUKE Total:					93.10

WARRANT LISTING

Payment Dates: 10/29/2022 - 11/11/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: WCC01 - WCCTAC					
Q3 2022	100560	11/11/2022	212-462-34210	STMP FEE COLLECTED FOR Q1 JULY-SEPT. 2022 BLDG	20,066.55
				Vendor WCC01 - WCCTAC Total:	20,066.55
Vendor: WEC01 - WECO INDUSTRIES LLC					
0050071-IN	100561	11/11/2022	500-642-42514	NOZZLE WATHOG CY	5,022.45
0050112-IN	100561	11/11/2022	500-642-42514	SEWER TOOLS CY	5,605.85
0050254-IN	100561	11/11/2022	500-642-44306	NOZZLE ETENSION 10" AND 12" CY	269.49
0050485-IN	100561	11/11/2022	500-642-44306	MANHOLE HOOK CY	422.33
				Vendor WEC01 - WECO INDUSTRIES LLC Total:	11,320.12
Vendor: WES01 - WESTERN EXTERMINATOR CO.					
27324796	100403	11/04/2022	209-553-42108	PEST CONTROL MAINTENANCE TINY TOTS	108.65
27652397	100403	11/04/2022	209-552-42108	PEST CONTROL MAINTENANCE PSC	85.95
27652402	100403	11/04/2022	100-343-42108	PEST CONTROL MAINTENANCE CY	69.00
28518310	100562	11/11/2022	100-343-42108	PEST CONTROL MAINTENANCE CY	77.30
				Vendor WES01 - WESTERN EXTERMINATOR CO. Total:	340.90
Vendor: 1520 - WEX BANK					
84882492	100563	11/11/2022	100-221-44301	FUEL PURCHASES PD	338.00
				Vendor 1520 - WEX BANK Total:	338.00
Grand Total:					524,664.82

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	234,712.47
105 - Measure S -2006	1,955.14
106 - MEASURE S-2014	6,210.90
200 - Gas Tax Fund	23,916.39
201 - Restricted Real Estate Maintenance Fund	1,167.01
207 - NPDES Storm Water Fund	1,811.24
209 - Recreation Fund	26,554.17
212 - Building & Planning	74,218.78
215 - Measure C and J Fund	5,000.00
225 - Asset Seizure-Adjudicated Fund	2,000.00
277 - Development Services	10,000.00
285 - Housing Land Held for Resale	135.94
310 - Lighting & Landscape Districts	3,435.17
500 - Sewer Enterprise Fund	106,795.28
505 - Cable Access TV	863.88
525 - Information Systems	25,398.75
998 - Payroll Clearing	489.70
Grand Total:	524,664.82

Account Summary

Account Number	Account Name	Payment Amount
100-10601	Gas Tanks/Corp Yard	7,083.68
100-110-41002	Emp Benefits/Dental	831.14
100-110-41003	Emp Benefits/Vision Care	74.44
100-110-43102	Utilities/Water	10.78
100-110-43103	Utilities/Electricity & Pow...	89.53
100-111-41002	Emp Benefits/Dental	601.53
100-111-41003	Emp Benefits/Vision Care	55.83
100-111-42101	Prof Svcs/Professional Ser...	1,788.75
100-111-42201	Office Expense	1,498.76
100-111-43102	Utilities/Water	25.91
100-111-43103	Utilities/Electricity & Pow...	117.80
100-112-41002	Emp Benefits/Dental	383.55
100-112-41003	Emp Benefits/Vision Care	74.44
100-112-42101	Prof Svcs/Professional Ser...	1,087.50
100-112-42201	Office Expense	245.59
100-112-43102	Utilities/Water	23.75
100-112-43103	Utilities/Electricity & Pow...	129.58
100-113-41002	Emp Benefits/Dental	217.98
100-113-41003	Emp Benefits/Vision Care	18.61
100-115-41002	Emp Benefits/Dental	729.38
100-115-41003	Emp Benefits/Vision Care	55.83
100-115-42101	Prof Svcs/Professional Ser...	804.57
100-115-42201	Office Expense	43.85
100-115-43102	Utilities/Water	70.39
100-115-43103	Utilities/Electricity & Pow...	322.77
100-116-41002	Emp Benefits/Dental	357.46
100-116-41003	Emp Benefits/Vision Care	37.22
100-116-42101	Prof Svcs/Professional Ser...	13,005.69
100-116-42102	Prof Svcs/Attorney Servic...	3,661.50
100-116-43102	Utilities/Water	23.75
100-116-43103	Utilities/Electricity & Pow...	94.24
100-117-43102	Utilities/Water	190.00
100-117-43103	Utilities/Electricity & Pow...	1,048.41
100-117-43105	Utilities/Cable	29.86
100-20018	Accounts Payable/CalCard	40,401.14
100-221-41002	Emp Benefits/Dental	2,951.34

WARRANT LISTING

Payment Dates: 10/29/2022 - 11/11/2022

Account Summary

Account Number	Account Name	Payment Amount
100-221-41003	Emp Benefits/Vision Care	372.20
100-221-41008	Emp Benefits/Long Term ...	475.20
100-221-42101	Prof Svcs/Professional Ser...	2,832.00
100-221-42107	Prof Svcs/Equipment Mai...	3,407.83
100-221-42304	Travel & Training/Officer...	2,020.00
100-221-42401	Dues & Pub/Memberships	775.00
100-221-42511	Admin Exp/Equipment Re...	3,416.00
100-221-42514	Admin Exp/Special Depart	16.41
100-221-44301	Other Materials Supp/Fuel	338.00
100-222-41002	Emp Benefits/Dental	816.68
100-222-41003	Emp Benefits/Vision Care	93.05
100-222-42101	Prof Svcs/Professional Ser...	4,473.44
100-222-42107	Prof Svcs/Equipment Mai...	356.50
100-222-42108	Prof Svcs/Building-Structu...	570.01
100-222-42201	Office Expense	653.18
100-222-42514	Admin Exp/Special Depart	676.56
100-222-43102	Utilities/Water	1,138.73
100-222-43103	Utilities/Electricity & Pow...	3,645.07
100-222-43105	Utilities/Cable	175.59
100-222-44410	Safety Clothing	290.46
100-223-41002	Emp Benefits/Dental	2,340.78
100-223-41003	Emp Benefits/Vision Care	223.32
100-223-41008	Emp Benefits/Long Term ...	206.80
100-223-42101	Prof Svcs/Professional Ser...	145.70
100-223-42301	Travel & Training/Conf-Re...	406.00
100-223-43102	Utilities/Water	253.05
100-223-43103	Utilities/Electricity & Pow...	729.01
100-231-41002	Emp Benefits/Dental	2,292.77
100-231-41003	Emp Benefits/Vision Care	279.15
100-231-41008	Emp Benefits/Long Term ...	324.50
100-231-42101	Prof Svcs/Professional Ser...	17,743.29
100-231-42107	Prof Svcs/Equipment Mai...	342.11
100-231-42512	Admin Exp/Abatement	9,900.00
100-231-43102	Utilities/Water	1,750.48
100-231-43103	Utilities/Electricity & Pow...	2,916.06
100-231-43105	Utilities/Cable	49.55
100-341-41002	Emp Benefits/Dental	459.22
100-341-41003	Emp Benefits/Vision Care	55.83
100-341-42103	Prof Svcs/Temporary Serv...	8,826.85
100-341-42201	Office Expense	136.91
100-342-44410	Safety Clothing	171.82
100-343-41002	Emp Benefits/Dental	2,225.86
100-343-41003	Emp Benefits/Vision Care	167.49
100-343-42107	Prof Svcs/Equipment Mai...	2,231.41
100-343-42108	Prof Svcs/Building-Structu...	15,688.13
100-343-43102	Utilities/Water	2,166.95
100-343-43103	Utilities/Electricity & Pow...	1,960.46
100-343-44306	Other Materials Supp/Ma...	1,530.33
100-343-44410	Safety Clothing	874.74
100-345-42107	Prof Svcs/Equipment Mai...	516.46
100-345-42108	Prof Svcs/Building-Structu...	250.00
100-345-42511	Admin Exp/Equipment Re...	603.21
100-345-43102	Utilities/Water	12,867.76
100-345-43103	Utilities/Electricity & Pow...	467.78
100-345-44306	Other Materials Supp/Ma...	144.71
100-551-42101	Prof Svcs/Professional Ser...	38,592.75
100-551-42511	Admin Exp/Equipment Re...	142.77
105-221-41002	Emp Benefits/Dental	1,203.06

WARRANT LISTING

Payment Dates: 10/29/2022 - 11/11/2022

Account Summary

Account Number	Account Name	Payment Amount
105-221-41003	Emp Benefits/Vision Care	93.05
105-221-41008	Emp Benefits/Long Term ...	89.10
105-231-41002	Emp Benefits/Dental	462.82
105-231-41003	Emp Benefits/Vision Care	18.61
105-231-41008	Emp Benefits/Long Term ...	88.50
106-222-41002	Emp Benefits/Dental	255.70
106-222-41003	Emp Benefits/Vision Care	18.61
106-231-41002	Emp Benefits/Dental	217.98
106-231-41003	Emp Benefits/Vision Care	18.61
106-231-42101	Prof Svcs/Professional Ser...	5,700.00
200-342-42101	Prof Svcs/Professional Ser...	6,737.53
200-342-42514	Admin Exp/Special Depart	1,023.12
200-342-43102	Utilities/Water	60.45
200-342-43103	Utilities/Electricity & Pow...	16,095.29
201-343-43102	Utilities/Water	791.08
201-343-43103	Utilities/Electricity & Pow...	375.93
207-344-42101	Prof Svcs/Professional Ser...	1,551.75
207-344-42102	Prof Svcs/Attorney Servic...	220.00
207-344-42107	Prof Svcs/Equipment Mai...	39.49
209-551-41002	Emp Benefits/Dental	383.55
209-551-41003	Emp Benefits/Vision Care	37.22
209-551-42201	Office Expense	94.60
209-552-41002	Emp Benefits/Dental	183.16
209-552-41003	Emp Benefits/Vision Care	37.22
209-552-42108	Prof Svcs/Building-Structu...	1,420.26
209-552-43102	Utilities/Water	3,433.88
209-552-43103	Utilities/Electricity & Pow...	3,936.79
209-552-43802	Program Cost/Class Fees	1,773.90
209-552-43804	Program Cost/Food Progr...	3,883.04
209-552-43807	Program Cost/Fundraising	192.92
209-552-43809	Program Cost/Newsletter	305.90
209-552-43810	Program Cost/Center Mai...	405.00
209-553-42108	Prof Svcs/Building-Structu...	595.65
209-553-42514	Admin Exp/Special Depart	358.74
209-554-41002	Emp Benefits/Dental	230.14
209-554-41003	Emp Benefits/Vision Care	18.61
209-554-42108	Prof Svcs/Building-Structu...	2,098.02
209-554-43102	Utilities/Water	89.53
209-554-43103	Utilities/Electricity & Pow...	138.38
209-555-43801	Program Cost/Youth Camp	1,050.00
209-557-36403	Recreation Chg/Swim Fee	174.00
209-557-42108	Prof Svcs/Building-Structu...	3,352.71
209-557-43103	Utilities/Electricity & Pow...	1,167.96
209-558-42108	Prof Svcs/Building-Structu...	463.12
209-558-43102	Utilities/Water	418.00
209-559-43102	Utilities/Water	95.22
209-559-43103	Utilities/Electricity & Pow...	216.65
212-20339	Developer Deposit/Appian..	155.00
212-20345	Developer Deposit/Pinole...	775.00
212-461-41002	Emp Benefits/Dental	511.40
212-461-41003	Emp Benefits/Vision Care	37.22
212-461-42101	Prof Svcs/Professional Ser...	36,657.50
212-461-42514	Admin Exp/Special Depart	487.50
212-461-43102	Utilities/Water	22.89
212-461-43103	Utilities/Electricity & Pow...	141.36
212-462-33215	Permit/Seismic (Strong M...	400.28
212-462-34210	Fees/STMP Fee	20,066.55
212-462-34211	Fees/CA State Building Fee	119.25

WARRANT LISTING

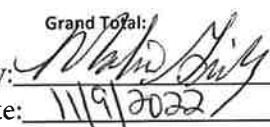
Payment Dates: 10/29/2022 - 11/11/2022

Account Summary

Account Number	Account Name	Payment Amount
212-462-41002	Emp Benefits/Dental	357.46
212-462-41003	Emp Benefits/Vision Care	37.22
212-462-42101	Prof Svcs/Professional Ser...	13,276.81
212-462-42201	Office Expense	756.70
212-462-43102	Utilities/Water	60.89
212-462-43103	Utilities/Electricity & Pow...	355.75
215-342-42106	Prof Svcs/Software Maint...	5,000.00
225-221-42514	Admin Exp/Special Depart	2,000.00
277-20334	Developer Deposit/Gatew...	10,000.00
285-464-43102	Utilities/Water	18.14
285-464-43103	Utilities/Electricity & Pow...	117.80
310-347-42101	Prof Svcs/Professional Ser...	1,540.00
310-347-43102	Utilities/Water	696.15
310-347-43103	Utilities/Electricity & Pow...	380.84
310-348-42101	Prof Svcs/Professional Ser...	357.90
310-348-43102	Utilities/Water	60.28
310-348-43103	Utilities/Electricity & Pow...	400.00
500-641-41002	Emp Benefits/Dental	1,719.09
500-641-41003	Emp Benefits/Vision Care	186.10
500-641-42107	Prof Svcs/Equipment Mai...	4,263.50
500-641-42108	Prof Svcs/Building-Structu...	100.34
500-641-42109	Prof Svcs/Compliance Ins...	478.14
500-641-42201	Office Expense	185.74
500-641-43102	Utilities/Water	1,015.00
500-641-43103	Utilities/Electricity & Pow...	55,949.27
500-641-44302	Other Materials Supp/Slu...	4,927.47
500-641-44303	Other Materials Supp/Ch...	14,327.82
500-641-44305	Other Materials Supp/Lab...	3,516.91
500-641-44306	Other Materials Supp/Ma...	2,000.82
500-641-44410	Safety Clothing	1,346.21
500-642-41002	Emp Benefits/Dental	459.22
500-642-41003	Emp Benefits/Vision Care	55.83
500-642-42101	Prof Svcs/Professional Ser...	1,050.00
500-642-42107	Prof Svcs/Equipment Mai...	2,027.69
500-642-42514	Admin Exp/Special Depart	11,470.85
500-642-43103	Utilities/Electricity & Pow...	501.38
500-642-44306	Other Materials Supp/Ma...	698.42
500-642-44410	Safety Clothing	515.48
505-119-41002	Emp Benefits/Dental	511.40
505-119-41003	Emp Benefits/Vision Care	37.22
505-119-43102	Utilities/Water	107.68
505-119-43103	Utilities/Electricity & Pow...	207.58
525-118-42105	Prof Svcs/Network Maint...	2,664.54
525-118-42106	Prof Svcs/Software Maint...	4,252.17
525-118-42107	Prof Svcs/Equipment Mai...	1,619.24
525-118-42510	Admin Exp/Software Purch	347.60
525-118-43101	Utilities/Telephone	9,334.90
525-118-47106	FF&E/Computer Equipme...	7,180.30
998-20105	Sal & Ben Payable/Dental ...	433.87
998-20106	Sal & Ben Payable/Vision ...	55.83
Grand Total:		524,664.82

Project Account Summary

Project Account Key	Payment Amount
None	524,664.82
Grand Total:	524,664.82

Approved By: 
Date: 11/9/2022



CITY COUNCIL REPORT

9C

DATE: NOVEMBER 15, 2022

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

SUBJECT: RESOLUTION CONTINUING AUTHORIZED REMOTE
TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the continued use of remote teleconference meetings pursuant to AB 361.

BACKGROUND

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available and formalize emergency actions across multiple state agencies and departments to help the State prepare for the spread of the novel coronavirus disease ("COVID-19"). The State of Emergency will expire on February 28, 2023.

On March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local state of emergency due to COVID-19 pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The local emergency expired on March 31, 2022.

All meetings of the City Council and the City's other legislative bodies, such as the Planning Commission, are open and public, as required by the Ralph M. Brown Act (Government Code section 54950 *et seq.*, "Brown Act"). Any member of the public may attend, participate, and watch the City's legislative bodies conduct their business. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means during a declared state of emergency and in order to slow the spread of COVID-19. On September 16, 2021, Governor Newsom signed AB 361 into law. AB 361 will sunset on January 1, 2024.

Under AB 361, a public agency may hold a remote meeting if a proclaimed state of emergency is in effect and: (1) state or local officials have imposed or recommended measures to promote social distancing; (2) the public agency holds a meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (3) the public agency holds a meeting and has previously determined by majority vote that as a result of the emergency, meeting in person would present imminent

risks to the health or safety of attendees. A local agency must make a finding by majority vote that one or more of these conditions exist every thirty (30) days to continue using the bill's exemption to the Brown Act rules.

On October 19, 2021, the City Council adopted a Resolution Authorizing Remote Teleconference Meetings Pursuant To AB 361 and established virtual meetings for all City Council and City Council appointed Board and Commission meetings. The City has subsequently reevaluated and reaffirmed its finding every thirty (30) days thereafter and determined that the conditions under AB 361 continue to exist, in that either it continues to directly impact the ability of members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing. City Council most recently reaffirmed its findings and adopted a Resolution authorizing continued remote meetings on October 18, 2022.

This staff report discusses whether the conditions under AB 361 continue to exist in order continue the use of remote teleconference meetings, including an in-person hybrid meeting format.

DISCUSSION

Since near the start of the COVID-19 pandemic the City has been able to conduct meetings of its legislative bodies remotely pursuant to Executive Order N-29-20, which suspended certain provisions of the Brown Act. The City has established virtual meetings for all City Council and City Council appointed Board and Commission meetings. The virtual meetings have allowed the Council and advisory bodies to continue to conduct City business from remote locations while ensuring the public's continued access to government meetings in a safe manner.

AB 361 provides for the continued use of remote meetings and exemption to the Brown Act upon a finding that state or local health officials continue to impose or recommend measures to promote social distancing. Such a finding is consistent with the goal of AB 361 "to improve and enhance public access to local agency meetings...by allowing broader access through teleconferencing options" consistent with Executive Order N-29-20.

The conditions that justified the City Council adopting the Resolution Authorizing Remote Teleconference Meetings Pursuant To AB 361 in its meeting of October 19, 2021 continue to exist. The Centers for Disease Control and Prevention ("CDC") continues to recommend measures based upon COVID-19 community levels based on their local context and their unique needs in efforts to slow the spread of COVID-19 and reduce the rate of infection. The CDC looks at three metrics: new COVID-19 admissions per 100,000 population in the past 7 days; the percent of staffed inpatient beds occupied by COVID-19 patients; and total new COVID-19 cases per 100,000 population in the past 7 days, to determine the COVID-19 community level. Social distancing is just one of the recommended practice measures and must be taken into consideration with the risk in a particular setting, including local COVID-19 Community Levels and the important role of ventilation.

Effective March 1, 2022, the CDC and California Department of Health requirement for unvaccinated persons to mask in indoor public settings and businesses was replaced by a strong recommendation that all persons, regardless of vaccine status, mask in indoor public settings and businesses including meetings and state and local government offices serving the public. On March 11, 2022, the universal masking requirement for K-12 and Childcare settings terminated. Effective April 20, 2022, in alignment with the CDC's announcement that its order requiring masking on public transportation and at transportation hubs is no longer in effect, California's requirement for masking on public transit and in transportation hubs terminated.

Notwithstanding, the California Department of Health continues to recommend that individuals in these settings continue to wear a mask and is maintaining the masking requirements in specified high-risk settings such as healthcare facilities, long-term care facilities, and homeless and emergency shelters. The California Department of Health continues to find that wearing a face mask in indoor public settings, regardless of vaccination status, remains a critical component for protecting those that are most vulnerable in our communities, including the unvaccinated, the immunocompromised, or those at risk for severe disease and illness.

On September 20, 2021, and again on March 1, 2022, the Health Officer for Contra Costa County issued recommendations for safely holding public meetings. The recommendations were most recently revised on October 4, 2022. At present, the Contra Costa County Health Officer strongly recommends the use of online meetings as an alternative to in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option, to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person. Remote options and social distancing for those present continues to be the recommended format for public meetings as it presents the lowest risk of transmission of COVID-19, which is particularly important in light of the current community prevalence rate.

The proposed resolution re-affirms the necessary findings in order for the City Council, and all of the City's legislative bodies, to continue remote teleconference meetings pursuant to AB 361. Additionally, the resolution is necessary in order to allow Staff to return to an in-person hybrid format to allow those at higher risk and/or concern about COVID-19 an alternative to participating in person.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of the resolution.

ATTACHMENTS

- A. Resolution Authorizing Continued Remote Teleconference Meetings Pursuant to AB 361

RESOLUTION NO. 2022-XX**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361**

WHEREAS, all City of Pinole (“City”) meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the City’s legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”); and

WHEREAS, the State of Emergency declared by Governor Newsom remains in effect until February 28, 2023; and

WHEREAS, on March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency due to COVID-19 pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The local emergency expired on March 31, 2022; and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all City Council meetings and meetings of all City legislative bodies, such as the Planning Commission; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the City Council make specified findings; and

WHEREAS, on September 20, 2021, Governor Newsom issued Executive Order N-15-21, delaying the full application of AB 361 (2021) until 11:59 p.m. October 1, 2021; and

WHEREAS, on February 25, 2022, Governor Newsom issued Executive Order N-04-22 further extending the sunset of the State of Emergency to an unspecified date and the State of Emergency continues to present; and

WHEREAS, AB 361 provides that it will sunset on January 1, 2024; and

WHEREAS, in order for legislative bodies to conduct meetings via teleconferencing pursuant to AB 361 (2021), a proclaimed State of Emergency must exist and either State or local officials have imposed or recommended measures to promote social distancing, or, the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on October 19, 2021, the City Council adopted Resolution Of The City Council Of The City Of Pinole Authorizing Remote Teleconference Meetings Pursuant To AB 361 upon a finding that the requisite conditions exist for the legislative bodies of the City of Pinole to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, AB 361 (2021) allows the City Council to continue to conduct meetings via teleconference upon a finding every thirty (30) days thereafter, that either a declared state of emergency continues to directly impact the ability of the members to meet safely in person, or state or local health officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and Contra Costa County; and

WHEREAS, on August 2, 2021, in response to the Delta variant of COVID-19, the Contra Costa County Health Officer issued Health Order No. COVID19-51, for nearly all individuals to wear masks when inside public spaces and such mandate remains in effect in specified high-risk settings, consistent with California Department of Health recommendations including public transit, healthcare settings and congregate living; and

WHEREAS, on September 20, 2021, and reaffirmed on October 4, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings strongly recommending the availability of remote access as an alternative to participating in person at meetings as it presents the lowest risk of transmission of COVID-19 and such recommendation remains in effect; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") recommends safety measures based upon COVID-19 community levels based on their local context and their unique needs in efforts to slow the spread of COVID-19 and reduce the rate of infection; and

WHEREAS, in the interest of public health and safety, and in response to the local recommendation for measures to promote social distancing, the City Council deems it necessary to invoke the provisions of AB 361 related to teleconferencing; and

WHEREAS, the City Council desires to provide a way for the Council, staff, and members of the public to participate in meetings remotely as an alternative to having to attend meetings in person; and

WHEREAS, the City Council hereby finds that the presence of COVID-19 and the increase of cases due to the Delta and Omicron variants would present imminent risks to the health or safety of certain attendees, including legislative bodies and staff, during in person meetings; and

WHEREAS, the City shall ensure that it's meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings; and

WHEREAS, the City Council has re-affirmed the necessary findings in order for the City Council, and all of the City's other legislative bodies, to continue to hold remote teleconference meetings pursuant to AB 361, in whole or in part, and on that basis adopted a Resolution Of The City Council Of The City Of Pinole Authorizing Continued Remote Teleconference Meetings Pursuant To AB 361 on November 16, 2021, and every thirty (30) days thereafter; and

WHEREAS, the City Council has reconsidered the need to conduct meetings remotely within thirty (30) days of the Resolution and finds the need continues to exist.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pinole hereby declares as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.

2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings, in whole or in part, without complying with the usual teleconference meeting requirements of the Brown Act, the City Council makes the following findings:

- a) The City Council has reconsidered the circumstances of the State of Emergency; and
- b) Either of the following circumstances exist: The state of emergency continues to directly impact the ability of members to meet safely in person, or State or local officials continue to impose or recommend social distancing measures.

3. The City Council and all of the City's other legislative bodies may continue to meet remotely in compliance with AB 361 (2021), whether in whole or part, in order to better ensure the health and safety of the public.

4. The City Council will revisit the need to conduct meetings remotely within thirty (30) days of the adoption of this resolution.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 15th day of November, 2022, by the following vote:

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

I hereby certify that the foregoing resolution was introduced, passed, and adopted on the 15th day of November, 2022.

Heather Bell, CMC
City Clerk



CITY COUNCIL REPORT

9D

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: LILLY WHALEN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: RESOLUTION APPROVING AN AGREEMENT WITH RSG FOR AFFORDABLE HOUSING CONSULTATION ASSISTANCE INCLUDING MONITORING, COMPLIANCE AND REPORTING, AND APPROPRIATING FUNDING FROM THE HOUSING SUCCESSOR FUND FOR THIS PURPOSE

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution (Attachment A) that:

1. Authorizes the City Manager to enter into an agreement with RSG, Inc. (RSG), for affordable housing monitoring, compliance, reporting services, preparation of the annual Housing Successor Report, and general affordable housing consultation in an amount not to exceed \$433,451 over a five-year term; and
2. Appropriates \$433,451 from the Housing Successor Fund for this purpose.

BACKGROUND

The City of Pinole is the Housing Successor to the former Pinole Redevelopment Agency (the "Agency"). When the former Agency dissolved in February 2012, the City inherited its housing assets and functions. California Health and Safety Code ("HSC") Section 34176.1(f) requires the City to prepare an annual report summarizing activities in the prior fiscal year related to the former Agency's housing assets.

On May 16, 2017, the City approved a three-year agreement with RSG to monitor and assure compliance of the City's affordable housing restrictions for various properties as well as to complete the Annual Housing Fund report as required under SB 341. The agreement was subsequently extended twice, and currently in effect through November 20, 2022. The agreement contains the following services, which are desired in a new contract:

Affordability Compliance Monitoring

This service includes collection and review of controlling documents, agreements, and funding source guidelines (i.e., HOME, CDBG, NSP, Redevelopment Affordable Housing Set-Aside, or Low-Income Housing Tax Credits) to ensure that affordable housing properties are being managed and maintained according to the standards set

forth by the City and controlling documents. The services provided by RSG under the agreement evaluates the following:

- 7 rental properties with 1 restricted unit at each property;
- 3 multifamily apartments having 2-4 restricted units at each property;
- 2 multifamily apartments having 16-19 restricted units at each property; and
- 4 multifamily apartments having 65+ restricted units at each property.

SB 341 Reporting

Pursuant to redevelopment agency dissolution, SB 341 created a requirement in 2014 that successor housing entities provide an annual report that details compliance with the expenditure limitations specified in SB 341 during each five-year compliance period ("SB 341 Report"). As the successor housing entity to the former Pinole Redevelopment Agency, the City is required to annually provide the SB 341 Report. The SB 341 Report details compliance with expenditure limitations, provides an inventory of homeownership units, describes property disposition efforts, and provides information regarding the Housing Fund encumbrances reported on the City's Housing Assets Transfer form.

DISCUSSION AND ANALYSIS

The existing agreement with RSG for the services described in the background section is set to terminate on November 20, 2022. The City's Procurement Policy, adopted by the City Council, requires a formal competitive selection process for consultant/ professional services valued at greater than \$45,000. The City developed a Request for Proposals that included the services described in the background section (see Attachment B). Furthermore, the scope of work requested included monitoring services for the anticipated 274 additional affordable housing units which will be produced as a part of recently entitled housing projects, including 31 new affordable ownership units. In addition, staff identified a variety of miscellaneous services that are needed to support the Community Development Department, including the following:

Housing Fund Consultation/Policy Development

The draft Housing Element anticipates the development of an Affordable Housing Policy and it would benefit the City to have an on-call resource to assist with prioritizing and allocating limited Housing Fund resources for affordable housing, including issuing Notices of Funding Availability to inform interested parties of the availability of assistance and other matters pertinent to the program.

Affordable Housing Resources and Educational Materials

The draft Housing Element anticipates the development of educational materials related to housing need and it would benefit the City to have a knowledgeable on-call resource to develop public-facing documents and information for the City's website related to affordable housing in Pinole.

Affordable Housing Loan Coordination

The City maintains a number of first time homebuyer loans and/or affordable housing covenants which occasionally require coordination between the City's lender service (Amerinational) and the homeowner (refinancing, HELOCs, etc) and/or the City and the homeowner (in the case of covenants). The City has identified a need for assistance with this coordination (confirming eligibility, payoff amounts, equity shares, etc).

The City solicited proposals for Affordable Housing Consultant services from seven firms on August 30 with a response deadline of September 27. The City received one proposal, from RSG (see Attachment C). The RSG proposal is for a contract on a time-and-materials basis that would provide the following annual core services over a five year period:

- Compliance monitoring of twenty-one properties
- Housing Successor Annual Report preparation
- Housing Fund consultation/general advisory services (20 hours)
- Affordable housing resources and educational materials (15 hours + \$2,500 graphic design)
- Resale/refinance transaction assistance (two properties)

Additional optional services offered through the RSG proposal includes assistance with release of Notice of Funding Availability (NOFA) that solicits proposals to apply City funding to a new affordable housing development in Pinole. This service may be valuable to the City in future years, after development of an Affordable Housing Policy, and for that reason staff recommends including it as an optional service.

Despite only receiving one proposal, staff is recommending that the RSG proposal is strong, the consultant is familiar with Pinole and will be able to continue to provide seamless service and thoroughly meet the City's needs for this scope of work.

FISCAL IMPACT

The cost proposal from RSG is presented as an annual not-to-exceed amount over five years, from 2022 through to 2027. Core services to be provided on an annual basis amount to approximately \$62,690 annually and include annual compliance monitoring (the bulk of the core services, approximately 60% of the annual fee), affordable housing loan coordination (12% of annual fee), annual housing successor report documentation (11% of annual fee), preparation of resources and educational materials related to affordable housing (approximately 8% of annual fee) and housing fund consultant and general advisory services (approximately 9% of annual fee). See Figure 1 for a breakdown of annual core services by task.

In addition, the optional service proposed (release of a NOFA) is budgeted at \$88,645. The total cost for annual services plus optional services over a five-year contract term is

\$402,105. Staff is recommending a 10% contingency on top of the annual core services to account for unanticipated needs, which adds an additional \$31,346. The total recommended not-to-exceed contract cost over a five-year period is \$433,451. Table 1 below shows the breakdown of costs per year.

Figure 1: Annual Core Affordable Housing Consultant Services by Task

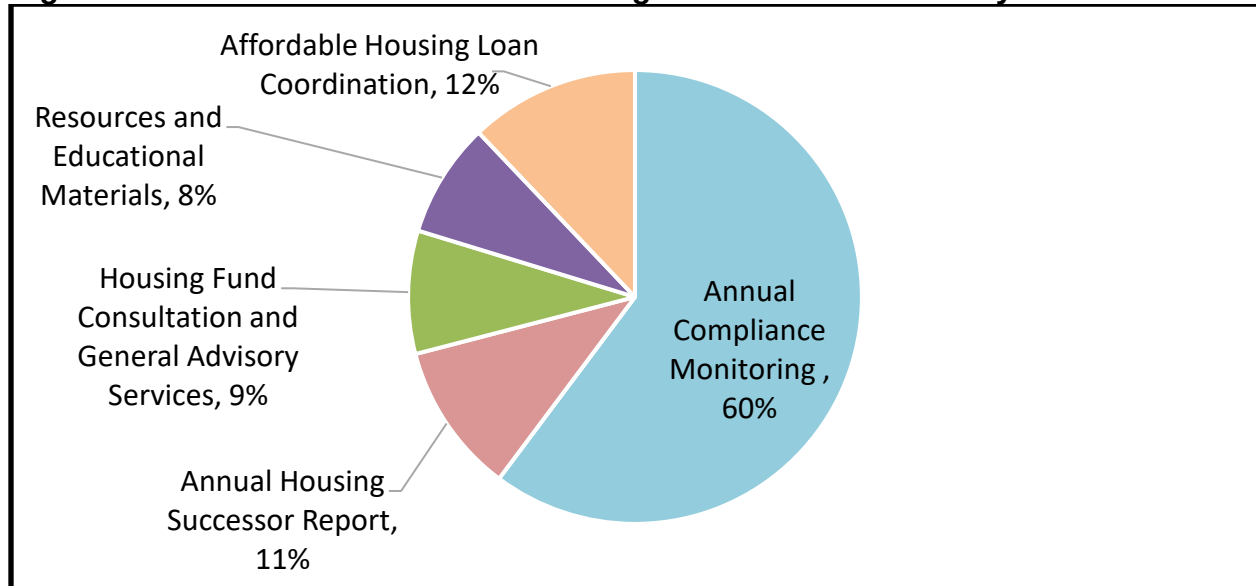


Table 1: Breakdown of Five-Year Budget, Affordable Housing Consultant

Scope	Year	Not-To-Exceed Budget
Annual Core Services: - Compliance Monitoring - Housing Successor Annual Report - Housing Fund Consultation & General Advisory Services - Affordable Housing Resources & Educational Materials - Affordable Housing Loan Coordination	Year 1 (2022-23)	\$61,210
	Year 2 (2023-24)	\$61,940
	Year 3 (2024-25)	\$62,680
	Year 4 (2025-26)	\$63,430
	Year 5 (2026-27)	\$64,200
Optional As-Needed Service: Affordable Housing NOFA	1 NOFA, if requested, during five-year period	\$88,645
10% Contingency (based on core services)		\$31,346
Total Not-To-Exceed Budget (2022-2027)		\$433,451

The costs for these services would be appropriated from the Successor Housing Agency Fund. The Successor Housing Agency Fund had a balance in excess of \$5.6 million as of September of 2022, which is expected to increase to roughly \$6.5 million by the end of

fiscal year 2022/23. Of this amount \$2 million is committed to the SAHA project at 811 San Pablo, leaving an anticipated balance of \$4.5 million at the end of the current fiscal year. The scope of services includes development of a policy for use of Successor Housing Funds.

ATTACHMENTS

- A. Resolution
Exhibit A: Draft Agreement with RSG: Affordable Housing Services 2022-2027
- B. RFP for Affordable Housing Consultant, released August 30, 2022
- C. RSG Proposal, received September 27, 2022

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH RSG, INC (RSG) FOR A TOTAL CONTRACT AMOUNT OF \$433,451 FOR AFFORDABLE HOUSING CONSULTATION ASSISTANCE INCLUDING MONITORING, COMPLIANCE AND REPORTING AND APPROVE A BUDGET APPROPRIATION FROM THE HOUSING SUCCESSION FUND FOR THIS PURPOSE

WHEREAS, with the dissolution of the Redevelopment Agency, the City of Pinole inherited its housing assets and functions as the Housing Successor to the former Pinole Redevelopment Agency; and

WHEREAS, California Health and Safety Code ("HSC") Section 34176.1(f) requires the City to prepare an annual report summarizing activities in the prior fiscal year related to the former Agency's housing assets; and

WHEREAS, since May of 2017 the City of Pinole has received quality services from with RSG, Inc. ("RSG"), for affordable housing compliance monitoring and reporting; and

WHEREAS, the contract with RSG expires on November 20, 2022; and

WHEREAS, the City released Request for Proposals (RFP) on August 30, 2022, for affordable housing consulting services, including monitoring, compliance, reporting services, preparation of the annual Housing Successor Report in addition to miscellaneous affordable housing services; and

WHEREAS, on September 27, 2022 Pinole received one proposal from RSG in response to the RFP; and

WHEREAS, staff evaluated the proposal, which is strong and will be able to thoroughly meet the City's needs for this scope of work; and

WHEREAS, the RSG proposal includes options for desired continued support to Community Development staff including monitoring services for 274 additional anticipated affordable housing units, housing fund consultation/policy development, affordable housing resource/material development and affordable housing loan coordination over a five year period; and

WHEREAS, a budget appropriation of \$433,451 from the Successor Housing Agency Fund Balance is necessary for the period of November 21, 2022 through June 30, 2027.

NOW THEREFORE, BE IT RESOLVED, that the above recitals are true and correct and made part of this resolution.

BE IT FURTHER RESOLVED that the Pinole City Council serving as the Housing Successor for the former Redevelopment Agency of Pinole does hereby authorize the City Manager to execute an agreement, incorporated herein as Exhibit A, with RSG for affordable housing monitoring, compliance, reporting services, preparation of the annual Housing Successor Report, and general affordable housing consultation through June 30, 2027 and authorizes the appropriation of \$433,451 from the Successor Housing Agency Fund Balance for these services.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the **15th** day of **November, 2022** by the following vote:

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

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the **15th** day of **November, 2022**

Heather Bell, CMC
City Clerk

CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF PINOLE AND RSG

THIS AGREEMENT for consulting services is made by and between the City of Pinole ("City") and RSG, Inc. ("Consultant") (together sometimes referred to as the "Parties") as of _____, 20____(the "Effective Date") in Pinole, California.

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

- 1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2027, and Consultant shall complete the work described in Exhibit A by that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.
- 1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a professional manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.
- 1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.
- 1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Consultant an amount not to exceed FOUR HUNDRED THIRTY-THREE THOUSAND FOUR HUNDRED AND FIFTY ONE DOLLARS (\$433,451), for all work set forth in Exhibit A and all reimbursable expenses incurred in performing the work. In the event of a conflict between this Agreement and Consultant's proposal regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement.

Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consulting Services Agreement between
City of Pinole and RSG

[DATE]

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Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Consultant's signature.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement,

unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

- 2.5 Hourly Fees. Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the following fee schedule attached hereto as Exhibit B.
- 2.6 Reimbursable Expenses. Reimbursable expenses are specified in Exhibit B, and shall not exceed two thousand five hundred dollars (\$2,500). Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.
- 2.7 Payment of Taxes. Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.
- 2.8 Payment upon Termination. In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.
- 2.9 Authorization to Perform Services. The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in Exhibit C, and only under the terms and conditions set forth therein.

Section 4. INSURANCE REQUIREMENTS. Before beginning any services under this Agreement, Consultant, at its own cost and expense, shall procure the types and amounts of insurance specified herein and maintain that insurance throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid or proposal. Consultant shall be fully responsible for the acts and omissions of its subcontractors or other agents.

- 4.1 Workers' Compensation. Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant in the amount required by applicable law. The requirement to maintain Statutory Workers' Compensation and Employer's Liability Insurance may be waived by the City upon written verification that Consultant is a sole proprietor and does not have any employees and will not have any employees during the term of this Agreement.
- 4.2 Commercial General and Automobile Liability Insurance.

- 4.2.1 General requirements. Consultant, Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000) per occurrence and FOUR MILLION DOLLARS (\$4,000,000) aggregate, combined single limit coverage for risks associated with the work contemplated by this Agreement.
- 4.2.2 Minimum scope of coverage. Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition) covering any auto (Code 1), or if Consultant has no owned autos, hired (code 8) and non-owned autos (Code 9). No endorsement shall be attached limiting the coverage.
- 4.2.3 Additional requirements. Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:
- a. The Commercial General and Automobile Liability Insurance shall cover on an occurrence basis.
 - b. City, its officers, officials, employees, agents, and volunteers shall be covered as additional insureds for liability arising out of work or operations on behalf of the Consultant, including materials, parts, or equipment furnished in connection with such work or operations; or automobiles owned, leased, hired, or borrowed by the Consultant. Coverage can be provided in the form of an endorsement to the Consultant's insurance at least as broad as CG 20 10 11 85, or both CG 20 10 10 01 and CG 20 37 10 01.
 - c. For any claims related to this Agreement or the work hereunder, the Consultant's insurance covered shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and non-contributing.
 - d. The policy shall cover inter-insured suits and include a "separation of Insureds" or "severability" clause which treats each insured separately.
 - e. Consultant agrees to give at least 30 days prior written notice to City before coverage is canceled or modified as to scope or amount.

4.3 Professional Liability Insurance.

- 4.3.1 General requirements. Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence or claim covering the Consultant's errors and omissions.

4.3.2 Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five (5) years after completion of work under this Agreement.
- d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

4.4.1 Submittal Requirements. Consultant shall submit the following to City prior to beginning services:

- a. Certificate of Liability Insurance in the amounts specified in this Agreement; and
- b. Additional Insured Endorsement as required for the General Commercial and Automobile Liability Policies.

4.4.2 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.3 Deductibles and Self-Insured Retentions. Insurance obtained by the Consultant shall have a self-insured retention or deductible of no more than ONE HUNDRED THOUSAND DOLLARS (\$100,000).

4.4.4 Wasting Policies. No policy required herein shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

4.4.5 Waiver of Subrogation. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from Consultant by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

4.4.6 Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each

subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein, and Consultant shall ensure that City, its officers, officials, employees, agents, and volunteers are covered as additional insured on all coverages.

4.4.7 Excess Insurance. If Consultant maintains higher insurance limits than the minimums specified herein, City shall be entitled to coverage for the higher limits maintained by the Consultant.

4.5 Remedies. In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option: 1) obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; 2) order Consultant to stop work under this Agreement and withhold any payment that becomes due to Consultant hereunder until Consultant demonstrates compliance with the requirements hereof; and/or 3) terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.

5.1 General Indemnification. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged negligent acts, omissions or willful misconduct of Contractor, its officials, officers, employees, agents, subcontractors and subcontractors arising out of or in connection with the performance of the Services, the Project or this Agreement, including without limitation the payment of all consequential damages, attorneys' fees and other related costs and expenses. Contractor shall defend, at Contractor's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its directors, officials, officers, employees, agents or volunteers. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its directors, officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. Contractor shall reimburse City and its directors, officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs, including reasonable attorneys' fees, incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by City or its directors, officials, officers, employees, agents or volunteers. Notwithstanding the foregoing, to the extent Contractor's Services are subject to Civil Code Section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code Section 2782.8, to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Contractor. This Section 5.1 shall survive any expiration or termination of this Agreement.

- 5.2 PERS Indemnification. In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF CONSULTANT.

- 6.1 Independent Contractor. At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.
- 6.2 Consultant No Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

- 7.1 Governing Law. The laws of the State of California shall govern this Agreement.
- 7.2 Compliance with Applicable Laws. Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.
- 7.3 Other Governmental Regulations. To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.
- 7.4 Licenses and Permits. Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its

employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Pinole Business License.** Consultant shall obtain a City of Pinole business license according to the terms of Title 5 of the City of Pinole Municipal Code and deliver to City proof of such business license prior to beginning work under this Agreement. Work under this Agreement cannot begin until the City receives proof that Consultant has obtained a City of Pinole business license.

7.6 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall be specified in writing by the City. Consultant understands and agrees that if City issues such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the City, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

- 8.3 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.
- 8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique professional competence, experience, and specialized professional knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the personal reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the City. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the City.
- 8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.
- 8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall included, but not be limited to, the following:
- 8.6.1 Immediately terminate the Agreement;
 - 8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;
 - 8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or
 - 8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

- 9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are

confidential and will not be released to third parties without prior written consent of both parties.

- 9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.
- 9.3 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS (\$10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

- 10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.
- 10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.
- 10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.
- 10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.
- 10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

- 10.6 Use of Recycled Products. Consultant shall endeavor to prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.
- 10.7 Conflict of Interest. Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

Consultant will comply with all conflict of interest laws and regulations including, without limitation, City's Conflict of Interest Code (on file in the City Clerk's Office). It is incumbent upon the Consultant or Consultant's firm to notify the City pursuant to section 10.10 Notices of any staff changes relating to this Agreement.

- a. In accomplishing the scope of services of this Agreement, all officers, employees and/or agents of Consultant(s), unless as indicated in Subsection b., will be performing a very limited and closely supervised function, and, therefore, are unlikely to have a conflict of interest arise. No disclosures are required for any officers, employees, and/or agents of Consultant, except as indicated in Subsection b.

Initialed by City Attorney's Office

- b. In accomplishing the scope of services of this Agreement, Consultant(s) will be performing a specialized or general service for the City, and there is substantial likelihood that the Consultant's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following

Consultant(s) shall be subject to the Disclosure Category "1-5" of the City's Conflict of Interest Code:

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by Community Development Director who shall act as the City's representative. All correspondence shall be directed to or through Community Development Director or his or her designee.

10.10 **Notices.** Any written notice to Consultant shall be sent to:

Tara Matthews, Principal
RSG, Inc.
17872 Gillette Ave., Suite 350
Irvine CA 92614

Any written notice to City shall be sent to:
City Manager
2131 Pear Street
Pinole, CA 94564

10.11 **Professional Seal.** Where applicable in the determination of the City, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation.

10.12 **Integration; Incorporation.** This Agreement, including all the exhibits attached hereto, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral. All exhibits attached hereto are incorporated by reference herein.

10.13 **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

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The Parties have executed this Agreement as of the Effective Date.

CITY OF PINOLE

CONSULTANT

Andrew Murray, City Manager

Tara Matthews, Principal, RSG, Inc.

Consultant's City of Pinole Business
License #: 22-08169

Attest:

Heather Bell, City Clerk
Approved as to Form:

Eric S. Casher, City Attorney

EXHIBIT A
SCOPE OF SERVICES

The Consultant's scope of services will include the scope of work listed on pages 15-17 of the Consultant's proposal of September 27, 2022 and any modifications or additions agreed to by the Parties in writing and signed by the parties pursuant to Section 8.3.

EXHIBIT B

COMPENSATION SCHEDULE AND HOURLY FEES

The fees charged by Consultant for work performed on an hourly basis shall not exceed the hourly rates shown in the fee proposal contained on page 21 of the Consultant's proposal of September 27, 2022.

Reimbursable expenses include graphic design services utilizing the Consultant's graphic design consultant, in a total amount not to exceed two thousand five hundred dollars (\$2,500).

EXHIBIT C
CITY-FURNISHED FACILITIES

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

REQUEST FOR PROPOSALS

Affordable Housing Consultant



Issue Date: August 30, 2022

Response Deadline: 5pm, September 27, 2022

City of Pinole
Community Development Department
2131 Pear Street
Pinole, CA 94965

REQUEST FOR PROPOSALS

AFFORDABLE HOUSING CONSULTANT

INTRODUCTION

The City of Pinole ("City") is inviting Proposals from qualified Consultants for a five-year service term to serve as the City's Affordable Housing Consultant, conducting annual affordable housing compliance monitoring and reporting activities pursuant to California Health and Safety Code Section 34176.1(f) on behalf of the City, among other tasks.

Pinole is a bayfront community of just over 19,000 residents in Contra Costa County, incorporated on June 25, 1903. The City is divided by Interstate 80 (I-80) in that approximately 60 percent of the residential units are located on the north of I-80 and 40 percent of the housing units are located on the south of I-80. The City is bordered by Hercules to the North, San Pablo and Richmond to the South, and the unincorporated areas of Tara Hills and El Sobrante to the southeast and southwest of the City. Pinole has a well-defined, historic downtown, and a range of residential neighborhoods transitioning from older single-family and mixed residential districts on a traditional street grid around the downtown, to more typically suburban neighborhoods arranged around cul-de-sacs and curvilinear residential streets. Higher density apartment townhome complexes, interspersed with commercial sites, are generally located along and near major arterials.

The City of Pinole operates on the City Council-City Manager system of local government with five elected council members serving four-year terms with a rotating mayor.

BACKGROUND

The City of Pinole is the Housing Successor Agency to the former Pinole Redevelopment Agency (the "Agency"). When the former Agency dissolved in February 2012, the City inherited its housing assets and functions. California Health and Safety Code Section 33418 requires the City to monitor, on an ongoing basis, housing restricted as affordable to persons of low or moderate income. California Health and Safety Code Section 34176.1(f) requires the City to prepare an annual report summarizing activities in the prior fiscal year related to the former Agency's housing assets.

The City of Pinole has 21 properties with 433 income-restricted affordable rental housing units that have been counted towards fulfilling the agency's inclusionary housing requirements. The units must be monitored on an annual basis to comply with California Health and Safety Code Section 33418. There are no owner-occupied income restricted units to date that are required to be monitored.

Pinole's existing affordable housing stock includes:

- 7 rental properties with 1 restricted unit at each property;
- 3 multifamily apartments with 2-4 restricted units at each property;
- 2 multifamily apartments with 16-19 restricted units at each property; and
- 4 multifamily apartments with 65+ restricted units at each property.

Prior Housing Successor Agency reports are provided on the City's website¹.

Due to a flurry of entitlement applications in calendar year 2021, there is anticipated to be an additional 274 affordable units in various stages of entitlement and development, many coming online for lease and sale in 2024. These anticipated units will become a part of the affordable housing stock that the Affordable Housing Consultant would monitor, and is anticipated to include:

- One rental property with 26 very-low income and seven low-income units
- One rental property with seven very low income, 135 low-income and 37 moderate income units
- One for sale condominium property with eight low income and 23 moderate-income units
- One rental property with two very low income and two low-income units
- One rental property with 13 very low-income and 14 low-income units

THIS RFP AND TIMELINE

The purpose of the RFP is to evaluate responses in order to select an Affordable Housing Compliance Consultant (Consultant) to provide services described below. This RFP will result in an agreement not to exceed five years.

The following table is an outline of the anticipated schedule for the proposal review and contract award. Schedule is subject to change. The selected Consultant must be available to commence work as soon as November 2022 as outlined in the Timeline below.

Milestone	Date
RFP Released for Project	August 30, 2022
Deadline to submit questions and requests for clarifications	September 12, 2022, 5pm
Answers to consultant questions and requests for clarifications posted	September 19, 2022
RFP Closing Date	September 27, 2022
Proposals Reviewed by City Staff	September 28- September 30, 2022
Virtual Interviews with Consultants, if required	October 4, 2022
City Council Contract Award (anticipated)	October 18, 2022
Work Commences for up to a five year term	November, 2022

SCOPE OF SERVICES

1. Compliance Monitoring

- a. Request Monitoring Forms: Prepare and distribute letters requesting property managers/owners to submit: Tenant Forms (e.g., Tenant Income Certification, Income Verification Lease Provisions, Crime Free Lease Addendum, if applicable) and Property Manager/Owner Forms (e.g., Landlord Summary Form and Certificate of Continuing Program Compliance)
- b. Analyze Data and Prepare Monitoring Reports: Review the completed compliance monitoring materials to analyze compliance with affordable housing agreements and

¹ <https://www.ci.pinoles.ca.us/cms/one.aspx?portalId=10947056&pageId=14627074>

restrictive covenants. Prepare a monitoring summary report for each property that identifies whether the property is in compliance with the terms of the applicable regulatory documents. Detail areas of noncompliance, if any, and make recommendations for correcting any non-compliance issues. Send monitoring reports to the City for review and edit, then to property owners. Property owners will be given an opportunity to address non-compliance issues, if any. Review 100% of the restricted units listed on the management forms. Review of the Tenant Income Certification forms and supporting income documentation may reflect a minimum 20% sampling of the total income-restricted units.

- c. Follow-up with Non-Compliant Properties: Correspond with property managers/owners to address issues of non-compliance that can be addressed by providing additional documentation.
- d. Clearance Reports and Summary Report: For any properties that had non-compliance issues, prepare Clearance Reports after the property managers/owners respond to corrective action requests. Provide a compliance review summary table to City staff summarizing the compliance status of each property and remaining non-compliance issues, if any. Propose recommendations for resolving non-compliance issues.
- e. Website Updates. Updating the required website data pursuant to Assembly Bill 987 (effective January 1, 2008) requiring the City to annually update and post on the City's website a list of income-restricted affordable housing units assisted by the City.

2. Annual Reporting

The City serves as the Housing Successor Agency to the former Pinole Redevelopment Agency ("RDA"). Senate Bill 341 and related legislation implemented annual reporting requirements in 2014 for successor housing agencies. The City must prepare a Housing Successor Annual Report that details compliance with expenditure limitations, provides an inventory of homeownership units, describes property disposition efforts, and other items. The report is submitted to HCD with the City's Housing Element Annual Progress Report due by April 1 annually.

The City is also required to prepare an independent financial audit of the Successor Housing Agency's Low and Moderate Income Housing Asset Fund ("Housing Fund"), which is due to the City Council by December 31, annually.

Consultant will prepare the Housing Successor Agency Annual Report for the following fiscal years and associated due dates:

Fiscal Year	Due to HCD
FY 2021-22	April 1, 2023
FY 2022-23	April 1, 2024
FY 2023-24	April 1, 2025
FY 2024-25	April 1, 2026
FY 2025-26	April 1, 2027

The following information will be included in the Housing Successor Agency Reports. Reports should be written so staff and the public understand the City's current compliance status and any actions it must take or avoid to remain in compliance with State law.

- a. The amounts deposited into the Housing Fund
- b. A statement of the balance of the Housing Fund
- c. A description of Housing Fund expenditures by category

- d. The statutory value of real property and loans receivable
- e. A description of funds transferred to the Housing Successor
- f. A description of projects that receive funding through ROPS (Recognized Obligation Payment Schedule), if any
- g. The status of efforts to dispose of former RDA properties transferred to the Housing Successor, if any (there is a five-year disposition deadline)
- h. An update on inclusionary and replacement housing obligations remaining from the former RDA, if any
- i. Compliance with expenditures limitations within a 5-year compliance period
- j. The percentage of senior deed-restricted units assisted in the last 10 years
- k. The amount of excess surplus
- l. An inventory of homeownership units assisted by the former RDA or Housing Successor
- m. The amounts received from repayment of any City loans to the former RDA through the ROPS

3. Miscellaneous Services

a. Housing Fund Consultation

Serve as an on-call resource to assist the City with prioritizing and allocating limited Housing Fund resources for affordable housing, including issuing Notices of Funding Availability to inform interested parties of the availability of assistance and other matters pertinent to the program.

b. Affordable Housing Resources and Educational Materials

Serve as on-call resource to develop public-facing documents and information for the City's website related to affordable housing in Pinole

c. Affordable Housing Loan Coordination

The City maintains a number of first time homebuyer loans and/or affordable housing covenants which occasionally require coordination between the City's lender service (Amerinational) and the homeowner (refinancing, HELOCs, etc) and/or the City and the homeowner (in the case of covenants). City is interested in Consultant assisting with this coordination (confirming eligibility, payoff amounts, equity shares, etc).

PROPOSAL CONTENTS

All acceptable proposals submitted must include the following:

1. **Table of Contents** that identifies the page numbers of where to find the various sections included in the proposal.
2. **Letter of Interest**, expressing the Consultant teams interest in being considered, introduces the team members who would be assigned, including the lead or program manger, and outlines the proposed services.
3. **Team Organization and Experience**, which describes the relationship between support, analytical, and management staff. Include the specific relevant experience and billing rates for all key staff members. Include recent examples of experience with managing similar programs and projects. For each project, please include a detailed description for the work performed, the project name, location, type (sale/rental), when the work was completed, project team's adherence to budget and schedule, and references.

4. A **detailed Scope of Work and fee proposal**, including an itemization of all services to be provided and their individual costs. This should include estimated staffing, hours, cost on an annual basis for all services. Consultants are invited to provide additional services and deliverables as optional tasks.
5. **Comments/questions** on the City's standard professional service agreement (attached). If the Consultant has any questions/concerns related to the standard form, they must be submitted in writing with proposal.
6. **Acknowledgement** that the Consultant understands that all documents submitted to the City in connection with the proposal are subject to the California Public Records Act and may be disclosed without notice to the Consultant.

SELECTION CRITERIA

The Director of Community Development will evaluate the proposals and determine if your proposal meets the criteria. A selection team may be formed to complete the review in order to assist the Director.

The criteria to be used consist of the following:

1. The Consultant's past experience and demonstrated success working with cities in similar programs (20%)
2. The quality and experience of the key staff persons who will be assigned to Pinole (20%)
3. Clarity, comprehensiveness and organization of scope of work that demonstrates understanding of relevant laws and regulations, with a focus on best practices and delivery of services to specialized populations (35%)
4. Demonstrated ability to perform quality work, control costs, and meet time schedules (15%)
5. Total cost of the proposal (10%)

All responses to this RFP will be reviewed and evaluated based on the information contained in the respective responses. The City may prepare an analysis of all proposals depending upon the number and quality of responses. Interviews with top Consultants may be scheduled. The City Council will make the final determination in the selection process.

This solicitation for proposals does not commit the City to enter a contract or to pay any costs incurred in the preparation of the proposal.

The City reserves the right to accept or reject any and all proposals, and to negotiate with any and all qualified consultants, or to cancel in part or in its entirety this RFP.

The City reserves the right to accept any proposal received, to reject any or all proposals, in whole or in part, to waive irregularities, formalities, or both, as deemed appropriate, to request clarification of any submittal, and to negotiate with the preferred Consultant to provide the requested services.

The City hereby notifies all consultants that no person will be excluded from participation in, denied any benefits of, or otherwise discriminated against in connection with the award and performance of any contract on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, or veteran status.

Once the consultant is selected, the City and the consultant will execute the City's Professional Services Agreement, which will set forth the scope of work, the estimated time schedule, and the applicable rates and reimbursements.

GENERAL TERMS AND CONDITIONS

1. The City is not liable for any expenses incurred by any proposer prior to issuing the contract.
2. The consultant, once selected, is required to submit monthly billings.
3. The consultant selected for the project must obtain a City business tax certificate and maintain liability and workers compensation insurance coverage in accordance with the City Professional Services Agreement template, attached.
4. All work product generated by the Agreement will be owned by the City.

PUBLIC RECORDS ACT

All proposals submitted in response to this RFP will become the property of the City upon submission and a matter of public record pursuant to applicable law (including the California Public Records Act, Government Code section 6250 and following). The City reserves the right to make copies of all proposals available for inspection and copying by interested members of the public as records of the City and the City will be under no obligation to the consultant to withhold such records. Insofar as a proposals contains information that the consultant regards as proprietary and confidential, it is the responsibility of the consultant (and not the City) to specifically identify which items of information are proprietary and clearly identify in writing which specific pieces of information are proprietary. It will be insufficient for the consultant to merely identify the entire proposal or an entire page or set of pages of proprietary information. Not-to-exceed sums, hourly rates and the like that may be set forth in the proposal will not constitute proprietary information nor will any information readily available to the general public or any other information not regarded as proprietary and confidential under federal or state law.

ADDRESS PROPOSALS AND QUESTIONS TO:

Lilly Whalen
Community Development Director
LWhalen@ci.pinole.ca.us
(510) 724-9832

**PROPOSALS ARE DUE ON TUESDAY, SEPTEMBER 27, 2022 BY 5PM
SUBMIT VIA EMAIL ONLY TO:**

LWhalen@ci.pinole.ca.us

All proposals must remain firm for a period of ninety (90) days following the last day to accept proposals.

CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF PINOLE AND
[NAME OF CONSULTANT]

THIS AGREEMENT for consulting services is made by and between the City of Pinole ("City") and _____ ("Consultant") (together sometimes referred to as the "Parties") as of _____, 20____ (the "Effective Date") in Pinole, California.

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

- 1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on _____, and Consultant shall complete the work described in Exhibit A by that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.
- 1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a professional manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.
- 1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.
- 1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Consultant an amount not to exceed _____, for all work set forth in Exhibit A and all reimbursable expenses incurred in performing the work. In the event of a conflict between this Agreement and Consultant's proposal regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement.

Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consulting Services Agreement between
City of Pinole and _____

[DATE]

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Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

- 2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:
- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
 - The beginning and ending dates of the billing period;
 - A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
 - At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
 - The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
 - The Consultant's signature.
- 2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.
- 2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.
- 2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

- 2.5 Hourly Fees. Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the following fee schedule attached hereto as Exhibit B.
- 2.6 Reimbursable Expenses. Reimbursable expenses are specified in Exhibit B, and shall not exceed _____ (\$ _____). Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.
- 2.7 Payment of Taxes. Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.
- 2.8 Payment upon Termination. In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.
- 2.9 Authorization to Perform Services. The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in Exhibit C, and only under the terms and conditions set forth therein.

Section 4. INSURANCE REQUIREMENTS. Before beginning any services under this Agreement, Consultant, at its own cost and expense, shall procure the types and amounts of insurance specified herein and maintain that insurance throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid or proposal. Consultant shall be fully responsible for the acts and omissions of its subcontractors or other agents.

- 4.1 Workers' Compensation. Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant in the amount required by applicable law. The requirement to maintain Statutory Workers' Compensation and Employer's Liability Insurance may be waived by the City upon written verification that Consultant is a sole proprietor and does not have any employees and will not have any employees during the term of this Agreement.

- 4.2 Commercial General and Automobile Liability Insurance.

- 4.2.1 General requirements. Consultant, Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000) per occurrence and FOUR MILLION DOLLARS (\$4,000,000) aggregate, combined single limit coverage for risks associated with the work contemplated by this Agreement.
- 4.2.2 Minimum scope of coverage. Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition) covering any auto (Code 1), or if Consultant has no owned autos, hired (code 8) and non-owned autos (Code 9). No endorsement shall be attached limiting the coverage.
- 4.2.3 Additional requirements. Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:
- a. The Commercial General and Automobile Liability Insurance shall cover on an occurrence basis.
 - b. City, its officers, officials, employees, agents, and volunteers shall be covered as additional insureds for liability arising out of work or operations on behalf of the Consultant, including materials, parts, or equipment furnished in connection with such work or operations; or automobiles owned, leased, hired, or borrowed by the Consultant. Coverage can be provided in the form of an endorsement to the Consultant's insurance at least as broad as CG 20 10 11 85, or both CG 20 10 10 01 and CG 20 37 10 01.
 - c. For any claims related to this Agreement or the work hereunder, the Consultant's insurance covered shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and non-contributing.
 - d. The policy shall cover inter-insured suits and include a "separation of Insureds" or "severability" clause which treats each insured separately.
 - e. Consultant agrees to give at least 30 days prior written notice to City before coverage is canceled or modified as to scope or amount.

4.3 Professional Liability Insurance.

- 4.3.1 General requirements. Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence or claim covering the Consultant's errors and omissions.
- 4.3.2 Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five (5) years after completion of work under this Agreement.
- d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

- 4.4.1 Submittal Requirements. Consultant shall submit the following to City prior to beginning services:
 - a. Certificate of Liability Insurance in the amounts specified in this Agreement; and
 - b. Additional Insured Endorsement as required for the General Commercial and Automobile Liability Policies.
- 4.4.2 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.
- 4.4.3 Deductibles and Self-Insured Retentions. Insurance obtained by the Consultant shall have a self-insured retention or deductible of no more than ONE HUNDRED THOUSAND DOLLARS (\$100,000).
- 4.4.4 Wasting Policies. No policy required herein shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).
- 4.4.5 Waiver of Subrogation. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from Consultant by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.
- 4.4.6 Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein, and Consultant shall ensure that City, its officers,

officials, employees, agents, and volunteers are covered as additional insured on all coverages.

4.4.7 **Excess Insurance.** If Consultant maintains higher insurance limits than the minimums specified herein, City shall be entitled to coverage for the higher limits maintained by the Consultant.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option: 1) obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; 2) order Consultant to stop work under this Agreement and withhold any payment that becomes due to Consultant hereunder until Consultant demonstrates compliance with the requirements hereof; and/or 3) terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.

5.1 **General Indemnification.** To the fullest extent permitted by law, Contractor shall defend, indemnify and hold City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged negligent acts, omissions or willful misconduct of Contractor, its officials, officers, employees, agents, subcontractors and subcontractors arising out of or in connection with the performance of the Services, the Project or this Agreement, including without limitation the payment of all consequential damages, attorneys' fees and other related costs and expenses. Contractor shall defend, at Contractor's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its directors, officials, officers, employees, agents or volunteers. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its directors, officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. Contractor shall reimburse City and its directors, officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs, including reasonable attorneys' fees, incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by City or its directors, officials, officers, employees, agents or volunteers. Notwithstanding the foregoing, to the extent Contractor's Services are subject to Civil Code Section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code Section 2782.8, to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Contractor. This Section 5.1 shall survive any expiration or termination of this Agreement.

5.2 **PERS Indemnification.** In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System

(PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF CONSULTANT.

- 6.1 Independent Contractor. At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.
- 6.2 Consultant No Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

- 7.1 Governing Law. The laws of the State of California shall govern this Agreement.
- 7.2 Compliance with Applicable Laws. Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.
- 7.3 Other Governmental Regulations. To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.
- 7.4 Licenses and Permits. Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing,

Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

- 7.5 **Pinole Business License.** Consultant shall obtain a City of Pinole business license according to the terms of Title 5 of the City of Pinole Municipal Code and deliver to City proof of such business license prior to beginning work under this Agreement. Work under this Agreement cannot begin until the City receives proof that Consultant has obtained a City of Pinole business license.
- 7.6 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

- 8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

- 8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall be specified in writing by the City. Consultant understands and agrees that if City issues such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the City, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

- 8.3 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.

- 8.4 Assignment and Subcontracting. City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique professional competence, experience, and specialized professional knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the personal reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the City. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the City.
- 8.5 Survival. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.
- 8.6 Options upon Breach by Consultant. If Consultant materially breaches any of the terms of this Agreement, City's remedies shall included, but not be limited to, the following:
- 8.6.1 Immediately terminate the Agreement;
 - 8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;
 - 8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or
 - 8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

- 9.1 Records Created as Part of Consultant's Performance. All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

- 9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.
- 9.3 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS (\$10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

- 10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.
- 10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.
- 10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.
- 10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.
- 10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.
- 10.6 **Use of Recycled Products.** Consultant shall endeavor to prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

- 10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

Consultant will comply with all conflict of interest laws and regulations including, without limitation, City's Conflict of Interest Code (on file in the City Clerk's Office). It is incumbent upon the Consultant or Consultant's firm to notify the City pursuant to section 10.10 Notices of any staff changes relating to this Agreement.

- a. In accomplishing the scope of services of this Agreement, all officers, employees and/or agents of Consultant(s), unless as indicated in Subsection b., will be performing a very limited and closely supervised function, and, therefore, are unlikely to have a conflict of interest arise. No disclosures are required for any officers, employees, and/or agents of Consultant, except as indicated in Subsection b.

Initialed by City Attorney's Office

- b. In accomplishing the scope of services of this Agreement, Consultant(s) will be performing a specialized or general service for the City, and there is substantial likelihood that the Consultant's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Consultant(s) shall be subject to the Disclosure Category "1-5" of the City's Conflict of Interest Code:

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The Parties have executed this Agreement as of the Effective Date.

CITY OF PINOLE

CONSULTANT

Andrew Murray, City Manager

[NAME, TITLE]

Consultant's City of Pinole Business
License #: _____

Attest:

Heather Bell, City Clerk
Approved as to Form:

Eric S. Casher, City Attorney

EXHIBIT A
SCOPE OF SERVICES

EXHIBIT B

COMPENSATION SCHEDULE AND HOURLY FEES

EXHIBIT C
CITY-FURNISHED FACILITIES

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.



PROPOSAL

Affordable Housing Compliance Monitoring and Reporting



RSG

BETTER COMMUNITIES.
BOLDER FUTURES.

RSG, INC.
17872 GILLETTE AVE, STE 350
IRVINE, CA 92614
WWW.WEBRSG.COM

Tara Matthews
(714) 316-2111 / tmatthews@webrsg.com

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September 27, 2022

Via Electronic Mail

Lilly Whalen, Community Development Director
CITY OF PINOLE
2131 Pear Street
Pinole, CA 94564

PROPOSAL FOR AFFORDABLE HOUSING CONSULTING SERVICES

Dear Ms. Whalen:

RSG, Inc. ("RSG") is pleased to present this proposal to the City of Pinole ("City") for an Affordable Housing Consultant in response to a Request for Proposals ("RFP") dated August 30, 2022. Proposed services include compliance monitoring, Housing Successor annual reporting, and miscellaneous on-call services such as issuing Notices of Funding Availability ("NOFA"), creating educational materials for the public, and loan coordination related to the sale or refinancing of affordable properties.

It has been RSG's privilege to provide affordable housing services to Pinole since 2015. Our relationship began with annual compliance monitoring and Housing Successor reports. RSG went beyond simply meeting legal requirements to advise on how the City could maximize its limited resources to increase affordable housing activities. The information gleaned from annual reports led to issuing an RFP/NOFA to develop 811 San Pablo Avenue with 33 units of affordable housing. RSG would be honored to continue our partnership with the City to preserve the integrity of its existing affordable housing stock and to create future development opportunities.

Pinole has an impressive inventory of affordable units, with 433 income-restricted units at 21 properties (existing and under construction) that require annual compliance monitoring. Annual monitoring ensures that property owners meet affordable income and rent limits set by City agreements and State law. RSG has fostered a positive relationship with property managers/owners over the years, enabling us to provide streamlined services based on our knowledge of the overall process and historic issues.

The City as Housing Successor will have an estimated \$4.5 million cash balance by the end of fiscal year 2022-23. RSG will advise on how these funds could be spent to meet the City's housing goals while complying with strict income and age targeting requirements set by State law. If desired by staff and City Council, RSG can issue a NOFA that solicits proposals to apply City funding to a new affordable housing development in Pinole.

RSG will also continue drafting and submitting Housing Successor Annual Reports, develop educational materials and resources on affordable housing for the public, assist with first-time homeowner and/or multifamily loan refinancing requests, and provide general policy advisory services as needed. Our work is informed by consulting dozens of California public agencies in affordable housing.

Lilly Whalen, Community Development Director
CITY OF PINOLE
Page 2

Our team for this engagement includes Tara Matthews, Principal; Suzy Kim, Director and Project Manager; Rosa Romero, Associate; Jocelyn Sanchez, Analyst; and Jenny Benitez, Research Assistant. RSG has reviewed the City's standard professional service agreement and has no comments or concerns. RSG understands that all documents submitted to the City in connection with the proposal are subject to the California Public Records Act and may be disclosed without notice to RSG.

We look forward to a continued relationship with the City and appreciate the opportunity to provide this service to you. Should you have any questions, please contact me at 714.316.2111 or tmatthews@webrsg.com.

Sincerely,
RSG, Inc.



Tara Matthews
Principal

TEAM ORGANIZATION AND EXPERIENCE

FIRM BACKGROUND

RSG is a creatively charged counterpart to California public agencies. We work with the people responsible for creating vibrant places to accomplish their goals. The inspired leaders at RSG create stronger communities capable of achieving bolder futures by bringing four decades of native knowledge to each engagement. As diverse as the agencies we work with, our services span real estate, economic development, fiscal health, and housing initiatives.

RSG is a California-based, Subchapter "S" corporation. Founded in 1979, the firm provides a wide array of community development consulting services to local government organizations and private entities. The firm is managed and owned by principals Jim Simon and Tara Matthews. Jim has been at RSG for 32 years, and Tara has been at RSG for 18 years. We have 26 employees and maintain three offices in California, including our main office in Irvine and two satellite offices in Berkeley and Vista. Our website is www.webrsg.com.

RSG's federal taxpayer identification number is 95-343-5849 and state taxpayer identification number is 27600915. RSG is also a State certified Small Business Enterprise (SBE - 2006876 DGS).

Mission Statement:

RSG creates solutions to enhance communities' physical, economic, and social future.

Core Values:

Our core values define who we are as people and the standards by which we provide services to our clients.



FIRM QUALIFICATIONS

At RSG, we believe housing is a basic human right and the foundation of a stable and successful community. We are passionate about creating opportunities for residents to live in housing they can afford, helping to provide the necessary platform to nurture and protect quality of life for all residents. RSG understands the critical role that housing and in particular, affordable housing, for all income levels plays. Affordable housing is the key to providing residents with the income to support other needs and stimulate economic development in their communities, allowing children a safe place to return to after school and a greater chance of attaining educational success, and allowing individuals a place to call home and recharge after work. Without an adequate supply of affordable housing, communities are deprived of the opportunity to thrive and issues like homelessness, overcrowding, and economic decline can take hold.

We see our role as technicians, advisors, and extensions of staff to local governments and developers, sharing a common vision of producing and maintaining healthy and affordable housing in communities. As practitioners, we know firsthand that there is no one-size-fits-all solution to the State's housing crisis and are ready to dig in and help our clients find solutions that work best for them. RSG's housing clients have included cities, counties, housing successor agencies, housing authorities, and developers. We have experience working in coastal communities, major cities, urban areas, Central Valley agricultural communities, islands, and rural areas from Southern to Northern California. We are adept at brainstorming and developing strategies and programs, implementing and overseeing affordable housing programs and developments, performing complex affordable housing underwriting, identifying gap financing resources, and ensuring compliance with State and Federal guidelines.

We are not only consultants in the field, but leaders in the industry as well. As active policy committee members of the San Diego Housing Federation and the Non-Profit Housing Association of Northern California, we give a voice to the challenges our clients and communities face in the State by influencing legislative initiatives. We collaborate with industry leaders, other consulting firms, and community stakeholders throughout the State to share local success stories, build capacity and broader successes in the State, and remove impediments to communities' ability to reach housing goals. Like you, we hope to solve the housing crisis in the State and live in communities where all populations are adequately served and housed. We know there is a ton of work to do and here at RSG we are ready to roll-up our sleeves up and get to it!

Creating and Achieving Strategic Planning Goals

Affordable housing can uplift and transform a community not only through elevating residents' quality of life, but also, increasing diversity, improving neighboring property values, and attracting more businesses and jobs. Understanding community needs and the role strategic planning plays is a key step in advancing the development of affordable housing. RSG evaluates community needs by understanding State and Federal housing goals and requirements, evaluating local housing element goals and RHNA requirements, evaluating local market opportunities and constraints, assessing local community demand and demographics, and understanding local politics and staffing resources.

RSG fully understands the nuances involved in developing both short- and long-term affordable housing strategies and market studies. We help our clients identify appropriate

development programming alternatives, explore policy implementation, and identify available financial and real property resources to help reach goals. We work closely with our clients to formulate precise, accurate, and project-specific solutions and analyses.

Affordable Housing Underwriting and Gap Financing Resources

Developing affordable housing is more of an art than a science and each project comes with its own unique issues to ensure that gap financing is secured. We work behind the scenes to help our clients navigate through the complex task of developing affordable housing. RSG advises on crafting appropriate development programs, including funding assistance strategies that balance the developer and community's interests. Development programming evaluations are performed to identify financially feasible opportunities and examine alternatives that will result in projects having long-term economic viability while fulfilling the community's development goals and objectives. Based on our long-standing relationships with the State's community development field, we can identify and facilitate meetings with the affordable housing community to assist in project financing.

RSG has experience with single-family ownership, multifamily rental apartments, and mixed-use development projects that leverage multiple funding sources, including housing asset funds (LMIHAF), State and federal low-income housing tax credits (LIHTC), and other local funding sources, such as HOME, CDBG, PHC, NSP, HOPE VI, MHP, AHP, and inclusionary housing in-lieu fees, as well as other resources. We guide our clients through the financing process to best leverage local public financial assistance.

Real Estate Development Programming and Transaction Structuring

Nothing substitutes for knowledge, creativity, and experience when negotiating agreements for affordable housing transactions. In-depth knowledge of applicable laws and regulations, including requirements under the Government Code and other State and federal real estate regulations, coupled with broad experience in preparing development agreements are essential to bringing a project to life. RSG has assisted clients in programming analyses, assembling sites, relocating residents, soliciting developer proposals, and negotiating and drafting disposition agreements. Our staff is well versed in navigating the landscape of real estate in the sphere of affordable housing and we possess the insight and expertise required to help our clients make informed decisions and execute transactions with certainty.

Rent Stabilization and Tenant Protection Program Design and Implementation

As housing affordability continues to slip further away from many Californians, local jurisdictions are looking at ways to help protect their most vulnerable populations and ensure that renters remain housed without steep rental increases and unfair evictions. RSG helps our clients implement, evaluate, and revise ordinances for effective outcomes. We accomplish this through engaging the community, preparing informational materials, processing petitions and rent increase calculations, preparing reports for decision makers, conducting hearings, and evaluating the efficacy of existing ordinances.

We have hands-on experience in the administration of rent stabilization and tenant protection programs for all applicable rental units and mobile home parks. Each jurisdiction has specific nuances within their ordinances and RSG is skilled at navigating these to ensure smooth implementation. A key to successful implementation is ensuring neutrality in the process, building off of our in-depth experience in advising both residents and landlords.

Program Administration

Affordable housing helps to support the physical, mental, and social well-being of residents and therefore, residents often look to their communities for local support to secure, maintain, and provide affordable housing. RSG is well versed in developing and facilitating affordable housing programs, having assisted many communities with establishing rehabilitation loan programs and first-time homebuyer programs. We work with our clients to tailor programs to the specific needs of the community and identify financial resources to fund such programs.

We monitor and track available funding sources that could be resources to local communities to ensure that we always keep a pulse on the industry. Our team is proficient in working with lenders to ensure homebuyer eligibility and working collaboratively to execute loan documents. Our services span from program design to program implementation. We work closely with our clients to help formulate programs and processes that best fit the overall housing needs of their communities.

State and Federal Regulatory Compliance

We understand that regulatory compliance and reporting is a critical aspect of a local government's housing responsibilities. Our redevelopment agency roots have positioned our team well to address regulatory compliance and reporting needs. Understanding this work can be burdensome, time-consuming, and complex for some communities, RSG works closely with our clients to ensure that all annual reporting for Housing Successor Agencies, Housing Authorities, and Cities is completed each year. As the State legislature continues to tighten up on local government housing production and compliance with annual reporting and regulatory compliance, it is imperative that reports accurately reflect community progress towards meeting housing goals.

We have hands-on experience in the administration of public agencies' affordable housing activities for multi-family rental projects and homebuyer assistance programs. RSG ensures that program and project operations are consistent with an applicable bond or other applicable financing provisions, including oversight of a project's financial status, tenant income recertifications, and affordability requirements, together with annual compliance monitoring and regulatory reporting. We understand the importance of these reporting tools and assist our clients with getting into and maintaining compliance. We strive to have all of our clients audit-ready and off any State "naughty list"!

RSG has been in the affordable housing arena for over 40 years and intimately understands what it takes to see a project come to fruition and maintain affordability. Aside from our in-depth experience in multiple facets of affordable housing, we see providing housing services as an opportunity to embrace, inspire, and create the changes so desperately needed and deserved in communities all across the State. To put it simply, we are passionate about affordable housing!

KEY PERSONNEL

RSG dedicates a Principal to each project assignment and creates a core group of project managers and analytical staff who work on individual assignments throughout all stages of the contract term. Our staff is focused, committed, and passionate about the work we do. We conduct our engagements around our Core Values and are proud of it. We pride ourselves on our ability to appropriately allocate our time and resources to ensure that a project is completed on time and within budget.

This engagement will be led by Tara Matthews, Principal, and Suzy Kim, Director and Project Manager. Suzy will manage all aspects on this engagement with Tara's oversight. Rosa Romero, Associate, will manage annual compliance monitoring and assist with Housing Successor annual reporting. Jocelyn Sanchez, Analyst, and Jenny Benitez, Research Assistant, will provide analytical support as needed. Tara, Suzy, and Rosa have worked with Pinole in the same capacity since 2015; Jocelyn and Jenny have assisted with the most recent year of compliance monitoring and annual reporting. Our team is supported by an administrative team of three who assist all RSG staff with marketing, branding, invoicing, scheduling, and other duties invaluable to RSG and our clients.

Tara Matthews, Principal (\$275/hr), will serve as Principal-in-Charge for this engagement, providing valuable insight, perspective, and expertise from her nearly 20 years of experience focused primarily on all aspects of affordable housing. She has completed similar assignments for numerous communities throughout the state including, but not limited to, Orange County as well as the cities of Fontana, Lake Forest, El Cajon, Merced, Murrieta, Victorville, and Hemet. Tara is a San Diego Housing Federation Policy Committee member and has been a speaker at the annual San Diego Housing Federation conference. Tara has overseen affordable housing and real estate services for Pinole since 2015.

Suzy Kim, Director (\$275/hr), has been with RSG for over 16 years and will serve as Project Manager. She has a broad range of expertise, spanning from drafting affordable housing policies, implementing loan programs to assist low-income homeowners, underwriting affordable housing financing requests, and negotiating and drafting affordable housing agreements. Suzy has expert knowledge of affordable housing production and expenditure mandates tied to multiple Federal, State, and local funding sources. She has solicited and reviewed proposals to leverage local resources for affordable housing in Merced, Pleasant Hill, Tulare, Thousand Oaks, and San Diego County among others. Suzy has managed affordable housing and real estate services for Pinole since 2015.

Rosa Romero, Associate (\$185/hr), is a Certified Specialist in blended compliance regulations. Rosa is accountable for the administration and monitoring of over 6,000 affordable housing units. She maintains and ensures compliance with Federal, State, and local requirements established by the loan funding source set forth in the regulatory agreements. She oversees the requirements for 150 public-agency assisted multi-family projects for the State of California. Rosa hosts, teaches, and conducts annual compliance monitoring workshops to train and equip property management staff, city staff, and new employees at RSG with guidelines and regulations for various topics in affordable housing. Rosa has managed annual compliance monitoring for Pinole since 2015.

Jocelyn Sanchez, Analyst (\$135/hr), has a background in sustainability, urban planning, community outreach, and poverty alleviation. They have experience assisting with the preparation of desk monitoring notices for affordable properties to request income

certification materials as well as conducting physical unit inspections, common area inspections, and tenant file audits to ensure that affordable properties remain in compliance with state and federal affordable housing requirements. Jocelyn prepared the most recent Housing Successor Annual Report for Pinole.

Jenny Benitez, Research Assistant (\$125/hr), has a passion for affordable housing and has reexperience performing on-site inspections of affordable housing units to ensure safe and healthy living standards for apartments in the cities of Huntington Beach and Westminster. She also has assisted with relocation projects and conducts file audits, reviews tenant income certifications, and evaluates recertifications to ensure property owners who received financial assistance for ownership units live on the property and are not renting to another party. Jenny currently conducts annual compliance monitoring for Pinole.

Additional RSG staff may be assigned as needed. *Resumes of all RSG staff can be found at www.webrsg.com.*

RELEVANT EXPERIENCE AND REFERENCES

The projects below demonstrate RSG's recent experience providing services of a similar nature as those requested in the RFP. We encourage you to contact our references or follow up with additional questions.

Affordable Housing Advisory Services – City of Pleasant Hill

RSG has provided affordable housing advisory services to the City of Pleasant Hill since 2015, who serves as the housing successor to the former Pleasant Hill Redevelopment Agency. During this time, our services have included:

- Property Disposition and Development – RSG marketed multiple infill properties for redevelopment. In addition to the real estate services, RSG performed initial underwriting review of the projects and evaluated the availability of local inclusionary and housing successor funds to address gaps in developer financing.
- SB 341 Reporting – RSG prepares the annual Housing Successor Agency expenditure report for the City (as well as several other RSG clients). RSG ensures the reporting includes all items required by Health and Safety Code Section 34176.1, a summary of financial activity and affordable housing efforts, the integration of financial data provided by City staff, and information about affordable housing resources and activity.
- Housing Asset Fund Advisement – RSG advises on the best use of Housing Asset Funds by reviewing ad hoc requests for financial assistance. RSG prepared a Housing Asset Fund Expenditure Plan that provided guidelines on how Housing Asset Funds may be spent based on prior activity, and regularly updates projections on estimated Housing Asset and other funds available to finance affordable housing in the future. RSG has assisted the City with soliciting and reviewing proposals to develop property transferred from the former Agency.
- Residual Receipts Analysis – We have reviewed residual receipts to ensure the City received accurate payments from a property owner assisted by the former Agency.
- Compliance Monitoring – RSG conducts annual housing compliance monitoring at ownership and rental properties that have affordability agreements with the City and former Agency.

Contact: Troy Fujimoto, Interim Planning Manager
(925) 671-5284 / Tfujimoto@pleasanthillca.org

Date of Services: 2015 – Current

Contract Budget: \$103,500 (2020-21 to 2022-23)

Housing Program Administrative Services – City of Murrieta

Murrieta's Housing Authority originally retained RSG's services in 2015 for Housing Program Administrative Services. Since then, we have worked on a variety of engagements including:

- Annual Reporting – RSG prepares the annual Housing Successor Agency expenditure report, Housing Element Annual Progress Report, and the Housing Authority Annual Report for the City (as well as several other RSG clients). As part of this work, RSG identified opportunities to leverage funds and housing properties for affordable housing development in the community. Additionally, our report findings included the necessity for the City to adopt the five-year extension set forth under HSC regulations that provides the Housing Authority an extended deadline to develop land obtained through the transfer of housing assets from the former redevelopment agency for affordable housing or sell it within five years. Utilization of the deadline will allow the

City to remain compliant with HSC guidelines while they move forward with development activities.

- **Property Disposition Strategy** – RSG crafted a strategy for the disposition or development of the Housing Authority's land assets to meet the extended deadline. RSG evaluated site and community characteristics, market feasibility, and the City's goals and resources, among other factors. Based on RSG's analysis and recommendations, the Housing Authority is proceeding with the sale of two properties and plans to use the proceeds to help develop a third property. The Housing Authority continues to employ RSG to advise on the sale process and to prepare the RFP for property development.
- **Property Disposition Development** – The Housing Authority currently employs RSG to advise on the sale process and affordable housing developer selection for property development. In this capacity, RSG has assisted with the preparation of offering memorandums outlining the client's criteria and desired terms for purposes of dissemination to third parties (developers, interested parties, and any other parties) for the properties. The OM sets forth the process for reviewing offers and selecting potential buyers and provides links to information to encourage buyers to consider making offers. RSG has also assisted staff with the preparation of an RFP notifying affordable housing developers of available project funding and properties and selecting a qualified developer.
- **Monte Vista Resyndication** – RSG was retained to evaluate the Developer's request for the Housing Authority to take certain actions to aid in the project refinancing and rehabilitation of the Monte Vista I affordable housing project and to identify potential considerations for the Authority based on existing controlling documents. RSG reviewed both regulatory agreements for the property and lease terms and provided a summary of the terms of the lease with asset strategies aimed to further maximize the benefit to the Housing Authority. RSG then prepared a summary memorandum detailing the programming and feasibility analysis, including a recommendation based on our professional experience, that staff could consider in preparing a strategy recommendation to the Housing Authority. Our summary memorandum detailed the pros and cons of the various development alternatives and provided a recommendation that helped the Housing Authority achieve its goals while meeting legal requirements.
- **Compliance Monitoring** – RSG currently provides compliance monitoring services for both rental and home ownership units. For rental units, we certify that the income eligibility and rent verification comply with funding source legal requirements. For home ownership units, we verify occupancy and primary residency. RSG also provided financial audit services to ensure compliance pursuant to related affordable housing agreements and loan documentation with the audits focusing primarily on the review of financial statements and the creation of a cash flow analysis to determine residual receipt revenue for each project. Additionally, we assist with evaluating project refinancing along with any property resale eligibility restrictions and title clearance issues.

Contact: Jarrett Ramaiya, City Planner
(951) 461-6437 / jramaiya@murrietaca.gov

Date of Services: 2015 – Current

Contract Budget: Approximately \$100,000+ annually

Affordable Housing Annual Reporting and Advisory Services – City of Tulare

RSG has provided the City of Tulare with Affordable Housing Annual Reporting and Advisory Services since 2014 to assist with the following:

- Annual Reporting – RSG helps the City of Tulare evaluate and maintain compliance with affordable housing legal requirements. Tasks include drafting the Housing Element Annual Progress Report (APR) and Housing Successor Annual Report. RSG goes beyond simply meeting legal requirements by using annual reporting as an opportunity to identify the city's housing needs and utilize housing assets to meet those needs. For example, RSG advised Tulare of options to spend \$1.5 million in Low- and Moderate-Income Housing Asset Funds on affordable housing and homelessness prevention, resulting in \$500,000 set-aside for homeless prevention activities and \$1 million set-aside for a Notice of Funding Availability for affordable housing development.
- No Net Loss Analysis – RSG assisted the City with making a No Net Loss finding required by Senate Bill 166. The finding tracked development on Housing Element sites designated to meet Tulare's RHNA allocation and determined whether any units were "lost" based on the number of units actually built by income level compared to what was designated in the Housing Element. The finding determined that the City had a surplus unit supported by other Housing Element sites designated to meet RHNA needs.
- Affordable Housing NOFA – The City of Tulare had over \$1.5 million in Low- and Moderate-Income Housing Asset Funds. RSG presented various options to expend those funds while meeting community needs. The City decided to set-aside \$500,000 for homeless prevention activities and \$1 million for affordable housing development. RSG drafted a Notice of Funding Availability (NOFA) soliciting developer proposals to apply the City's \$1 million to local affordable housing development, with a preference for permanent supportive housing for the formerly homeless. The NOFA requirements helped the City assess developer qualifications and detail selection criteria. RSG is actively reviewing the responses, assisting the City with developer selection, negotiations, and agreement preparation.
- Legislative Monitoring – RSG provides the City with frequent legislative updates regarding matters that may affect them. It is common that we are asked to research or provide input on how legislative matters may impact the work the City does.

Contact: Traci Myers, Community Development Director
(559) 684-4230 / tmyers@ci.tulare.ca.us

Date of Services: 2014 – Current

Contract Budget: Approximately \$80,000 annually

Affordable Housing Technical Review Services – City of El Cajon (Housing Successor Agency)

RSG has had an on-call affordable housing consulting contract with the City of El Cajon since 2018. Under this contract we have assisted with the following:

- First-Time Homebuyer Program Administration – RSG is involved with the administration of the City of El Cajon's First-Time Homebuyer Program. In this role, RSG pre-underwrites loans based on the borrower's income and asset eligibility for the approval of maximum purchase price, including the ratio determination of housing and income. The program guidelines are carefully reviewed based on funding sources for

State or federal requirements. The FTHB utilizes a combination of funding with HOME, CALHOME, and LMIHAF for the borrower's eligibility review. Once the applicant locates a property RSG coordinates with the City to issue tentative loan commitment approval to ensure the borrower can gather the City required documents. RSG also assisted the City with the preparation of loan documents and coordinated the closing of escrow (or transaction) with the mortgage lenders, escrow office and title company.

- Lexington Avenue Resyndication – RSG evaluated a proposal from a developer to acquire the leasehold interest in the Lexington Avenue Senior Apartments to identify potential fiscal and regulatory impacts. As part of the process, RSG examined the project underwriting and proposed purchase price to ensure that it was economically feasible and met legal requirements. As part of this process, RSG evaluated cost estimate reasonableness, determined the financial feasibility and if gap financing was warranted, prepared a modeling pro forma, reviewed tax credit and other funding source market conditions, and prepared a 55-year cash flow projection. We then summarized our findings to note key proposal terms, strengths and weaknesses, and need for gap financing.
- Annual Reporting Compliance – As City Staff prepares these reports, RSG provides advisory services to ensure that Housing Successor funds are spent in compliance with legal requirements. We advise the City on the accurate reporting of financial data provided by staff, including data about the balance, deposits, and expenditures pertaining to the Low- and Moderate-Income Housing Asset Fund, along with information about assets reported on the Housing Assets Transfer form.
- Compliance Monitoring – RSG assisted staff with conducting remote desk monitoring for the City of El Cajon's affordable housing projects. The services consist of initiating the monitoring with the developer/property manager by making contact and drafting notification. Gathering documents to analyze occupancy status report, rent rolls, and reviewing tenant files. Coordinating with property managers on clarifying data and issuing a summarized final report of the monitoring for each affordable project, including findings and recommendations. RSG also assisted with creating income and rent limit charts according to the funding source of each project.

Contact: Jamie van Ravesteyn, Housing Manager
(619) 441-1786 / jkasvikis@cityofelcajon.us

Date of Services: 2018 – Current

Contract Budget: Approximately \$70,000 annually

Affordable Housing (Procedures, Housing Successor Annual Reporting, and Project Implementation) – Orange County Community Resources

Since 2015, RSG has provided on-call housing consulting services to Orange County Community Resources for a wide variety of housing programs and projects. Our services have included:

- Policies and Procedures Manuals – RSG prepared policy and procedure manuals for the County's CDBG, HOME CoC, and ESG programs as well as for their Affordable Housing Compliance Monitoring at properties assisted by the County. The manuals were written broadly enough to ensure compliance with federal requirements while giving staff flexibility to change internal procedures without a need to constantly revise their policies and procedures. RSG continues to work with the County to routinely update the manuals in order to ensure compliance.

- SB 341 Reporting – RSG prepares the annual Housing Successor Agency expenditure report for the County (as well as several other RSG clients). As part of this work, RSG is proactive to engage our clients in the identification of issues and opportunities for investment to maximize the use of these resources. In this capacity, we have helped the County identify additional funding that was included in their most recent Permanent Supportive Housing NOFA. We also identify and track the use of the County's HOME funds to ensure they are leveraging funds and meeting legal requirements.
- HOME Compliance – RSG routinely identifies and tracks the use of the County's HOME funds to ensure they are leveraging funds and meeting legal requirements. Activities include conducting a Subsidy Layering Review that includes:
 - Reviewing the developer's development pro forma to determine the reasonableness of estimated development costs, revenue assumptions and proposed financing structure, including, but not limited to, the potential for receiving HOME funds.
 - Preparing a memorandum detailing our findings and recommendations regarding the economic feasibility of the proposed development, as well as whether the total requested amount of program funding and other governmental assistance exceeds the amount necessary to make the project feasible due to the unreasonableness of the costs and/or projected rate of return.
- RSG also conducts a Neighborhoods Standard Review that includes:
 - Researching and determining if the Project site is of adequate size, exposure, and contour to the proposed development, has adequate utilities, and not in an area of minority concentration.
- Agreement Preparation – The County also requested that RSG serve as a project coordinator on multiple projects wherein we were responsible for the preparation and oversight of controlling documents. We were responsible for working with legal counsel and coordinating with the entire development team to prepare project closing documents.
- Legislative Monitoring – RSG provides the County with frequent legislative updates regarding matters that may affect them. It is common that we are asked to research or provide input on how legislative matters may impact the work the County does. We most recently advised them on Opportunity Zones.
- Emergency Rental Assistance Program Evaluation – RSG drafted a memo detailing the evaluation of funding sources for emergency rental assistance payment programs derived by the federal Coronavirus Aid, Relief and Economic Security Act ("CARES Act") and from the federal Consolidated Appropriations Act of 2021 ("CAA"). Both funding sources aim to provide financial assistance to tenants who, as a result of the financial hardships caused by the coronavirus ("COVID-19"), are struggling to meet their monthly rental obligations. The memo detailed a comparative analysis of the requirements and intent of both emergency rental assistance payment programs. Specifically, RSG evaluated the allocated funding amounts, targeted population, eligibility requirements, application process and weighted in on the advantages and disadvantages for each funding program.

- Compliance Monitoring – RSG partnered with the County of Orange to structure, streamline, and implement procedures for their affordable housing compliance monitoring portfolio. Services included:
 - Reviewing and summarizing each project's controlling agreement.
 - Detailing affordability restrictions, funding source amounts, and documentation requirements.
 - Creating a manageable database that details project information and tracks compliance data, including inspection dates, annual and quarterly compliance reporting, project contact information, and affordability requirements.
 - Training staff on policies and procedures as it relates to compliance monitoring.
 In addition to setting up the compliance structure, RSG assisted with compliance monitoring coordination activities. Services included:
 - Scheduling on-site monitoring visits.
 - Conducting file audit reviews.
 - Analyzing income-restricted reporting data.
 - Reviewing certificates of compliance to confirm correct set-asides for all income level limits.
 - Collecting management plans.
- Residual Receipt Analysis – RSG provided financial audit services to ensure compliance pursuant to related affordable housing agreements and loan documentation. The audits focused primarily on the review of financial statements and the creation of a cash flow analysis to determine residual receipt revenue for each project. Any variances between the property owner's calculation and RSG's was discussed between all relevant parties.

Finally, RSG was tasked with training staff to take on all monitoring activities and ensure they were properly qualified in the field of compliance review and residual receipts, all while formulating knowledge of policy and procedures with a monitoring manual, previously authored by RSG.

Contact:	Julia Bidwell, Director of Housing & Community Development & Homeless Prevention (714) 480-2991 / Julia.Bidwell@occr.ocgov.com
Date of Services:	2015 – Current
Contract Budget:	Approximately \$50,000 annually

SCOPE OF SERVICES

The following details our proposed scope of services.

COMPLIANCE MONITORING

RSG will monitor compliance at the City's 21 affordable properties with 433 income-restricted units annually for five years, from fiscal years 2022-23 to 2026-27. Annual monitoring ensures that property owners comply with affordable income and rent limits set by City agreements and State law. RSG has fostered a positive relationship with property managers/owners over the years, enabling us to provide streamlined services based on our knowledge of the overall process and historic issues.

Compliance Monitoring of Rental Properties

1. Agreement Review and Set-Up: RSG currently monitors 12 rental properties and 2 ownership properties with 396 affordable units. The RFP has identified a need to monitor 21 properties with 433 affordable units. RSG will review all relevant affordable housing agreements, set up monitoring forms, and contact property owners/managers to initiate annual compliance monitoring at each property upon occupancy and on an annual basis.
2. Monitoring Schedule and Matrix: RSG regularly maintains and updates a monitoring matrix of all affordable housing properties in Pinole to keep staff updated on each property's compliance status and milestones to date.
3. Monitoring Notification and Forms: RSG prepares and distributes notices to property managers/owners to request tenant- and owner-prepared monitoring forms. The notice gives directions on how to complete the forms and submit them to RSG. RSG sets-up OneDrive links for each project to securely upload requested data.
 - Tenant Forms (signed by tenant and submitted to property management):
 - Tenant Income Certification with supporting income and asset documentation
 - Income Verification Lease Provisions
 - Crime Free Lease Addendum (East Bluff Apartments only)
 - Property Manager/Owner Forms (signed by property manager/owner):
 - Landlord Summary Form
 - Certificate of Continuing Program Compliance
 - Rent Roll
4. Income and Rent Limit Chart: RSG drafts and distributes an annual income and rent limit chart to each affordable property. The chart is prepared upon the publication of annual income and rent limits by the California Department of Housing and Community Development ("HCD") or U.S. Department of Housing and Urban Development ("HUD"). Limits are customized based on each property's controlling documents.
5. Analyze Data: RSG reviews completed compliance monitoring materials to analyze compliance with affordable housing agreements and restrictive covenants. RSG identifies whether the property is in compliance with the terms of controlling documents. RSG considers tenant incomes, maximum affordable rent, recertification

timing, set-aside requirements and occupancy standards. If RSG finds non-compliance issues, property owners are given an opportunity to address them.

6. Audit Tenant Files: RSG audits a 10-20% sample of total income-restricted units by reviewing Tenant Income Certifications, mandatory lease addendums, and tenant income and asset documentation. RSG ensures the annual tenant income certifications accurately report the supported income, rent amount, utility allowance, subsidy assistance (if applicable), list of household members, tenant signatures (age 18 and over), manager signature with effective dates, and project information. Other compliance documentation may include tenant certifications of the rent charged.
7. Draft Findings and Address Non-Compliance: RSG corresponds with property managers/owners to address issues of non-compliance that can be remedied by providing additional documentation. The Cost Proposal budgets for up to 10 hours of correspondence and review. More complicated matters, particularly those requiring changes in rents or tenancies, will be addressed jointly with City staff and for an additional fee with the City's authorization (see "Non-Compliance Negotiations").
8. Final Report: For any properties that had non-compliance issues, RSG prepares clearance reports after property managers/owners comply with corrective action requests. RSG provides a compliance review summary report to City staff summarizing the compliance status of each property. The report also makes recommendations for correcting any non-compliance issues or findings that are outstanding.
9. Non-Compliance Negotiations: RSG can negotiate with owners, if needed, to resolve complex project compliance issues that require more time than outlined under Item 7. The Cost Proposal budgets for up to 10 additional hours of negotiation and related work. RSG will seek authorization from City staff if any time is required in excess of the contract budget.

Compliance Monitoring of Homeownership Units

RSG currently monitors two homeownership units to ensure owners are occupying their affordable properties as their primary place of residence and not renting to third parties. The RFP has identified 31 new ownership units that will be affordable to low and moderate income households. The monitoring process for homeownership units is below:

1. Notification letter: This notification outlines the annual monitoring process, including a request for proof of income and unit occupancy.
2. Recertification of Occupancy Form: The homeowner is required to sign/date this document to certify that they occupy the property as their primary place of residence. The homeowner is also required to provide a utility statement or similar verification of residency.
3. Confirmation/ Close-Out Letter: After receiving the completed recertification form and supporting documentation, RSG sends a confirmation/ close out letter to the homeowner to conclude monitoring.

ANNUAL REPORTING

Housing Successor Agency Annual Report

The City serves as the Housing Successor Agency to the former Pinole Redevelopment Agency (“RDA”). Senate Bill 341 (2014) and related legislation imposed reporting and compliance requirements for housing successors. The City must prepare a Housing Successor Annual Report that details compliance with expenditure limitations, provides an inventory of homeownership units, describes property disposition efforts, and other items. The report is submitted to HCD with the City’s Housing Element Annual Progress Report due by April 1 annually.

The City is also required to prepare an independent financial audit of the Successor Housing Agency’s Low and Moderate Income Housing Asset Fund (“Housing Fund”), which is due to the City Council by December 31 annually. The audit may be completed as a component of the City’s Annual Audited Financial Statements.

RSG will prepare the Housing Successor Agency Annual Report for fiscal years 2021-22 through 2025-26 (due April 1, 2023 through 2027) with the following information:

- a. The amounts deposited into the Housing Fund
- b. A statement of the balance of the Housing Fund
- c. A description of Housing Fund expenditures by category
- d. The statutory value of real property and loans receivable
- e. A description of funds transferred to the Housing Successor
- f. A description of projects that receive funding through ROPS, if any
- g. The status of efforts to dispose of former RDA properties transferred to the Housing Successor, if any (there is a five-year disposition deadline)
- h. An update on inclusionary and replacement housing obligations remaining from the former RDA, if any
- i. Compliance with expenditures limitations within a 5-year compliance period
- j. The percentage of senior deed-restricted units assisted in the last 10 years
- k. The amount of excess surplus
- l. An inventory of homeownership units assisted by the former RDA or Housing Successor
- m. The amounts received from repayment of any City loans to the former RDA through the ROPS

The reports are written so the City understands its current compliance status and any actions it must take or avoid to remain in compliance with State law.

MISCELLANEOUS SERVICES

Housing Fund Consultation and NOFA

RSG will advise and support staff as needed on affordable housing-related questions or issues as they arise. Affordable housing efforts are intricately linked to other fields such as real estate, finance, and economic development. We pride ourselves on being a trusted adviser to clients and are available to answer questions on a wide range of topics based on our broad experience.

The City as Housing Successor will have an estimated \$4.5 million cash balance by the end of fiscal year 2022-23. RSG will advise on how these funds could be spent to meet the City's housing goals while complying with strict income and age targeting requirements set by State law.

Optional: NOFA

If desired by staff and City Council, RSG can issue a NOFA that solicits proposals to apply City funding to a new affordable housing development in Pinole. RSG will draft a NOFA that will help the City assess developer qualifications and detail selection criteria. Selection criteria may include, but is not limited to:

- Expertise and experience of the development entity and team in designing and constructing high quality affordable housing projects;
- Vision and design for a market-feasible affordable housing project that implements the City's vision for the community and promotes the community character of Pinole;
- Economic viability and financial strength of the proposed project, including marketability and feasibility;
- Experience and ability to creatively negotiate an affordable housing agreement, or other appropriate development agreement, that provides the greatest return on investment to the City; and
- Financial and organizational capacity of the team to successfully complete the project, including the ability to secure financing and leverage other funding sources to build the highest quality housing project.

RSG will work with staff and legal counsel to further define selection criteria that meets the community's goals. Once the NOFA is finalized, RSG will also assist the City with conducting an informational conference call wherein interested developers can get an overview of the topic and ask questions prior to submitting a response. It is anticipated that this task will include 3 in-person or virtual meetings: 1) staff kick-off meeting to discuss the desired criteria, 2) meeting to review NOFA with staff, and 3) Council presentation and approval of NOFA. RSG can prepare any necessary staff reports or resolutions related to this task.

Developer Selection

RSG can assist the City in evaluating NOFA responses (the budget estimate assumes review of 4 developer submittals and may vary depending on the depth of review required from the NOFA criteria). RSG will prepare for the City's approval a preliminary Checklist, which will guide the review process and ensure that "like comparisons" are made in terms of each proposal's completeness and compliance with the submission requirements.

It is estimated that about 4 developer proposals may be submitted to the City. RSG will review and analyze pertinent data and materials provided in each developer submittal to evaluate the completeness of the proposal in accordance with the criteria and requirements identified in the NOFA. The proposal screening will be undertaken using the Checklist approved by the City to ensure consistency in the review process. RSG's detailed evaluations will emphasize the analysis of the development costs for the improvements based on current third-party cost data obtained from Marshall & Swift Valuation Services, our recent comparable project experience, as well as the related "indirect" construction costs identified by each developer proposal. RSG would also expect to scrutinize the developer's assumptions to ensure that the anticipated costs, revenues, and operating and replacement reserves are realistic and not

over/understated. This would include a detailed look at developer fees and deferred fees. RSG will also prepare a long-term cash flow to ensure that the prospective developer can remain solvent as an operator throughout the duration of the affordability period.

Based on RSG's detailed evaluation of the proposals, we will recommend finalists to the City and prepare interview questions to be used for the selected developers. RSG will participate in interviews along with Staff to select a developer that best meets the needs of the community. RSG will also work with staff and legal counsel to prepare and present developer submittals to the Council. It is anticipated that this task will include 2 in-person or virtual meetings: 1) developer interviews and 2) Council developer selection meeting.

Developer Negotiations and Agreement Preparation

It is RSG's understanding that legal counsel will be primarily responsible for the preparation of any ENAs, DDAs, or Affordable Housing Agreements (AHA). RSG will assist in negotiating financial deal points to be included in any agreement between the selected developer and the City. To ensure consistency between agreed upon deal points and documents, RSG will review and provide comments on any agreements. We will also assist the City in reviewing or evaluating any alternate or subsequent developer pro forma revisions (up to 2 revisions).

RSG is available to participate in any developer negotiation meetings related to the preparation of loan agreements and legal documents. Based on our experience, the number of required in-person meetings can vary significantly based on the complexity of the proposed deal and the relationship between the developer and the City. For the purpose of the cost estimate, it is anticipated that 2 meetings will be needed. RSG will also attend the Council meeting approving the project and any related agreements to answer questions related to the project pro forma. It is anticipated that this task will include 3 in-person or virtual meetings: 1) developer negotiation meetings and 2) Council agreement and project approval meeting.

Affordable Housing Resources and Educational Materials

RSG would collaborate with our graphic designer to prepare public information materials on affordable housing in Pinole that align with the City's branding on an as needed basis. These materials can include content creation and graphics for the City's website, flyers, and mailers. If the City would like, RSG could also prepare additional materials, such as handouts regarding Frequently Asked Questions ("FAQ") and general information on affordable housing. RSG would request feedback from City staff on all drafts and update the materials accordingly.

These services will be performed on a time and materials basis. The Cost Proposal provides and estimated budget, including a reimbursable budget for graphic designer services.

Affordable Housing Loan Coordination

Resale Coordination

RSG can assist the City with all resale transactions that include the tasks below:

- Income Eligibility: Ensure all new applicant/borrower is income eligible pursuant to the agreement for the specific property being purchased.
- Affordable Housing Cost Calculation: Provide a detailed resale price and monthly affordable housing cost calculation to the City and other interested parties.
- Forms: Coordinate all City forms and documents with the new purchaser, lender, escrow or title company.

- Loan Documents & Closing: Prepare any corresponding City loan documents and coordinate closing as needed.

Refinance Review

RSG can assist with the review of the terms of proposed loan refinancing to confirm compliance with the City's second trust deed agreements and assist as follows:

- Forms: Draft, complete, and submit corresponding forms to the City and lender as applicable.
- Documentation Preparation: Will be completed for the refinance transaction and as requested by the lender, this may include:
 - Pay-off Demand
 - Equity Shares
 - Subordination Agreement
- Closeout: RSG will coordinate all tasks on behalf of the City and ensure all requested documents from escrow, title and the lender are addressed at the time of closing for the refinance.

These services will be performed on a time and materials basis. The Cost Proposal provides an estimated budget per resale / refinance transaction per unit.

COST PROPOSAL

RSG proposes to provide the tasks described in the Scope of Services on a time-and-materials basis with an annual not-to-exceed amount as summarized below. A detailed estimate per task is provided on the last page. Our fee is based upon an estimate of the number of annual hours needed for each task. RSG will notify the City and request a fee adjustment if the Scope of Services is substantially changed in the future .

Year	Budget	Annual Scope
Year 1 (2022-23)	\$61,210	- Compliance Monitoring of 21 Properties - Housing Successor Annual Report
Year 2 (2023-24)	\$61,940	Housing Fund Consultation/General Advisory Services (20 hours)
Year 3 (2024-25)	\$62,680	Affordable Housing Resources and Educational Materials (15 hours + \$2,500 graphic design)
Year 4 (2025-26)	\$63,430	1 Resale Transaction 1 Refinance Transaction
Year 5 (2026-27)	\$64,200	
Five Year Total	\$313,460	
Optional	\$88,645	Affordable Housing NOFA (1 NOFA + Evaluation of 4 Developer Proposals)

**Affordable housing services may be paid from the Housing Successor Low and Moderate Income Housing Asset Fund.*

Services would be provided per the terms and conditions of a consulting services agreement by and between the City and RSG. The Scope of Services will be billed on a time-and-materials basis at the following hourly rates:

Hourly Billing Rates

Principal / Director	\$ 275
Senior Associate	\$ 200
Associate	\$ 185
Senior Analyst	\$ 150
Analyst	\$ 135
Research Assistant	\$ 125
Technician	\$ 80
Clerical	\$ 60

Reimbursable Expenses	Cost plus 10%
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RSG does not charge clients for travel or mileage (except direct costs related to field work/surveys), parking, standard telephone/fax expenses, general postage or incidental copies. However, we do charge for messenger services, overnight shipping/express mail costs, and teleconferencing services. We also charge for copies of reports, documents, notices, and

support material in excess of five (5) copies. These costs are charged back at the actual expense plus a 10% surcharge.

RSG issues monthly invoices payable upon receipt, unless otherwise agreed upon in advance. Invoices identify tasks completed to date, hours expended and the hourly rate.

Five-Year Affordable Housing Consulting Services (2022-23 to 2026-27)

City of Pinole	Principal/ Director	Associate	Analyst	Research Assistant	Reimb.	Total
	\$ 275	\$ 185	\$ 135	\$ 125		

Compliance Monitoring (Estimate for 21 Properties)

Rental Properties						
Task 1. Agreement Review and Set-Up (5 new projects)		5		7		\$ 1,800
Task 2. Monitoring Schedule and Matrix		2		3		\$ 745
Task 3. Monitoring Notification and Forms		2		25		\$ 3,495
Task 4. Income and Rent Limit Chart		2		5		\$ 995
Task 5. Analyze Data		5		45		\$ 6,550
Task 6. Audit Tenant Files		5		50		\$ 7,175
Task 7. Draft Findings and Address Non-Compliance		2		45		\$ 5,995
Task 8. Final Report		8		40		\$ 6,480
Task 9. Non-Compliance Negotiations (up to 10 hr)		7		3		\$ 1,670
Homeownership Units		2		8		\$ 1,370

Compliance Monitoring - Year 1 (2022-23)	-	40	-	231		\$ 36,275
Compliance Monitoring - Year 2 (2023-24)						\$ 37,001
Compliance Monitoring - Year 3 (2024-25)						\$ 37,741
Compliance Monitoring - Year 4 (2025-26)						\$ 38,495
Compliance Monitoring - Year 5 (2026-27)						\$ 39,265
Compliance Monitoring - Five Year Subtotal (2% increase per year)						\$ 188,777

Housing Successor Annual Report

Annual Budget	3	10	30			\$ 6,725
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Housing Fund Consultation and General Advisory Services

Annual Budget	20					\$ 5,500
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Affordable Housing Resources and Educational Materials

Annual Budget	5			10	\$ 2,500	\$ 5,125
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Affordable Housing Loan Coordination (Per Transaction Estimate)

Resale Transaction per Unit		25				\$ 4,625
Refinance Transaction per Unit		16				\$ 2,960

YEAR 1 (2022-23) TOTAL						\$ 61,210
YEAR 2 (2023-24) TOTAL						\$ 61,936
YEAR 3 (2024-25) TOTAL						\$ 62,676
YEAR 4 (2025-26) TOTAL						\$ 63,430
YEAR 5 (2026-27) TOTAL						\$ 64,200
FIVE YEAR TOTAL						\$ 313,452

*Cost Proposal includes 1 Resale Transaction and 1 Refinance Transaction Per Year

Optional: NOFA (1 NOFA, 4 Developer Proposals)

Task 1. NOFA						
Draft NOFA	5		20	5		\$ 4,700
Informational Call	4	-	2			\$ 1,370
NOFA Checklist	3	2	4			\$ 1,735
Meetings and Preparation (3 meetings)	24		8			\$ 7,680
Task 2. Developer Selection						
Developer Submittal Review (4)	30	90	60			\$ 33,000
Recommendation	20	10	-			\$ 7,350
Meetings and Preparation (2 meetings)	16	8	4			\$ 6,420
Task 3. Negotiations and Agreements						
Deal Points/Negotiation	20	20	-			\$ 9,200
Agreement Review	10	30	-			\$ 8,300
Meetings and Preparation (3 meetings)	24	8	6			\$ 8,890
OPTIONAL: NOFA TOTAL	156	168	104			\$ 88,645

TOTAL WITH OPTIONAL SERVICES						\$ 402,097
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*Affordable Housing Services may be paid from the Housing Successor Low and Moderate Income Housing Asset Fund
Final Cost Proposal rounds up to the nearest \$5 per year



CITY COUNCIL REPORT

9E

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: SANJAY MISHRA, PUBLIC WORKS DIRECTOR

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE AMENDMENTS TO EXTEND EXISTING ON-CALL SERVICE CONTRACTS FOR ENGINEERING AND ENVIRONMENTAL SERVICES AND EXECUTE NEW ON-CALL SERVICE CONTRACTS RELATED TO WASTEWATER AND STORMWATER

RECOMMENDATION

Staff recommends that the City Council adopt a resolution to authorize the City Manager to execute amendments to extend certain existing on-call service contracts and execute new on-call service contracts related to wastewater and stormwater.

BACKGROUND

The City of Pinole uses on-call consultants for assistance with various aspects of capital project delivery. The City had an active list of on-call consultants for wastewater and stormwater related services, engineering services, and environmental services, most of which will expire on November 20, 2022. The City would like to extend on-call contracts for engineering and environmental services and create an updated list of on-call consultants for wastewater and stormwater services. The City issues task orders for consultants with on-call contracts for specific projects as a need arises.

On October 7, 2022, the City released a Request for Qualifications (RFQ) for On-Call Consultant Services regarding National Pollutant Discharge Elimination System (NPDES) related tasks. These include the following:

- Assisting City staff in performing condition assessment of the City's wastewater collection system using City equipment;
- Performing onsite engineering assessments and spot repair methods;
- Supporting geographic information system (GIS) integration with various industry leading software systems for wastewater and stormwater infrastructure; and
- Conducting inspection, engineering design, construction management, and project management with specific focus on wastewater and stormwater infrastructure.

The RFQ was posted to the City's website, emailed to local plan counters, and posted to Public Purchase.

REVIEW & ANALYSIS

The City received eight Statements of Qualifications (SOQs), which were reviewed by City staff. Based on the review of the SOQs, all of the interested consultants have the ability to provide quality services to the City. The City would like to engage all eight consultants to maximize the City's access to qualified firms, increase the redundancy across the providers, and vary the size and locale of the service providers. This approach will afford the greatest flexibility and access to resources, which will hopefully increase productivity and response rates.

Staff recommends that the City grant four-year on-call contracts to the eight consultants listed below who responded to the RFQ and determined to be qualified.

- GHD,
- LEE + RO
- Alpha CM
- Pipe and Plant Solutions
- AAX Engineering
- SKL Solutions
- Freyer & Laureta
- UNICO Engineering

The City has a number of existing on-call consultants for engineering and environmental services. City staff believes that these firms remain an effective pool. Staff recommends that the City grant two-year extension to all existing on-call firms for engineering and consulting services, which are the following.

Engineering

- A-N West
- Avila Project Management
- Bellicci and Associates
- BKF Engineers
- Celbriy Consulting Group
- Coastland Engineering
- CSG
- Cunha Engineering
- Harrison Engineering
- HydroScience
- Interwest
- Kister Savio and Rei

- P/A Design
- Parisi CSW
- Ruggeri-Jensen-Azar
- S Kwok Engineers
- Schaff and Wheeler
- West Coast Code Consultants
- Willdan

Environmental

- BKF Engineers
- HydroScience
- S Kwok Engineers
- Schaff and Wheeler
- West Coast Code Consultants
- Willdan
- GEOsphere
- Kennedy and Associates
- M Group
- MIG
- Raney
- Stantec

FISCAL IMPACTS

The creation and extension of on-call consulting lists will not in itself have any fiscal impact. Funding for any work to be performed by the consultants would need to be appropriated by the City Council. Individual or cumulative task orders of over \$45,000 with a particular on-call consultant will require further approval from the City Council.

ATTACHMENTS

- A: Resolution
- B: List of On-Call Consultants
- C: Standard Consultant Agreement for Professional Services

RESOLUTION NO. 2022 – XX**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO EXTEND EXISTING ON-CALL SERVICE CONTRACTS AND ADD NEW ON-CALL SERVICE CONTRACTS**

WHEREAS, the Public Works Department, relies on certain professional services from the private sector to assist in the delivery of projects and services; and

WHEREAS, the professional services required include regulatory compliance, engineering, inspection, project management, surveying, geotechnical engineering, environmental review, and staff augmentation; and

WHEREAS, the current on-call contracts expired on November 4, 2022; and

WHEREAS, on October 7, 2022, a request for qualifications (RFQ) was published by City for wastewater/stormwater infrastructure services; and

WHEREAS, the (RFQ) was posted to the City website, emailed to existing on-call providers and made available on Public Purchase; and

WHEREAS, staff received and reviewed Statements of Qualifications (SOQs) from eight Consultants who were qualified to deliver requested services; and

WHEREAS, staff recommends that City grant four-year on-call contracts to the eight consultants; and

WHEREAS, to afford the greatest flexibility and access to resources, staff recommends that certain existing on-call contracts be extended for a period of two years; and

WHEREAS, funding for any work to be performed by the consultants would need to be appropriated by the City Council; and

WHEREAS, individual or cumulative task orders of over \$45,000 with a particular on-call consultant will require further approval from the City Council.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole as follows:

1. Authorize the City Manager to execute new on-call service contracts, in a form approved by the City Attorney, for wastewater and stormwater for a period of four-years with the following consultants:
 - GHD,
 - LEE + RO
 - Alpha CM

- Pipe and Plant Solutions
 - AAX Engineering
 - SKL Solutions
 - Freyer & Laureta
 - UNICO Engineering
2. Authorize the City Manager to execute amendments, in a form approved by the City Attorney, to extend the following on-call service contracts for engineering services by two years:
- A-N West
 - Avila Project Management
 - Bellicci and Associates
 - BKF Engineers
 - Celbriy Consulting Group
 - Coastland Engineering
 - CSG
 - Cunha Engineering
 - Harrison Engineering
 - HydroScience
 - Interwest
 - Kister Savio and Rei
 - P/A Design
 - Parisi CSW
 - Ruggeri-Jensen-Azar
 - S Kwok Engineers
 - Schaff and Wheeler
 - West Coast Code Consultants
 - Willdan
3. Authorize the City Manager to execute amendments, in a form approved by the City Attorney, to extend the following on-call service contracts for environmental services by two years:
- BKF Engineers
 - HydroScience
 - S Kwok Engineers
 - Schaff and Wheeler
 - West Coast Code Consultants
 - Willdan
 - GEOsphere
 - Kennedy and Associates
 - M Group
 - MIG
 - Raney

- Stantec

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 15th day of November 2022 by the following vote:

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

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 15th day of November 2022.

Heather Bell, CMC
City Clerk

ATTACHMENT B

11/15/2022

Firm Name	Engineering	Construction Management	Construction Inspection	Project Management	Surveying	Traffic Engineering	Geotechnical Engineering	Real Estate	Planning Review	Environmental Services	Wastewater/Stormwater	Notes
Alan Kropp & Associates			X				X					
A-N West	X			X		X						
AnchorCM		X	X									
Apex Testing Lab							X					materials/special inspections
Avila Project Management	X	X	X	X								
Bellecci and Associates	X	X	X	X								
BKF Engineers	X	X		X	X	X	X			X		
BSK Engineers			X				X					
Cal Engineering and Geology							X					
Celerity Consulting Group	X	X	X	X	X							
Coastland Engineering	X	X	X	X								
Cornerstone Earth Group							X					
CSG	X	X	X	X								staff augmentation
Cunha Engineering	X	X			X							
GEOsphere							X			X		
Harrison Engineering, Inc	X			X	X	X	X					
HydroScience	X	X	X	X						X		sewer
Inspection Services			X									materials/special inspections
Interwest	X	X	X	X		X		X	X			
Kennedy and Associate									X	X		CCCWP
Keyser Marston Associates, Inc								X				
Kister Savio and Rei	X				X							
Kosmont Companies								X				
M Group									X	X		
MIG									X	X		
P/A Design Resources, Inc	X											
Parisi CSW Design Group	X					X			X			
Park Engineering		X	X									
Premier Inspection Services		X	X									special inspections
Raney									X	X		

Rincon Consultants				X					X	X		staff augmentation
RSG								X				
Ruggeri-Jensen-Azar	X			X	X				X			
S Kwok Engineers	X	X	X	X						X		stormwater
Schaff and Wheeler	X									x		sewer / stormwater/ clean water
Stantec									X	X		
Steve Duran								X				
VTa Planning									X			housing
West Coast Code Consultants	X	X	X	X	X	X				X		
Willdan	X	X	X	X	x	X	X		X	X		staff augmentation
W-Trans						X			X			
ON-CALL CONSULTANTS WHO SUBMITTED PROPOSALS FOR 2022 WASTEWATER/STORMWATER RFQ												
GHD, Inc.											X	
LEE + RO											X	
Alpha CM											X	
Pipe and Plant Solutions, Inc.											X	
AAX Engineering LLP											X	
SKL Solutions											X	
Freyer & Laureta, Inc.											X	
UNICO Engineering											X	

STANDARD CONSULTANT AGREEMENT FOR PROFESSIONAL SERVICES

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF PINOLE AND [NAME OF CONSULTANT]

THIS AGREEMENT for consulting services is made by and between the City of Pinole ("City") and _____ ("Consultant") (together sometimes referred to as the "Parties") as of _____, 20__ (the "Effective Date") in Pinole, California.

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

- 1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on _____, and Consultant shall complete the work described in Exhibit A by that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.
- 1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a professional manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.
- 1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.
- 1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Consultant an amount not to exceed _____, for all work set forth in Exhibit A and all reimbursable expenses incurred in performing the work. In the event of a conflict between this Agreement and Consultant's proposal regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement.

Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 Invoices. Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Consultant's signature.

2.2 Monthly Payment. City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 Final Payment. City shall pay the last 10% of the total sum due pursuant to this Agreement within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 Total Payment. City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever

incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

- 2.5 Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the following fee schedule attached hereto as Exhibit B.
- 2.6 Reimbursable Expenses.** Reimbursable expenses are specified in Exhibit B, and shall not exceed (\$). Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.
- 2.7 Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.
- 2.8 Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.
- 2.9 Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in Exhibit C, and only under the terms and conditions set forth therein.

Section 4. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and

provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

4.1 Workers' Compensation. Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS (\$1,000,000.00) per accident. In the alternative, Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the City. The insurer, if insurance is provided, or the Consultant, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

4.2 Commercial General and Automobile Liability Insurance.

4.2.1 General requirements. Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

4.2.2 Minimum scope of coverage. Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (ed. 11/88) or GL 0002 (ed. 1/73) covering comprehensive General Liability and Insurance Services Office form number GL 0404 covering Broad Form Comprehensive General Liability. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (ed. 12/90) Code 1. No endorsement shall be attached limiting the coverage.

4.2.3 Additional requirements. Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- b. Any failure of Consultant to comply with reporting provisions of the policy shall not affect coverage provided to City and its officers, employees, agents, and volunteers.

4.3 Professional Liability Insurance.

4.3.1 General requirements. Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000) covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed \$150,000 per claim.

4.3.2 Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five years after completion of the Agreement or the work. The City shall have the right to exercise, at the Consultant's sole cost and expense, any extended reporting provisions of the policy, if the Consultant cancels or does not renew the coverage.
- d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

4.4.1 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 Verification of coverage. Prior to beginning any work under this Agreement, Consultant shall furnish City with complete certified copies of all policies, including

complete certified copies of all endorsements. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf.

4.4.3 Notice of Reduction in or Cancellation of Coverage. A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than ten (10) working days after Consultant is notified of the change in coverage.

4.4.4 Additional insured; primary insurance. A certified endorsement at least as broad as Insurance Services Office form number CG 20 10 (11/85 ed.) shall be attached to all policies stating that the City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Consultant, including the insured's general supervision of Consultant; products and completed operations of Consultant, as applicable; premises owned, occupied, or used by Consultant; and automobiles owned, leased, or used by the Consultant in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.

A certified endorsement shall be attached to all policies stating that coverage is primary insurance with respect to the City and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.

4.4.5 Deductibles and Self-Insured Retentions. Consultant shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Consultant may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Consultant procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

4.4.6 Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.4.7 Variation. The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

4.5 Remedies. In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES. Consultant shall indemnify, defend with counsel reasonably acceptable to the City, and hold harmless the City and its officials, officers, employees, agents, and volunteers from and against any and all losses, liability, claims, suits, actions, damages, and causes of action arising out of any personal injury, bodily injury, loss of life, or damage to property, or any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct or negligent acts or omissions of Consultant or its employees, subcontractors, or agents, by acts for which they could be held strictly liable, or by the quality or character of their work. The foregoing obligation of Consultant shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Consultant or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF CONSULTANT.

- 6.1 Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.
- 6.2 Consultant No Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

- 7.1 Governing Law.** The laws of the State of California shall govern this Agreement.
- 7.2 Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.
- 7.3 Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.
- 7.4 Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective

professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 Pinole Business License. Consultant shall obtain a City of Pinole business license according to the terms of Title 5 of the City of Pinole Municipal Code and deliver to City proof of such business license prior to beginning work under this Agreement. Work under this Agreement cannot begin until the City receives proof that Consultant has obtained a City of Pinole business license.

7.6 Nondiscrimination and Equal Opportunity. Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 Termination. City may cancel this Agreement at any time and without cause upon written notification to Consultant.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 Extension. City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall be specified in writing by the City. Consultant understands and agrees that if City issues such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized

by the City, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

- 8.3 Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.
- 8.4 Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique professional competence, experience, and specialized professional knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the personal reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the City. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the City.
- 8.5 Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.
- 8.6 Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall included, but not be limited to, the following:
- 8.6.1** Immediately terminate the Agreement;
 - 8.6.2** Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;
 - 8.6.3** Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or
 - 8.6.4** Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

- 9.1 Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and

agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 Consultant's Books and Records. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 Inspection and Audit of Records. Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS (\$10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

10.1 Attorneys' Fees. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 Venue. In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.

10.3 Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 No Implied Waiver of Breach. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

- 10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.
- 10.6 **Use of Recycled Products.** Consultant shall endeavor to prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.
- 10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

Consultant will comply with all conflict of interest laws and regulations including, without limitation, City's Conflict of Interest Code (on file in the City Clerk's Office). It is incumbent upon the Consultant or Consultant's firm to notify the City pursuant to section 10.10 Notices of any staff changes relating to this Agreement.

- a. In accomplishing the scope of services of this Agreement, all officers, employees and/or agents of Consultant(s), unless as indicated in Subsection b., will be performing a very limited and closely supervised function, and, therefore, are unlikely to have a conflict of interest arise. No disclosures are required for any officers, employees, and/or agents of Consultant, except as indicated in Subsection b.

Initialed by City Attorney's Office

- b. In accomplishing the scope of services of this Agreement, Consultant(s) will be performing a specialized or general service for the City, and there is substantial likelihood that the Consultant's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Consultant(s) shall be subject to the Disclosure Category "1-5" of the City's Conflict of Interest Code:

- 10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

- 10.9 **Contract Administration.** This Agreement shall be administered by _____ who shall act as the City's representative. All correspondence shall be directed to or through _____ or his or her designee.

- 10.10 **Notices.** Any written notice to Consultant shall be sent to:

Any written notice to City shall be sent to:

- 10.11 **Professional Seal.** Where applicable in the determination of the City, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation.

- 10.12 **Integration; Incorporation.** This Agreement, including all the exhibits attached hereto, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral. All exhibits attached hereto are incorporated by reference herein.

- 10.13 **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

The Parties have executed this Agreement as of the Effective Date.

CITY OF PINOLE

CONSULTANT

Andrew Murray, City Manager

[NAME, TITLE]

Consultant's City of Pinole Business
License #: _____

Attest:

Heather Bell, City Clerk

Approved as to Form:

Eric S. Casher, City Attorney

EXHIBIT A
SCOPE OF SERVICES

EXHIBIT B

COMPENSATION SCHEDULE AND HOURLY FEES

EXHIBIT C
CITY-FURNISHED FACILITIES

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.



CITY COUNCIL REPORT

9F

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: MARKISHA GUILLORY, FINANCE DIRECTOR

**SUBJECT: RECEIVE THE FISCAL YEAR (FY) 2022/23 FIRST QUARTER
FINANCIAL REPORT**

RECOMMENDATION

Staff recommends that the City Council receive the Fiscal Year (FY) 2022/23 First Quarter Financial Report.

BACKGROUND

The quarterly financial report is intended to provide the City Council, City staff and management, and the community a general update on the financial activities and condition of the City.

The City operates on an annual budget cycle. Through the budget, the City Council approves revenue estimates and authorizes City staff to expend the City's limited financial resources. As one of the many activities that the City undertakes to help ensure its financial soundness, staff provides quarterly financial reports on the City's budget condition.

The First Quarter Financial Report covers financial activity through the first quarter of the FY 2022/23, ending September 30, 2022. It provides preliminary year-end results.

REVIEW & ANALYSIS

General Fund Analysis

The FY 2022/23 budget is a status quo budget, meaning that the revenue sources and service and staffing levels included in the budget are similar to those included in the prior year's budget. The City remains in a stable financial position and is able to fund its operating and capital expenditures through annual, recurring funding sources. The budget does include the use of unassigned fund balance (residual, unrestricted funds) primarily for several one-time, Council-directed initiatives, which is an acceptable use of unrestricted funds. Additionally, the City maintains a separate General Reserve Fund, which is required by the City's Cash Reserve Policy to maintain a reserve balance equal to 50% of total on-going General Fund expenditures.

The General Reserve fund balance will be approximately \$9.1 million (after the transfer is processed) and complies with the Policy.

At its meeting on June 21, 2022, the City Council adopted the FY 2022/23 budget, which included the use of a portion of the General Fund's substantial unassigned fund balance to fund several new critical positions as well as several Council-directed initiatives. The FY 2022/23 adopted budget includes the use of General Fund (including Measure S 2006 and 2014) unassigned fund balance for a net deficit of \$883,662.

The City is projecting to end FY 2022/23 with a net deficit of \$892,662, with total revenues projected at \$28.1 million and expenditures at \$29.0 million. Staff is not recommending any budget adjustments at this time. The table below summarizes the General Fund budget to actuals through the first quarter.

General Fund (including Measure S 2006 and 2014)	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Proposed Adjustments	FY 2022/23 Amended Budget	Projected Year-End
Revenues	\$ 28,111,479	\$ 28,111,479	\$ 1,177,607	4%	\$ -	\$ 28,111,479	\$28,111,479
Expenditures	28,995,141	29,004,141	6,379,746	22%	-	29,004,141	29,004,141
Net surplus/deficit	(883,662)	(892,662)	\$ (5,202,139)		\$ -	\$ (892,662)	(892,662)
Beginning Fund Balance	10,777,105	10,777,105					10,777,105
Ending Fund Balance	\$ 9,893,443	\$ 9,884,443					\$ 9,884,443

Since the first quarter represents 25% of the fiscal year, it is expected that actual revenues and actual expenditures will be around 25%. However, this is typically not the case for revenues due to the timing of receipts of the various revenue sources.

General Fund Revenue (including Measure S 2006 and 2014)

The City Council authorized revenues in the amount of \$28,111,479 in the original FY 2022/23 General Fund budget, including Measure S 2006 and 2014. General Fund actual revenues through the first quarter of FY 2022/23 totaled \$1,177,607, which is 4% of the revised budget. The table below summarizes budget, actuals, and the projected year-end results by revenue category.

Category	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Property Taxes	\$ 4,776,626	\$ 4,776,626	\$ 13,939	0%	\$ 4,776,626
Sales and Use Taxes	4,582,095	4,582,095	329,295	7%	4,582,095
Sales and Use Taxes - Measure S 2006	2,451,000	2,451,000	179,457	7%	2,451,000
Sales and Use Taxes - Measure S 2014	2,451,000	2,451,000	179,524	7%	2,451,000
Utility Users Tax	1,934,150	1,934,150	277,636	14%	1,934,150
Franchise Taxes	786,790	786,790	67,751	9%	786,790
Other Taxes: TOT	440,000	440,000	65,302	15%	440,000
Other Taxes: Business License	412,500	412,500	21,876	5%	412,500
Intergovernmental Taxes	2,215,948	2,215,948	-	0%	2,215,948
Public Safety Charges	1,405,108	1,405,108	827	0%	1,405,108
Total Other Revenue	549,640	549,640	42,000	8%	549,640
Revenue Total:	22,004,857	22,004,857	1,177,607	5%	22,004,857
Transfer In from Section 115 Trust	2,016,612	2,016,612	-	0%	2,016,612
Transfer In from ARPA Fund	4,090,010	4,090,010	-	0%	4,090,010
Revenue/Sources Total:	\$ 28,111,479	\$ 28,111,479	\$ 1,177,607	4%	\$ 28,111,479

Sales Tax

Sales tax is the City's largest general revenue stream. For the first quarter, sales tax collected, including Measure S funds, were \$688,275, 7% of the revised budget. There is typically a delay in the timing of sales tax receipts. Despite the ongoing economic impacts of COVID-19, sales tax receipts remained stable. Even with rising prices due to inflation, consumer spending in the fuel and restaurant categories were up. Spending in the general consumer goods slowed with electronic stores experiencing the sharpest declines within this category.

Property Tax

Property tax is the City's second largest revenue stream. It is comprised of four segments – secured, unsecured, supplemental, and transfer tax. The largest segment is secured property tax. It is received in three installments in December (55%), April (40%), and June of each year (5%). Secured property tax revenue includes the basic 1% property tax of \$2,949,175 and the Redevelopment Property Tax Trust Fund (RPTTF) of \$1,490,951. This is revenue that has resulted from the dissolution of the former Pinole Redevelopment Agency and represents the shift from the Agency receiving tax increment revenue to the various taxing entities receiving the tax revenue. The RPTTF revenue will convert to "normal" property tax revenue when all of the former Agency's outstanding debt is paid off and the Successor Agency is formally dissolved. Dissolution is currently expected to occur sometime after the final debt service payment in FY 2023/24. The budgeted revenue for FY 2022/23 is \$4,776,626. The first installment of property tax will be received in December.

All Other General Fund Revenue

Utility Users' Tax (UUT) is levied on telecommunication, electricity, gas, and mobile telephones. For the first quarter, UUT revenues collected were \$277,636, 14% of the revised budget. The amount collected is consistent with the timing of receipts.

Franchise Tax is levied on gas, electricity, cable, and refuse. For the first quarter, revenues collected were \$67,751, 9% of the revised budget. The amount collected is consistent with the timing of receipts.

Transient Occupancy Tax (TOT), also known as the “hotel tax,” is levied on persons staying 30 days or less in a motel or lodging facility within City limits. For the first quarter, revenues collected were 65,302, 15% of the revised budget. The amount collected is consistent with the timing of receipts.

Business License Tax is assessed on all businesses doing business within City limits. For the first quarter, revenues collected were \$21,876, 5% of the revised budget. The bulk of this revenue is typically received in December and January.

Intergovernmental Taxes is comprised of the Motor Vehicle License Fee (VLF), which is the City's share of motor vehicle license fees levied, collected, and apportioned by the State. This category also includes the Homeowners Property Tax Relief, which is a reimbursement from the State to offset loss of property tax for the state-imposed homeowner exemption. For the first quarter, no revenues were received as the first half of the total allocation is typically received in December.

Public safety charges are received for dispatch services provided to the cities of Hercules and San Pablo under an Intergovernmental Service Sharing agreement. The revenue is received on a quarterly basis and the first installment is typically received in October.

Other revenues include permits, fees, fines and forfeitures, rental income, proceeds from the sale of property, investment income, and grants. All revenues in this category totaled \$42,827, 8% of the revised budget. The main factor is the timing of receipts of the various revenues.

The transfer in comes from the Section 115 Trust to offset the increase in pension costs in the General Funds. The amount of the transfer will be based on total expenditures at year-end. In addition, the General Fund budget includes a transfer in of \$4,090,010 from the American Rescue Plan Act (ARPA) Fund. This is the remaining balance of the City's ARPA allocation which will be used to backfill the loss of revenue caused by the pandemic.

General Fund Expenditures (including Measure S 2006 and 2014)

The City Council authorized expenditures in the amount of \$28,995,141 in the original FY 2022/23 General Fund budget. The budget was increased by \$9,000 due to an approved budget adjustment in the Code Enforcement division, bringing the revised budget to \$29,004,141. General Fund actual expenditures through the first quarter of totaled \$6,379,746, 22% of the revised budget. The table below summarizes budget, actuals, and the projected year-end results by expenditure category.

Category	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Salaries & Wages	\$ 11,492,312	\$ 11,492,312	\$ 2,624,243	23%	\$11,492,312
Benefits	7,496,535	7,496,535	1,828,289	24%	\$ 7,496,535
Professional/Admin Services	4,253,726	4,262,726	683,022	16%	\$ 4,262,726
Other Operating	286,311	286,311	63,271	22%	\$ 286,311
Materials and Supplies	229,200	229,200	103,347	45%	\$ 229,200
Interdepartmental Charges	(689,039)	(689,039)	452,974	-66%	\$ (689,039)
Asset/Capital Outlay	3,258,109	3,258,109	28,555	1%	\$ 3,258,109
Debt Service	596,107	596,107	596,045	100%	\$ 596,107
Other Financing Uses/Transfers	2,071,880	2,071,880	-	0%	\$ 2,071,880
Expenditure Total:	\$ 28,995,141	\$ 29,004,141	\$ 6,379,746	22%	\$29,004,141

Actuals in most of the expenditure categories were at or below 25%. Those that were above 25% are discussed below.

- Materials and Supplies were 45% of the revised budget primarily due to purchases of fuel and safety clothing.
- Debt Service expenditures were 100% of the revised budget due to the payment of the annual debt service for the 2006 pension obligation bonds.

In addition to the summary of expenditures by category, a summary of expenditures by department is provided below.

Department	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	FY 2022/23 YTD Actuals w/ Encumb.	% of Revised Budget	Projected Year-End
City Council	\$ 176,396	\$ 176,396	\$ 28,072	\$ 28,072	16%	\$ 176,396
City Manager	615,943	615,943	117,775	117,775	19%	615,943
City Clerk	586,347	586,347	110,061	110,061	19%	586,347
City Treasurer	8,662	8,662	1,976	1,976	23%	8,662
City Attorney	321,057	321,057	145,424	145,424	45%	321,057
Finance Department	632,747	632,747	154,259	154,259	24%	632,747
Human Resources	768,472	768,472	156,811	156,811	20%	768,472
Non-Departmental	3,629,942	3,629,942	1,014,775	1,014,775	28%	3,629,942
Information Technology	102,600	102,600	-	-	0%	102,600
Police Department	10,535,459	10,535,459	2,562,474	2,619,555	25%	10,535,459
Fire Department	5,514,428	5,514,428	1,541,236	1,541,236	28%	5,514,428
Public Works	5,099,752	5,099,752	450,623	792,379	16%	5,099,752
Community Development	527,464	536,464	70,445	70,445	13%	536,464
Community Services	475,872	475,872	25,814	25,814	5%	475,872
Sewer	-	-	-	-	-	-
Expenditure Total:	\$ 28,995,141	\$ 29,004,141	\$ 6,379,746	\$ 6,778,583	23%	\$29,004,141

Most departmental spending was at or below 25% for the first quarter. Those that were above 25% are discussed below.

- City Attorney expenditures were at 45% of the revised budget because the reimbursements (credits) from other City departments for legal services were not processed until October. Reimbursements are processed in the month following the end of each quarter.

- Non-Departmental expenditures were at 28% due to the payment of the annual debt service for the 2006 pension obligation bonds.
- Fire Department expenditures were at 28% of the revised budget primarily due to materials and supplies, and interdepartmental charges.

Overall, General Fund revenues and expenditures are on target with budgeted amounts as expected at this point in the fiscal year. Therefore, staff is not recommending any changes to the budget at this time.

Other Funds Analysis

The following analysis provides explanations of the financial activity for select non-general funds. Attachment A includes detailed financial information for all funds.

Special Revenue Funds

Gas Tax Fund (Fund 200)

The Gas Tax Fund accounts for revenue from State excise taxes on gasoline and diesel fuel sales (referred to as the Highway Users Tax Account (HUTA)) as well as revenue from the Road Repair and Accountability Act of 2017 (SB1) (referred to as the Road Maintenance and Rehabilitation Account (RMRA)). Gas Tax Fund resources are restricted for use in the construction and maintenance of public streets. These funds support both annual operating and capital projects. For the first quarter, revenues were \$122,860, 12% of the revised budget. Expenditures were \$73,002, 6% of the revised budget. Actual expenditures are low due to the timing of capital projects.

Gas Tax Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 1,003,271	\$ 1,003,271	\$ 122,860	12%	1,003,271
Expenditures	1,144,557	1,144,557	73,002	6%	1,144,557
Net surplus/deficit	(141,286)	(141,286)	\$ 49,857		(141,286)
Beginning Fund Balance	729,304	729,304			729,304
Ending Fund Balance	\$ 588,018	\$ 588,018			\$ 588,018

Public Safety Augmentation Fund (Fund 203)

The Public Safety Augmentation Fund (PSAF) accounts for monies allocated by the County Auditor-Controller under Proposition 172 from the statewide 0.5% sales tax based on a share of statewide taxable sales. These funds are used exclusively for public safety personnel costs. For the first quarter, revenues were \$16,426, 10% of the revised budget. Expenditures were \$53,243, 14% of the revised budget.

Public Safety Augmentation Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 172,766	\$ 172,766	\$ 16,426	10%	172,766
Expenditures	387,365	387,365	53,243	14%	387,365
Net surplus/deficit	(214,599)	(214,599)	\$ (36,818)		(214,599)
Beginning Fund Balance	517,190	517,190			517,190
Ending Fund Balance	\$ 302,591	\$ 302,591			\$ 302,591

Supplemental Law Enforcement Services Fund (206)

The Supplemental Law Enforcement Services Fund (SLESF) accounts for funds received from the County under AB 3229, which enacted the Citizens Option for Public Safety (COPS) Program, through which the City receives \$100,000 annually. In addition to the \$100,000 annual payment, the City receives a Growth Allocation payment. The funds are used to partially offset officer personnel costs. For the first quarter, revenues were \$7,356, 5% of the revised budget. Expenditures were \$34,795, 31% of the revised budget.

Supplemental Law Enforcement Services Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 158,327	\$ 158,327	\$ 7,356	5%	158,327
Expenditures	111,067	111,067	34,795	31%	111,067
Net surplus/deficit	47,260	47,260	\$ (27,439)		47,260
Beginning Fund Balance	372,015	372,015			372,015
Ending Fund Balance	\$ 419,275	\$ 419,275			\$ 419,275

NPDES Storm Water Fund (Fund 207)

The NPDES Storm Water Fund accounts for assessments collected by the County via property tax bills and provided to the City for stormwater programs pursuant to the National Pollutant Discharge Elimination System (NPDES) regulations, a federally mandated program. Assessments are levied at \$35 per Equivalent Runoff Unit (ERU). Revenues are received in December, April, and June through property tax assessments. For the first quarter, expenditures were \$71,335, 21% of the revised budget.

NPDES Storm Water Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 253,422	\$ 253,422	\$ (317)	0%	253,422
Expenditures	336,938	336,938	71,335	21%	336,938
Net surplus/deficit	(83,516)	(83,516)	\$ (71,653)		(83,516)
Beginning Fund Balance	(38,938)	(38,938)			(38,938)
Ending Fund Balance	\$ (122,454)	\$ (122,454)			\$ (122,454)

Recreation Department Fund (Fund 209)

The Recreation Department Fund accounts for funds received from fees for participation in recreational programs. The recreation programs of the Community

Services Department have been and continue to be impacted by the pandemic. These programs have operated on a limited basis to comply with health and safety guidelines. For the first quarter, revenues were \$98,951, 8% of the revised budget. Expenditures were \$392,882, 20% of the revised budget. The Recreation Department Fund budget includes transfers in from the General Fund and Measure S 106 Fund, which will be transferred later in the fiscal year based on actual need.

Recreation Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues					
Program Revenue	\$ 558,000	\$ 558,000	\$ 98,951	18%	\$ 558,000
Transfers In	675,831	675,831	-	0%	675,831
Total Revenues	1,233,831	1,233,831	98,951	8%	1,233,831
Expenditures	1,918,034	1,918,034	392,882	20%	1,918,034
Net surplus/deficit	(684,203)	(684,203)	\$ (293,931)		(684,203)
Beginning Fund Balance	4,901	4,901			4,901
Ending Fund Balance	\$ (679,303)	\$ (679,303)			\$ (679,303)

Building & Planning Fund (Fund 212)

The Building & Planning Fund accounts for funds received from fees and permits for building and planning services. Fees are collected to recover the cost primarily related to inspections and plan checks performed. The first quarter, revenues were \$184,021, 4% of the revised budget. Expenditures were \$390,911, 16% of the revised budget.

Building and Planning Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 4,828,448	\$ 4,828,448	\$ 184,021	4%	\$ 4,828,448
Transfers In	-	-	-	0%	-
Total Revenues	\$ 4,828,448	\$ 4,828,448	\$ 184,021	4%	4,828,448
Expenditures	2,410,793	2,410,793	390,911	16%	2,410,793
Net surplus/deficit	2,417,655	2,417,655	\$ (206,890)		2,417,655
Beginning Fund Balance	(532,755)	(532,755)			(532,755)
Ending Fund Balance	\$ 1,884,900	\$ 1,884,900			\$ 1,884,900

Refuse Management Fund (Fund 213)

The Refuse Management Fund accounts for resources received from the City's franchise waste hauler, Republic Services, from a monthly fee imposed under AB 939 on all residential customers in Pinole. These revenues are restricted to programs and activities that promote recycling of solid waste and source reduction. For the first quarter, revenues were \$9,796, 15% of the revised budget. Expenditures were \$32,961, 20% of the revised budget.

Refuse Management Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 66,060	\$ 66,060	\$ 9,796	15%	66,060
Expenditures	167,825	167,825	32,961	20%	167,825
Net surplus/deficit	(101,765)	(101,765)	\$ (23,165)		(101,765)
Beginning Fund Balance	150,843	150,843			150,843
Ending Fund Balance	\$ 49,078	\$ 49,078			\$ 49,078

Solid Waste Fund (Fund 214)

The Solid Waste Fund accounts for funds received from Republic Services from a monthly fee it assesses on customer rates for solid waste services. These funds are set aside for future solid waste capital projects and for a rate stabilization fund. Revenues are received on a quarterly basis and the first installment is typically received in October. For the first quarter, expenditures were \$17,432, 3% of the revised budget.

Solid Waste Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 368,000	\$ 368,000	\$ (9,669)	-3%	368,000
Expenditures	682,778	682,778	17,432	3%	682,778
Net surplus/deficit	(314,778)	(314,778)	\$ (27,101)		(314,778)
Beginning Fund Balance	2,063,224	2,063,224			2,063,224
Ending Fund Balance	\$ 1,748,446	\$ 1,748,446			\$ 1,748,446

Rate Stabilization Fund (Fund 216)

The Rate Stabilization Fund was created to account for the excess revenues from the solid waste post collection contract with Republic Services. Twenty-five percent (25%) of the surplus funds, generated from prior years' rate increases, are set aside to offset year-over-year rate fluctuations; thereby, leveling the annual rates paid by consumers. Per Resolution 2013-91, the City was required to establish a rate stabilization fund, separate from the Solid Waste Fund (214), for the excess revenues collected. Revenue from the Fund 214 will be received later in the fiscal year. There are no budgeted expenditures for FY 2022/23.

Rate Stabilization Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 15,000	\$ 15,000	\$ (958)	-6%	15,000
Expenditures	-	-	-	0%	-
Net surplus/deficit	15,000	15,000	\$ (958)		15,000
Beginning Fund Balance	199,959	199,959			199,959
Ending Fund Balance	\$ 214,959	\$ 214,959			\$ 214,959

Measure J Fund (Fund 215)

The Measure J Fund accounts for special sales tax revenues collected by the Contra Costa Transportation Authority (CCTA) and reapportioned to the cities for local street

projects. The City must submit a checklist each year to confirm compliance with a Growth Management Program in order to receive these funds. Estimates of annual funding are provided by the CCTA, and jurisdiction allocations are based on a formula that considers both population and road mileage. For the first quarter, revenues were \$7,813, 2% of the revised budget. Expenditures were \$41,072, 6% of the revised budget. Actual expenditures are low due to the timing of capital projects.

Measure J Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 390,848	\$ 390,848	\$ 7,813	2%	390,848
Expenditures	639,880	639,880	41,072	6%	639,880
Net surplus/deficit	(249,032)	(249,032)	\$ (33,259)		(249,032)
Beginning Fund Balance	2,325,449	2,325,449			2,325,449
Ending Fund Balance	\$ 2,076,417	\$ 2,076,417			\$ 2,076,417

American Rescue Plan Act Fund (Fund 217)

The American Rescue Plan Act Fund accounts for the \$4,605,009 allocated to the City from the federal government from the American Rescue Plan Act (ARPA) of 2021. In July 2022, the City received the second installment of its total allocation. The remaining funds are budgeted to be transferred to the General Fund to backfill for the loss of revenue during the pandemic.

American Rescue Plan Act Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	FY 2021/22 YTD Actuals w/ Encumb.	% of Revised Budget	Projected Year-End
Revenues	\$ 2,302,505	\$ 2,302,505	\$ 2,302,505	\$ -	100%	2,302,505
Expenditures	4,090,010	4,090,010	40,760	184,021	1%	4,090,010
Net surplus/deficit	(1,787,505)	(1,787,505)	\$ 2,261,745	\$ (184,021)		(1,787,505)
Beginning Fund Balance	1,808,408	1,808,408				1,808,408
Ending Fund Balance	\$ 20,903	\$ 20,903				\$ 20,903

Growth Impact Fund (276)

The Growth Impact Fund accounts for development fees collected to mitigate the impact of new development. Specifically, it provides for the expansion, design, construction, or upgrade to facilities, roadways, and equipment. The City collects impact fees for police, fire protection, municipal, community, wastewater, roadways, and drainage. For the first quarter, impact fee revenue was \$455. There were no expenditures.

Growth Impact Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 1,608,476	\$ 1,608,476	\$ 455	0%	1,608,476
Expenditures	58,000	58,000	-	0%	58,000
Net surplus/deficit	1,550,476	1,550,476	\$ 455		1,550,476
Beginning Fund Balance	2,701,825	2,701,825			2,701,825
Ending Fund Balance	\$ 4,252,300	\$ 4,252,300			\$ 4,252,300

Housing Assets for Resale Fund (285)

The Housing Assets for Resale Fund accounts for activities associated with administering housing programs of the former Pinole Redevelopment Agency, use of Housing Set Aside funds, and the provision of affordable housing within the community. Revenue from the repayment of a loan will be received from the Successor Agency later in the fiscal year. For the first quarter, expenditures were \$26,845, 8% of the revised budget.

Housing Assets for Resale Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 917,883	\$ 917,883	\$ (27,077)	-3%	917,883
Expenditures	327,475	327,475	26,845	8%	327,475
Net surplus/deficit	590,408	590,408	\$ (53,921)		590,408
Beginning Fund Balance	7,746,133	7,746,133			7,746,133
Ending Fund Balance	\$ 8,336,541	\$ 8,336,541			\$ 8,336,541

Lighting and Landscape District Fund (Fund 310)

The Lighting and Landscape District Fund accounts for assessments to property owners to maintain median lighting and landscaping within the Pinole Valley Road North and South areas. Revenue is received in December, April, and June with property tax payments. For the first quarter, no revenue was received as the first installment will be received in December. Expenditures were \$16,022, 26% of the revised budget.

Landscape and Lighting District Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 63,911	\$ 63,911	\$ -	0%	63,911
Expenditures	62,125	62,125	16,022	26%	62,125
Net surplus/deficit	1,786	1,786	\$ (16,022)		1,786
Beginning Fund Balance	43,110	43,110			43,110
Ending Fund Balance	\$ 44,896	\$ 44,896			\$ 44,896

Capital Project FundsCity Street Improvement (Fund 325)

The City Street Improvements Fund accounts for an annual \$250,000 transfer from Measure S 2014 for street improvement projects. Additionally, it accounts for various federal, state, and other grants for road projects. Grant revenue is received on a reimbursement basis, after expenditures are incurred. For the first quarter, expenditures were \$15,074, 1% of the revised budget. Actual expenditures are low due to the timing of capital projects.

City Street Improvement Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 1,651,210	\$ 1,651,210	\$ -	0%	1,651,210
Expenditures	1,706,213	1,706,213	15,074	1%	1,706,213
Net surplus/deficit	(55,003)	(55,003)	\$ (15,074)		(55,003)
Beginning Fund Balance	1,552,990	1,552,990			1,552,990
Ending Fund Balance	\$ 1,497,987	\$ 1,497,987			\$ 1,497,987

Arterial Streets Rehabilitation (Fund 377)

The Arterial Streets Rehabilitation Fund accounts for an annual \$250,000 transfer from Measure S 2014 for street rehabilitation projects. For the first quarter, expenditures were \$61,008, 8% of the revised budget. Actual expenditures are low due to the timing of capital projects.

Arterial Streets Rehabilitation Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 250,000	\$ 250,000	\$ -	0%	250,000
Expenditures	810,312	810,312	61,008	8%	810,312
Net surplus/deficit	(560,312)	(560,312)	\$ (61,008)		(560,312)
Beginning Fund Balance	49,887	49,887			49,887
Ending Fund Balance	\$ (510,425)	\$ (510,425)			\$ (510,425)

Enterprise FundsSewer Enterprise Fund (Fund 500)

The Sewer Enterprise Fund accounts for fees charged to residents and businesses for sewer utilities. Fees are used to operate the Pinole-Hercules Wastewater Treatment Plant, which serves the Pinole and Hercules areas. Revenues are received with the property tax payments in December, April, and June. For the first quarter, revenues were \$205,960, 2% of the revised budget. Expenditures were \$1,800,903, 16% of the revised budget.

Sewer Enterprise Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 8,366,176	\$ 8,366,176	\$ 205,960	2%	8,366,176
Expenditures	11,258,624	11,258,624	1,800,903	16%	11,258,624
Net surplus/deficit	(2,892,448)	(2,892,448)	\$ (1,594,943)		(2,892,448)
Beginning Fund Balance	22,444,277	22,444,277			22,444,277
Ending Fund Balance	\$ 19,551,829	\$ 19,551,829			\$ 19,551,829

Cable Access TV Fund (Fund 505)

The Cable Access TV Fund accounts for revenue received from cable franchise fees, video production and broadcast charges, and Public, Educational, and Governmental (PEG) access fees. PEG access fees are designated for equipment purchases. Transfers from the General Fund also help support the operating costs. For the first

quarter, no revenue was received as it is typically received one month after the close of the quarter. Expenditures were \$129,695, 19% of the revised budget.

Cable Access TV Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Revenues	\$ 535,052	\$ 535,052	\$ -	0%	535,052
Expenditures	646,780	646,780	122,695	19%	646,780
Net surplus/deficit	(111,728)	(111,728)	\$ (122,695)		(111,728)
Beginning Fund Balance	(5,227)	(5,227)			(5,227)
Ending Fund Balance	\$ (116,956)	\$ (116,956)			\$ (116,956)

Information Systems Fund (Fund 525)

The Information Systems Fund is an internal service fund used to account for activities that provide technology goods or services to other City funds and departments on a cost-reimbursement basis. For the first quarter, revenues and expenditures were both \$247,804, 17% of the revised budget.

Information Technology Fund	FY 2022/23 Original Budget	FY 2022/23 Revised Budget	FY 2022/23 YTD Actuals	% of Revised Budget	Projected Year-End
Expenditures	1,482,335	1,482,335	247,804	17%	1,482,335
Indirect Cost Allocations	(1,482,335)	(1,482,335)	(247,804)	17%	(1,482,335)
Net surplus/deficit	0	0	0		0
Beginning Fund Balance	-	-			-
Ending Fund Balance	\$ 0	\$ 0			\$ 0

The FY 2022/23 budget and actual revenue, expenditures, and ending fund balance for each City fund is listed in Attachment A.

Next Steps

The FY 2022/23 Second Quarter Financial Report (Mid-Year Budget Review) will be presented to the City Council in February 2023.

FISCAL IMPACT

There is no fiscal impact as a result of receiving this report. Staff is not recommending any budget adjustments at this time.

ATTACHMENTS

A – FY 2022/23 First Quarter Financial Report Summary by Fund



City of Pinole, CA

For FY2022/23 Period Ending: 9/30/22

	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
General Fund (including Measure S 2006 and 2014)										
Revenue										
311- Property Taxes	4,776,626	4,776,626		4,776,626	13,939		13,939	(4,762,687)	0%	4,776,626
312- Sales and Use Taxes	4,582,095	4,582,095		4,582,095	329,295		329,295	(4,252,800)	7%	4,582,095
312- Sales and Use Taxes-Meas S 2006	2,451,000	2,451,000		2,451,000	179,457		179,457	(2,271,543)	7%	2,451,000
312- Sales and Use Taxes-Meas S 2014	2,451,000	2,451,000		2,451,000	179,524		179,524	(2,271,476)	7%	2,451,000
313- Utility Users Tax	1,934,150	1,934,150		1,934,150	277,636		277,636	(1,656,514)	14%	1,934,150
314- Franchise Taxes	786,790	786,790		786,790	67,751		67,751	(719,039)	9%	786,790
315- Other Taxes	852,500	852,500		852,500	87,178		87,178	(765,322)	10%	852,500
Other Tax/Transient Occupancy Tax	440,000	440,000		440,000	65,302		65,302	(374,698)	15%	440,000
Other Tax/Business License	412,500	412,500		412,500	21,876		21,876	(390,624)	5%	412,500
321- Intergovernmental Taxes	2,215,948	2,215,948		2,215,948	-		-	(2,215,948)	0%	2,215,948
323- State Grants	40,000	40,000		40,000	137		137	(39,864)	0%	40,000
324- Other Grants	47,026	47,026		47,026	-		-	(47,026)	0%	47,026
332- Permits	68,700	68,700		68,700	12,091		12,091	(56,609)	18%	68,700
341- Review Fees	28,000	28,000		28,000	27,140		27,140	(860)	97%	28,000
342- Other Fees	43,194	43,194		43,194	5,082		5,082	(38,112)	12%	43,194
343- Abatement Fees	36,000	36,000		36,000	2,526		2,526	(33,474)	7%	36,000
351- Fines and Forfeiture	22,050	22,050		22,050	3,486		3,486	(18,564)	16%	22,050
361- Public Safety Charges	1,405,108	1,405,108		1,405,108	827		827	(1,404,281)	0%	1,405,108
370- Interest and Investment Income	150,000	150,000		150,000	(37,307)		(37,307)	(187,307)	-25%	150,000
381- Rental Income	89,896	89,896		89,896	21,992		21,992	(67,904)	24%	89,896
383- Reimbursements	18,674	18,674		18,674	2,085		2,085	(16,589)	11%	18,674
384- Other Revenue	5,100	5,100		5,100	3,396		3,396	(1,704)	67%	5,100
392- Proceeds from Sale of Property	1,000	1,000		1,000	1,373		1,373	373	137%	1,000
Revenue Total:	22,004,857	22,004,857	-	22,004,857	1,177,607	-	1,177,607	(20,827,249)	5%	22,004,857
399- Penison Trust 115 Transfer	2,016,612	2,016,612	-	2,016,612	-		-	(2,016,612)	0%	2,016,612
399- ARPA Fund Transfer	4,090,010	4,090,010	-	4,090,010	-		-	(4,090,010)	0%	4,090,010
Sources Total:	28,111,479	28,111,479	-	28,111,479	1,177,607	-	1,177,607	(26,933,871)	4%	28,111,479
Fund: 100- General Fund										
Expenditures										
Division: 110- City Council Total:	170,496	170,496		170,496	28,072		28,072	142,424	16%	170,496
Division: 111- City Manager Total:	615,943	615,943		615,943	117,775		117,775	498,168	19%	615,943
Division: 112- City Clerk Total:	586,347	586,347		586,347	110,061		110,061	476,286	19%	586,347
Division: 113- City Treasurer Total:	8,662	8,662		8,662	1,976		1,976	6,686	23%	8,662
Division: 114- City Attorney Total:	321,057	321,057		321,057	145,424		145,424	175,633	45%	321,057
City Attorney Services	583,740	583,740		583,740	145,424		145,424	438,316	25%	583,740
City Attorney Incirect Cost Allocations	(262,683)	(262,683)		(262,683)	-		-	(262,683)	0%	(262,683)
Division: 115- Finance Department Total:	627,847	627,847		627,847	153,959		153,959	473,888	25%	627,847
Division: 116- Human Resources Total:	768,472	768,472		768,472	156,811		156,811	611,661	20%	768,472
Division: 117- General Government Total:	961,955	961,955		961,955	418,731		418,731	543,224	44%	961,955
Total Administrative:	4,060,779	4,060,779	-	4,060,779	1,132,809	-	1,132,809	2,927,970	28%	4,060,779
Division: 221- Police Operations Total:	4,892,111	4,892,111		4,892,111	1,271,779	57,081	1,328,860	3,563,251	27%	4,892,111
Division: 222- Police Support Services Total:	1,538,502	1,538,502		1,538,502	260,730		260,730	1,277,772	17%	1,538,502
Division: 223- Dispatch WBCC Total:	2,169,105	2,169,105		2,169,105	618,213		618,213	1,550,892	29%	2,169,105
Division: 231- Fire Total:	4,212,704	4,212,704		4,212,704	1,153,877		1,153,877	3,058,827	27%	4,212,704
Total Public Safety:	12,812,422	12,812,422	-	12,812,422	3,304,599	57,081	3,361,680	9,450,742	26%	12,812,422
Division: 341- Administration/Engineering Total:	736,363	736,363		736,363	109,986	285	110,271	626,092	15%	736,363
Division: 342- Road Maintenance Total:	212,969	212,969		212,969	16,762		16,762	196,207	8%	212,969
Division: 343- Facility Maintenance Total:	611,147	611,147		611,147	162,576		162,576	448,571	27%	611,147
Division: 345- Park Maintenance Total:	539,309	539,309		539,309	67,547		67,547	471,762	13%	539,309
Public Works Total:	2,099,788	2,099,788	-	2,099,788	356,871	285	357,156	1,742,632	17%	2,099,788
Division: 461- Planning Total:	77,192	77,192		77,192	39,600		39,600	37,592	51%	77,192
Division: 465- Code Enforcement Total:	253,452	262,452		262,452	16,545		16,545	245,907	6%	262,452
Division: 466- Economic Development Total:	176,820	176,820		176,820	14,300		14,300	162,520	8%	176,820
Community Development Total:	507,464	516,464	-	516,464	70,445		70,445	446,019	14%	516,464
Division: 551- Recreation Administration Total:	454,022	454,022		454,022	25,814		25,814	428,208	6%	454,022
Community Services Total:	454,022	454,022	-	454,022	25,814	-	25,814	428,208	6%	454,022
Debt Service:	596,107	596,107		596,107	596,045		596,045	62	100%	596,107
Operating Transfer Out:	1,353,880	1,353,880		1,353,880	-		-	1,353,880	0%	1,353,880
Expenditure Total:	21,884,462	21,893,462	-	21,893,462	5,486,583	57,366	5,543,949	(16,349,513)	25%	21,893,462
Fund: 105 - Measure S -2006										
Expenditures										
Division: 115- Finance Department Total:	2,450	2,450		2,450	150		150	2,300	6%	2,450
Division: 221- Police Operations Total:	1,718,135	1,718,135		1,718,135	381,482		381,482	1,336,653	22%	1,718,135
Division: 231- Fire Total:	727,182	727,182		727,182	229,129		229,129	498,053	32%	727,182
Expenditures Total:	2,447,767	2,447,767	-	2,447,767	610,761	-	610,761	1,837,006	25%	2,447,767



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 106 - Measure S-2014										
Expenditures										
Division: 110- City Council Total:	5,900	5,900		5,900	-		-	5,900	0%	5,900
Division: 115- Finance Department Total:	2,450	2,450		2,450	150		150	2,300	6%	2,450
Division: 118- Information Systems Total:	102,600	102,600		102,600	-		-	102,600	0%	102,600
Total Administrative:	110,950	110,950	-	110,950	150	-	150	110,800	0%	110,950
Division: 221- Police Operations Total:	110,000	110,000		110,000	-		-	110,000	0%	110,000
Division: 222- Police Support Services Total:	107,606	107,606		107,606	30,270		30,270	77,336	28%	107,606
Division: 231- Fire Total:	574,542	574,542		574,542	158,231		158,231	416,311	28%	574,542
Total Public Safety:	792,148	792,148	-	792,148	188,501	-	188,501	603,647	24%	792,148
Division: 341- Admin/Engineering Total:	296,518	296,518		296,518	15,446	6,000	21,446	275,072	7%	296,518
Division: 342- Road Maintenance Total:	627,512	627,512		627,512	17,640		17,640	609,872	3%	627,512
Division: 343- Facility Maintenance Total:	1,298,025	1,298,025		1,298,025	58,706	335,471	394,176	903,849	30%	1,298,025
Division: 344- NPDES Storm Drain Total:	418,460	418,460		418,460	1,960		1,960	416,500	0%	418,460
Division: 345- Park Maintenance Total:	359,449	359,449		359,449	-		-	359,449	0%	359,449
Public Works Total:	2,999,964	2,999,964	-	2,999,964	93,752	341,471	435,223	2,564,741	15%	2,999,964
Division: 461- Planning Total:	20,000	20,000		20,000	-		-	20,000	0%	20,000
Community Development Total:	20,000	20,000	-	20,000	-	-	-	20,000	0%	20,000
Division: 552- Senior Center Total:	7,000	7,000		7,000	-		-	7,000	0%	7,000
Division: 553- Tiny Tots Total:	4,850	4,850		4,850	-		-	4,850	0%	4,850
Division: 554- Youth Center Total:	10,000	10,000		10,000	-		-	10,000	0%	10,000
Community Services Total:	21,850	21,850	-	21,850	-	-	-	21,850	0%	21,850
Sewer Collections Total:	-	-		-	-		-	-	0%	-
Sub-Total:	3,944,912	3,944,912	-	3,944,912	282,402	341,471	623,873	3,321,039	16%	3,944,912
Operating Transfer Out:	718,000	718,000		718,000	-		-	718,000	0%	718,000
Expenditure Total:	4,662,912	4,662,912	-	4,662,912	282,402	341,471	623,873	4,039,039	13%	4,662,912
General Fund and Measure S Expenditure Total:	28,995,141	29,004,141	-	29,004,141	6,379,746	398,837	6,778,583	22,225,558	23%	29,004,141
General Fund and Measure S Net Results:	(883,662)	(892,662)	-	(892,662)	(5,202,139)	(398,837)	(5,600,976)	4,708,314	627%	(892,662)
Fund Balance July 1, 2022	10,777,105	10,777,105		10,777,105	10,777,105					10,777,105
Estimated Fund Balance June 30, 2023	9,893,443	9,884,443		9,884,443	5,574,965					9,884,443
Fund: 150 - General Reserve										
370- Interest and Investment Income	-	-		-	(43,645)		(43,645)	(43,645)	0%	-
Revenue Total:	-	-	-	-	(43,645)	-	(43,645)	(43,645)	0%	-
399- Transfer In Total:	650,925	650,925		650,925	-		-	(650,925)	0%	650,925
General Reserve Net Results:	650,925	650,925	-	650,925	(43,645)		(43,645)	(694,570)	-7%	650,925
Fund Balance July 1, 2022	8,192,602	8,192,602		8,192,602	8,192,602					8,192,602
Estimated Fund Balance June 30, 2023	8,843,527	8,843,527		8,843,527	8,148,957					8,843,527
Fund: 160 - Equipment Reserve										
392- Sale of Property	-	-		-	-		-	-	0%	-
Revenue Total:	-	-	-	-	-	-	-	-	0%	-
399- Transfers In Total:	85,000	85,000		85,000	-		-	(85,000)	0%	85,000
Sources Total:	85,000	85,000	-	85,000	-	-	-	(85,000)	0%	85,000
Expenditures										
Division: 342- Road Maintenance Total:	120,000	120,000		120,000	39,434	-	39,434	80,566	33%	120,000
Division: 345- Park Maintenance Total:	80,000	80,000		80,000	-		-	80,000	0%	80,000
Division: 461- Planning Total:	5,000	5,000		5,000	-		-	5,000	0%	5,000
Expenditures Total:	205,000	205,000	-	205,000	39,434	-	39,434	165,566	19%	205,000
Equipment Reserve Net Results:	(120,000)	(120,000)		(120,000)	(39,434)	-	(39,434)	80,566	33%	(120,000)
Fund Balance July 1, 2022	241,166	241,166		241,166	241,166					241,166
Estimated Fund Balance June 30, 2023	121,166	121,166		121,166	201,732					121,166



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 200 - Gas Tax Fund										
321- Intergovernmental Taxes	990,635	990,635		990,635	126,173		126,173	(864,462)	13%	990,635
370- Interest and Investment Income	5,000	5,000		5,000	(3,313)		(3,313)	(8,313)	-66%	5,000
383- Reimbursements	7,636	7,636		7,636	-		-	(7,636)	0%	7,636
Revenue Total:	1,003,271	1,003,271	-	1,003,271	122,860	-	122,860	880,411	12%	1,003,271
Expenditures										
Division: 341- Admin and Engineering Total:	-	-		-	2,064		2,064	(2,064)	0%	-
Division: 342- Road Maintenance Total:	1,144,557	1,144,557		1,144,557	70,938		70,938	1,073,619	6%	1,144,557
Expenditures Total:	1,144,557	1,144,557	-	1,144,557	73,002	-	73,002	1,071,555	6%	1,144,557
Gas Tax Fund Net Results:	(141,286)	(141,286)		(141,286)	49,857	-	49,857	191,143	-35%	(141,286)
Fund Balance July 1, 2022	729,304	729,304		729,304	729,304					729,304
Estimated Fund Balance June 30, 2023	588,018	588,018		588,018	779,162					588,018
Fund: 201 - Restricted Real Estate Maintenance Fund										
342- Other Fees	3,175	3,175		3,175	475		475	(2,700)	15%	3,175
381- Rental Income	36,816	36,816		36,816	-		-	(36,816)	0%	36,816
384- Other Revenue	-	-		-	-		-	-	0%	-
Revenue Total:	39,991	39,991	-	39,991	475	-	475	39,516	1%	39,991
Expenditures										
Division: 343- Facility Maintenance Total:	26,000	26,000		26,000	4,180		4,180	21,820	16%	26,000
Expenditures Total:	26,000	26,000	-	26,000	4,180	-	4,180	21,820	16%	26,000
Restricted Real Estate Maint Fund Net Results:	13,991	13,991		13,991	(3,705)		(3,705)	(17,696)	-26%	13,991
Fund Balance July 1, 2022	164,881	164,881		164,881	164,881					164,881
Estimated Fund Balance June 30, 2023	178,872	178,872		178,872	161,176					178,872
Fund: 203 - Public Safety Augmentation Fund										
321- Intergovernmental Taxes	170,266	170,266		170,266	18,694		18,694	(151,572)	11%	170,266
370- Interest and Investment Income	2,500	2,500		2,500	(2,268)		(2,268)	(4,768)	-91%	2,500
Revenue Total:	172,766	172,766	-	172,766	16,426	-	16,426	(156,340)	10%	172,766
Expenditures										
Division: 221- Police Operations Total:	387,365	387,365		387,365	53,243		53,243	334,122	14%	387,365
Expenditures Total:	387,365	387,365	-	387,365	53,243	-	53,243	334,122	14%	387,365
Public Safety Augmentation Fund Net Results:	(214,599)	(214,599)		(214,599)	(36,818)		(36,818)	177,781	17%	(214,599)
Fund Balance July 1, 2022	517,190	517,190		517,190	517,190					517,190
Estimated Fund Balance June 30, 2023	302,591	302,591		302,591	480,372					302,591
Fund: 205 - Traffic Safety Fund										
351- Fines and Forfeitures	45,000	45,000		45,000	5,168		5,168	(39,832)	11%	45,000
370- Interest and Investment Income	1,500	1,500		1,500	(1,205)		(1,205)	(2,705)	-80%	1,500
Revenue Total:	46,500	46,500	-	46,500	3,963	-	3,963	(42,537)	9%	46,500
Expenditures										
Division: 227- Police Grants Total:	21,059	21,059		21,059	2,022		2,022	19,037	10%	21,059
Expenditures Total:	21,059	21,059	-	21,059	2,022	-	2,022	19,037	10%	21,059
Traffic Safety Fund Net Results:	25,441	25,441		25,441	1,941		1,941	(23,500)	8%	25,441
Fund Balance July 1, 2022	251,826	251,826		251,826	251,826					251,826
Estimated Fund Balance June 30, 2023	277,267	277,267		277,267	253,768					277,267
Fund: 206 - Supplemental Law Enforcement Svc Fund										
323- State Grants	156,727	156,727		156,727	9,087		9,087	(147,640)	6%	156,727
370- Interest and Investment Income	1,600	1,600		1,600	(1,730)		(1,730)	(3,330)	-108%	1,600
Revenue Total:	158,327	158,327	-	158,327	7,356	-	7,356	(150,971)	5%	158,327
Expenditures										
Division: 227- Police Grants Total:	111,067	111,067		111,067	34,795		34,795	76,272	31%	111,067
Expenditures Total:	111,067	111,067	-	111,067	34,795	-	34,795	76,272	31%	111,067
Sup Law Enforce Svc Fund Net Results:	47,260	47,260		47,260	(27,439)		(27,439)	(74,699)	-58%	47,260
Fund Balance July 1, 2022	372,015	372,015		372,015	372,015					372,015
Estimated Fund Balance June 30, 2023	419,275	419,275		419,275	344,577					419,275



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 207 - NPDES Storm Water Fund										
321- Intergovernmental Taxes	253,272	253,272		253,272	(317)		(317)	(253,589)	0%	253,272
370- Interest and Investment Income	150	150		150	-		-	(150)	0%	150
Revenue Total:	253,422	253,422	-	253,422	(317)	-	(317)	(253,739)	0%	253,422
Expenditures										
Division: 342- Road Maintenance Total:	12,005	12,005		12,005	-		-	12,005	0%	12,005
Division: 344- NPDES Storm Drain Total:	324,933	324,933		324,933	71,335		71,335	253,598	22%	324,933
Expenditures Total:	336,938	336,938	-	336,938	71,335	-	71,335	265,603	21%	336,938
NPDES Storm Water Fund Net Results:	(83,516)	(83,516)		(83,516)	(71,653)		(71,653)	11,863	86%	(83,516)
Fund Balance July 1, 2022	(38,938)	(38,938)		(38,938)	(38,938)					(38,938)
Estimated Fund Balance June 30, 2023	(122,454)	(122,454)		(122,454)	(110,590)					(122,454)
Fund: 209 - Recreation Fund										
Division: 551- Recreation Administration	70,268	70,268		70,268	10,720		10,720	(59,548)	15%	70,268
Division: 552- Senior Center	216,130	216,130		216,130	32,145		32,145	(183,985)	15%	216,130
Division: 553- Tiny Tots	172,021	172,021		172,021	14,232		14,232	(157,789)	8%	172,021
Division: 554- Youth Center	17,855	17,855		17,855	3,720		3,720	(14,135)	21%	17,855
Division: 555- Day Camp	7,560	7,560		7,560	5,113		5,113	(2,447)	68%	7,560
Division: 557- Swim Center	63,500	63,500		63,500	33,001		33,001	(30,500)	52%	63,500
Division: 558- Memorial Hall	10,316	10,316		10,316	-		-	(10,316)	0%	10,316
Division: 559- Tennis	350	350		350	20		20	(330)	6%	350
Revenue Total:	558,000	558,000	-	558,000	98,951	-	98,951	(459,049)	18%	558,000
Operating Transfers in:	675,831	675,831		675,831	-		-	(675,831)	0%	675,831
Sources Total	1,233,831	1,233,831	-	1,233,831	98,951	-	98,951	(1,134,880)	8%	1,233,831
Expenditures										
Division: 117- General Government Total:	-	-		-	1,824		1,824	(1,824)	0%	-
Division: 551- Recreation Administration Total:	694,990	694,990		694,990	123,552	7,229	130,781	564,210	19%	694,990
Division: 552- Senior Center Total:	579,673	579,673		579,673	121,271		121,271	458,402	21%	579,673
Division: 553- Tiny Tots Total:	174,421	174,421		174,421	40,623		40,623	133,798	23%	174,421
Division: 554- Youth Center Total:	247,067	247,067		247,067	40,179		40,179	206,888	16%	247,067
Division: 555- Day Camp Total:	74,116	74,116		74,116	11,623		11,623	62,493	16%	74,116
Division: 557- Swim Center Total:	126,917	126,917		126,917	50,957		50,957	75,960	40%	126,917
Division: 558- Memorial Hall Total:	14,200	14,200		14,200	2,480		2,480	11,720	17%	14,200
Division: 559- Tennis Total:	6,650	6,650		6,650	372		372	6,278	6%	6,650
Expenditures Total:	1,918,034	1,918,034	-	1,918,034	392,882	7,229	400,111	1,517,923	21%	1,918,034
Recreation Fund Net Results:	(684,203)	(684,203)		(684,203)	(293,931)		(293,931)	383,043	43%	(684,203)
Fund Balance July 1, 2022	4,901	4,901		4,901	4,901					4,901
Estimated Fund Balance June 30, 2023	(679,303)	(679,303)		(679,303)	(289,031)					(679,303)
Fund: 212 - Building & Planning										
323- State Grants	225,000	225,000		225,000	-		-	(225,000)	0%	225,000
332- Permits	2,427,800	2,427,800		2,427,800	67,315		67,315	(2,360,485)	3%	2,427,800
341- Review Fees	1,020,000	1,020,000		1,020,000	55,750		55,750	(964,250)	5%	1,020,000
342- Other Fees	1,036,000	1,036,000		1,036,000	60,283		60,283	(975,717)	6%	1,036,000
343- Abatement Fees	19,600	19,600		19,600	-		-	(19,600)	0%	19,600
344- Impact Fees	87,048	87,048		87,048	402		402	(86,646)	0%	87,048
351- Fines and Forfeiture	-	-		-	270		270	270	0%	-
370- Interest and Investment Income	7,000	7,000		7,000	-		-	(7,000)	0%	7,000
384- Other Revenue	6,000	6,000		6,000	-		-	(6,000)	0%	6,000
Revenue Total:	4,828,448	4,828,448	-	4,828,448	184,021	-	184,021	(4,644,428)	4%	4,828,448
Operating Transfers In:	-	-		-	-		-	-	0%	-
Sources Total	4,828,448	4,828,448		4,828,448	184,021	-	184,021	(4,644,428)	4%	4,828,448
Expenditures										
Division: 461- Planning Total:	1,183,849	1,183,849		1,183,849	218,603		218,603	965,246	18%	1,183,849
Division: 462- Building Inspection Total:	1,226,944	1,226,944		1,226,944	172,307	600	172,907	1,054,036	14%	1,226,944
Expenditures Total:	2,410,793	2,410,793	-	2,410,793	390,911	600	391,511	2,019,282	16%	2,410,793
Building & Planning Net Results:	2,417,655	2,417,655		2,417,655	(206,890)		(206,890)	(2,624,546)	-9%	2,417,655
Fund Balance July 1, 2022	(532,755)	(532,755)		(532,755)	(532,755)					(532,755)
Estimated Fund Balance June 30, 2023	1,884,900	1,884,900		1,884,900	(739,645)					1,884,900



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 213 - Refuse Management Fund										
323- State Grants	60,060	60,060		60,060	10,469		10,469	(49,591)	17%	60,060
370- Interest and Investment Income	6,000	6,000		6,000	(673)		(673)	(6,673)	-11%	6,000
Revenue Total:	66,060	66,060	-	66,060	9,796	-	9,796	(56,264)	15%	66,060
Expenditures										
Division: 346- Waste Reduction Total:	167,825	167,825		167,825	32,961		32,961	134,864	20%	167,825
Expenditures Total:	167,825	167,825	-	167,825	32,961	-	32,961	134,864	20%	167,825
Refuse Management Fund Net Results:	(101,765)	(101,765)		(101,765)	(23,165)		(23,165)	78,600	23%	(101,765)
Fund Balance July 1, 2022	150,843	150,843		150,843	150,843					150,843
Estimated Fund Balance June 30, 2023	49,078	49,078		49,078	127,678					49,078
Fund: 214 - Solid Waste Fund										
323- State Grants	-	-		-	-		-	-	0%	-
370- Interest and Investment Income	8,000	8,000		8,000	(9,669)		(9,669)	(17,669)	-121%	8,000
383- Reimbursements	360,000	360,000		360,000	-		-	(360,000)	0%	360,000
Revenue Total:	368,000	368,000	-	368,000	(9,669)	-	(9,669)	(377,669)	-3%	368,000
Expenditures										
Division: 342- Road Maintenance Total:	257,778	257,778	-	257,778	17,432	88,413	105,845	151,933	41%	257,778
Division: 345- Park Maintenance Total:	425,000	425,000		425,000	-		-	425,000	0%	425,000
Expenditures Total:	682,778	682,778	-	682,778	17,432	88,413	105,845	576,933	16%	682,778
Solid Waste Fund Net Results:	(314,778)	(314,778)		(314,778)	(27,101)	(88,413)	(115,514)	199,264	37%	(314,778)
Fund Balance July 1, 2022	2,063,224	2,063,224		2,063,224	2,063,224					2,063,224
Estimated Fund Balance June 30, 2023	1,748,446	1,748,446		1,748,446	2,036,123					1,748,446
Fund: 215 - Measure C and J Fund										
324- Other Grants	382,848	382,848		382,848	17,445		17,445	(365,403)	5%	382,848
370- Interest and Investment Income	8,000	8,000		8,000	(9,632)		(9,632)	(17,632)	-120%	8,000
Revenue Total:	390,848	390,848	-	390,848	7,813	-	7,813	(383,035)	2%	390,848
Expenditures										
Division: 117- General Government Total:	-	-		-	-		-	-	0%	-
Division: 341- Administration/Engineering Total:	186,999	186,999		186,999	35,475		35,475	151,524	19%	186,999
Division: 342- Road Maintenance Total:	450,881	450,881		450,881	5,597		5,597	445,284	1%	450,881
Division: 343- Facility Maintenance Total:	2,000	2,000		2,000	-		-	2,000	0%	2,000
Expenditures Total:	639,880	639,880	-	639,880	41,072	-	41,072	598,808	6%	639,880
Measure C and J Fund Net Results:	(249,032)	(249,032)	-	(249,032)	(33,259)		(33,259)	215,773	13%	(249,032)
Fund Balance July 1, 2022	2,325,449	2,325,449		2,325,449	2,325,449					2,325,449
Estimated Fund Balance June 30, 2023	2,076,417	2,076,417		2,076,417	2,292,190					2,076,417
Fund: 216 - Rate Stabilization Fund										
370- Interest and Investment Income	-	-		-	(958)		(958)	(958)	0%	-
383- Reimbursements	15,000	15,000		15,000	-		-	(15,000)	0%	15,000
Revenue Total:	15,000	15,000	-	15,000	(958)	-	(958)	(15,958)	0%	15,000
Expenditures Total:	-	-		-	-		-	-	0%	-
Rate Stabilization Fund Net Results:	15,000	15,000		15,000	(958)		(958)	(15,958)	0%	15,000
Fund Balance July 1, 2022	199,959	199,959		199,959	199,959					199,959
Estimated Fund Balance June 30, 2023	214,959	214,959		214,959	199,001					214,959
Fund: 217 - American Rescue Plan Act Fund										
322- Federal Grants	2,302,505	2,302,505		2,302,505	2,302,505		2,302,505	-	100%	2,302,505
Revenue Total:	2,302,505	2,302,505	-	2,302,505	2,302,505	-	2,302,505	-	100%	2,302,505
Expenditures										
399- Transfers Out	4,090,010	4,090,010		4,090,010	40,760		40,760	4,049,250	0%	4,090,010
Expenditures Total:	4,090,010	4,090,010	-	4,090,010	40,760	-	40,760	4,049,250	0%	4,090,010
American Rescue Plan Act Fund Net Results:	(1,787,505)	(1,787,505)		(1,787,505)	2,261,745		2,261,745	4,049,250	-127%	(1,787,505)
Fund Balance July 1, 2022	1,808,408	1,808,408		1,808,408	1,808,408					1,808,408
Estimated Fund Balance June 30, 2023	20,903	20,903		20,903	4,070,153					20,903



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 225 - Asset Seizure-Adjudicated Fund										
370- Interest and Investment Income	-	-		-	(246)		(246)	(246)	0%	-
Revenue Total:	-	-	-	-	(246)	-	(246)	(246)	0%	-
Expenditures										
Division: 221- Police Operations Total:	58,231	58,231		58,231	12,348		12,348	45,883	21%	58,231
Expenditures Total:	58,231	58,231	-	58,231	12,348	-	12,348	45,883	21%	58,231
Asset Seizure-Adjudicated Fund Net Results:	(58,231)	(58,231)		(58,231)	(12,594)		(12,594)	45,637	22%	(58,231)
Fund Balance July 1, 2022	57,576	57,576		57,576	57,576					57,576
Estimated Fund Balance June 30, 2023	(655)	(655)		(655)	44,982					(655)
Fund: 226 - CASp Certification and Training Fund										
342- Other Fees	-	-		-	572		572	572	0%	-
Revenue Total:	-	-	-	-	572	-	572	572	0%	-
Expenditures Total:	-	-		-	-		-	-	0%	-
CASp Certification and Training Fund Net Results:	-	-		-	572		572	572	0%	-
Fund Balance July 1, 2022	35,590	35,590		35,590	35,590					35,590
Estimated Fund Balance June 30, 2023	35,590	35,590		35,590	36,162					35,590
Fund: 275 - Parkland Dedication Fund										
344- Impact Fees	1,293,134	1,293,134		1,293,134	-		-	(1,293,134)	0%	1,293,134
370- Interest and Investment Income	-	-		-	-		-	-	0%	-
Revenue Total:	1,293,134	1,293,134	-	1,293,134	-	-	-	(1,293,134)	0%	1,293,134
Expenditures Total:	-	-		-	-		-	-	0%	-
Parkland Dedication Fund Net Results:	1,293,134	1,293,134	-	1,293,134	-	-	-	(1,293,134)	0%	1,293,134
Fund Balance July 1, 2022	(22,653)	(22,653)		(22,653)	(22,653)					(22,653)
Estimated Fund Balance June 30, 2023	1,270,480	1,270,480		1,270,480	(22,653)					1,270,480
Fund: 276 - Growth Impact Fund										
344- Impact Fees	1,608,476	1,608,476		1,608,476	13,414		13,414	(1,595,061)	1%	1,608,476
370- Interest and Investment Income	-	-		-	(12,959)		(12,959)	(12,959)	0%	-
Revenue Total:	1,608,476	1,608,476	-	1,608,476	455	-	455	(1,608,021)	0%	1,608,476
Expenditures										
Division: 344- NPDES Storm Drain Total:	58,000	58,000		58,000	-		-	58,000	0%	58,000
Expenditures Total:	58,000	58,000	-	58,000	-	-	-	58,000	0%	58,000
Growth Impact Fund Net Results:	1,550,476	1,550,476		1,550,476	455		455	(1,550,021)	0%	1,550,476
Fund Balance July 1, 2022	2,701,825	2,701,825		2,701,825	2,701,825					2,701,825
Estimated Fund Balance June 30, 2023	4,252,300	4,252,300		4,252,300	2,702,280					4,252,300
Fund: 285 - Housing Land Held for Resale										
370- Interest and Investment Income	50,000	50,000		50,000	(27,077)		(27,077)	(77,077)	-54%	50,000
384- Other Revenue	-	-		-	-		-	-	0%	-
393- Loan/Bond Proceeds	867,883	867,883		867,883	-		-	(867,883)	0%	867,883
Revenue Total:	917,883	917,883	-	917,883	(27,077)	-	(27,077)	(944,960)	-3%	917,883
Expenditures										
Division: 461- Planning Total:	53,436	53,436		53,436	12,603		12,603	40,833	24%	53,436
Division: 464- Housing Administration Total:	274,039	274,039		274,039	14,242		14,242	259,797	5%	274,039
Expenditures Total:	327,475	327,475	-	327,475	26,845	-	26,845	300,630	8%	327,475
Housing Land Held for Resale Net Results:	590,408	590,408		590,408	(53,921)		(53,921)	(644,329)	-9%	590,408
Fund Balance July 1, 2022	7,746,133	7,746,133		7,746,133	7,746,133					7,746,133
Estimated Fund Balance June 30, 2023	8,336,541	8,336,541		8,336,541	7,692,212					8,336,541
Fund: 310 - Lighting & Landscape Districts										
321- Intergovernmental Taxes	56,411	56,411		56,411	-		-	(56,411)	0%	56,411
383- Reimbursements	7,500	7,500		7,500	-		-	(7,500)	0%	7,500
Revenue Total:	63,911	63,911	-	63,911	-	-	-	(63,911)	0%	63,911
Expenditures										
Division: 347- Landscape & Lighting PVR North Total:	32,315	32,315		32,315	7,261		7,261	25,054	22%	32,315
Division: 348- Landscape & Lighting PVR South Total:	29,810	29,810		29,810	8,761		8,761	21,049	29%	29,810
Expenditures Total:	62,125	62,125	-	62,125	16,022	-	16,022	46,103	26%	62,125
Lighting & Landscape Districts Net Results:	1,786	1,786		1,786	(16,022)		(16,022)	(17,808)	-897%	1,786
Fund Balance July 1, 2022	43,110	43,110		43,110	43,110					43,110
Estimated Fund Balance June 30, 2023	44,896	44,896		44,896	27,088					44,896



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 317 - Pinole Valley Caretaker Fund										
381- Rental Income	15,000	15,000		15,000	-		-	(15,000)	0%	15,000
Revenue Total:	15,000	15,000	-	15,000	-	-	-	(15,000)	0%	15,000
Expenditures										
Division: 345- Park Maintenance Total:	15,055	15,055		15,055	1,020		1,020	14,035	7%	15,055
Expenditures Total:	15,055	15,055	-	15,055	1,020	-	1,020	14,035	7%	15,055
Pinole Valley Caretaker Fund Net Results:	(55)	(55)		(55)	(1,020)		(1,020)	(965)	1855%	(55)
Fund Balance July 1, 2022	(983)	(983)		(983)	(983)					(983)
Estimated Fund Balance June 30, 2023	(1,038)	(1,038)		(1,038)	(2,003)					(1,038)
Fund: 324 - Public Facilities Fund										
Expenditures										
Division: 343- Facility Maintenance Total:	60,000	60,000		60,000	-		-	60,000	0%	60,000
Division: 345- Park Maintenance Total:	10,000	10,000		10,000	-		-	10,000	0%	10,000
Expenditures Total:	70,000	70,000	-	70,000	-	-	-	70,000	0%	70,000
Public Facilities Fund Net Results:	(70,000)	(70,000)		(70,000)	-		-	70,000	0%	(70,000)
Fund Balance July 1, 2022	541,649	541,649		541,649	541,649					541,649
Estimated Fund Balance June 30, 2023	471,649	471,649		471,649	541,649					471,649
Fund: 325 - City Street Improvements										
322- Federal Grants	-	-		-	-		-	-	0%	-
323- State Grants	97,747	97,747		97,747	-		-	(97,747)	0%	97,747
324- Other Grants	1,303,463	1,303,463		1,303,463	-		-	(1,303,463)	0%	1,303,463
351- Fines and Forfeiture	-	-		-	-		-	-	0%	-
Revenue Total:	1,401,210	1,401,210	-	1,401,210	-	-	-	(1,401,210)	0%	1,401,210
Operating transfers in Total:	250,000	250,000		250,000	-		-	(250,000)	0%	250,000
Sources Total:	1,651,210	1,651,210	-	1,651,210	-		-	(1,651,210)	0%	1,651,210
Expenditures										
Division: 342- Road Maintenance Total:	1,706,213	1,706,213		1,706,213	15,074	346,085	361,159	1,345,054	21%	1,706,213
Expenditures Total:	1,706,213	1,706,213	-	1,706,213	15,074	346,085	361,159	1,345,054	21%	1,706,213
City Street Improvements Net Results:	(55,003)	(55,003)	-	(55,003)	(15,074)	(346,085)	(361,159)	(306,155)	657%	(55,003)
Fund Balance July 1, 2022	1,552,990	1,552,990		1,552,990	1,552,990					1,552,990
Estimated Fund Balance June 30, 2023	1,497,987	1,497,987		1,497,987	1,537,916					1,497,987
Fund: 327 - Park Grants (Measure WW)										
323- State Grant	189,758	189,758		189,758	-		-	(189,758)	0%	189,758
370- Interest and Investment Income	-	-		-	(121)		(121)	(121)	0%	-
Revenue Total:	189,758	189,758	-	189,758	(121)	-	(121)	(189,879)	0%	189,758
Expenditures										
Division: 345- Park Maintenance Total:	189,758	189,758		189,758	-		-	189,758	0%	189,758
Expenditures Total:	189,758	189,758	-	189,758	-	-	-	189,758	0%	189,758
Park Grants (Measure WW) Net Results:	-	-		-	(121)		(121)	(121)	0%	-
Fund Balance July 1, 2022	25,236	25,236		25,236	25,236					25,236
Estimated Fund Balance June 30, 2023	25,236	25,236		25,236	25,115					25,236
Fund: 377 - Arterial Streets Rehabilitation Fund										
Operating transfers in Total:	250,000	250,000		250,000	-		-	(250,000)	0%	250,000
Sources Total:	250,000	250,000	-	250,000	-	-	-	(250,000)	0%	250,000
Expenditures										
Division: 342- Road Maintenance Total:	810,312	810,312		810,312	61,008	27,889	88,897	721,415	11%	810,312
Expenditures Total:	810,312	810,312	-	810,312	61,008	27,889	88,897	721,415	11%	810,312
Arterial Streets Rehabilitation Fund Net Results:	(560,312)	(560,312)	-	(560,312)	(61,008)	(27,889)	(88,897)	471,415	16%	(560,312)
Fund Balance July 1, 2022	49,887	49,887		49,887	49,887					49,887
Estimated Fund Balance June 30, 2023	(510,425)	(510,425)		(510,425)	(11,121)					(510,425)



	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 500 - Sewer Enterprise Fund										
363- Sewer Enterprise Charges	8,266,176	8,266,176		8,266,176	288,701		288,701	(7,977,475)	3%	8,266,176
370- Interest and Investment Income	100,000	100,000		100,000	(82,741)		(82,741)	(182,741)	-83%	100,000
383- Reimbursements	-	-		-	-		-	-	0%	-
384- Other Revenue	-	-		-	-		-	-	0%	-
392- Proceeds from Sale of Property	-	-		-	-		-	-	0%	-
Revenue Total:	8,366,176	8,366,176	-	8,366,176	205,960	-	205,960	(8,160,216)	2%	8,366,176
Expenditures										
Division: 117- General Government Total:	-	-		-	3,236		3,236	(3,236)	0%	-
Division: 641- Sewer Treatment Plant/Shared Total:	6,229,371	6,229,371		6,229,371	1,090,755	113,994	1,204,750	5,024,621	19%	6,229,371
Division: 642- Sewer Collections Total:	3,417,629	3,417,629		3,417,629	272,676	257,125	529,802	2,887,828	16%	3,417,629
Division: 644- WPCP Equipment/Debt Service Total:	1,611,624	1,611,624		1,611,624	434,235		434,235	1,177,389	27%	1,611,624
Expenditures Total:	11,258,624	11,258,624	-	11,258,624	1,800,903	371,119	2,172,022	9,086,602	19%	11,258,624
Sewer Enterprise Fund Net Results:	(2,892,448)	(2,892,448)	-	(2,892,448)	(1,594,943)		(1,594,943)	926,386	55%	(2,892,448)
Fund Balance July 1, 2022	22,444,277	22,444,277		22,444,277	22,444,277					22,444,277
Estimated Fund Balance June 30, 2023	19,551,829	19,551,829		19,551,829	20,849,334					19,551,829
Fund: 503 - Plant Expansion Fund										
370- Interest and Investment Income	-	-		-	-		-	-	0%	-
383- Reimbursements	-	-		-	-		-	-	0%	-
Revenue Total:	-	-	-	-	-	-	-	-	0%	-
Expenditures										
Division: 643- Sewer Projects/Shared Total:	-	-		-	7,756	8,800	16,556	(16,556)	0%	-
Expenditures Total:	-	-	-	-	7,756	8,800	16,556	(16,556)	0%	-
Plant Expansion Fund Net Results:	-	-	-	-	(7,756)		(7,756)	(7,756)	0%	-
Fund Balance July 1, 2022	1,658,044	1,658,044		1,658,044	1,658,044					1,658,044
Estimated Fund Balance June 30, 2023	1,658,044	1,658,044		1,658,044	1,650,288					1,658,044
Fund: 505 - Cable Access TV										
314- Franchise Taxes	52,972	52,972		52,972	-		-	(52,972)	0%	52,972
365- Cable TV Charges	316,956	316,956		316,956	-		-	(316,956)	0%	316,956
370- Interest and Investment Income	-	-		-	-		-	-	0%	-
384- Other Revenue	5,000	5,000		5,000	-		-	(5,000)	0%	5,000
Revenue Total:	374,928	374,928	-	374,928	-	-	-	(374,928)	0%	374,928
Operating transfers in Total:	160,124	160,124	-	160,124	-		-	(160,124)	0%	160,124
Sources Total:	535,052	535,052	-	535,052	-	-	-	(535,052)	0%	535,052
Expenditures										
Division: 119- Cable Access TV Total:	444,432	444,432		444,432	84,875	17,777	102,652	341,780	23%	444,432
Division: 120- Cable Access-Community Services Tot	4,642	4,642		4,642	2		2	4,639	0%	4,642
Division: 121- Cable Access-Contract Services Total:	197,707	197,707		197,707	37,818		37,818	159,889	19%	197,707
Expenditures Total:	646,780	646,780	-	646,780	122,695	17,777	140,472	506,308	22%	646,780
Cable Access TV Net Results:	(111,728)	(111,728)	-	(111,728)	(122,695)	(17,777)	(140,472)	(28,744)	126%	(111,728)
Fund Balance July 1, 2022	(5,227)	(5,227)		(5,227)	(5,227)					(5,227)
Estimated Fund Balance June 30, 2023	(116,956)	(116,956)		(116,956)	(127,923)					(116,956)
Fund: 525 - Information Systems										
399- Operating Transfers In	-	-	-	-	-		-	-	0%	-
Sources Total:	-	-	-	-	-	-	-	-	0%	-
Expenditures										
Division: 118- Information Systems Total:	1,482,335	1,482,335		1,482,335	247,804		247,804	1,234,531	17%	1,482,335
Expenditures Total:	1,482,335	1,482,335	-	1,482,335	247,804	-	247,804	(1,234,531)	17%	1,482,335
Indirect cost allocations Total:	(1,482,335)	(1,482,335)		(1,482,335)	(247,804)		(247,804)	1,234,531	17%	(1,482,335)
Information Systems Net Results:	0	0	-	0	0	-	0	-	0%	0
Fund Balance July 1, 2022	-	-		-	-					-
Estimated Fund Balance June 30, 2023	-	-		0	0					0



City of Pinole, CA

For FY2022/23 Period Ending: 9/30/22

	Original Budget	Revised Budget	Proposed Adjustments	Amended Budget	YTD Actual	Encumbrances	Total	Variance Favorable (Unfavorable)	Percent Used	Projected Year-End
Fund: 700 - Pension Fund										
370- Interest and Investment Income	1,140,017	1,140,017		1,140,017	(734,955)		(734,955)	(1,874,972)	-64%	1,140,017
Revenue Total:	1,140,017	1,140,017	-	1,140,017	(734,955)	-	(734,955)	(1,874,972)	-64%	1,140,017
Expenditures										
Division: 115- Finance Total:	40,000	40,000		40,000	20,194		20,194	19,806	50%	40,000
Transfers Out Total:	2,016,612	2,016,612		2,016,612	-		-	2,016,612	0%	2,016,612
Expenditures Total:	2,056,612	2,056,612	-	2,056,612	20,194		20,194	(2,036,418)	1%	2,056,612
Pension Fund Net Results:	(916,595)	(916,595)		(916,595)	(755,150)		(755,150)	161,445	82%	(916,595)
Fund Balance July 1, 2022	16,045,223	16,045,223		16,045,223	16,045,223					16,045,223
Estimated Fund Balance June 30, 2023	15,128,628	15,128,628		15,128,628	15,290,073					15,128,628
Fund: 750 - Recognized Obligation Retirement Fund										
311- Property Taxes	250,000	250,000		250,000	-		-	(250,000)	0%	250,000
370- Interest and Investment Income	-	-		-	(16,376)		(16,376)	(16,376)	0%	-
392- Proceeds from Sale of Property	-	-		-	-		-	-	0%	-
393- Loan/Bond Proceeds	5,000	5,000		5,000	-		-	(5,000)	0%	5,000
Revenue Total:	255,000	255,000	-	255,000	(16,376)	-	(16,376)	(271,376)	-6%	255,000
Expenditures										
Division: 463- Successor Agency to RDA Total:	227,378	227,378		227,378	59,986		59,986	167,392	26%	59,986
Expenditures Total:	227,378	227,378	-	227,378	59,986		59,986	(167,392)	26%	59,986
Recognized Obligation Retirement Fund Net Results:	27,622	27,622		27,622	(76,362)		(76,362)	(438,768)	-276%	195,014



CITY COUNCIL REPORT

9G

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: MARKISHA GUILLORY, FINANCE DIRECTOR
ROY SWEARINGEN, CITY TREASURER

SUBJECT: RECEIVE THE QUARTERLY INVESTMENT REPORT FOR THE FIRST
QUARTER (ENDING SEPTEMBER 30, 2022)

RECOMMENDATION

Staff recommends that the City Council receive the Quarterly Investment Report for the first quarter (ending September 30, 2022).

BACKGROUND

The City of Pinole Investment Policy requires that a Quarterly Investment Report be submitted to the City Council. The City's investments, as shown in the attached Investment Report for the quarter ending September 30, 2022, conform to the City's Investment Policy as well as all applicable State and federal requirements, including California Government Code Section 53646.

The funds that the City invests, and which are reported in the Quarterly Investment Report, are comprised of cash and investment balances that are held across all City funds. The cash and investment balances across all City funds are "pooled" for investment purposes, with the exception of the assets of the General Reserve, which is discussed further below. Cash is invested in accordance with the City's Investment Policy. Interest earnings on investments are allocated to the various funds based on the cash and investment balances of those funds.

The City also maintains a Section 115 Trust that was established for the purpose of setting aside resources to offset anticipated significant increases in future City pension costs. The cash and investments in the trust are designated as restricted fund balance in the City's General Fund. These funds are invested according to the policy objectives and guidelines of the City's Pension Investment Policy.

REVIEW AND ANALYSIS

Investment Policy

All investments held at September 30, 2022 conform to the City's Investment Policy and all applicable State and federal requirements. The City's investment objectives, in order

of priority, are safety, which is investing in the highest quality securities; liquidity, which is the ability to convert the investment to cash as necessary to meet cash flow requirements; and yield, which is earning a higher return.

Investment Strategy

The City utilizes a passive investment management approach by buying and holding securities until maturity. Earnings on investments held until maturity typically fluctuate with market conditions and are considered “unrealized” prior to maturity. The City expects to yield a gain on all investments at maturity. A “laddered maturity” investment strategy is applied to the long-term portion of the City’s investment portfolio. A laddered portfolio is structured with securities that have different maturity dates. As securities are called or mature, proceeds are reinvested in a new security with another long term at the end of the ladder. Laddering helps to minimize interest-rate risk, increase liquidity, and diversify credit risk.

Staff continues to monitor rates of return on City funds invested and make investments to best achieve the objectives laid out in the Investment Policy.

First Quarter Investment Summary

As of September 30, 2022, total cash and investments decreased by \$7,661,369 from the previous quarter, from \$60,210,216 to \$52,548,847. Typically, the City experiences swings in cash inflow and outflow due to the seasonality of large receipts, such as property taxes, and large disbursements, like debt service that is paid semiannually. The City will have sufficient cash flow to meet the next six months of estimated expenditures.

Investment Instruments

The Finance Director, in consultation with the City Treasurer, selects the instruments in which to invest the City’s funds, in order to best meet the objectives laid out in the City’s Investment Policy. The balances held in different investment instruments at September 30, 2022 are noted in Attachment A. The bulk of the City’s investment funds are invested in the State of California’s Local Agency Investment Fund (LAIF), because of the safety and liquidity of that investment.

Funds in the City’s General Reserve are maintained in an account that is separate from the rest of the pooled funds. This enables the Finance Director to implement a directed investment plan for the General Reserve funds. The City’s practice has been to invest these funds in instruments with longer duration, thereby yielding greater investment earnings.

Investment Yield and Duration

The aggregate yield of the City’s investment portfolio for the quarter ended September 30, 2022 is summarized in Attachment A. The total investment portfolio yielded 1.59% for the first quarter (July through September 2022), up from the 1.302% yielded in the previous quarter (April through June 2022).

For the first quarter, LAIF earned an average annual yield of 1.513%, up from an average yield of 0.861% for the fourth quarter. LAIF yields gradually decreased between June 2019 and November 2021 and are lower than long-term investment yields in most cases. However, LAIF has shown a gradual increase in yield since December 2021.

The General Reserve, which holds the longer-term investments, earned an average yield of 1.667%, up from the 1.473% average yield in the third quarter. No new investment instruments were purchased during the first quarter. Additionally, two certificates of deposit matured, Ally Bank and Medallion Bank, and were redeemed for cash.

Section 115 Trust

The Section 115 Trust is comprised of a diversified portfolio of investments consistent with the Trust's objectives and liquidity requirements. The funds are invested on behalf of the City by Public Agency Retirement Services (PARS). The portfolio summary for the quarter ending September 30, 2022 is included in Attachment B to this report.

FISCAL IMPACT

There is no fiscal impact as a result of receiving the Quarterly Investment Report.

ATTACHMENTS

A- Investment Report - Quarter Ending September 30, 2022

B- Section 115 Trust Investment Report – Quarter Ending September 30, 2022

ATTACHMENT A

CITY OF PINOLE INVESTMENT REPORT SEPTEMBER 2022 PORTFOLIO SUMMARY

Investments	Par Value	Market Value	Book Value	% of Portfolio	Days to Maturity	Yield	Weighted Average Maturity
Investment Pool - LAIF	35,086,538	34,411,507	34,411,507	68.54%	1	1.513	1
Investment Pool - CalTrust	3,203,777	3,203,777	3,203,777	6.38%	1	3.520	0
Money Market Savings	4,449,317	4,449,317	4,449,317	8.86%	1	0.025	0
Mutual Funds	3,185,534	3,185,534	3,185,534	6.34%	1	2.220	0
Certificates of Deposit	2,974,000	2,850,420	2,850,420	5.68%	495	1.537	2
Medium-Term Corporate Notes	1,750,000	1,653,275	1,653,275	3.29%	797	2.160	14
Federal Agency Securities	500,000	451,630	451,630	0.90%	984	0.750	9
Subtotal Investments	\$ 51,149,166	\$ 50,205,460	50,205,460	100.00%	380	1.590	4

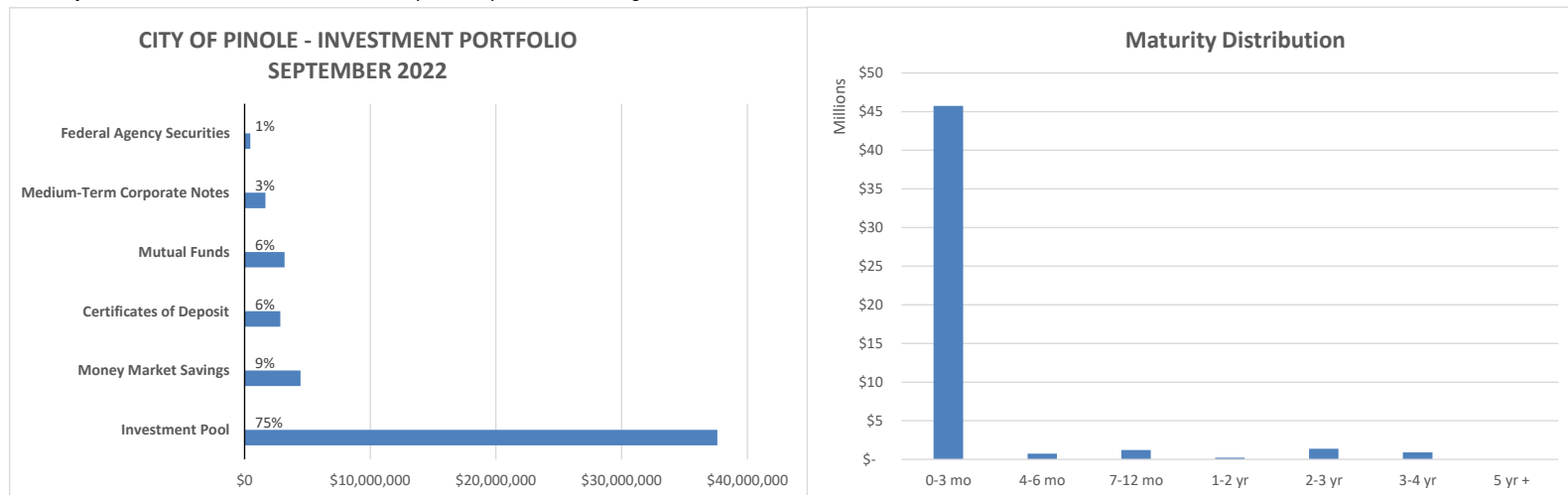
Average Years:	1.0
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Cash				
Mechanics Bank - Vendor Checking *	1,110,889	1,110,889	1,110,889	1
Bank of the West - Payroll Checking *	721,016	721,016	721,016	1
Bank of the West - Checking (Credit Card Clearing) *	511,482	511,482	511,482	1
Subtotal Cash	2,343,387	2,343,387	2,343,387	1

Total Cash and Investments	\$ 53,492,553	\$ 52,548,847	\$ 52,548,847
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*Not included in yield calculations

The above investments are consistent with the City's Investment Policy and allowable under current legislation of the State of California. Investments were selected using safety, liquidity and yield as the criteria. The source of the market values for the investments are provided by US Bank in accordance with the California Government Code requirement. The City has sufficient cash flow to cover anticipated expenditures through the next six months.

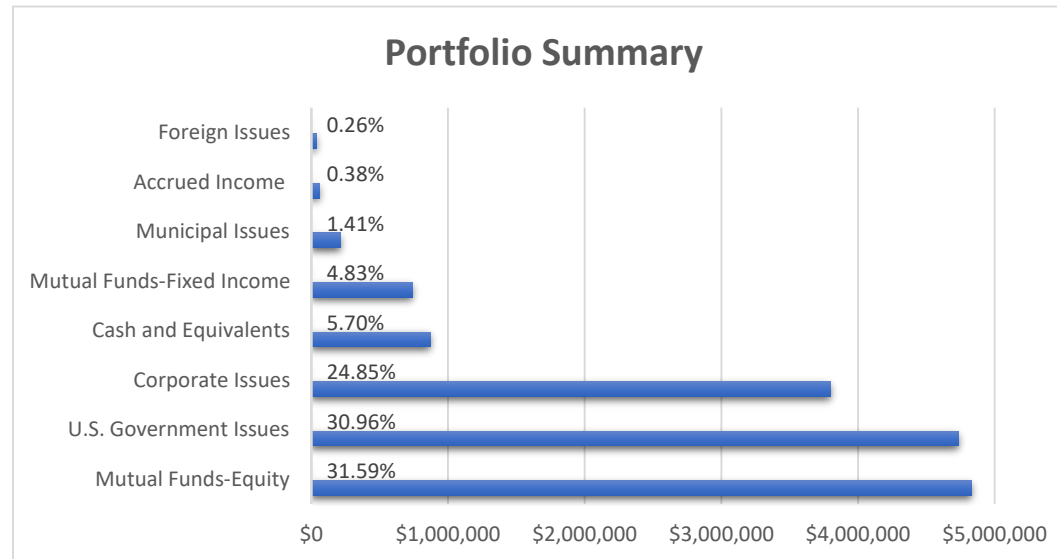


CITY OF PINOLE
INVESTMENT REPORT SEPTEMBER 2022
PORTFOLIO DETAILS

Type / Account Number	CUSIP	Issuer	Investment Description	Manager	GL Acct #	Par Value	Market Value	Book Value	Rate	Yield	Days to Maturity	S&P Rating	Maturity Date	Weighted Average Maturity
Investment Pool														
		Local Agency Investment Fund (LAIF)	Pooled Treasury - State of California	LAIF	999-10201	35,086,538	34,411,507	34,411,507	1.513	1.513	1	N/A		1
		CalTrust - Short Term Fund (City)	Pooled Treasury - Joint Power Financing Authority	CalTrust	999-10202	24,434	24,434	24,434	3.340	3.340	1	N/A		0
		CalTrust - Medium Term Fund (City)	Pooled Treasury - Joint Power Financing Authority	CalTrust	999-10203	3,179,343	3,179,343	3,179,343	3.700	3.700	1	N/A		0
			Subtotal and Average			38,290,315	37,615,283	37,615,283	2.851	2.851	1			0
Money Market Savings														
		Mechanics Bank	Money Market Savings (City)	City	999-10102	4,341,537	4,341,537	4,341,537	0.040	0.040	1	N/A		0
		Bank of the West	Money Market Savings - Police Evidence Trust	City	999-10104	107,780	107,780	107,780	0.010	0.010	1	N/A		0
			Subtotal and Average			4,449,317	4,449,317	4,449,317	0.025	0.025	1			0
Mutual Funds														
19-516680		U.S. Bank	Accrued Income - City Reserve	US Bank	150-10110	16,648	16,648	16,648	1.980	1.980	1	N/A		0
19-516680	31846V203	1st American Government Obligation Fund	Mutual Fund Shares - Class "D" - City Reserve	US Bank	150-10110	3,168,886	3,168,886	3,168,886	2.460	2.460	1	N/A		0
			Subtotal and Average			3,185,534	3,185,534	3,185,534	2.220	2.220	1			0
Certificates of Deposit														
19-516680	064520BG3	Bank of Princeton	Certificates of Deposit - City Reserves	US Bank	150-10110	250,000	229,598	229,598	0.500	0.540	822	N/A	12/30/2024	4
19-516680	05580ATL8	Bmw Bank North America	Certificates of Deposit - City Reserves	US Bank	150-10110	247,000	246,291	246,291	1.800	1.800	74	N/A	12/13/2022	0
19-516680	38149MAY9	Goldman Sachs BK USA New York	Certificates of Deposit - City Reserves	US Bank	150-10110	246,000	243,818	243,818	2.600	2.620	248	N/A	6/5/2023	1
19-516680	59013KCZ7	Merrick Bank	Certificates of Deposit - City Reserves	US Bank	150-10110	249,000	242,919	242,919	1.650	1.690	364	N/A	9/29/2023	2
19-516680	61690UGW4	Morgan Stanley Bank Na	Certificates of Deposit - City Reserves	US Bank	150-10110	246,000	243,808	243,808	2.600	2.620	249	N/A	6/6/2023	1
19-516680	61760AF46	Morgan Stanley Private Bk Natlassn	Certificates of Deposit - City Reserves	US Bank	150-10110	246,000	243,808	243,808	2.600	2.620	249	N/A	6/6/2023	1
19-516680	70212VAB4	Partners Bk helena Ark	Certificates of Deposit - City Reserves	US Bank	150-10110	247,000	223,110	223,110	0.600	0.660	1,004	N/A	6/30/2025	4
19-516680	84223QAN7	Southern Bankcorp Bank	Certificates of Deposit - City Reserves	US Bank	150-10110	250,000	231,205	231,205	0.500	0.540	756	N/A	10/25/2024	3
19-516680	856283N51	State Bk Indiana Chicago III	Certificates of Deposit - City Reserves	US Bank	150-10110	250,000	226,768	226,768	1.000	1.100	1,000	N/A	6/26/2025	5
19-516680	85916VDN2	Sterling Bank of Poplar Bluff	Certificates of Deposit - City Reserves	US Bank	150-10110	247,000	241,252	241,252	1.650	1.690	353	N/A	9/18/2023	2
19-516680	87164WC71	Synchrony Bank	Certificates of Deposit - City Reserves	US Bank	150-10110	249,000	231,737	231,737	0.650	0.700	731	N/A	9/30/2024	3
19-516680	949495AF2	Wells Fargo Bank Natl Bk West	Certificates of Deposit - City Reserves	US Bank	150-10110	247,000	246,106	246,106	1.850	1.860	91	N/A	12/30/2022	0
			Subtotal and Average			2,974,000	2,850,420	2,850,420	1.500	1.537	495			2
Medium-Term Corporate Notes														
19-516679	037833DN7	Apple Inc.	2.05% Corporate MTN 9/11/26 - City Reserves	US Bank	150-10110	1,000,000	909,500	909,500	2.050	2.250	1,442	AA+	9/11/2026	26
19-516680	478160BT0	Johnson Johnson	2.05% Corporate MTN 3/1/23 - City Reserves	US Bank	150-10110	750,000	743,775	743,775	2.050	2.070	152	AAA	3/1/2023	2
			Subtotal and Average			1,750,000	1,653,275	1,653,275	2.050	2.160	797			14
Federal Agency Securities														
19-516680	3133ELH80	Federal Farm Credit Bks	.680% Agency Bond 6/10/25	US Bank	150-10110	500,000	451,630	451,630	0.680	0.750	984	AA+	6/10/2025	9
			Subtotal and Average			500,000	451,630	451,630	0.680	0.750	984			9
Investment Portfolio Total and Average						\$ 51,149,166	\$ 50,205,460	\$ 50,205,460	1.554	1.590	380			4
Average Years :													1.0	

CITY OF PINOLE
INVESTMENT REPORT SEPTEMBER 2022
SECTION 115 TRUST PORTFOLIO SUMMARY

Investments	Market Value	Book Value	% of Market	Yield
Cash and Equivalents	871,693	871,693	5.70%	2.740
U.S. Government Issues	4,734,285	5,340,184	30.96%	3.300
Corporate Issues	3,800,077	4,390,827	24.85%	3.790
Foreign Issues	40,172	49,500	0.26%	5.480
Municipal Issues	216,203	241,037	1.41%	4.770
Mutual Funds-Equity	4,830,657	5,184,844	31.59%	1.590
Mutual Funds-Fixed Income	738,874	752,527	4.83%	1.910
Total Assets	15,231,962	16,830,612	99.62%	2.810
Accrued Income	58,089	58,089	0.38%	
Grand Total	\$ 15,290,051	\$ 16,888,701	100%	





CITY COUNCIL REPORT

9H

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: LILLY WHALEN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: RECEIVE THE QUARTERLY REPORT ON IMPLEMENTATION OF THE GREENHOUSE GAS INVENTORY AND CLIMATE ACTION AND ADAPTATION PLAN FOR FISCAL YEAR (FY) 2022-23 FIRST QUARTER

RECOMMENDATION

Staff recommends that the City Council receive this quarterly report on implementation of the greenhouse gas (GHG) inventory and Climate Action and Adaptation Plan (CAAP).

BACKGROUND

On October 19, 2021, the City Council adopted Resolution No. 2021-93, which declared a climate emergency, directed staff to complete a greenhouse gas (GHG) emissions inventory, and directed staff to prepare a Climate Action Plan (CAP) that includes GHG emission reduction goals that align with the State's GHG emission reduction goals of SB 32 and Executive Order B-55-18. The City Council budgeted \$160,000 for these efforts. The City Council also directed staff to present quarterly updates on the City's progress on the GHG emissions inventory and CAP. Staff last provided a quarterly update on September 20, 2022 that addressed staff and consultant activities for the fourth quarter of fiscal year (FY) 2021/22 (April - June 2022).

DISCUSSION AND ANALYSIS

This is the first quarterly report for the fiscal year 2022-23 on the City's progress on the GHG emissions inventory and CAAP development. During this period the CAAP process was officially kicked off, a Sustainability Fellow was onboarded, and the community engagement strategy was developed. Additionally, staff was able to begin engaging with the community. The following is a summary of staff and consultant activities for the period from July through September 2022:

JULY 2022 ACTIVITIES

- On July 19 the City kicked off the CAAP process with a coordination meeting between Community Development and consultants Rincon and CSG.
- Development of the outreach and engagement plan began.
- Connection was made between the Rincon/CSG team and the consultant team coordinating the Housing, Safety and Health & Environmental Justice Element for cross coordination efforts.
- Contract documents were finalized between the City and Strategic Energy Innovations Inc., (SEI) Climate Corps so that Pinole could host a Sustainability Fellow.

AUGUST 2022 ACTIVITIES

- Interviews with SEI Climate Corps candidates for the Sustainability Fellow position were conducted by City staff and a Fellow was selected to begin work in September 2022.
- A draft of the CAAP outline was developed.
- An evaluation of existing sustainability-related programs in the City began.

SEPTEMBER 2022 ACTIVITIES

- Sustainability Fellow Kapil Amin began a 10-month assignment with Pinole on September 8, assisting with development of the CAAP in addition to other high priority sustainability initiatives.
- A dedicated project website was developed¹.
- Online sign-up link for interested community members to receive CAAP-related information (notification about upcoming community events, surveys or other participation options) was established and promoted².
- Community engagement survey was drafted.
- Initial community outreach materials were prepared.
- The public engaged with Sustainability Fellow Amin regarding the CAAP at the Coastal Clean Up event.

FISCAL IMPACT

There is no fiscal impact related to receiving this report.

ATTACHMENTS

None

¹

https://www.ci.pinole.ca.us/city_government/public_works/sustainability/climate_action_and_adaptation_plan

² <https://www.surveymonkey.com/r/GKRPCP8>



CITY COUNCIL REPORT

91

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: SANJAY MISHRA, PUBLIC WORKS DIRECTOR
MISHA KAUR, CAPITAL IMPROVEMENT AND ENVIRONMENTAL
PROGRAM MANAGER

SUBJECT: FISCAL YEAR (FY) 2022/23 FIRST QUARTER REPORT ON
IMPLEMENTATION OF CAPITAL IMPROVEMENT PLAN (CIP)
PROJECTS

RECOMMENDATION

Staff recommends that the City Council receive the Fiscal Year (FY) 2022/23 First Quarter Report on implementation of Capital Improvement Plan (CIP) projects.

BACKGROUND

The CIP is a multi-year plan/forecast of the City's capital improvement projects. The first year of the CIP is the proposed capital project plan and capital budget for that fiscal year.

The City creates an updated CIP each year based on the condition of the City's current capital assets, the desire for new capital assets, and available funding. Projects in the CIP address the City's major types of capital assets: facilities, parks, sanitary sewer collection and treatment infrastructure, stormwater infrastructure, and roads. The City owns considerable capital assets in other classes as well, including streetlights, traffic control devices, sidewalks, street trees, trash capture devices, waste bins and enclosures, traffic/wayfinding signage, benches, bike racks, monument signs, fleet, and fiber optic conduit.

The CIP serves as a tool for staff to plan, implement, and manage improvements and ongoing upgrades to the City's infrastructure. The Administration and Engineering Division in the Public Works Department is responsible for identifying and completing City capital projects.

REVIEW & ANALYSIS

The City's adopted CIP (Attachment A) contains construction projects and infrastructure assessments. The infrastructure assessments included in the CIP will aid the City in identifying and prioritizing construction projects and will identify funding opportunities for future projects.

Attachment B is a summary of the CIP project lifecycle and a status of each project programmed for FY 2022/23 in the CIP as of the end of the first quarter of FY 2022/23.

First Quarter CIP Highlights

- **Electric Vehicle Charging Stations (FA2002)**
This project will install a dual port level II charging stations at the parking lot serving the Public Safety Building. The plans and specifications for the project were finalized and a bid was released on October 17, 2022. Staff will present the construction contract for Council's consideration at the November 15th Council meeting. Staff will issue a Notice to Proceed to the Contractor once contract documentation and requirements are met. The entire work will be completed to the City's satisfaction within thirty days if there are no delays due to supply chain issues.
- **Replacement of Diesel Tank (SS2202)**
This project will replace a 4000-gallon above ground Diesel tank at the Water Pollution Control Plant which supplies fuel to standby generators. Due to supply chain issues, there was a thirteen-week lead time on diesel tank. Staff anticipates this project will be complete by the end of the calendar year.
- **Secondary Clarifier – Center Column Rehabilitation (SS2101)**
A preliminary inspection of the center column of the secondary clarifier was completed to examine the current condition and determine the scope of work for rehabilitation.
- **San Pablo Ave Bridge over BNSF Railroad (RO1710)**
On March 1, 2022, the City Council authorized staff to draft a Memorandum of Understanding (MOU) with the City of Hercules regarding project development and construction coordination. The MOU was drafted and presented to the Hercules City Council and approved at the regularly scheduled meeting on August 9, 2022. On September 20, 2022, the City Council adopted Resolution 2022-77 approving the MOU with the City of Hercules for the project. City Council accepted a design alternative, and the consultant is preparing the bridge type selection report and environmental documents.
- **Sanitary Sewer Collection System Master Plan (IN2001)**
On September 20, 2022, the City Council adopted Resolution 2022-80 approving the City's Sanitary Sewer Master Plan. The project is complete.
- **Safety Improvements at Appian Way & Marlesta Rd. (RO1714)**

This project will install a traffic signal at the Appian Way and Marlesta Road intersection and includes installation of high-visibility crosswalk striping on all legs of the intersection, green bicycle lane treatment on Appian Way within Project limits, and a slurry seal of the intersection. A project bid was released on August 26, 2022, and sealed bids were opened on September 21, 2022. Assuming there are no delays due to procurement of parts and weather-permitting, this work will be completed by February 2023.

- Pedestrian Improvements at Tennent Ave. near R X R (RO1902)
The One Bay Area Grant (OBAG) Cycle 3 Program, administered by the Metropolitan Transportation Commission (MTC), will disperse federal transportation funding to projects and programs that improve safety, spur economic development and help the Bay Area meet climate change and air quality improvement goals. The program is in its third round and will include more than \$750 million in funding for projects and programs from 2023 to 2026. Jurisdictions in Contra Costa County are estimated to receive \$47.3 million in OBAG funding.

Contra Costa Transportation Authority (CCTA) staff released a Call for Projects on May 23, 2022, and applications were due on July 15, 2022. A total of 29 project applications were submitted by jurisdictions in Contra Costa as part of the Active Transportation and Safety (ATS) program category. The City of Pinole submitted two project applications, one of which was selected amongst ten projects to be prioritized by CCTA for funding.

The City requested \$1,020,000 for improvements to Tennent Ave. at the railroad crossing to facilitate safe movement of bicycle and pedestrians. All projects nominated for funding will be evaluated by MTC over the next couple of months.

FISCAL IMPACT

Projects have budgeted sources of funds which have been previously approved by City Council. There is no fiscal impact associated with this status update and deferring master plans to future fiscal years.

ATTACHMENT(S)

- A. Adopted Capital Improvement Plan for FY 2022/23 through FY 2026/27
- B. CIP Project Lifecycle and Project Status Summary



CITY OF PINOLE CAPITAL IMPROVEMENT PLAN FY 2022/23 – 2026/27



Adopted: June 21, 2022



CAPITAL IMPROVEMENT PLAN FY 2022/23 – 2026/27

CITY COUNCIL

Vincent Salimi, Mayor

Devin T. Murphy, Mayor Pro Tem

Anthony L. Tave, Council Member

Maureen Toms, Council Member

Norma Martínez-Rubin, Council Member

CITY MANAGER

Andrew Murray

PUBLIC WORKS DIRECTOR

Sanjay Mishra

CAPITAL IMPROVEMENT & ENVIRONMENTAL PROGRAM MANAGER

Misha Kaur



**CAPITAL IMPROVEMENT PLAN: FY 2022/23 THROUGH FY 2026/27
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Introduction

The Capital Improvement Plan (CIP) is a multi-year planning tool used to identify and implement the City's capital needs over the upcoming five-year period. The CIP aligns the needs with appropriate funding, scheduling, and implementation. This document is a working blueprint for building and sustaining publicly funded physical infrastructure. Capital improvements refer to physical assets and include the design, purchase, construction, maintenance, or improvement of public resources (i.e. parks public infrastructure, equipment, public spaces). These improvements influence Pinole's built and natural environment and help guide the trajectory of future growth or change.

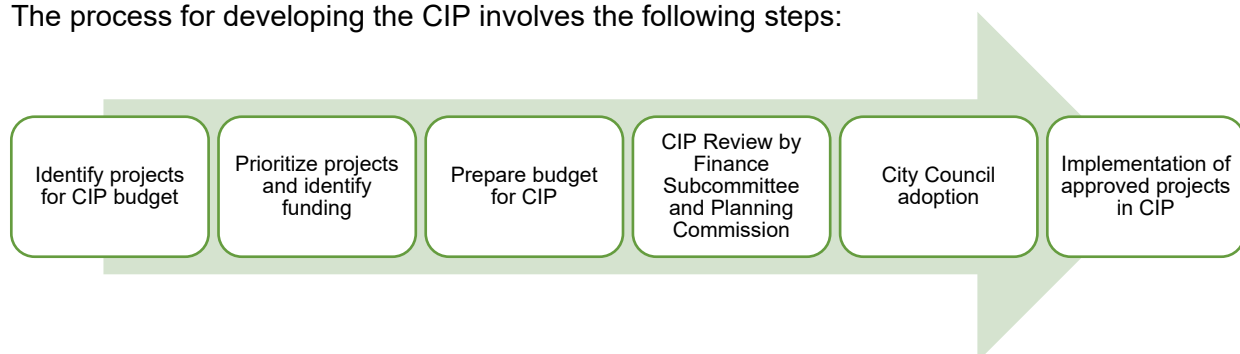
The projects in the CIP fall into the following broad categories: facility maintenance, parks, sewer collection and treatment, stormwater, streets and roads. These projects are developed in collaboration with department heads, and division managers under the direction of the City Manager to ensure all department needs are represented.

The CIP is reviewed and updated annually for capital projects and programs that support City goals and objectives including priorities identified in the 2020-2025 Strategic Plan of developing a disciplined approach to funding infrastructure maintenance and improvements. The City seeks to enhance its focus on the state of the infrastructure throughout the community by first inventorying all the assets, assessing their contributions to a safe and vibrant Pinole, assessing their current conditions, and creating a disciplined investment approach resulting in a strong and purpose driven Capital Investment Plan.

The preparation and adoption of the CIP is an important part of Pinole's financial planning and budgeting process. Proposed projects are reviewed by the Planning Commission for consistency with the General Plan. The Finance Subcommittee also reviews and analyzes all aspects of the CIP and makes recommendations. Project priority and selection is based on specific criteria, such as:

- Consistency with community plans and policies;
- Regulatory compliance;
- Public and political support;
- Sustainability;
- Cost savings or revenue generation;
- Project demand, determined by inventory of existing land, equipment, and facility conditions;
- Economic, environmental, aesthetic or social impacts; and
- Public health, safety or other legal concerns.

The process for developing the CIP involves the following steps:



Next Steps in City Capital Planning

The City will complete condition assessment of all the City's capital assets and identify the funding levels required to maintain these assets. The City will continue to integrate capital planning information into the Long-Term Financial Plan, so City decision makers are aware of the City's capital needs when they consider allocation of the City's limited financial resources and consider possibly pursuing additional sources of City revenue.

Project Funding

A variety of funding sources support projects listed in the CIP. The first year's program in the CIP is adopted by the City Council as the Capital Budget, as a counterpart to the annual Operating Budget. The fiscal resources are appropriated only in the first year, the subsequent four years of the CIP are important for long term planning and subject to further review and modification.

The CIP is funded primarily with funds restricted for specific purposes. The next page describes various funding sources and their restrictions. Some projects are entirely or partially funded by grants and reimbursements from state and federal government and other agencies.

Funding Sources

Fund #	Fund Name (restriction)	Description
100	General Fund (unrestricted)	The General Fund is the main operating fund for the City. It accounts for sources and uses of resources that (primarily) are discretionary to the City Council in the provision of activities, programs and services deemed necessary and desirable by the community.
106	Measure S 2014 (unrestricted)	Accounts for 2014 voter-approved half-cent Local Use Tax which levies 0.5% each on all merchandise. Although these are unrestricted General Fund revenues, the 2014 Use Taxes have been allocated by the City Council to fund Infrastructure Projects as their highest funding priority.
200	Gas Tax - RMRA (roads and right-of-way)	Accounts for the Highway Users Tax (HUTA) State imposed excise taxes on gasoline and diesel fuel sales within the City limits. Gas Tax funds are restricted for use in the construction, improvement and maintenance of public streets. The taxes are allocated to Pinole through the Road Maintenance and Rehabilitation Account (RMRA) established by the Road Repair and Accountability Act of 2017.
214	Solid Waste	Accounts for special revenue received from Republic Services from a surcharge assessed on customer rates for solid waste services. These funds are set aside for future solid waste capital and for a rate stabilization fund.
215	Measure J (roads only)	Accounts for special sales tax revenues collected by Contra Costa Transportation Authority (CCTA) and reapportioned to cities for local street projects. This fund also accounts for return to source funds and grant funds.
276	Growth Impact Fees (nexus identified needs)	Accounts for development fees collected to mitigate the impact of new development. Provides funds for nexus identified needs only.
325	City Street Improvements (roads only)	Accounts for funds set aside by the City of Pinole to fund street improvement projects. The Measure S 2014 funding plan allocates \$250k annually to this fund.
327	Park Grants (parks only)	Accounts for grants and reimbursements from the state and federal government and other agencies related to parks.
377	Arterial Street Rehabilitation (roads only)	Accounts for funds set aside by the City of Pinole to fund arterial street rehabilitation projects. The Measure S 2014 funding plan allocates \$250k annually to this fund.
500	Sewer Enterprise (sewer only)	Accounts for fees charged to residents and businesses for sewer utilities. Fees are used to operate the Pinole-Hercules Water Pollution Control Plant which services the Pinole and Hercules areas.

Grants

Certain projects are eligible to receive grant funds from state, federal, or other agencies. Road projects listed in the CIP receive grant funding from a variety of sources such as:

- California Department of Transportation (Caltrans)
 - o Highway Bridge Program (HBP) – funds to improve bridge structural safety.
 - Project: RO1710
 - o Highway Safety Improvement Program (HSIP) – funds projects that significantly reduce fatalities and injuries on all public roads.
 - Project: IN2104
- West Contra Costa Transportation Advisory Committee (WCCTAC)
 - o Subregional Transportation Mitigation Program (STMP) – funds projects that provide congestion relief and mitigate traffic impacts on regional routes through capacity improvements on those routes, improved transit services for subregional and regional travel, and improved facilities that allow West County residents to more efficiently access regional routes and transit service.
 - Projects: RO2105, RO1902, and RO1710
- Metropolitan Transportation Commission (MTC)
 - o One Bay Area Grant 2 (OBAG2) – policy framework for MTC’s distribution of federal State Transportation Program and Congestion Mitigation and Air Quality Improvement Program funds. The OBAG2 program provides funding for local street and road maintenance, streetscape enhancements, bicycle and pedestrian improvements, Safe Route to School projects, Priority Conservation Areas, and Transportation planning.
 - Project: RO1714
 - o Transportation Development Act (TDA) Article 3 – funds construction and/or engineering of bicycle or pedestrian capital or quick build projects, maintenance of Class I or Class IV separated bikeways, bicycle and/or pedestrian safety education projects, development of a comprehensive bicycle or pedestrian facilities plans, and restriping Class II bicycle lanes and buffered bicycle lanes.
 - Project: RO1714

The receipt of certain grants and reimbursements typically follow the award of contracts; therefore, other City funding is programmed for front-end financing of the total estimated project costs.

Overview of Recommended Capital Budget

The FY 2022/23 – 2026/27 CIP contains 36 planned public improvement projects, which includes 10 new projects. In addition, there are 9 infrastructure assessments programmed for FY 2022/23 – 2026/27. The CIP also contains information for 24 unfunded and unprogrammed projects. A funded project is one that has identified specific funding, including on-going existing resources to fully implement the project. A partially funded project has funding to accomplish various phases of the project but lacks sufficient funding to complete the project. An unfunded project is one that has been identified in the CIP as a need but no funding secured to implement the project. Should funding become available through grant or other sources, the unfunded list can be reviewed to determine if it is suitable to seek such funding.

CIP projects fall into the following categories: Facilities, Parks, Sanitary Sewer, Stormwater, Streets & Roads, and Infrastructure Assessments. The nomenclature for the project number is derived as follows:

Project numbers begin with the abbreviation of the project category, followed by the year the project was first programmed, and then a unique sequence number. For example, FA2001 refers to a facilities project which was first programmed in 2020 with a unique sequence number of 01. Unfunded projects begin with UF and are followed by a unique sequence number.

Category	Abbreviation
Facilities	FA
Parks	PA
Sewer	SS
Stormwater	SW
Streets & Roads	RO
Infrastructure Assessments	IA
Unfunded	UF

In FY2022/23, there are 23 public improvement projects and 8 infrastructure assessments programmed. Below is a summary of the various funding sources based on project category.

FY 2022/23		PROJECT CATEGORIES						FY 2022/23 TOTALS BY FUND
Funding Sources	Fund	Facilities	Parks	Sanitary Sewer	Storm-water	Streets & Roads	Infrastructure Assessments	
		FA	PA	SS	SW	RO	IA	
General Fund	100					\$170,000	\$165,000	\$335,000
Measure S 2014	106	\$834,931	\$112,440		\$418,460	\$149,328	\$210,000	\$1,725,159
Gas Tax	200					\$528,910		\$528,910
Solid Waste	214		\$425,000					\$425,000
Measure J	215					\$350,000		\$350,000
Growth Impact Fees	276				\$58,000			\$58,000
City Street Improvements	325					\$1,685,563	\$20,650	\$1,706,213
Park Grants	327		\$189,758					\$189,758
Arterial Street Rehabilitation	377					\$758,624		\$758,624
Sewer Enterprise	500			\$2,300,00		\$10,382	\$89,853	\$2,400,235
FY 2022/23 TOTALS BY PROJECT CATEGORY		\$834,931	\$727,198	\$2,300,000	\$476,460	\$3,652,807	\$3,652,807	\$8,476,899

**CITY OF PINOLE
CAPITAL IMPROVEMENT PLAN: FY 2022/23 THROUGH FY 2026/27
FUNDING SUMMARY**

SOURCES BY FUND	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	5-Year Total
100 – General Fund	\$ 435,000	\$ 310,000				\$ 745,000
106 – Measure S 2014	\$ 1,625,159	\$ 1,990,860	\$ 890,000	\$ 100,000		\$ 4,606,019
200 – Gas Tax	\$ 528,910		\$ 381,082			\$ 909,992
200 – Solid Waste	\$ 425,000					\$ 425,000
215 – Measure J	\$ 350,000					\$ 350,000
276 – Growth Impact Fees	\$ 58,000	\$ 30,000	\$ 520,000			\$ 608,000
325 – City Street Improvements	\$ 1,706,213	\$ 890,000	\$ 727,321	\$ 890,000		\$ 4,213,534
327 – Park Grants	\$ 189,758					\$ 189,758
377 – Arterial Streets Rehabilitation	\$ 758,624	\$ 32,250				\$ 790,874
500 – Sewer Enterprise Fund	\$ 2,400,235	\$ 2,000,000	\$ 906,597	\$ 800,000	\$ 3,800,000	\$ 9,906,832
Sources Total	\$ 8,476,899	\$ 5,253,110	\$ 3,425,000	\$ 1,790,000	\$ 3,800,000	\$ 22,745,009
Unfunded Total		\$ 16,293,235	\$ 9,231,700	\$ 8,439,200	\$ 970,000	\$ 34,934,135
Total Sources Required	\$ 8,476,899	\$ 21,546,345	\$ 12,656,700	\$ 10,229,200	\$ 4,770,000	\$ 57,679,144



CITY OF PINOLE
CAPITAL IMPROVEMENT PLAN: FY 2022/23 THROUGH FY 2026/27
FUNDING SUMMARY

SOURCES BY FUND	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	5-Year Total
100 - General Fund	\$ 435,000	\$ 310,000				\$ 745,000
106 - Measure S 2014	\$ 1,625,159	\$ 1,990,860	\$ 890,000	\$ 100,000		\$ 4,606,019
200 - Gas Tax	\$ 528,910		\$ 381,082			\$ 909,992
214 - Solid Waste	\$ 425,000					\$ 425,000
215 - Measure J	\$ 350,000					\$ 350,000
276 - Growth Impact Fees	\$ 58,000	\$ 30,000	\$ 520,000			\$ 608,000
325 - City Street Improvements	\$ 1,706,213	\$ 890,000	\$ 727,321	\$ 890,000		\$ 4,213,534
327 - Park Grants	\$ 189,758					\$ 189,758
377 - Arterial Streets Rehabilitation	\$ 758,624	\$ 32,250				\$ 790,874
500 - Sewer Enterprise Fund	\$ 2,400,235	\$ 2,000,000	\$ 906,597	\$ 800,000	\$ 3,800,000	\$ 9,906,832
Sources Total	\$ 8,476,899	\$ 5,253,110	\$ 3,425,000	\$ 1,790,000	\$ 3,800,000	\$ 22,745,009
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Total Sources Required	\$ 8,476,899	\$ 21,546,345	\$ 12,656,700	\$ 10,229,200	\$ 4,770,000	\$ 57,679,144

FACILITIES									
PRJ #	USES BY PROJECT	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Account #	FY 2022-23 Funds	Funding Source
FA2302	Plum St. Parking Lot Improvements		\$80,000						
FA2301	Public Safety Building Modernization		\$100,000	\$100,000	\$100,000				
FA2202	Senior Center Modernization	\$60,000	\$100,000	\$100,000			106-343-47201	\$60,000	Measure S 2014
FA2201	Faria House Renovations	\$420,000					106-343-47201	\$420,000	Measure S 2014
FA2002	Electric Vehicle Charging Stations	\$50,000					106-343-47201	\$50,000	Measure S 2014
FA1902	Energy Upgrades	\$120,811					106-343-47201	\$120,811	Measure S 2014
FA1901	Senior Center Auxiliary Parking Lot	\$184,120	\$1,088,860				106-343-47201	\$184,120	Measure S 2014
FA1703	City Hall Modernization		\$125,000	\$125,000					
FA1702	Citywide Roof repairs and replacement		\$272,000	\$140,000					
PARKS									
PRJ #	USES BY PROJECT	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Account #	FY 2022-23 Funds	Funding Source
PA2203	Playground Rubberized Surface Improvements	\$237,198					106-343-47201	\$47,440	Measure S 2014
							327-345-47203	\$189,758	Park Grants
PA2202	Skatepark Rehabilitation			\$150,000					
PA2201	Pocket Parks - Galbreth Rd.	\$65,000					106-343-47201	\$65,000	Measure S 2014
PA2101	Installation of high-capacity trash bins	\$425,000					214-345-47203	\$425,000	Solid Waste Fund
PA1901	Pinole Valley Park Soccer Field Rehabilitation		\$200,000						
SANITARY SEWER									
PRJ #	USES BY PROJECT	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Account #	FY 2022-23 Funds	Funding Source
SS2203	Effluent Outfall*	\$150,000				\$3,000,000	500-641-47201	\$150,000	Sewer Enterprise
SS2202	Replacement of Diesel Tank*	\$150,000					500-641-47201	\$150,000	Sewer Enterprise
SS2201	Sanitary Sewer Rehabilitation	\$1,500,000	\$800,000	\$800,000	\$800,000	\$800,000	500-642-47201	\$1,500,000	Sewer Enterprise
SS2101	Secondary Clarifier - Center Column Rehabilitation*	\$350,000					500-641-47201	\$350,000	Sewer Enterprise
SS2102	Air Release Valve Replacements*	\$50,000					500-641-47201	\$50,000	Sewer Enterprise
SS2002	Water Pollution Control Plant Lab Remodel*	\$100,000					500-641-47201	\$100,000	Sewer Enterprise
SS1702	Sewer Pump Station Rehabilitation		\$1,200,000						
STORMWATER									
PRJ #	USES BY PROJECT	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Account #	FY 2022-23 Funds	Funding Source
SW2001	Roble Road Drainage Improvements		\$30,000	\$320,000					
SW2002	Adobe Road Repair and Drainage Improvements		\$30,000	\$200,000					
SW1901	Hazel Street Storm Drain Improvements	\$476,460					106-344-47206	\$418,460	Measure S 2014
							276-344-47206	\$58,000	Growth Impact Fees
STREETS & ROADS									
PRJ #	USES BY PROJECT	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Account #	FY 2022-23 Funds	Funding Source
RO2501	Residential Slurry Seal				\$890,000				
RO2401	Cape Seal			\$560,000					
RO2301	Residential Slurry Seal		\$890,000						
RO2101	Arterial Rehabilitation	\$1,187,534	\$32,250				200-342-47205	\$428,910	Gas Tax - RMRA
							377-342-47205	\$758,624	Arterial Rehabilitation
RO2102	Tennent Ave. Rehabilitation	\$10,382		\$655,000			500-641-47201	\$10,382	Sewer Enterprise
RO2105	Appian Way Complete Streets	\$100,000				\$970,000	325-342-47205	\$100,000	WCCTAC - STMP Fees
RO2107	Brandt St. Improvements	\$170,000					100-342-47205	\$170,000	General Fund
RO1902	Pedestrian Improvements at Tennent Ave. near R X	\$61,556		\$800,000			325-342-47205	\$61,556	WCCTAC - STMP Fees
RO1802	Hazel Street Gap Closure (Sunnyview)			\$200,000					
RO1710	San Pablo Ave. Bridge over BNSF Railroad	\$1,385,463	\$16,293,235	\$8,431,700	\$8,439,200		325-342-47205	\$1,223,746	WCCTAC - STMP Fees
							325-342-47205	\$80,000	CCTA Measure J
							325-342-47205	\$81,717	Caltrans - HBP
RO1708	Pinole Valley Road Improvements	\$100,000					200-342-47205	\$100,000	Gas Tax - RMRA
							325-342-47205	\$9,144	City Street Improvements
RO1714	Safety Improvements at Appian Way & Marlesta Rd. formerly known as HAWK at Appian Way and Marlesta	\$637,872					215-342-47205	\$350,000	MTC/OBAG2
							325-342-47205	\$129,400	MTC/TDA Article 3
							106-344-47206	\$149,328	Measure S 2014
INFRASTRUCTURE ASSESSMENTS									
PRJ #	USES BY PROJECT	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	Account #	FY 2022-23 Funds	Funding Source
IN2201	Energy Audit	\$50,000					106-344-47206	\$50,000	Measure S 2014
IN2101	Emergency Power for Critical Facilities	\$30,000	\$170,000				100-343-47201	\$30,000	General Fund
IN2102	Municipal Broadband Feasibility	\$60,000					106-118-47201	\$60,000	Measure S 2014
IN2103	Recycled Water Feasibility	\$60,000	\$140,000				100-341-42101	\$60,000	General Fund
IN2104	Local Road Safety Plan	\$20,650					325-342-47205	\$20,650	Caltrans - HSIP
IN2106	Active Transportation Plan	\$75,000					100-341-42101	\$75,000	General Fund
IN2001	Sanitary Sewer Collection System Master Plan	\$89,853					500-642-47201	\$89,853	Sewer Enterprise
IN1703	Storm Drainage Master Plan		\$75,000	\$75,000					
IN1704	Park Master Plan	\$100,000					106-344-47206	\$100,000	Measure S 2014
	Uses by Project Total	\$8,476,899	\$21,546,345	\$12,656,700	\$10,229,200	\$4,770,000			

LEGEND:
• Project numbers: **FA** = Facilities; **PA** = Parks; **SS** = Sanitary Sewer; **SW** = Storm Water; **RO** = Streets & Roads; **IN** = Infrastructure Assessments
* Project cost to be split 50% with the City of Hercules

PROJECT DESCRIPTION SHEETS

FACILITIES

FA 2 - Plum St. Parking Lot Improvements

Initial Project Start: July 1, 2023
Initial Project Completion: June 30, 2024
Revised Project Start:
Revised Project Completion:
Project Origin: Staff Recommendation
Multi-year Project: No



Description: To provide a secure parking area for Police vehicles in the Plum St. parking lot. The parking lot will remain open for the public. A portion of the parking lot, approximately 25 spaces will be secured with a chain-link fence with security gates for Police vehicles. The layout of the parking lot is in the preliminary design phase.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106			\$ 80,000			
	Subtotal			\$ 80,000			
	Total Cost Estimate: \$ 80,000						

FACILITIES

FA 1 - Public Safety Building Modernization

Initial Project Start: July 1, 2023
Initial Project Completion: June 30, 2026
Revised Project Start:
Revised Project Completion:
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: To extend the useful life of the Public Safety building, there are several items that require attention including but not limited to replacement of the HVAC system, carpet, flooring, water heaters, light fixtures, fans, etc. In addition, the building requires painting (interior and exterior), and the locker rooms also require renovation.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106			\$ 100,000	\$ 100,000	\$ 100,000	
	Subtotal			\$ 100,000	\$ 100,000	\$ 100,000	
Total Cost Estimate: \$ 300,000							

FACILITIES

FA 2 - Senior Center Modernization

Initial Project Start: July 1, 2022
 Initial Project Completion: June 30, 2025
 Revised Project Start:
 Revised Project Completion:
 Project Origin: Council Request
 Multi-year Project: Yes



Description: The project includes a facilities condition assessment and design and construction of improvements to modernize the existing Senior Center building located at 2525 Charles Avenue. Work will include upgrades to energy system, roof replacement, and interior renovations.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106		\$ 60,000	\$ 100,000	\$ 100,000		
	Subtotal		\$ 60,000	\$ 100,000	\$ 100,000		
	Total Cost Estimate: \$ 260,000						

FACILITIES

FA1 - Faria House Renovations

Initial Project Start: July 1, 2022
Initial Project Completion: June 30, 2023
Revised Project Start:
Revised Project Completion:
Project Origin: Council Request
Multi-year Project: No



Description: The building commonly referred to as the “Faria House” is a two-story residence constructed in about 1890 and originally located at what is now 1301 Pinole Valley Road. In 2005, the Faria House was relocated to 2100 San Pablo Avenue. On June 7, 2022, City Council directed staff pursue hazard remediation and renovations to create a lower-level office, and upper-level warm shell. The first step is the site remediation to removal all hazardous materials (i.e., asbestos and/or lead based paint) from the first and second floors. This will involve removal of all interior baseboard, door, window trim, lath and plaster (from the ceilings and walls). This will also include removal of all lighting and plumbing fixtures, kitchen “built-in-place” cabinets. Once the site remediation is complete, the lower level of the structure will be ready for tenant improvement for an office use. The upper level will be a warm shell, which means that the upper level will be fully insulated, with walls open and ceiling covered with wallboard, but no other improvements beyond the hazard mitigation work. The upper level would be separated from the lower level with secured “temporary” framing and wallboard partition wall built at the top of the stairs. The lower level will have rough electrical, plumbing, and mechanical installation for an office use. All lower-level rooms would have new wall and ceiling insulation installed and covered with new drywall. The kitchen would remain in the same location, the dining room, which would become the conference room/meeting room would include low-voltage, data, communications for teleconferencing, meetings, the existing bathroom would become a single All Gender restroom, renovated to meet ADA compliance, the existing rooms would become office suites with new electrical sub-panel, rough electrical, rough plumbing and rough mechanical installed. Lower-level rooms will have renewed (or new) flooring, baseboard, and doors etc.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106		\$ 420,000				
	Subtotal		\$ 420,000				
	Total Cost Estimate: \$420,000						

FACILITIES

FA 2 - Electric Vehicle Charging Stations

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start:
Revised Project Completion: December 30, 2022
Project Origin: Council Request
Multi-year Project: Yes



Description: This project will install a level II dual port electric vehicle charging station at the parking lot serving the Public Safety Building.

Supplemental Information: City staff continue to assess other public locations throughout Pinole for opportunities to incorporate EV charging infrastructure. An energy audit (Project IN2201) of City owned facilities will inform future installations of electric vehicle charging stations.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	106	\$ 6,235					
Construction	106		\$ 50,000				
	Subtotal	\$ 6,235	\$ 50,000				
	Total Cost Estimate: \$ 56,235						

FACILITIES

FA1706 - Energy Upgrades

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start:
Revised Project Completion: June 30, 2023
Project Origin: End of life cycle
Multi-year Project: No



Description: The heating, ventilation, and cooling (HVAC) systems at City Hall and Senior Center have reached the end of their useful life and need to be replaced. A portion of the roof at the Senior Center will also need to be replaced.

Supplemental Information: In October 2020, City staff began working with Marin Clean Energy’s (MCE’s) Energy Efficiency program to explore opportunities for energy conservation and generation at City owned facilities by replacing the HVAC systems and upgrading streetlights. It was determined that the MCE program could not incentivize HVAC replacement project or the upgrade of the streetlights. This project was formerly known as FA1706 and FA1801. In April 2021, the AC unit at City Hall broke down and was replaced.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106	\$ 99,189	\$ 120,811				
	Subtotal	\$ 99,189	\$ 120,811				
	Total Cost Estimate: \$ 220,000						

FACILITIES

FA 1 - Senior Center Auxiliary Parking Lot

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start:
Revised Project Completion: June 30, 2024
Project Origin: Fowler Lot Re-Use Committee
Multi-year Project: Yes



Description: On April 16, 1990 City Council adopted Resolution 2380 authorizing the purchase of 2548 Charles Street. At the time of purchase, City Council determined that construction of a Senior Center was necessary, and that this property was needed to provide sufficient parking for the Center. The parcel is surrounded by municipal parking lots which serve the Senior Center and Old Town Pinole. On February 2, 2021 City Council adopted Resolution 2021-07 and awarded a contract to a consultant for the preliminary engineering and design for the parking lot. The parking lot will be designed to be a multi-benefit project that includes pavement structural section, striping, lighting, bicycle parking, electric vehicle charging stations, stormwater capture and retention, and drought tolerant landscaping. The final design will offer the maximum number of parking spaces while allowing access for both vehicles and pedestrians and include aesthetic design components. On June 7, 2022, City Council directed staff to incorporate the installation of a solar canopy at the site.

Supplemental Information: The Fowler House tenants remained in the property till 2010 and many discussions took place to determine the best use of the property. It was determined that the house had asbestos and lead paint. On July 17, 2018, City Council adopted Resolution 2018-67 to create the Fowler Lot Re-use Committee to evaluate the reuse and redevelopment of the property. The Committee evaluated uses for the lot and determined the best use of the property is a parking lot. On October 16, 2018, the City Council adopted Resolution No. 2018-93 to approve a contract with a construction company to abate and demolish the Fowler house. The property demolition was completed on March 11, 2019. On July 21, 2020, City Council adopted Resolution 2020-68 to accept the final recommendation of the Committee.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	106	\$ 42,535	\$ 184,120				
Construction	106			\$ 1,088,860			
	Subtotal	\$ 42,535	\$ 184,120	\$ 1,088,860			
	Total Cost Estimate: \$1,315,515						

FACILITIES

FA 3 - City Hall Modernization (formerly known as Paint City Hall)

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2022
Revised Project Start: July 1, 2022
Revised Project Completion: June 30, 2024
Project Origin: End of life cycle
Multi-year Project: No



Description: To extend the useful life of the City hall building, there are several items that require attention including but not limited to carpet, flooring, window coverings, light fixtures, etc. The interior and exterior surfaces of the building require repainting as the paint system has reached the end of its useful life. Exterior painting is necessary to maintain external protection from the environment. Fading, chipping paint, along with water and mildew damage necessitates the painting project.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106			\$ 125,000	\$ 125,000		
	Subtotal			\$ 125,000	\$ 125,000		
Total Cost Estimate: \$ 250,000							

FACILITIES

FA 2 - Citywide Roof repairs and replacement

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2022
Revised Project Start: July 1, 2022
Revised Project Completion: June 30, 2024
Project Origin: End of life cycle
Multi-year Project: Yes



Description: In 2015, comprehensive visual roof inspections were completed by a contractor on various City owned facilities. The purpose of the inspection was to identify the extent, if any, of moisture intrusion into the existing roof assemblies, document observed roof system deficiencies, determine the overall condition of the existing roof systems and to estimate the service life of the in-place roof assemblies. The roof inspection identified several roofs which need to be repaired or replaced. The roofs at City hall and the Public Safety building need to be replaced.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106			\$ 272,000	\$ 140,000		
	Subtotal			\$ 272,000	\$ 140,000		
Total Cost Estimate: \$412,000							

PARKS

PA 13 - Playground Rubberized Surface Improvements

Initial Project Start: July 1, 2022
Initial Project Completion: June 30, 2024
Revised Project Start:
Revised Project Completion: June 30, 2023
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: Replacement of panel rubberized surfaces at Fernandez Park and Pinole Valley Park. Fernandez Park involves replacement of rubberized surface improvements at tot lot and replacement of existing engineered mulch with rubberized surface at older age play equipment. The rubberized surfaces around the play equipment will also be replaced at Pinole Valley Park. These improvements are grant funded through the State of California Department of Parks and Recreation Per Capita funds.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	327		\$ 189,758				
	106	\$ 7,640	\$ 47,440				
	Subtotal	\$ 7,640	\$ 237,198				
	Total Cost Estimate: \$ 244,838						

PARKS

PA 2 - Skatepark Rehabilitation

Initial Project Start: July 1, 2024
Initial Project Completion: June 30, 2025
Revised Project Start:
Revised Project Completion:
Project Origin: Council Request
Multi-year Project: No
Description: Settling of ramps
Supplemental Information:



Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106				\$ 150,000		
	Subtotal				\$ 150,000		
	Total Cost Estimate: \$ 150,000						

PARKS

PA 011 - Pocket Parks - Galbreth Rd.

Initial Project Start: July 1, 2022
 Initial Project Completion: June 30, 2023
 Revised Project Start:
 Revised Project Completion: June 30, 2024
 Project Origin: Council Request
 Multi-year Project: No



Description: Installation of two ADA compliant benches and waste receptacles within two pocket parks at a suitable location on Galbreth Ave.
Supplemental Information: To develop the pocket parks, a lot line adjustment may be required.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106		\$ 65,000				
	Subtotal		\$ 65,000				
	Total Cost Estimate: \$ 65,000						

PARKS

PA 11 - Installation of high capacity trash bins

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2022
Revised Project Start:
Revised Project Completion: June 30, 2023
Project Origin: Beautification Ad Hoc Committee
Multi-year Project: No



Description: Installation of high capacity, solar powered compacting trash bins at City parks. To get the best value and uniformity at City parks, a RFP will be released to solicit proposals from qualified vendors to provide these bins. Exact costs will not be known until the bidding is complete however staff estimates that 40 bins will be procured for the budgeted project cost.

Supplemental Information: In 2019, the City Council established a Beautification Ad Hoc Committee to analyze options for, and to make recommendations to the Council regarding clean-up and beautification projects in Pinole. Among other projects, the Committee recommended the installation of high capacity, solar powered compacting trash bins at City parks.

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	214		\$ 425,000				
	Subtotal		\$ 425,000				
	Total Cost Estimate: \$ 425,000						

PARKS

PA 1704 - Pinole Valley Park Soccer Field Rehabilitation

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start: July 1, 2023
Revised Project Completion: June 30, 2024
Project Origin: Council Request
Multi-year Project: No



Description: There are two soccer fields at Pinole Valley Park which are utilized on an annual basis, the Wright Avenue Soccer Field at the southerly end, and Savage Avenue Soccer Field at the northern end. Both fields are heavily used by soccer leagues and the general public. The Savage Avenue Soccer Field requires substantial rehabilitation which includes: upgrading the irrigation system and ongoing turf maintenance. Turf maintenance includes mowing, fertilizing, aeration, overseeding, and topdressing.

Supplemental Information: This project has been delayed pending the development of a Park Master Plan (CIP Project# PA1704).

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	106			\$ 200,000			
	Subtotal			\$ 200,000			
	Total Cost Estimate: \$ 200,000						

SANITARY SEWER

SS 3 - Effluent Outfall

Initial Project Start: July 1, 2022
Initial Project Completion: June 30, 2027
Revised Project Start:
Revised Project Completion:
Project Origin: Regulatory Requirement
Multi-year Project: Yes



Description: Effluent pumping capacity of the treatment plant is limited by the capacity of the pipe size at the effluent outfall in Rodeo. Increasing the pipe size at the Effluent Outfall Eductor Station will increase the wet weather effluent pumping capacity and increase the lifespan of the effluent pipe by reducing the pressure in the line during storm events. Project requires coordination with Rodeo.

Supplemental Information: The City of Hercules will be reimburse the Sewer Enterprise fund for 50% of the total project cost.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	500		\$ 150,000				\$ 3,000,000
	Subtotal		\$ 150,000				\$ 3,000,000
	Total Cost Estimate: \$ 3,150,000						

SANITARY SEWER

SS 2 - Replacement of Diesel Tank

Initial Project Start: July 1, 2022
 Initial Project Completion: June 30, 2023
 Revised Project Start:
 Revised Project Completion:
 Project Origin: End of life cycle
 Multi-year Project: No



Description: In-kind replacement of a 4,000 gallon diesel storage tank used to supply fuel to standby generators and City vehicles. The existing tank is compromised.

Supplemental Information: The City of Hercules will be reimburse the Sewer Enterprise fund for 50% of the total project cost.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	500		\$ 150,000				
	Subtotal		\$ 150,000				
	Total Cost Estimate: \$ 150,000						

SANITARY SEWER

SS 11 - Sanitary Sewer Rehabilitation

Initial Project Start: July 1, 2022
 Initial Project Completion: June 30, 2027
 Revised Project Start:
 Revised Project Completion:
 Project Origin: Master Plan
 Multi-year Project: Yes



Description: Various improvements to the Sanitary Sewer collection system, as identified in the Sanitary Sewer Collection System Master Plan.
Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	500		\$ 1,500,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000
	Subtotal		\$ 1,500,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000
	Total Cost Estimate: \$ 4,700,000						

SANITARY SEWER

SS 1 - Secondary Clarifier—Center Column Rehabilitation

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2022
Revised Project Start: July 1, 2022
Revised Project Completion: June 30, 2023
Project Origin: End of life cycle
Multi-year Project: No



Description: The Secondary Clarifier #5 has reached the end of its useful life. The project will involve removal and replacement of catwalk, drive mechanism, center column, and rake arm.

Supplemental Information: The City of Hercules will be reimburse the Sewer Enterprise fund for 50% of the total project cost.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	500		\$ 350,000				
	Subtotal		\$ 350,000				
	Total Cost Estimate: \$ 350,000						

SANITARY SEWER

SS 2 - Air Release Valve Replacements

Initial Project Start:	July 1, 2021
Initial Project Completion:	June 30, 2022
Revised Project Start:	July 1, 2022
Revised Project Completion:	June 30, 2023
Project Origin:	Staff Recommendation
Multi-year Project:	No



Description: There are four air relief valves at various locations on the WPCP Effluent Pipeline between the WPCP and the Rodeo treated water discharge point. This project includes removal and replacement of the pipe saddle, short pipe section, isolation valve, and air relief valve. The four locations are: 1) across from the WPCP at 11 Tennent Ave., near the entrance of the SF Bay Trail, 2) On the SF Bay Trail near the corner of Santa Fe and Railroad Ave., 3) At the intersection of Mariposa St. and Railroad Ave. (Rodeo), 4) Outside the gate of Rodeo Sanitary District at 800 San Pablo Ave. (Rodeo).

Supplemental Information: The City of Hercules will be reimburse the Sewer Enterprise fund for 50% of the total project cost.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	500		\$ 50,000				
	Subtotal		\$ 50,000				
	Total Cost Estimate: \$ 50,000						

SANITARY SEWER

SS 2 - Water Pollution Control Plant Lab Remodel

Initial Project Start:	July 1, 2020
Initial Project Completion:	June 30, 2021
Revised Project Start:	July 1, 2022
Revised Project Completion:	June 30, 2023
Project Origin:	Regulatory Requirement
Multi-year Project:	No



Description: The California Environmental Laboratory Accreditation Program (ELAP) is responsible for accrediting environmental testing labs including the Pinole - Hercules WPCP. The 2019 ELAP inspection results indicated the lab apparatus, countertops, and the fume hood are past their useful life and recommended replacement.

Supplemental Information: The City of Hercules will be reimburse the Sewer Enterprise fund for 50% of the total project cost.

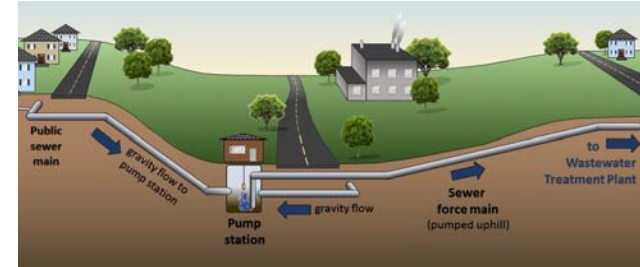
Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	500		\$ 100,000				
	Subtotal		\$ 100,000				
	Total Cost Estimate: \$ 100,000						

SANITARY SEWER

SS 2 - Sewer Pump Station Rehabilitation

Initial Project Start: October 1, 2020
Initial Project Completion: August 31, 2022
Revised Project Start: July 1, 2023
Revised Project Completion: June 30, 2024
Project Origin: End of lifecycle
Multi-year Project: No



Description: The City owns and operates two lift stations to convey flow from low lying areas to high elevations where the flow continues by gravity to the wastewater treatment plant. Both pump stations have reached the end of their useful life and need to be rehabilitated.

Supplemental Information: The two pump stations are located on San Pablo Ave. and Hazel St. In FY 2019/20, this project was renamed to include both pump stations. Previously, this project was titled, "Hazel Street Sewer Pump Rehabilitation."

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	500			\$ 22,500			
Engineering	500			\$ 150,000			
Construction	500			\$ 884,000			
Contingency	500			\$ 143,500			
	Subtotal			\$ 1,200,000			
	Total Cost Estimate: \$1,200,000						

STORMWATER

SW 001 - Roble Road Storm Drainage Improvements

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start: July 1, 2022
Revised Project Completion: June 30, 2024
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: The existing system appears to have capacity issues at Roble Ave. and Encina Ave. that warrant review and upgrade. This project will assess the collection system for capacity and hydraulic profile and upgrade the system as necessary.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	276			\$ 30,000			
Construction	276				\$ 280,000		
Contingency	276				\$ 40,000		
	Subtotal			\$ 30,000	\$ 320,000		
	Total Cost Estimate: \$ 350,000						

STORMWATER

SW 02 - Adobe Road Storm Drainage Improvements

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start: July 1, 2023
Revised Project Completion: June 30, 2025
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: Adobe Road experienced a failure due to drainage impacts. Installation of a culvert will be required to control the drainage in the area. The area will then be regraded and the road surface will be restored. This road serves only as a service access route.

Supplemental Information:

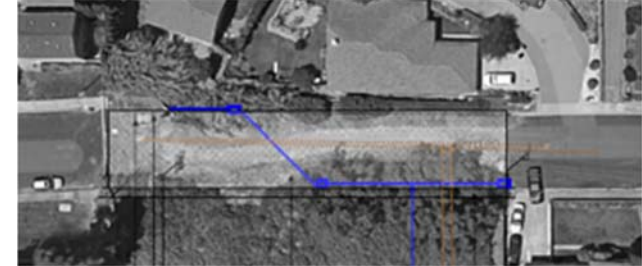
Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	106			\$ 30,000			
Construction	106				\$ 175,000		
Contingency	106				\$ 25,000		
	Subtotal			\$ 30,000	\$ 200,000		
	Total Cost Estimate: \$ 230,000						

STORMWATER

SW 01 - Hazel Street Storm Drain Improvements

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start:
Revised Project Completion: June 30, 2023
Project Origin: Development Driven
Multi-year Project: Yes



Description: The existing stormwater collection is an open trench system and needs to be converted to an underground conveyance system to facilitate construction of a through road. This project will include connecting the existing storm drain network within Hazel Street between 1087 Hazel St (eastern limits) and 1081 Hazel St. (western limits). In January 2020, the City contacted with Schaff and Wheeler to prepare the preliminary design which includes plan and profile of the pipe and technical specifications.

Supplemental Information: This conversion also aids in compliance with the MSP4 by reducing the potential of contaminants including litter from entering the stormwater system.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	106	\$ 54,910					
Construction	106		\$ 356,460				
	276		\$ 58,000				
Contingency	106		\$ 62,000				
	Subtotal	\$ 54,910	\$ 476,460				
	Total Cost Estimate: \$ 531,370						

ROADS

ROAD 01 - Residential Slurry Seal

Initial Project Start: July 1, 2025
Initial Project Completion: June 30, 2026
Revised Project Start:
Revised Project Completion:
Project Origin: Pavement Management Program
Multi-year Project: No



Description: Based on the most current P-TAP report various segments will be recommended for slurry seal treatment. A slurry seal functions as a topcoat to existing asphalt pavement to preserve and protect the pavement. It is best suited for pavements with mild to moderate damage, such as narrow cracks, but not for severe damage such as potholes.

Supplemental Information:

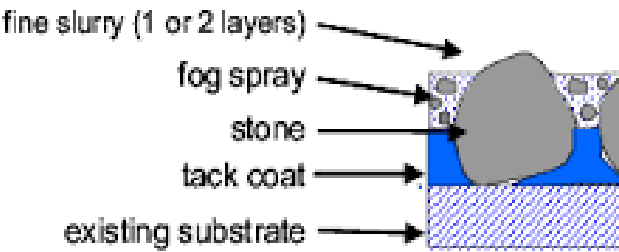
Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	325					\$ 10,000	
Construction	325					\$ 800,000	
Contingency	325					\$ 80,000	
	Subtotal					\$ 890,000	
	Total Cost Estimate: \$ 890,000						

ROADS

ROAD 01 - Cape Seal

Initial Project Start: July 1, 2024
Initial Project Completion: June 30, 2025
Revised Project Start:
Revised Project Completion:
Project Origin: Pavement Management Program
Multi-year Project: No



Description: Based on the most current P-TAP report, various pavement segments will benefit from a cape seal. A cape seal is applied when a slurry seal or micro-surfacing will not adequately address the pavement deterioration. Cape seals are a multi-layered treatment pavement preservation treatment which can extend the life of a pavement by 6-8 years.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	325				\$ 10,000		
Construction	325				\$ 500,000		
Contingency	325				\$ 50,000		
	Subtotal				\$ 560,000		
	Total Cost Estimate: \$ 560,000						

ROADS

ROAD 01 - Residential Slurry Seal

Initial Project Start: July 1, 2023
 Initial Project Completion: June 30, 2024
 Revised Project Start:
 Revised Project Completion:
 Project Origin: Pavement Management Program
 Multi-year Project: No



Description: Based on the most current P-TAP report various segments will be recommended for slurry seal treatment. A slurry seal functions as a topcoat to existing asphalt pavement to preserve and protect the pavement. It is best suited for pavements with mild to moderate damage, such as narrow cracks, but not for severe damage such as potholes.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	325			\$ 10,000			
Construction	325			\$ 800,000			
Contingency	325			\$ 80,000			
	Subtotal			\$ 890,000			
	Total Cost Estimate: \$ 890,000						

ROADS

ROAD 01 - Arterial Rehabilitation

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2023
Revised Project Start:
Revised Project Completion: June 30, 2024
Project Origin: Pavement Management Program
Multi-year Project: Yes



Description: Based on the 2019 P-TAP report, various segments were recommended for treatment by StreetSaver®. The recommendations will be further validated through a comparative pavement analysis to explore additional treatment options which are not discussed in the P-TAP report. This will allow the City to optimize the available funding. In February 2021, the City selected a consultant to complete the preliminary engineering for this project.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	377	\$ 18,606	\$ 39,874				
Construction	200		\$ 428,910				
	377		\$ 625,000	\$ 215,000			
Contingency	377		\$ 93,750	\$ 32,250			
	Subtotal	\$ 18,606	\$ 1,187,534	\$ 247,250			

ROADS

ROAD 02 - Tennent Ave. Rehabilitation

Initial Project Start:	July 1, 2020
Initial Project Completion:	June 30, 2023
Revised Project Start:	
Revised Project Completion:	June 30, 2025
Project Origin:	Pavement Management Program
Multi-year Project:	Yes



Description: The construction impacts from the WPCP upgrade project resulted in pavement deterioration. This project will rehabilitate Tennent Ave. from San Pablo Ave. to WPCP. In February 2021, the City selected a consultant to complete the preliminary engineering for this project.

Supplemental Information: In preparation of this project, the City retained a consultant to perform internal CCTV on this section of roadway. The inspection was completed in early 2021. Coordinating collection system improvements with street resurfacing projects ensures that sewer improvements are made prior to the resurfacing so that manholes and valve covers may be properly realigned, and repairs and replacements are made in a cost-effective manner. This also avoids cutting and patching recently paved streets. The City of Hercules will reimburse \$86,430 for this project.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	500	\$ 27,423	\$ 10,382				
Construction	200				\$ 381,082		
	500				\$ 74,597		
	325				\$ 167,321		
Contingency	500				\$ 32,000		
	Subtotal	\$ 27,423	\$ 10,382		\$ 655,000		
	Total Cost Estimate: \$ 692,805						

ROADS

ROAD 05 - Appian Way Complete Streets

Initial Project Start:	July 1, 2021
Initial Project Completion:	June 30, 2022
Revised Project Start:	
Revised Project Completion:	June 30, 2023
Project Origin:	Staff Recommendation
Multi-year Project:	Yes



Description: Completion of preliminary engineering and design to provide continuous sidewalks and bike lanes along Appian Way beginning from unincorporated El Sobrante to about 1500 lineal feet north of the City limit within Pinole. In December 2021, City Council approved a Cooperative Funding Agreement with WCCTAC to receive STMP funds to complete preliminary design for this project.

Supplemental Information: This project will connect with the Contra Costa County's project to provide continuous sidewalks and bike lanes along Appian Way from San Pablo Dam Rd. in unincorporated El Sobrante. This project will involve coordination with Contra Costa County. The construction phase of this project is unfunded and appears in the Unfunded and Unprogrammed list.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	325		\$ 100,000				
	UF						\$ 970,000
	Subtotal		\$ 100,000				\$ 970,000
	Total Cost Estimate: \$1,070,000						

ROADS

ROAD 07 - Brandt St. Improvements

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2023
Revised Project Start:
Revised Project Completion:
Project Origin: Council Request
Multi-year Project: No



Description: Provide improvements on Brandt St. including application of pavement treatments based on type and severity of distresses on existing pavement.
Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	100		\$ 50,000				
Construction	100		\$ 120,000				
	Subtotal		\$ 170,000				
	Total Cost Estimate: \$ 170,000						

ROADS

ROAD 02 - Pedestrian Improvements at Tennent Ave. near R x R

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2021
Revised Project Start:
Revised Project Completion: June 30, 2025
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: In 2018, the East Bay Regional Park District completed a trail link to connect Pinole Shores Regional Shoreline to Bayfront Park trail. There remains one very small gap on Tennent Ave. from Bayfront Park to Railroad Ave. Improvements to Tennent Ave. at the Railroad Crossing will facilitate safe movement of bicycles and pedestrians. Since project inception, the scope of work has evolved to include improvements that would maximize parking on Railroad Avenue for park users. In February 2021, the City selected a consultant to complete the preliminary engineering for this project.

Supplemental Information: WCCTAC held its STMP Call for Projects in 2018 which committed \$100k in funding for preliminary engineering from the 2006 STMP program for this project. This project is eligible to respond to future STMP Call for Projects to compete for funding to advance the project through construction.

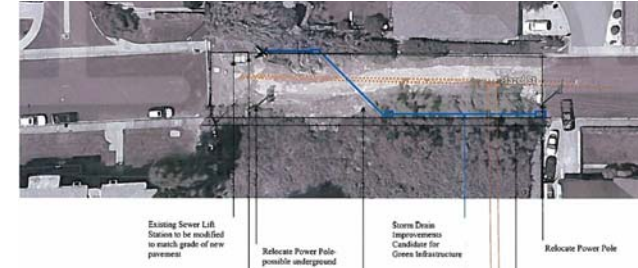
Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	325	\$ 37,324	\$ 61,556				
Construction	325				\$ 19,700		
	UF				\$ 680,000		
Contingency	UF				\$ 100,300		
	Subtotal	\$ 37,324	\$ 61,556		\$ 800,000		
	Total Cost Estimate: \$ 898,880						

ROADS

ROAD 02 - Hazel Street Gap Closure (Sunnyview)

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2022
Revised Project Start:
Revised Project Completion: July 30, 2025
Project Origin: Development Driven
Multi-year Project: No



Description: A developer has proposed to develop on a vacant lot identified as APN 402-013-060 at the end of Hazel Street. The project proposes the subdivision of the lot into four new parcels and development of single family residences on each new parcel, and execution of a development agreement to make public improvements, including the extension of Hazel Street for roadway connection to Sunnyview Drive - West end of Hazel St.

Supplemental Information: Completion of Project SW1901 prior to this project.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Construction	276				\$ 50,000		
	Developer				\$ 150,000		
	Subtotal				\$ 200,000		
Total Cost Estimate: \$ 200,000							

ROADS

ROAD 10 - San Pablo Avenue Bridge over BNSF Railroad

Initial Project Start: July 1, 2017
Initial Project Completion: Beyond 5 year term
Revised Project Start:
Revised Project Completion: June 30, 2026
Project Origin: End of life cycle
Multi-year Project: Yes



Description: The San Pablo Avenue bridge over the Burlington Northern Santa Fe Railroad is an integral part of the area's transportation network. The age and condition assessment of the bridge supports replacement. The City was approved for initial funding from the Caltrans Highway Bridge Program (HBP). In February 2020, the City awarded a contract to a consultant for preliminary engineering (PE) to advance the project. The PE will be completed in two phases due to funding limitations. Completion of preliminary design is necessary to develop a final cost estimate for the project. Unfunded portions of this project appear in the Unfunded and Unprogrammed project list as Project UF022.

Supplemental Information: The total budget identified to complete the PE exceeds the amount of funding Caltrans committed to the project of the State's share in the current HBP.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
PM	325	\$ 257,061	\$ 80,000	\$ 42,439			
Planning & Design	325	\$ 537,176	\$ 1,225,463	\$ (42,439)	\$ (7,500)		
	STMP	\$ (91,089)	\$ (1,223,746)	\$ (285,165)			
	HBP	\$ (708,856)	\$ (81,717)				
	UF						
Construction	STMP						
	UF			\$16,578,400	\$ 8,439,200	\$ 8,439,200	
	Subtotal	\$ (5,709)	\$ -	\$16,293,235	\$ 8,431,700	\$ 8,439,200	
	Total Cost Estimate: \$33,158,426						

ROADS

ROAD 08 - Pinole Valley Road Improvements

Initial Project Start: July 1, 2020
 Initial Project Completion: June 30, 2021
 Revised Project Start: July 1, 2022
 Revised Project Completion: June 30, 2023
 Project Origin: Council Request
 Multi-year Project: No



Description: As part of the high school construction project WCCUSD provided road improvements along the school frontage. Improvements to Pinole Valley Road - from Shea Dr. to Helena Ct. will extend the useful life of the pavement. The existing pavement score is high in this area, so a slurry seal may be the recommended treatment.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Engineering	200		\$ 5,000				
Construction	200		\$ 87,000				
Contingency	200		\$ 8,000				
	Subtotal		\$ 100,000				
	Total Cost Estimate: \$ 100,000						

ROADS

ROAD 14 - Safety Improvements at Appian Way and Marlesta Rd. (formerly known as HAWK at Appian Way and Marlesta Rd.)

Initial Project Start: July 1, 2024
Initial Project Completion: June 30, 2025
Revised Project Start: July 1, 2020
Revised Project Completion: June 30, 2023
Project Origin: TAPS
Multi-year Project: Yes



Description: The key elements affecting the safety of pedestrians and cyclists at the Appian Way and Marlesta Way intersection is speed and reduced visibility of approaching traffic due to the topography of the project area. Safety improvements are required to improve crossing conditions for pedestrians and bicyclists. In February 2021, the City selected a Consultant to complete the preliminary engineering for this project.

Supplemental Information: The City secured grant funds to install a traffic signal at this intersection instead of a HAWK.

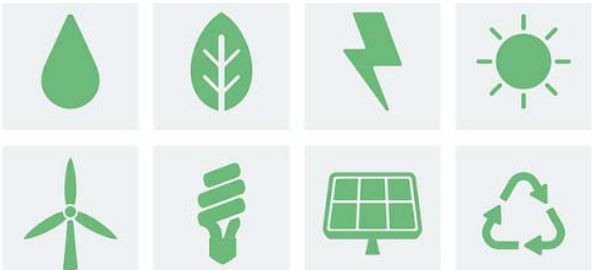
Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	325	\$ 25,193	\$ 9,144				
Construction	OBAG2		\$ 350,000				
	TDA		\$ 129,400				
	106		\$ 67,278				
Contingency	106		\$ 82,050				
	Subtotal	\$ 25,193	\$ 637,872				
	Total Cost Estimate: \$ 663,065						

INFRASTRUCTURE ASSESSMENTS

IN2 1 - Energy Audit

Initial Project Start: July 1, 2022
 Initial Project Completion: June 30, 2023
 Revised Project Start:
 Revised Project Completion:
 Project Origin: Staff Recommendation
 Multi-year Project: No
 Description:
 Supplemental Information:



Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	106		\$ 50,000				
	Subtotal		\$ 50,000				
	Total Cost Estimate: \$ 50,000						

INFRASTRUCTURE ASSESSMENTS

IN2 1 - Emergency Power for Critical Facilities

Initial Project Start:	July 1, 2021
Initial Project Completion:	June 30, 2023
Revised Project Start:	July 1, 2022
Revised Project Completion:	June 30, 2024
Project Origin:	Council Request
Multi-year Project:	Yes



Description: During severe natural hazard events, it is highly likely that utility power will not be available for an extended period of time. Critical facilities will need reliable sources of sustained electrical power to continue operations. This project will: 1) identify critical facilities in need of back-up power in coordination with an Emergency Operations Plan (EOP) , 2) assess power loads in each critical facility that requires back-up power, 3) determine the costs and technology options including solar battery storage, and 4) make any additional recommendations to Council before advancing to construction.

Supplemental Information: The Public Safety Building, Fire Station 74, and the Water Pollution Control Plant have stand by generators.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	100		\$ 30,000				
Construction	100			\$ 170,000			
	Subtotal		\$ 30,000	\$ 170,000			
	Total Cost Estimate: \$ 200,000						

INFRASTRUCTURE ASSESSMENTS

IN2 2 - Municipal Broadband Feasibility

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2024
Revised Project Start: July 1, 2022
Revised Project Completion: June 30, 2023
Project Origin: Council Request
Multi-year Project: No



Description: A feasibility study will determine a successful deployment strategy and associated costs for implementing municipal broadband service in Pinole.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	106		\$ 60,000				
	Subtotal		\$ 60,000				
	Total Cost Estimate: \$ 60,000						

INFRASTRUCTURE ASSESSMENTS

IN2 3 - Recycled Water Feasibility

Initial Project Start: July 1, 2022
Initial Project Completion: June 30, 2023
Revised Project Start:
Revised Project Completion: June 30, 2024
Project Origin: Council Request
Multi-year Project: Yes



Description: A feasibility study will allow the City to plan and phase the construction of future recycled water distribution system infrastructure. The study will identify potential recycled water customers, evaluate the quantity, quality, and recycled water distribution system options to address the needs of potential users in surrounding areas, seek opportunities to phase the construction of a recycled water delivery system, and develop planning-level cost options for the phased system.

Supplemental Information: Recycled water delays or eliminates the need to construct more potable water facilities, sustains the economy with increased water supply reliability, protects the environment, safeguards investments in parks and landscaping with drought proof or drought resistant water supply, and contributes to a green and healthy environment. In 2019, East Bay Municipal Utility District (EBMUD) prepared an Updated Recycled Water Plan which considered the potential for potable reuse in EBMUD’s water service area. The development of a new recycled water supply for the Phillips 66 refinery in Rodeo using effluent from the Pinole-Hercules and Rodeo wastewater treatment plants was among the recommended non-potable reuse projects. This project is estimated to deliver up to 3.67 MGD of recycled water to the refinery for use in their boilers and cooling towers. The combined final disinfected effluent from both plants would be pumped at the Rodeo Pump Station to the refinery for treatment a new advanced recycled water treatment plan. This project was recommended by EBMUD because it would deliver a large amount of water to a single customer, with comparatively few pipelines required due to the short distance between the sources of wastewater and the Phillips 66 Refinery

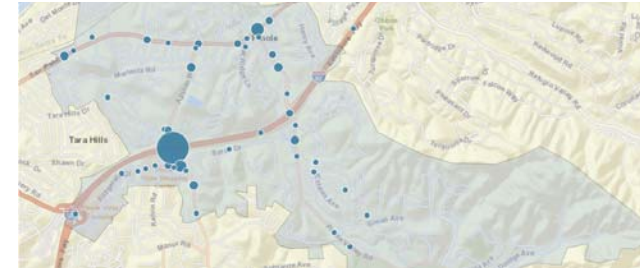
Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Design	100		\$ 60,000				
Construction	100			\$ 140,000			
	Subtotal		\$ 60,000	\$ 140,000			
	Total Cost Estimate: \$ 200,000						

INFRASTRUCTURE ASSESSMENTS

IN2 4 - Local Road Safety Plan

Initial Project Start:	July 1, 2020
Initial Project Completion:	June 30, 2022
Revised Project Start:	
Revised Project Completion:	December 30, 2022
Project Origin:	Staff Recommendation
Multi-year Project:	Yes



Description: Development of a Local Road Safety Plan (LRSP) which will include an existing conditions assessment, development of traffic measures in areas of engineering, education, encouragement, enforcement, emerging technologies along with associated evaluation. The LRSP will include a prioritized list of roadway infrastructure improvements.

Supplemental Information: In July 2020, staff submitted a grant application to Caltrans for funding to develop and implement an LRSP for the City of Pinole. LRSP's allow local governments to identify, analyze, and prioritize roadway safety improvements on roads within their jurisdiction. In the future, an LRSP or its equivalent, will be required for agencies to apply for federal Highway Safety Improvement Plan funds. In October 2020, the City was selected for funding and implementation of an LRSP. In December 2020, the City released a Request for Proposals to seek professional services from licensed engineering firms to develop a LRSP. A contract was awarded to a consultant in April 2021.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	325	\$ 19,013	\$ 20,650				
	Subtotal	\$ 19,013	\$ 20,650				
	Total Cost Estimate: \$ 39,663						

INFRASTRUCTURE ASSESSMENTS

IN2 6 - Active Transportation Plan

Initial Project Start: July 1, 2021
Initial Project Completion: June 30, 2022
Revised Project Start: July 1, 2022
Revised Project Completion: June 30, 2023
Project Origin: TAPS
Multi-year Project: No



Description: Development of an Active Transportation Plan will act as a guide for active mobility within and around Pinole. The Plan will identify an integrated network of walkways and bikeways that connect Pinole neighborhoods and communities to employment, education, commercial, recreational, and tourist destinations. The plan will prioritize a set of connected projects, that when fully implemented, will increase active transportation opportunities and make it safe and more convenient for people to walk, bike, and use non-auto forms of travel.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	100		\$ 75,000				
	Subtotal		\$ 75,000				
	Total Cost Estimate: \$ 75,000						

INFRASTRUCTURE ASSESSMENTS

IN2 1 - Sanitary Sewer Collection System Master Plan

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2022
Revised Project Start:
Revised Project Completion: December 30, 2022
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: In September 2020, the City Council awarded a contract to Carollo Engineers, Inc. to develop a Sanitary Sewer Collection System Master Plan (Plan). The Plan will provide a condition assessment of the sewer collection assets to inform capital planning and effectively serve the wastewater needs of residents and businesses. This plan will also provide a capacity analysis to identify pipes that need to be upsized. Master planning is critical to identify when and where infrastructure upgrades or improvements will be needed to accommodate growth.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	500	\$ 359,147	\$ 89,853				
	Subtotal	\$ 359,147	\$ 89,853				
	Total Cost Estimate: \$449,000						

INFRASTRUCTURE ASSESSMENTS

IN1 3 - Storm Drainage Master Plan

Initial Project Start: July 1, 2020
Initial Project Completion: June 30, 2023
Revised Project Start: July 1, 2023
Revised Project Completion: June 30, 2025
Project Origin: Staff Recommendation
Multi-year Project: Yes



Description: Preparation of a storm drain master plan will provide an analysis of the existing collection system. The plan will identify system deficiencies related to capacity, functionality, and permit compliance. The plan can serve to guide future budget allocations for improvements to the system.

Supplemental Information:

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	106			\$ 75,000	\$ 75,000		
	Subtotal			\$ 75,000	\$ 75,000		
	Total Cost Estimate: \$ 150,000						

INFRASTRUCTURE ASSESSMENTS

IN 4 - Park Master Plan

Initial Project Start:	July 1, 2020
Initial Project Completion:	June 30, 2021
Revised Project Start:	July 1, 2021
Revised Project Completion:	June 30, 2023
Project Origin:	Staff Recommendation
Multi-year Project:	No



Description: Preparation of a park master plan will aid the City in developing a strategic approach to park maintenance and operation. The master plan will allow the City to quantify and qualify the existing park system, identify deficiencies, and develop a financial analysis of the cost to maintain and operate park assets.

Supplemental Information: This project was added to the CIP in 2017 as an unfunded project; Council approved funding in 2020.

Budget:

	Fund	Prior Funding	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
Planning	106		\$ 100,000				
	Subtotal		\$ 100,000				
	Total Cost Estimate: \$ 100,000						

UNFUNDED AND UNPROGRAMMED PROJECTS

**CAPITAL IMPROVEMENT PLAN: FY 2022/23 THROUGH FY 2026/27
UNFUNDED AND UNPROGRAMMED PROJECTS**

#	Unfunded/Unprogrammed Projects
UF001	Railroad Avenue Bridge Removal and Replacement
UF002	Electric Vehicle Charging Stations in City lots
UF003	Parking lot resurfacing
UF004	LLAD Landscape Restoration and Improvement
UF005	Dog Park Restroom Replacement
UF006	Dog Park resurfacing and fencing improvements
UF007	Eucalyptus Grove Restoration
UF008	Fernandez Park Baseball grandstand improvement
UF009	Repave Trails
UF010	ADA Ramps
UF011	Appian Complete Streets
UF012	Bridge Maintenance
UF013	Installation of High intensity Activated crossWALK (HAWK)
UF014	Pavement Maintenance
UF015	I-80/Pinole Valley Rd. Interchange Improvements
UF016	Shale Hill Retaining wall and sidewalk gap
UF017	Sidewalks gaps
UF018	Signal System Upgrades
UF019	San Pablo Sewer Lift Station Upgrade
UF020	Sewer Collection Systemwide Rehabilitation
UF021	Tree Master Plan
UF022	San Pablo Avenue Bridge over BNSF Railroad
UF023	Installation of Solar at City Facilities
UF024	All weather access roads

UF001 - Railroad Avenue Bridge Removal and Replacement

Project Information

The Contra Costa County Flood Control and Water Conservation District has advised removal of the Railroad Avenue Bridge. The bridge is a flood barrier. The first step is to determine if the City of Pinole is the responsible agency for this project.

Origin: Staff Recommendation

Budget Unit: Roads/Sanitary Sewer/Stormwater

Cost Estimate:

Potential Funding Sources:

UF002 - Electric Vehicle Charging Stations in City lots

Project Information

The City desires to promote and encourage the use of electric vehicles. With increased adoption of alternative fuel vehicles, the need for charging infrastructure is growing. The City wishes to install charging stations in city owned parking lots. The first step is to complete a load study at City owned parking lots to determine the electrical capacity at each site. There may be significant electrical upgrades necessary to install charging stations. Electrical capacity and siting determine ultimately determine the cost of each project. There are incentives available for the charging equipment.

Origin: Council Request

Budget Unit: Facilities

Cost Estimate:

Potential Funding Sources: Bay Area Air Quality Management District, West Contra Costa Transportation Authority, Marin Clean Energy

UF003 - Parking lot resurfacing

Project Information

This project is to maintain and enhance existing City owned parking facilities and infrastructure, to increase parking supply, and to support ongoing multi-modal and streetscape improvements. Improvements include saw cutting and demolition, pavement removal, earthwork, pavement installation, curb and gutter, striping, and signage.

Origin: Staff Recommendation

Budget Unit: Facilities

Cost Estimate:

Potential Funding Sources: Economic stimulus funding

UF004 - LLAD Landscape Restoration and Improvement

Project Information

The Pinole Valley Road Landscape and Lighting Assessment District was formed in 2008. The City installed various improvements on Pinole Valley Road between Henry Avenue and Ramona Street. The district provides maintenance to traffic signals, streetlights, median landscaping, irrigation for landscaping, electricity to traffic signals and streetlights, and graffiti removal. This project will maintain and restore turf, shrubs, plants and trees within the District.

Origin: LLAD Report

Budget Unit: LLAD

Cost Estimate:

Potential Funding Sources: Fund 345 & 348

UF005 - Dog Park Restroom Replacement

Project Information

The existing restroom located at the Dog Park is beyond its useful life and requires replacement.

Origin: Staff Recommendation

Budget Unit: Parks

Cost Estimate:

Potential Funding Sources: -

UF006 - Dog Park resurfacing and fencing improvements

Project Information

Resurfacing and fencing improvements

Origin: Staff Recommendation

Budget Unit: Parks

Cost Estimate:

Potential Funding Sources:

UF007 - Eucalyptus Grove Restoration

Project Information

The open space located between the Old Town area between John St. and Pinole Valley Road is forested with Eucalyptus trees. In 2014, a Safety Inspection was conducted by a consultant. A total of 8 trees were recommended for removal, and root crown excavation was recommended for 3 trees. 2 trees were determined to be hollow and recommended for further investigation to evaluate the level of internal decay. In 2018, the City hired a company to remove 20 Eucalyptus trees in the area. There are still many trees left and many of the prior trees were felled with the trunks remaining on site. This project will remove the remaining trees, both standing and, on the ground, and regreen this area with native trees.

Origin: Council Request

Budget Unit: Parks

Cost Estimate:

Potential Funding Sources:

UF008 - Fernandez Park Baseball grandstand improvement

Project Information

The current grandstand is aging and requires increased maintenance to maintain its serviceability.

Origin: Staff Recommendation

Budget Unit: Parks

Cost Estimate:

Potential Funding Sources:

UF009 - Repave Trails

Project Information

The City's goal is to develop safe, connected, and comfortable bicycle and pedestrian facilities for people of all ages and abilities. Repaving trails will enhance trail access from the City's roadway network to encourage alternative modes of transportation.

Origin: Staff Recommendation

Budget Unit: Parks

Cost Estimate:

Potential Funding Sources:

UF010 - ADA Ramps

Project Information

This project involves removing barriers to accessibility for persons using wheelchairs or other personal assistance devices and improving pedestrian accessibility and safety by reconstructing or upgrading curb ramps at various locations throughout the City.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

UF011 - Appian Complete Streets

Project Information

This project will provide continuous side-walks and bike lanes along Appian Way from San Pablo Dam Rd. in unincorporated El Sobrante to about 1500 lineal feet north of the city limit within the City of Pinole. The City will seek 2019 STMP funds from West Contra Costa Transportation Authority for preliminary design.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate: \$970,000

Potential Funding Sources: -

UF012 - Bridge Maintenance

Project Information

Maintenance of vehicular and pedestrian bridges as identified in the Caltrans Bridge Inspection Reports and Pedestrian Bridge Inspection Reports completed by Quincy Engineering, Inc.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

UF013 - Installation of High intensity Activated crossWALK (HAWK)

Project Information

A High Intensity Activated crossWALK (HAWK) beacon is a traffic control device used to stop road traffic and facilitate pedestrians to cross more safely. HAWKS are candidate treatments for roads with three or more lanes and generally have an annual average daily traffic above 9,000. HAWKS are considered for all midblock and intersection crossings where roadway speed limits are equal or greater than 40 mph. The safety of various crossings can be improved in Pinole through the installation of a HAWK.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

UF014 - Pavement Maintenance

Project Information

The City uses a pavement management software known as StreetSaver to strategize the most cost effective method to extend the pavement life. Pavement Maintenance is necessary to maintain the City's pavement network. Deferred maintenance results in increased costs over time.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate: \$42,000,000

Potential Funding Sources: Fund 200 and Fund 106

UF015 - I-80/ Pinole Valley Rd. Interchange Improvements

Project Information

This project will widen Pinole Valley Road ramp terminal intersections at I-80 to provide a dedicated right turn lane to the eastbound and westbound I-80 on ramps. This project will also provide crossing enhancements at the Pinole Valley Road and I-80 intersection.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate: \$10,959,000

Potential Funding Sources:

UF016 - Shale Hill Retaining wall and sidewalk gap

Project Information

Shale Hill is located on San Pablo Ave. near Oak Ridge Road. The cut slope above the pavement is comprised of shale which is loose and sloughs onto the road. There is no sidewalk in this area because the toe of the embankment is uncontrolled and there is inadequate space to accommodate a sidewalk. Staff has not been successful in securing grant funds for this project.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

UF017 - Sidewalk gaps

Project Information

This project will address sidewalk gaps by installing public sidewalks where sidewalks are missing on one or both sides of the street. This work will be coordinated with other construction projects. Sidewalk gaps often exist in places with site constraints (i.e. right of way, grade/slopes, or utility conflicts) or are adjacent to properties that have been required to provide sidewalks in the past due to land uses or ownerships. Locations for repair will be selected based on site conditions, pedestrian safety, and adjacent property attributes.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

UF018 - Signal System Upgrades

Project Information

This project will upgrade various aspects of the City's traffic signal system including: traffic signal controller equipment, vehicle detection, traffic signal arms and heads, battery backup systems, and communications systems to reduce congestion and improve safety for the Pinole community.

Origin: Staff Recommendation

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

UF019 - San Pablo Sewer Lift Station Upgrade

Project Information

This project involves upgrading the structural and electrical needs of the San Pablo Ave. lift station to address the safety and operational deficiencies.

Origin: Sanitary Sewer Master Plan

Budget Unit: Sewer

Cost Estimate:

Potential Funding Sources:

UF020 - Sewer Collection Systemwide Rehabilitation

Project Information

In 2020, the City contracted with a consultant to prepare a sanitary sewer collection system master plan. The Master Plan will provide condition assessment of sewer collection assets that will inform capital planning.

Origin: Sanitary Sewer Master Plan

Budget Unit: Sewer

Cost Estimate:

Potential Funding Sources:

UF021 - Tree Master Plan

Project Information

In 2019, the City Council established a Beautification Ad Hoc Committee to analyze options for, and to make recommendations to Council regarding clean-up and beautification projects in Pinole. Among other projects, the Committee recommended the development of a Tree Master Plan to inventory the existing trees, and to develop a plan for managing the tree inventory, including finding tree planting opportunities.

Origin: Beautification AdHoc Committee

Budget Unit:

Cost Estimate: \$375,000

Potential Funding Sources: Cal Fire Urban and Community Forestry Grant Program

UF022 - San Pablo Avenue Bridge over BNSF Railroad

Project Information

This project will replace the existing thirteen span reinforced concrete span structure over the Burlington Northern Santa Fe Railroad adjacent to San Pablo Avenue at the easterly limits of the City. On 02/18/20, Council awarded a contract to a Consultant to begin the preliminary engineering (PE) for this project (CIP Project RO1710). The PE will be completed in two phases due to funding limitations. The first phase was necessary to develop a final cost estimate to facilitate pursuing additional funding required to complete all phases including construction.

Origin: End of life cycle

Budget Unit: Roads

Cost Estimate: \$35,582,665

Potential Funding Sources: Fund 213, Fund 214, and Economic Stimulus funds.

UF023 - Installation of Solar at City Facilities

Project Information

This project involves procurement and installation of solar panels at City owned facilities to offset the City's electricity consumption and reduce the greenhouse gas impacts.

Origin: Council Request

Budget Unit: Facilities

Cost Estimate:

Potential Funding Sources:

UF024 - All access weather roads

Project Information

The General Plan, Chapter 8 discusses improvement of open space management to reduce wildfire risks. There is a desire to have improved, all-weather access roads through open space to improve access to and from Hercules and El Sobrante to shorten response times and improve mutual aid.

Origin: General Plan

Budget Unit: Roads

Cost Estimate:

Potential Funding Sources:

CIP Project Lifecycle and Project Status Summary

CIP projects usually have five major phases of their lifecycle, described below.

- **Initiation:** Projects in the CIP are selected and prioritized based on specific criteria such as consistency with master plans and policies, regulatory requirements, health and safety impacts, and community benefits. The funding is identified for projects and a capital budget is presented to Council for consideration. Once the CIP is adopted by City Council, staff is responsible for project implementation. The initiation phase involves determining whether the project will be managed by City staff or a consultant, assigning the project to a manager, and assembling the project team.
- **Planning:** The assigned project manager develops the scope, preliminary schedule, and funding requirements, and identifies stakeholders.

Construction projects can be completed through several delivery methods, including design-build and design-bid-build. In design-build, the same firm/team of firms is selected to design and build the project, whereas in design-bid-build one firm designs the project, then the construction is bid, and a construction firm builds the project. Depending on the delivery method, a construction project can involve several steps which may include design, bid, award, construction, and closeout.

For non-construction projects such as master planning, staff defines the initial project by identifying major goals and objectives.

Throughout the project lifecycle, coordination and engagement with various stakeholders is necessary. Stakeholders can include the community, business owners, utilities, funding partners, and other interested and affected parties.

- **Execution:** For construction projects, the project plans and specifications, and preliminary costs estimates, are prepared. Typically, there are three levels of design review which allow opportunity for coordination and input with stakeholders, utilities, funding partners, and regulatory agencies. The design review usually occurs at 35, 65, and 90 percent of design completion. As the design progresses through each level, the cost estimate becomes more precise. The completed design is reviewed and approved by the City Engineer.

For a design-bid-build project, the final approved design goes out to bid. The project cost estimate and source of project funding govern which procurement policies and procedures will apply. The City's procurement policy establishes the standards for purchase of goods, services, and supplies. Projects involving federal or State grant funds typically involve stricter and more formalized procedures. In addition, high value public works projects must adhere to

processes established in the California Public Contract Code. A contract is awarded to the most qualified and responsible vendor.

After a contract is awarded and executed with the appropriate insurance and bonds, project construction can begin. The project size and complexity dictate the length of the construction phase.

For master plans, stakeholders are engaged, and links are identified among other infrastructure plans, the General Plan, and other applicable City plans. Next, solutions including conceptual alternatives are developed. Viable solutions are evaluated to ensure they meet the goals and needs of the project. The master plan is a final document which contains a recommended program and/or capital project list.

- **Monitoring:** Throughout the project lifecycle, staff oversees and monitors the project. Construction projects involve construction management, contract compliance, and project management services, which include technical and administrative tasks. Staff is also responsible for grant administration for projects that are funded by grants.
- **Closure:** Once construction projects are complete, the as-built drawings are filed for future reference. Closeout activities involve completing project related paperwork including filing the notice of completion with the Contra Costa County Recorder's office. For master plans, the final plan is presented to City Council.

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CITY COUNCIL REPORT

9J

DATE **NOVEMBER 15, 2022**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **ANDREW MURRAY, CITY MANAGER**

SUBJECT: **RECEIVE THE QUARTERLY REPORT ON IMPLEMENTATION OF THE
STRATEGIC PLAN FOR FISCAL YEAR (FY) 2022-23 FIRST QUARTER**

RECOMMENDATION

City staff recommends that the City Council receive the quarterly report on implementation of the Strategic Plan.

BACKGROUND

In February 2020, the City Council adopted the City of Pinole Strategic Plan 2020 – 2025. The Strategic Plan identified four goals for the City (safe and resilient, financially stable, vibrant and beautiful, and high performance) and 22 individual strategies (special projects) to complete over a five-year timeframe.

In August 2020, the City created the Strategic Plan Implementation Action Plan (IAP), which identified the timeframe on which each Strategic Plan strategy would be implemented. The City Council revisited the IAP in January 2021 and approved an updated version, which specified completion dates for each of the strategies. During the January 2021 discussion of the IAP, staff recommended a quarterly report on the status of the implementation of the Strategic Plan strategies, akin to the quarterly reports that staff provides to the Council on the City budget and City investments. Council agreed to this recommendation.

REVIEW & ANALYSIS

Below find a table listing the four goals and 22 strategies contained within the Strategic Plan, along with the start and completion dates for each agreed upon in the January 2021 IAP. Each strategy has been coded with a green, yellow, or red dot to indicate whether the City is on track to achieve the beginning and completion dates specified in the January 2021 IAP. Green indicates that the City is on track to achieve the beginning and completion dates; yellow indicates that the City is on track to achieve either the beginning or completion date; and red indicates that the City is not on track to achieve either the beginning or completion date. Note that “Year 1” is FY 2020-21. Those strategies that have been completed are shaded gray in the table below. The City has completed eight of the strategies and is currently on track to achieve the beginning and completion dates of many of the remaining strategies.

Goal and Strategy	Year to Begin Strategy (January 2021 IAP)	Year to Complete Strategy (January 2021 IAP)	FY 2021-22 First Quarter Status	Notes on Status
Goal 1: Safe and Resilient Pinole				
Strategy 1. Conduct a citywide asset condition assessment.	Year 1	Year 5		The City is in the midst of multiple asset condition assessments and master plans. At the end of Year 5, the City will have current assessments for all major capital assets.
Strategy 2. Update the emergency preparedness and response plan (including results of the facilities and equipment assessment).	Year 1	Year 1		Staff presented a draft updated Emergency Operations Plan (EOP) to the City Council on August 2, 2022. Staff expects to present a final updated EOP incorporating City Council's feedback and other changes for Council adoption in FY 2022-23 Q3.
Strategy 3. Explore restoring the community emergency response team (CERT) program and conducting annual tabletop exercises and community drills.	Year 3	Year 3		Staff expects to initiate and complete this effort on schedule. The City is planning to have Con Fire provide fire protection services on the City's behalf beginning in 2023. Con Fire does not operate CERT programs. Therefore, the City will need to decide whether it would like to have a CERT program, and which City department will operate it.
Strategy 4. Review, prioritize, and implement as appropriate the 2019 fire service study recommendations.	Year 1	Year 2	 Complete	City staff presented its assessment of the fire study and its recommendations regarding next steps to bolster fire service in April 2021. City Council approved staff's recommendations, which staff is now implementing.

Goal 2: Financially Stable Pinole				
Strategy 1. Develop a long-term financial plan (LTFP) and use it to guide budget and financial decisions (including policies regarding reserves and management of liabilities).	Year 1	Year 1	 Complete	The City adopted a LTFP in June 2021. The City adopted a second LTFP, for the following fiscal year, in June 2022.
Strategy 2. Conduct a comprehensive fee study to ensure cost recovery of current and potential service fees. (Evaluate implementing an online payment platform.)	Year 1	Year 2	 Complete	Staff presented a proposed updated Master Fee Schedule, based on a comprehensive fee study and cost allocation plan, to Council in June 2022, which Council approved. Staff will complete a fee study and recommend updates if appropriate to development impact fees in FY 2022-23. City staff has implemented options for online payments for certain services.
Strategy 3. Establish a program to evaluate grant opportunities and capacity.	Year 2	Year 2		City staff expects complete this project in FY 2022-23.
Strategy 4. Explore an array of revenue generation opportunities to recover costs.	Year 2	Year 3	 Complete	Staff has supported the City Council in exploring various revenue generation opportunities, most significantly when the City Council considered placing an increased real property transfer tax (RPTT) measure on the November 2022 ballot. Staff will continue to identify and assess opportunities.
Strategy 5. Develop a disciplined approach to funding infrastructure maintenance and improvements.	Year 1	Year 5		This is an ongoing effort in which staff is currently engaged, and which involves the asset condition assessments, master plans, and annual capital planning process.

Goal 3: Vibrant and Beautiful Pinole				
Strategy 1. Update the General Plan and Three Corridors Specific Plan.	Year 1	Year 4		Updates to the General Plan Housing and Health & Safety Elements in addition to a new Environmental Justice Element are underway, and on target for adoption by May 2023. In Q2 of FY 2022-23, staff will consider the need to update the General Plan and Three Corridors Specific Plan Environmental Impact Report so that high-density residential projects could utilize the EIR for project-specific environmental clearances, which would encourage streamlining the rehabilitation and re-use of undeveloped or under-developed properties. In Q3 of FY 2022-23 staff will begin to objectify subjective standards, which will provide additional certainty to developers and may involve updates to the Three Corridors Specific Plan.
Strategy 2. Develop/create a comprehensive strategy to encourage streamlining the rehabilitation and re-use of undeveloped or under-developed properties.	Year 4	Year 4		Staff expects to initiate and complete this effort on schedule.

Strategy 3. Partner with regional for- and non-profit housing organizations to provide an array of housing options consistent with community income levels.	Year 1	Year 1	 Complete	The City has partnered with nonprofit housing organizations to explore and develop affordable housing projects, particularly the Satellite Affordable Housing Associates (SAHA) project at 811 San Pablo Avenue. Staff also processed an application for a 179-unit, 100% affordable senior housing project at 600 Roble Avenue called Vista Woods. Although this is an ongoing effort, it was scheduled as a one-year project in the IAP, and is therefore marked as complete.
Strategy 4. Develop a comprehensive economic development strategy that includes a focus on downtown redevelopment to activate the core of the community as a destination for the region (including gateway and wayfinding signage as well as branding).	Year 1	Year 2		Staff and the City's consultant presented a draft Economic Development Strategy to the City Council in August 2022. Staff expects to present a final Economic Development Strategy incorporating City Council's feedback for Council adoption in FY 2022-23 Q2.
Strategy 5. Partner regionally to improve and enhance transportation circulation, including public transit, cars, bikes, and pedestrians.	Year 2	Year 4		The City is engaged in several collaborations with other jurisdictions and agencies to enhance transportation. The City Council appropriated funding to create an Active Transportation Plan; the City received funding to collaborate with the County on an Appian Way complete streets project; and the City is requesting that new development projects have facilities to promote transit.
Strategy 6. Conduct a review and update of the City's code enforcement and property maintenance programs with a focus on increased	Year 1	Year 1		This is an ongoing effort. City staff is continually updating code enforcement policies and procedures. Investment in community amenities is a

beautification efforts and investment in community amenities, business districts, and nuisance abatement.				responsibility of the capital improvement plan and the potential creation of business districts will be addressed in the forthcoming Economic Development Strategy.
Goal 4. High Performance Pinole				
Strategy 1. Develop an employee attraction, retention, and development plan. a. Analyze the City's classification and compensation system and update as needed.	Year 1	Year 2	 Complete	Staff completed an employee attraction, retention, and development plan ("Talent Management Plan") in June 2022. City staff continuously updates the classification system and seeks Council approval of appropriate compensation changes.
Strategy 2. Conduct a citywide organization review to optimize efficiencies.	Year 1	Year 1	 Complete	The City completed a citywide organizational review (assessment) in March 2021.
Strategy 3. Review citywide implementation of best practices and improve processes.	Year 2	Year 5		This is an ongoing effort in which staff is currently engaged. City staff have made many process improvements since the adoption of the Strategic Plan.
Strategy 4. Develop a strategic communication plan (i.e., public information officer, messaging, marketing, technical implementation).	Year 1	Year 2		The City engaged consultants beginning in August 2021 to create a communication and engagement plan. City staff expects that the consultant will present a Communication and Engagement Plan to the City Council in October 2022.
Strategy 5. Develop a public engagement plan. a. Develop policies and practices that provide a framework for diverse community members to connect, interact, and proactively participate. b. Explore opportunities for meaningful youth participation in city and community life.	Year 1	Year 2		The City engaged consultants beginning in August 2021 to create a communication and engagement plan. City staff expects that the consultant will present a Communication and Engagement Plan to the City Council in October 2022.

c. Develop a robust volunteer and internship program.				
Strategy 6. Develop a comprehensive information technology Strategic Plan.	Year 1	Year 1	 Complete	City staff completed a comprehensive IT Plan in June 2022.
Strategy 7. Develop an interagency legislative advocacy program.	Year 2	Year 2		City staff expects complete this project in FY 2022-23.

FISCAL IMPACT

There is no fiscal impact related to receiving this report.

ATTACHMENTS

None



CITY COUNCIL REPORT

9K

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: MISHA KAUR, CAPITAL IMPROVEMENT AND ENVIRONMENTAL PROGRAM MANAGER

SUBJECT: AWARD A CONSTRUCTION CONTRACT FOR INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION (CIP PROJECT # FA2002)

RECOMMENDATION

Staff recommends that the City Council adopt a resolution (Attachment A) to:

1. Award a construction contract (Attachment B) to the lowest responsive and responsible bidder, Lord's Electric, Inc., for the installation of a dual port Level II publicly available Electric Vehicle (EV) charging station at the parking lot serving the Public Safety Building (CIP Project # FA2002, the "Project");
2. Authorize the City Manager to execute a construction contract (Attachment B) with Lord's Electric, Inc. in an amount not to exceed \$73,300 for the Project and execute change orders of up to 10% of the contract price;
3. Authorize the Finance Director to amend the adopted Project budget to allocate \$30,630 from Measure S-2014 unencumbered fund balance; and
4. Authorize the City Manager or his designee to issue any necessary change orders to complete additional work within contract authority for the Project.

BACKGROUND

The Project is an approved project in the City of Pinole's current adopted Capital Improvement Plan (CIP) and involves installation of a Level II dual-port EV-Charging Station at the parking lot serving the Public Safety Building.

In October 2020, the City reserved a charging rebate with Marin Clean Energy (MCE) for installation of publicly available charging infrastructure and technical assistance. Technical assistance provided by MCE covers a site assessment which includes a review of the Americans With Disabilities Act (ADA) standards and options for charging station

placement, a load study to understand the proposed site's electrical capacity and if electrical upgrades are necessary, and an EV charger planning report.

City staff worked with the technical assistance provider to select a publicly accessible site where installation of charging infrastructure was feasible. A load study was conducted at the public parking lot serving the Public Safety Building located at 880 Tennent Ave. The results of the load study indicated that the site could support charging infrastructure. In April 2022, the City retained a Consultant to develop plans and specifications for the Project. On October 17, 2022, City staff released the Project bid on www.publicpurchase.com and also posted contract documents on www.ci.pinole.ca.us/bids.

REVIEW & ANALYSIS

On November 2, 2022, 4 bids were received and publicly read at 2:00 PM at City Hall. Per project bid documents, the City will award the project to the lowest responsive and responsible bidder based on the total bid amount. The following table summarizes the bids received:

Name of Bidder	Amount Bid
Lord's Electric, Inc.	\$73,300.00
Fort Bragg Electric, Inc.	\$99,328.00
Gruendl Inc., dba Ray's Electric	\$110,088.00
W. Bradley Electric, Inc.	\$131,040.00

The engineer's estimate for the Project construction is \$50,000.00 and the lowest bidder Lord's Electric Inc.'s bid is \$73,300, which is \$23,300 more than the engineer's estimate.

Staff evaluated Lord's Electric Inc's bid package, insurance, and bonding and determined Lord's Electric Inc's bid to be responsive. Through the bid package, Lord's Electric Inc. has completed contracts of similar size and scope. No bid protests were received. Staff believes that Lord's Electric Inc. has the experience and professional competency that will result in a satisfactory product for the City. Lord's Electric Inc's bid proposal documentation is complete, and staff has determined them to be the lowest responsive and responsible bidder.

Staff recommends the City Council accept the bid and award the construction contract to Lord's Electric Inc. for the Project. Furthermore, staff recommends that City Council authorize the City Manager to execute a contract with Lord's Electric Inc. in an amount not to exceed \$73,300 for the Project. In addition, staff recommends the City Council approve a 10% contingency, which will allow staff to address any issues that may arise during the work as approved by the City Manager or his designee. In addition, staff recommends that City Council authorize the City Manager or his designee to issue any

necessary change orders to complete additional work within contract authority for the Project.

FISCAL IMPACT

The current adopted capital construction budget is \$50,000 of Measure S-2014 funds. The charging rebate offered by MCE will subsidize the project by \$6,000 (\$3,000 per charging port).

The Project's construction budget does not have adequate funds to award the contract to the lowest responsive and responsible bidder. Staff requests an additional allocation of \$30,630 from Measure S-2014 to amend the Project's construction budget and award the construction contract to Lord's Electric Inc.

ATTACHMENTS

- A. Resolution
- B. Construction Contract

RESOLUTION NO. 2022 – XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, AWARDED A CONSTRUCTION CONTRACT FOR INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION (CIP PROJECT # FA2002)

WHEREAS, the City of Pinole (“City”) has adopted the FY 2022/23 through FY 2026/27 Capital Improvement Plan (CIP) which includes the Electric Vehicle Charging Station (CIP Project # FA2002, the “Project”) as a funded project; and

WHEREAS, the Project involves installation of a publicly available Level II Electric Vehicle (EV) Charging Station at the Public Safety Building; and

WHEREAS, on October 17, 2022, City staff released the bid on www.publicpurchase.com and also posted contract documents on www.ci.pinole.ca.us/bids; and

WHEREAS, on November 2, 2022, at 2:00 p.m., the Public Works staff publicly opened and examined the sealed bids for the Project; and

WHEREAS, staff has determined that Lord’s Electric Inc. is the lowest responsive and responsible bidder; and

WHEREAS, the current adopted budget for the Project does not have adequate funds to award the construction contract.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Pinole as follows:

1. Lord’s Electric Inc. bid of \$73,300 is found to be lowest responsive and responsible bid and is accepted by the City Council at the unit prices set forth in the bid for the installation of a Level II Electric Vehicle Charging Station project (CIP Project # FA2002, the “Project”). This bid is on file with the Public Works Department and incorporated herein by this reference as though set forth in full.
2. A construction budget of \$73,300 and project contingency funds in the amount of \$7,330 (10% of bid) are authorized by the City Council at the unit prices set forth in Lord’s Electric Inc.’s bid.
3. The City Manager is authorized to execute a construction contract with Lord’s Electric Inc. bid in an amount not to exceed \$73,300 for the Project in a form to be approved by the City Attorney. The City Manager is authorized to approve change orders of up to 10% of the contract price, in a total amount not to exceed \$7,330.
4. The Finance Director is authorized to amend the adopted Project budget to allocate \$30,630 from Measure S-2014 unencumbered fund balance.

5. The City Manager or his designee is authorized to issue any necessary change orders to complete additional work within contract authority for the Project.

PASSED AND ADOPTED at a special meeting of the Pinole City Council held on the 15th day of November, 2022 by the following vote:

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

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 15th day of November 2022.

Heather Bell, CMC
City Clerk

CONSTRUCTION SERVICES AGREEMENT BETWEEN
THE CITY OF PINOLE AND LORD'S ELECTRIC INC.

This agreement for Construction Services ("Agreement") is entered into on November 16, 2022 between the CITY OF PINOLE, a municipal corporation, with offices located at 2131 Pear Street, Pinole, California ("City") and Lord's Electric Inc. ("Contractor") (together sometimes referred to as the "Parties").

WITNESSTH:

WHEREAS, Contractor and Contractor's Surety are providing the bonds attached hereto and incorporated by this reference; and

WHEREAS, City desires to contract with Contractor to perform the construction services detailed in this Agreement; and

In consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

1. **CONTRACT DOCUMENTS.** The Contract Documents referred to herein are incorporated herein by reference as if set forth in full in this Agreement. Work called for in any one Contract Document and not mentioned in another is to be performed and executed as if mentioned in all Contract Documents. The Contract Documents shall include the Notice Inviting Bids, Instructions to Bidders, Bid Forms (including the Bid, Bid Schedule(s), Information Required of Bidder, Bid Bond, and all required certificates, affidavits and other documentation), this Agreement, Performance Bond, Labor and Materials Bond, Maintenance Bond, General Conditions, any Supplementary General Conditions, Special Provisions, Specifications, Drawings, all Addenda, and Change Orders executed pursuant to the provisions of the Contract Documents. The General Conditions shall mean and refer to the current General Conditions of the City which are incorporated herein by this reference as if set forth herein. This Agreement, and the Contract Documents, includes the exhibits to this Agreement, including Exhibit A Minimum Wage Rates (Federal and State Prevailing Wage Rates)
2. **AGREEMENT CONTROLS.** In the event of a conflict between the terms and conditions as set forth in this Agreement and the terms and conditions set forth in other Contract Documents, the terms and conditions set forth in this Agreement shall prevail. Unless otherwise specifically provided herein, all works and phrases defined in the General Conditions shall have the same meaning and intent in this Agreement.
3. **INDEPENDENT CONTRACTOR.** It is specifically understood and agreed by all parties hereto that Contractor is, for the purposes of this Agreement, an independent contractor and not an employee of the City. Accordingly, Contractor shall not be deemed the City's employee for any purpose whatsoever. Contractor shall not incur or have the power to incur any debt, obligation or liability whatever for or against the City.
4. **ASSIGNMENT.** This Agreement may not be assigned by Contractor, in whole or in part, without prior written consent of the City.
5. **TERMINATION.** This Agreement may not be canceled by the City at any time without penalty upon thirty (30) days' written notice. In the event of termination without fault of Contractor, the City shall pay Contractor for all services rendered prior to date of termination, and such payment shall be in full satisfaction of all services rendered hereunder.

6. SCOPE OF CONTRACT. Contractor agrees to furnish all tools, equipment, apparatus, facilities, labor and material and transportation necessary to perform and complete in a good and workman like manner to the satisfaction of the City, all the work called for, and in the manner designated in, and in strict conformity with the Project entitled:

Project Name: Electric Vehicle Charging Stations

Project No.: FA2002

7. CONTRACT AMOUNT AND PAYMENTS. The City agrees to pay and Contractor agrees to accept, in full payment for the above work, Seventy-three thousand three hundred dollars (\$73,300) as stipulated sum price which Contractor bid in its Bid Form, subject to additions and deductions by Change Order(s) as provided in the General Conditions. Contractor is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

8. PROGRESS AND FINAL PAYMENTS. Progress and final payments shall be in accordance with the General Conditions.

9. RETENTION OF SUMS CHARGED AGAINST CONTRACTOR. When, under the provisions of this Contract, the City is authorized to charge any sum of money against Contractor, the City may deduct and retain the amount of such charge from the amount of the next succeeding progress estimate, or from any other moneys due or that may become due to the Contractor from the City. If, on completion or termination of the Contract, sums due contractor are insufficient to pay the City's charges against Contractor, the City shall have the right to recover the balance from Contractor or his sureties.

10. TIME OF COMPLETION. The entire work shall be completed to the satisfaction of the City within thirty (30) working days, commencing on the date of issuance of the Notice to Proceed. Failure to complete the entire work by the completion date and in the manner provided for by the Contract Documents shall subject Contractor to liquidated damages as hereinafter provided in this Agreement. Time is of the essence in these Contract Documents.

11. PROJECT SITE. Contractor shall perform the Services in such a manner as to cause a minimum of interference with City's operations and the operations of other contractors at each Project site and to protect all persons and property thereon from damage or injury. Upon completion of the Services at a Project site, Contractor shall leave such Project site clean and free of all tools, equipment, waste materials and rubbish. Each Project site may include all buildings, offices, and other locations where Services are to be performed, including any access roads. Contractor shall be solely responsible for the safe transportation and packing in proper containers and storage of any equipment required for performing the Services, whether owned, leased or rented. City will not be responsible for any such equipment which is lost, stolen or damaged or for any additional rental charges for such equipment. Equipment left or stored at a Project site, with or without permission, is at Contractor's sole risk. City may assume that anything left on the work site an unreasonable length of time after said work is completed has been abandoned. Any transportation furnished by City shall be solely as an accommodation and City shall have no liability therefore. Contractor acknowledges and agrees that it shall assume the risk and is solely responsible for its use of any City owned equipment and property provided by City for the performance of Services. City shall have no liability to Contractor therefore. In addition, Contractor further acknowledges and agrees that it shall assume the risk and is solely responsible for its owned, non-owned and hired automobiles, trucks or other motorized vehicles as well as any equipment, tolls, or other property which is utilized by Contractor on each Project site.

12 INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Contractor, at its own cost and expense, shall procure the types and amounts of insurance listed below for the period covered by the Agreement.

- 12.1 Workers' Compensation.** If Contractor employs any person, Contractor shall maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor with limits of not less than One Million Dollars (\$1,000,000.00) per accident.

California Labor Code Sections 1860 and 3700 provide that every contractor will be required to secure the payment of compensation to its employees. In accordance with the provisions of California Labor Code Section 1861, the Contractor hereby certifies as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract."

- 12.2 General Liability Insurance.** General liability insurance including, but not limited to, protection for claims of bodily injury and property damage liability, personal and advertising injury liability and product and completed operations liability.

- a) Coverage shall be at least as broad as Insurance Services Office Commercial General Liability coverage form CG 0001 (occurrence).
- b) Claims-made coverage is not acceptable.
- c) The limits of liability shall not be less than:

Each occurrence:	TWO Million Dollars (\$2,000,000)
Products & Completed Operations:	One Million Dollars (\$1,000,000)
Personal & Advertising Injury:	One Million Dollars (\$1,000,000)
- d) If a general aggregate limit of liability is used, the minimum general aggregate shall be twice the 'each occurrence' limit or the policy shall contain an endorsement stating that the general aggregate limit shall apply separately to the project that is the subject of the contract.
- e) If a products and completed operations aggregate limit of liability is used, the minimum products and completed operation aggregate shall be twice the 'each occurrence' limit or the policy shall contain an endorsement stating that the products and completed operations aggregate limit shall apply separately to the project which is the subject of the contract.
- f) If the Contractor maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

- 12.3 Automobile Liability Insurance.** Automobile liability insurance providing protection against claims of bodily injury and property damage arising out of ownership, operation, maintenance, or use of owned, hired, and non-owned automobiles.

- a) Coverage shall be at least as broad as Insurance Services Office Automobile Liability coverage form CA 0001, symbol 1 (any auto).
- b) The limits of liability per accident shall not be less than:
Combined Single Limit One Million Dollars (\$1,000,000)

If Automobile Liability coverage, as required above, is provided by the Commercial General Liability form, the General Liability policy shall include an endorsement providing automobile liability as required above.

12.4 General Liability/Umbrella Insurance. The coverage amounts set forth above may be met by a combination of underlying and umbrella policies so long as in combination the limits equal or exceed those stated.

12.5 All Policies Requirements.

12.5.1 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

12.5.2 Verification of Coverage. Prior to beginning any work under this Agreement, Contractor shall, at the sole option of the City, provide City with (1) certified Certification of Insurance that demonstrates compliance with all applicable insurance provisions contained herein; and (2) upon request by the City, complete certified copies of all policies and/or complete certified copies of all endorsements that demonstrate compliance with this Section 5.

12.5.3 Notice of Reduction in or Cancellation of Coverage. A certified endorsement must be attached to all insurance obtained in accordance with this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than ten (10) working days after Consultant is notified of the change in coverage.

12.5.4 Additional insured; primary insurance. A certified endorsement at least as broad as Insurance Services Office form number CG 20 10 (11/85 ed.) shall be attached to all policies stating that the City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Consultant, including the insured's general supervision of Consultant; products and completed operations of Consultant, as applicable; premises owned, occupied, or used by Consultant; and automobiles owned, leased, or used by the Consultant in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.

A certified endorsement shall be attached to all policies stating that coverage is primary insurance with respect to the City and its officers, officials, employees and

volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.

- 12.5.5 **Deductibles and Self-Insured Retentions.** Consultant shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Consultant may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Consultant procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

- 12.5.6 **Subcontractors.** Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

- 12.5.7 **Variation.** The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

- 12.5.8 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

- 12.6 **Waiver of Subrogation.** Contractor agrees to waive subrogation which any insurer of Contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of City for all work performed by Contractor, its employees, agents and subcontractors.

- 13 NO WAIVER OF REMEDIES. Neither the inspection by the City or its agents, nor any order or certificate for the payment of money, nor any payment for, nor acceptance of the whole or any part of the work by the City, nor any extensions of time, nor any position taken by the City or its agents shall operate as a waiver of any provision of this Agreement or of any power herein reserved to the City or any right to damages herein provided, nor shall any waiver of any breach of the Agreement be held to be a waiver of any other or subsequent breach. All remedies provided in this Agreement shall be taken and construed as cumulative; that is, in addition to each and every other remedy herein provided, and the City shall have any and all equitable and legal remedies which it would in any case have.
- 14 DETERMINATION OF DAMAGES. The actual fact of the occurrences of damages and the actual amount of the damages which the City would suffer if the work were not completed within the specified times set forth are dependent upon many circumstances and conditions and, it is impracticable and extremely difficult to fix the actual damages. Damages which the City would suffer in the event of delay include loss of the use of the project, and, in addition, expenses of prolonged employment of an architectural and engineering staff; costs of administration, inspection, and supervision; and the loss suffered by the public within the City by reasons of the delay in the completion of the project to serve the public at the earliest possible time. Accordingly, the parties hereto agree, and by execution of this Agreement, Contractor acknowledges that he/she understands, has ascertained and agrees, that the amounts set forth herein as liquidated damages shall be presumed to be that amount of damages sustained by the failure of Contractor to complete the entire work within the times specified.
- 15 LIQUIDATED DAMAGES. The amount of the liquidated damages to be paid by Contractor to the City for failure to complete the entire work in the specified number of Working or Calendar Days (as extended, if applicable) will be three hundred dollars (\$300.00) for each Calendar Day, continuing to the time at which the work is completed. Such amount is the actual cash value agreed upon as the loss to the City resulting from Contractor's delay.
- 16 TERMINATION AFTER ALLOTTED WORKING OR CALENDAR DAYS. In addition to any rights it may have, the City may terminate this Contract at any time after the allotted number of Working or Calendar Days as adjusted by any extensions of time for excusable delays that may have been granted. Upon such termination, Contractor shall not be entitled to receive any compensation for services rendered by him before or after such termination, and he shall be liable to the City for liquidated damages for all periods of time beyond such termination date until the work is completed.
- 17 CONTRACT BANKRUPT. If Contractor should commence any proceeding under the Bankruptcy Act, or if Contractor be adjudged a bankrupt, or if Contractor should make any assignment for the benefit of creditors, or if a receiver should be appointed on account of Contractor's insolvency, then the City may, without prejudice to any other right or remedy, terminate the Contract and complete the work by giving notice to Contractor and his surety according to the provisions of Section 1-15 of the General Conditions. The City shall have the right to complete, or cause completion of the work, all as specified in the General Provisions of the Standard Specifications.
- 18 PERFORMANCE AND PAYMENT BONDS. The Contractor shall, before beginning said work, file two bonds with the City, each made payable to the City. These bonds shall be

issued by a Surety Company authorized to do business in the State of California, and shall be maintained during the entire life of the Contract at the expense of the Contractor.

- a) One bond shall be in the amount of one hundred percent (100%) of the Contract and shall guarantee the Faithful Performance of the Contract.
- b) The second bond shall be the Payment Bond required by Part 4, Title 15, Chapter 7, Division Three of the Civil Code of the State of California and shall be in the amount of one hundred percent (100%) of the Contract.

Any alteration or alterations made in any provision of this Contract shall not operate to release any surety from liability on any bond required hereunder and the consent to make such alterations is hereby given, and any surety on said bonds hereby waives the provisions of Section 2819 of the Civil Code.

Bonds shall only be accepted from an "Admitted surety insurer," which means an insurer to which the Insurance Commissioner has issued a certificate of authority to transact surety insurance in this state. Contractor must submit the original, or a certified copy, of the unrevoked appointment, power of attorney, bylaws or other instrument entitling or authorizing the person who executed the bond to do so.

All bonds submitted shall include the following:

1. Full name and address of the Contractor Surety, and the City;
2. Contract Date;
3. Exact Contract Sum;
4. Project Name and Address;
5. Signature of the Contractor
6. Corporate Seal, if applicable;
7. Signature of Authorized Surety Representative;
8. Notarization of the Contractor and Surety;
9. Power of Attorney; and
10. Local contact for surety, with name, phone number, and address to which legal notices may be sent.

19 SUBSTITUTION OF SECURITIES OF MONEY WITHHELD. At any time prior to final payment, Contractor may request substitution of securities for any money withheld by the City to ensure performance of the Contract. At the expense of the Contractor, securities equivalent to the money withheld may be deposited with the City or with an approved financial institution as escrow agent according to a separate Security Agreement. Securities eligible for substitution shall include those listed in Section 16430 of the Government Code or bank or savings and loan certificates of deposit.

20 GENERAL LIABILITY OF THE CONTRACTOR. Unless otherwise provided in the Contract Documents, the Contractor shall provide and pay for all labor, materials, equipment, tools, construction equipment and machinery, water, light, heat, utilities, transportation and other facilities and services necessary for the execution and completion of the Work in accordance with the Contract Documents and any applicable code or statute, whether or not specifically described herein, as long as same is reasonably inferable therefrom as being necessary to produce the intended results, whether temporary

or permanent, and whether or not incorporated or to be incorporated in the Work. The mention of any specific duty or liability of Contractor and, any reference to any specific duty or liability shall be construed to be for the purpose of explanation.

21

AUTHORITY OF THE CITY. The City will decide all questions regarding the quality and acceptability of materials furnished, work performed, and rate of progress of the Work. The City will decide all questions regarding the interpretation and fulfillment of the Contract on the part of the Contractor, and all questions as to the rights of different prime contractors involved with the Work. The City will determine the amount and quality of the Work performed and materials furnished for which payment is to be made under the Contract.

The City will administer its authority through a duly designated representative identified at the pre-construction conference. The Contractor and City's designated representative (the Owner's Representative) shall make good faith attempts to resolve disputes that arise during the performance of the Work.

Any order given by the City not otherwise required by the Contract to be in writing shall be given or confirmed by the City in writing at the Contractor's request. Such request shall state the specific subject of the decision, order, instruction, or notice and, if it has been given orally, its date, time, place, author and recipient.

Any plan or method suggested to the Contractor by the ENGINEER, or any of the Owner's Representative, but not specified or required in writing, if adopted or followed in whole or in part by the Contractor, shall be used at the risk and responsibility of the Contractor. The City assumes no responsibility.

22

RESPONSIBILITY OF THE CONTRACTOR The Work shall be under the Contractor's responsible care and charge until completion and final acceptance, and the Contractor shall bear the entire risk of injury, loss, or damage to any part by any cause. The Contractor shall rebuild, repair, restore, and make good all injuries, losses or damage to any portion of the Work or the materials occasioned by any cause, and shall bear the entire expense.

The mention herein of any specific duty or responsibility imposed upon the Contractor shall not be construed as a limitation or restriction of any other responsibility or duty imposed upon the Contractor by the Contract, said reference being made herein merely for the purpose of explaining the specific duty or responsibility.

The Contractor shall do all of the work and furnish all labor, materials, tools, equipment, and appliances, except as otherwise herein expressly stipulated, necessary or proper for performing and completing the Work herein required, including any change order work or disputed work directed by the City in conformity with the true meaning and intent of the Contract Documents, within the time specified.

23

INDEMNIFICATION AND CONTRACTOR'S RESPONSIBILITIES. To the fullest extent permitted by law, the Contractor shall indemnify, defend with counsel acceptable to the City, and hold harmless the City, its officers, officials, employees, agents, and volunteers from and against any and all losses, claims, demands, damages, costs, expenses, attorney's fees, or liability of every

nature arising out of or in any way connected with the performance or attempted performance of the provisions of this Contract, caused in whole or in part by any negligent or willful act or omission of the Contractor, its officers, employees, or agents, or anyone directly or indirectly acting on behalf of the Contractor, regardless of whether caused in part by a party indemnified hereunder. Nothing contained in the foregoing indemnity provisions shall be construed to require the Contractor to indemnify the indemnified party in contravention of Section 2782 of the Civil Code for the active or sole negligence or willful misconduct of that indemnified party

To the fullest extent permitted by law, the Contractor's duty to defend shall extend, without limitation, to any suit or action founded upon any losses, claims, demands, damages, costs, expenses, attorney's fees, or liability of every nature arising out of or in any way connected with the performance or attempted performance of the provisions hereof, or in any way arising out of or connected with this Contract.

The defense and indemnity obligations expressly extend to and include any and all claims, demands, damages, costs, expenses, or liability occasioned as a result of damages to adjacent property caused by the conduct of the Work.

The defense and indemnity obligations expressly extend to and include any and all claims, demands, damages, costs, expenses, or liability occasioned as a result of the violation by the Contractor, the Contractor's agents, employees, or independent contractors, Subcontractors or suppliers of any provisions of federal, State or local law, including applicable administrative regulations.

The defense and indemnity obligations also expressly extend to and include any claims, demands, damages, costs, expenses, or liability occasioned by injury to or death of any person, or any property damage to property owned by any person while on or about the site or as a result of the Work, whether such persons are on or about the site by right or not, whenever the Work is alleged to have been a contributing cause in any degree whatsoever.

In claims against any person or entity herein indemnified that are made by an employee of the Contractor or an employee of any of the Contractor's agents, independent contractors, Subcontractors or suppliers, a person indirectly employed by the Contractor or by any of the Contractor's agents, independent contractors, Subcontractors or suppliers, or anyone for whose acts the Contractor or any of the Contractor's agents, independent contractors, Subcontractors or suppliers may be liable, the defense and/or indemnification obligation herein shall not be limited by any limitation on amount or type of damages, compensation, or benefits payable by or for the Contractor or the Contractor's agents, independent contractors, Subcontractors or suppliers under workers' compensation acts, disability acts, or other employee benefit acts.

The indemnification obligations herein shall not be limited by any assertion or finding that the person or entity indemnified is liable by reason of a non-delegable duty.

The indemnities set forth herein shall not be limited by the insurance requirements set forth in the Contract Documents.

The indemnification requirements herein set forth shall extend to claims occurring after this Contract is terminated as well as while it is in force.

In the event the Contractor enters into any agreement with the owners of any adjacent property to enter upon or adjacent to such property for the purpose of performing this Contract, the Contractor shall fully indemnify, defend and save harmless such person, firm, or corporation, State or other governmental agency which owns or has any interest in the adjacent property. The form and content of the indemnification agreement shall be approved by the City prior to commencement of any work on or about such property. The Contractor also shall indemnify the City and other indemnities identified in this Section as provided in the Contract. These provisions shall be in addition to any other requirements of the owners of adjacent property.

24 LEGAL REQUIREMENTS.

- 24.1 Governing Law. The laws of the State of California shall govern this Agreement.
- 24.2 Compliance with Applicable Laws. Contractor and any subcontractors shall comply with all laws applicable to the performance of the work in connection with this Agreement.
- 24.3 Licenses and Permits. Contractor represents and warrants to City that Contractor and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions.
- 24.4 Nondiscrimination and Equal Opportunity. In compliance with federal, state and local laws, Contractor shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Contractor under this Agreement.
- 24.5 Work Requiring Payment of Prevailing Wages. The City affirmatively identifies this project as a "public work" as that term is defined by California Labor Code § 1720, and the project is, therefore, subject to prevailing wages under California Labor Code § 1771. In accordance with California Labor Code § 1771, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which these services are to be performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in the California Labor Code shall be paid to all workers engaged in performing the services under this Agreement. Contractor and its subcontractors shall fully comply with all the provision of the California Labor Code governing the performance of public works contracts including, but not limited to, payment of prevailing wages, limitations on time worked, compliance with apprentice requirements, maintenance of payroll records, posting of wages at job site and prohibitions against discrimination.
- 24.6 Unfair Competition. The following provision is included in this agreement pursuant to California Public Contract Code §7103.5.

"In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the contractor or subcontractor offers and agrees to assigning to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the

Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the contractor, without further acknowledgment by the parties."

24.7 INCIDENTAL BENEFICIARIES. It is expressly understood and agreed that the enforcement of these terms and conditions shall be reserved to the City and Contractor. Nothing contained in the Agreement shall give or allow any claim or right of action whatsoever by any third person. It is the express intent of the City and Contractor that any such person or entity, other than the City and Contractor, receiving services or benefits under this Agreement shall be deemed an incidental beneficiary.

25 MODIFICATION.

25.1 Amendments. Any modification or amendment of any provision of this agreement shall be in writing and must be executed by both parties hereto.

25.2 Assignment. Contractor may not assign this Agreement or any interest therein without the prior written approval of the City.

25.3 Subcontracting. Contractor shall not subcontract any portion of the performance contemplated and provided for herein without prior written approval of the City. Where written approval is granted by the City, Contractor shall supervise all work subcontracted by Contractor in performing the Services; shall be responsible for all work performed by a subcontractor as if Contractor itself had performed such work; the subcontracting of any work to subcontractors shall not relieve Contractor from any of its obligations under this Agreement with respect to the Services; and Contractor is obligated to ensure that any and all subcontractors performing any Services shall be fully insured in all respects and to the same extent as set forth under Section 5, to City's satisfaction.

25.4 Survival. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Contractor shall survive the termination of this Agreement.

25.5 Options upon Breach by Contractor. If Contractor materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

25.5.1 Immediately terminate the Agreement;

25.5.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Contractor in accordance with this Agreement;

25.5.3 Retain a different Contractor to complete the Services not finished by Contractor;
or

25.5.4 Charge Contractor the difference between the costs to complete the work at the time of breach and the amount that City would have paid Contractor if Contractor had completed the Work.

26 KEEPING AND STATUS OF RECORDS.

- 26.1 Records Created as Part of Contractor's Performance. All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Contractor prepares or obtains in accordance with this Agreement and that relate to the matters covered under the terms of this Agreement shall be the property of the City.
- 26.2 Contractor's Books and Records. Contractor shall maintain any and all records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Contractor to this Agreement.
- 26.3 Confidential Information and Disclosure. During the term of this Agreement, either party (the "Disclosing Party") may disclose confidential, proprietary or trade secret information (the "Information"), to the other party (the "Receiving Party"). The Receiving Party shall hold the Disclosing Party's Information in confidence and shall take all reasonable steps to prevent any unauthorized possession, use, copying, transfer or disclosure of such Information. Contractor understands that City is a public City and is subject to the laws that may compel it to disclose information about Contractor's business.

27 MISCELLANEOUS PROVISIONS.

- 27.1 Attorneys' Fees. If a Party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing Party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that Party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.
- 27.2 Venue. In the event that either Party brings any action against the other under this Agreement, the Parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.
- 27.3 Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect.
- 27.4 Binding. This Agreement shall bind and inure to the heirs, devisees, assignees and successors in interest of Contractor and to the successors in interest of the City in the same manner as if such parties had been expressly named herein.
- 27.5 Survivorship. Any responsibility of Contractor for warranties, insurance, indemnity, record keeping or compliance with laws with respect to this Agreement shall not be invalidated due to the expiration, termination or cancellation of this Agreement.
- 27.6 No Implied Waiver of Breach. In the event that either the City or Contractor shall at any time or times waive any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Agreement, whether of the

same or any other covenant, condition or obligation. Waiver shall not be deemed effective until and unless signed by the waiving party.

27.7 Contract Administration. This Agreement shall be administered by the City Manager or her designee, who shall act as the City's representative. All correspondence shall be directed to or through the representative.

27.8 Notices. Any written notice to Contractor shall be sent to:

Lord's Electric Inc.
1513 Sport Dr. Ste. 100A
Sacramento, CA 95834

Any written notice to City shall be sent to:

Andrew Murraray, City Manager
City of Pinole
2131 Pear Street
Pinole, CA 94564

27.9 Integration; Incorporation. This Agreement, including all the exhibits attached hereto, represents the entire and integrated agreement between City and Contractor and supersedes all prior negotiations, representations, or agreements, either written or oral. All exhibits attached hereto are incorporated by reference herein.

27.10 Authority to Execute. The person or persons executing this Agreement on behalf of the parties hereto warrants and represents that he/she/they has/have the authority to execute this Agreement on behalf of their entity and has/have the authority to bind their party to the performance of its obligations hereunder.

27.11 Counterparts. This agreement may be executed in one or more counterparts, each of which shall be deemed an original, and will become effective and binding upon the parties at such time as all of the signatories hereto have signed a counterpart of this Agreement. All counterparts so executed shall constitute one Agreement binding on all of the parties hereto, notwithstanding that all of the parties are not signatory to the same counterpart.

The Parties have executed this Agreement as of the date signed by the City.

CITY OF PINOLE

CONTRACTOR: Lord's Electric Inc.

Date: _____

Date: _____

Andrew Murray
City Manager

[Insert Name of Signatory]
Lord's Electric Inc.

Dated: _____

Dated: _____

Attest:

Heather Bell
City Clerk

Dated: _____

Approved as to Form:

Eric Casher
City Attorney

Dated: _____

EXHIBIT B

Minimum Wage Rates

Refer to the Department of Labor Homepage on the internet for rates at <https://sam.gov>.



CITY COUNCIL REPORT

9L

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: STACY SHELL, HUMAN RESOURCES DIRECTOR

**SUBJECT: APPROVE AN AMENDMENT TO EXTEND THE TERM OF THE
EMPLOYMENT AGREEMENT FOR THE CITY MANAGER**

RECOMMENDATION

It is recommended that the Pinole City Council approve an amendment to extend the term of the employment agreement for Andrew Murray as City Manager.

BACKGROUND

In December 2019, the City Council appointed Mr. Murray to the position of City Manager. On December 9, 2019, Mr. Murray and Mayor Swearingen signed a three-year term employment agreement through January 5, 2023. Mr. Murray commenced his duties as City Manager on January 6, 2020. Mr. Murray's employment agreement was subsequently amended to extend the term of the agreement through December 31, 2024.

On November 1, 2022, the City Council provided direction to the City's labor negotiator to prepare an amendment to the employment agreement to extend the term of Mr. Murray's agreement to June 30, 2025.

REVIEW & ANALYSIS

The City of Pinole Municipal Code (PMC), Title II, Administration and Personnel, Chapter 2.04, City Manager, Section 2.04.010, Office Created, provides the City Council with the authority to establish the office of the City Manager and appoint a City Manager on the basis of their administrative and executive ability and qualifications and hold office for and during the pleasure of the City Council (City of Pinole Ordinance No. Ord. 01-100, Section 1, 2001).

In accordance with PMC, Title II, Chapter 2.04, Section 2.04.260, Additional Conditions Set by Council, the City Council shall have the power and authority to enter into any supplemental employment agreement with the City Manager delineating additional terms and conditions of employment not inconsistent with any provisions of Chapter 2.04, City Manager.

The City Manager's employment agreement was made and entered into by and between the City Council and Mr. Murray on December 9, 2019. The City Council and Mr. Murray had previously entered into first, second, and third employment agreement amendments to provide cost of living adjustments, a merit increase, and an extension of the term of the agreement. The City Manager's current employment is set to expire on December 31, 2024. At this time, the City Council desires to further extend the term of Mr. Murray's employment agreement to June 30, 2025, as specified in Exhibit A of the Resolution attached to this City Council Report.

FISCAL IMPACT

The proposed amendment will not change Mr. Murray's compensation or benefits but will extend the term of Mr. Murray's employment with the City. Mr. Murray's current annual salary is \$258,156.74, and he receives the same health and welfare benefits as the City's department heads, plus other miscellaneous benefits.

ATTACHMENT(S):

- A: Resolution to Authorize a Term Extension of the Employment Agreement for the City Manager.
 - Exhibit A: Fourth Amendment to the Agreement for Employment of Andrew Murray

ATTACHMENT A

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO EXTEND THE TERM OF THE EMPLOYMENT AGREEMENT FOR THE CITY MANAGER

WHEREAS, the City Council and Andrew Murray entered into an Employment Agreement (“Agreement”) for the position of City Manager on December 9, 2019; and

WHEREAS, Mr. Murray commenced his duties as City Manager on January 6, 2020; and

WHEREAS, the term of the Agreement was for three (3) years; and

WHEREAS, on February 1, 2022, the City Council approved an amendment to extend the term of Mr. Murray’s Agreement to December 31, 2024, and correct inconsistencies regarding the final date of the Agreement’s term; and

WHEREAS, on November 1, 2022, the City Council met in closed session and provided direction to the City’s labor negotiator to prepare an amendment to the Agreement to extend the term of Mr. Murray’s Agreement to June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pinole does hereby approve an amendment to extend the term of the Agreement hereunto attached as Exhibit A through June 30, 2025 and authorize the Mayor to execute the said amendment.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 15th day of November 2022 by the following vote:

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

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 15th day of November 2022.

Heather Bell, CMC
City Clerk

FOURTH AMENDMENT TO THE AGREEMENT FOR EMPLOYMENT OF ANDREW MURRAY

This Fourth Amendment to the Agreement for the Employment of Andrew Murray (the “Fourth Amendment”) is made and entered into as of November 15, 2022 (the “Effective Date”) by and between the City of Pinole (the “City”), a California general law city, and Andrew Murray, an individual (“MURRAY” or “Employee”).

RECITALS

WHEREAS, the City and MURRAY previously entered into that certain Agreement for the Employment of Andrew Murray effective as of December 9, 2019 (the “Agreement”); and

WHEREAS, the City and MURRAY previously entered into that First Amendment to the Agreement, Second Amendment to the Agreement, and Third Amendment to the Agreement; and

WHEREAS, the City and MURRAY now wish to amend the Agreement to extend the term of the Agreement for an additional six (6) months.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the City and MURRAY agree as follows:

1. Term of Agreement. Section 2, Term of Agreement, is hereby amended in its entirety to read as follows:

“2. Term of Agreement

This Agreement will become effective on December 9, 2019 and shall terminate on June 30, 2025 (the “Term”), unless sooner terminated in accordance with paragraph 5 herein. If no successor Agreement is entered into to extend the Term, MURRAY’s employment with the City shall end with no payment of severance. The City shall notify MURRAY at least ninety (90) days in advance of the end of the Term of its intent to extend or not extend the Agreement.”

2. Effective Date. This Amendment shall be effective the pay period commencing November 15, 2022.

3. Effect. Except as expressly provided for herein, all other terms and conditions of the Agreement, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, The Parties have executed this Fourth Amendment on the date written above.

EMPLOYEE

Andrew Murray

DATED:

CITY

Vincent Salimi, Mayor

DATED:

ATTEST:

APPROVED AS TO FORM:

Stacy R. Shell
Human Resources Director

Eric S. Casher
City Attorney



CITY COUNCIL REPORT

9M

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: ROXANE STONE, DEPUTY CITY CLERK

SUBJECT: PLACEMENT OF LIENS FOR DELINQUENT UNPAID WASTE COLLECTION CHARGES FALLING DELINQUENT BETWEEN MAY AND AUGUST 2022, CONSIDERED AT AN ADMINISTRATIVE HEARING ON OCTOBER 6, 2022

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the placement of liens for the purpose of collecting outstanding payments for garbage collection services pursuant to PMC Section 8.08.110 (b) and (c).

BACKGROUND

Pursuant to Section 8.08 of the Pinole Municipal Code, an administrative hearing was held on October 6, 2022, regarding unpaid garbage collection services that fell delinquent between May and August 2022. No parties attended the hearing to protest the charges. The administrative hearing was the final step in the process to collect the delinquencies, prior to Council approval to place the liens on the subject properties to recover the full amount owed, including delinquent charges and administrative fees.

FISCAL IMPACT

The City of Pinole receives an administrative recovery charge for each lien at the time of tax settlement or payment of the lien. There are 55 properties on which liens are being imposed, representing a total of \$17,970.16 in delinquent service charges. The total administrative recovery fee is \$60 per lien; a portion of which is remitted to Contra Costa County. The administrative recovery fees are \$3,300; the total lien amount including recovery fees are \$21,270.16.

Following approval by Council, a revised list will be provided to the City Clerk for recording, removing properties where accounts have been brought current since the publication of this report.

ATTACHMENT

A: Resolution

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF PINOLE, CALIFORNIA, PLACING LIENS ON PROPERTIES SITUATED IN THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS UNPAID WASTE COLLECTION CHARGES FROM AN ADMINISTRATIVE HEARING CONDUCTED OCTOBER 6, 2022

WHEREAS, pursuant to the Municipal Code of the City of Pinole, Chapter 8.08, Section 8.08.090, subscription to garbage collection service is required for all premises in the City of Pinole, and the premises described in Exhibit "A" located in the City of Pinole, County of Contra Costa, State of California, were provided with garbage collection services as required by PMC, Chapter 8.08; and

WHEREAS, pursuant to the provisions of Section 8.08.110, the owners of said premises were notified in writing of their requirement to subscribe to and make payment for garbage collection services as provided in said Code Section; and

WHEREAS, the owners of the premises failed to make payment for garbage collection services as required (collection charges fell delinquent between May and August 2022); and

WHEREAS, pursuant to the provisions of Section 8.08.110, a hearing was held on October 6, 2022; and

WHEREAS, as a result thereof, the City of Pinole has incurred expenses for delinquent collection charges and administrative costs as enumerated in Exhibit "A"*, which amounts remain unpaid.

NOW THEREFORE BE IT RESOLVED that pursuant to Section 8.08.110 of the Municipal Code of the City of Pinole, the City Council of the City of Pinole does hereby place a lien against said premises for the amounts as described above and as applicable to each specific premise identified as Exhibit "A" attached hereto and, by this reference, incorporated herein; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record this resolution with the Office of the Recorder of Contra Costa County, California.

PASSED AND ADOPTED this 15th day of November 2022, by the following vote:

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

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 15th day of November 2022.

Heather Bell, CMC
City Clerk

* Exhibit A is not included as an attachment to this resolution that is posted on the City website or disseminated as part of the City Council Agenda Packet. The names of the individuals are confidential until the liens are recorded and become public record.



CITY COUNCIL REPORT

10A

DATE: NOVEMBER 15, 2022

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: ERIC CASHER, CITY ATTORNEY
BY: SHANDYN H. PIERCE, ASSOCIATE**

**SUBJECT: INTRODUCTION AND FIRST READING OF AN ORDINANCE TO
ADOPT THE 2022 CALIFORNIA BUILDING STANDARDS CODE AND
UPDATE THE CITY'S BUILDING AND FIRE CODE**

RECOMMENDATION

Staff recommends that the City Council introduce and waive the first reading of an Ordinance adopting the 2022 Building Standards Code with updates to the City's Building and Fire Code.

BACKGROUND

The California Building Standards Commission (the "Commission") is a State agency responsible for producing sensible and usable state building standards, and the administrative regulations that implement and enforce those standards. Every three years the Commission reviews and updates the California Building, Fire, Plumbing, Mechanical, Electrical and Residential Codes that apply in California. The newly updated 2022 California Building Standards Codes ("CBSC"), which include updates to the State Fire Code, becomes effective in California cities on January 1, 2023. The California Health and Safety Code requires local agencies to adopt the building standards contained in the uniform statewide codes but allows cities to modify the codes to reflect local conditions. Pinole previously adopted its current codes in 2019, incorporating and modifying the City's Municipal Code to comply with the 2019 CBSC updates.

The 2022 CBSC, Title 24, Parts 1- 6 and 9 - 12 are as follows:

- Part 1: California Administrative Code (CAC).
- Part 2: California Building Code (CBC).
- Part 2.5: California Residential Code (CRC).
- Part 3: California Electrical Code (CEC).
- Part 4: California Mechanical Code (CMC).
- Part 5: California Plumbing Code (CPC).
- Part 6: California Energy Code (CEnC).

- Part 9: California Fire Code (CFC).
- Part 10: California Existing Building Code (CEBC).
- Part 11: California Green Building Standards Code (CALGreen)
- Part 12: California Reference Standards Code

2021 International Property Maintenance Code

The Ordinance updating the City's Municipal Code includes references to those sections of the CBSC that are most relevant to Pinole, as well as, proposed amendments recommended by City staff. The proposed amendments use a numbering system consistent with the updated CBSC. A link to the full text of the updated CBSC is available here: <https://www.dgs.ca.gov/BSC/Resources/2022-Title-24-California-Code-Changes>.

The 2022 CBSC updates go into effect on January 1, 2023, regardless of whether or not the City takes any action. Adoption of the proposed Ordinance prior to January 1, 2023 is necessary in order for the local amendments proposed by staff to also go in to effect consistent with the CBSC update.

Staff discussed the Building and Fire Code updates with the Municipal Code Update Subcommittee, and received direction regarding areas of focus for the updates. While the Municipal Code Update Subcommittee's feedback was incorporated in to the draft Ordinance, due to the time sensitivity of the needed approval, the Subcommittee was not able to review and approve the proposed draft Ordinance prior to City Council review.

DISCUSSION

Under State law, a City may establish more restrictive building and construction standards in their local building codes than are required under the CBSC. The City is required to adopt findings justifying all local amendments to the CBSC. The necessary findings will be included in a separate resolution that will be presented to the City Council for adoption at the second reading of the proposed ordinance. The local modifications, or staff initiated modifications, are included in the draft Ordinance. In addition, Section 15.04.080 of the City's Fire Code includes more stringent requirements requiring automatic sprinkler systems which conform to the requirements of the California Fire Code. This requirement is added to the City's Fire Code in response to the high threat of fire confronting the City. The presence of an approved fire extinguishing system in high occupancy structures could save lives in the event of a fire.

Other conditions considered include Pinole's proximity to the Hayward Fault Line, creating higher structural stresses and risk of building failure during an earthquake. Pinole's steep hillside topography is considered as well because it can make fire-fighting difficult and can allow Pinole Creek to be inundated during severe winter storms, causing flooding in certain portions of the City.

The draft Ordinance represents a continuation of existing City practices regarding local modifications. The proposed changes from the state-adopted 2022 California Building Standards Codes would replace the 2019 California Building Standards Codes previously codified in Title 15 of the City of Pinole Municipal Code. The Ordinance as written revalidates and readopts many of the City's current local amendments.

There are considerable non-substantive changes in the Ordinance to address numbering issues in the new California Codes, and the Ordinance reflects these new reference numbers to ensure that the Municipal Code is consistent with the 2022 CBSC. A strike-out version of the ordinance is not provided because the proposed ordinance repeals and replaces the previous Title 15 Chapters that will be superseded by the 2022 CBSC on January 1, 2023.

Additionally, the 2022 CBSC includes the latest California Green Building Standards, or "CALGreen", which applies to all new construction. CALGreen's intent is to continue to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

Environmental Review

Adoption of the attached Ordinance is exempt from CEQA based on the general rule set forth in CEQA Guidelines Section 15061(b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the adoption of the attached and Ordinance will have a significant effect on the environment.

FISCAL IMPACT

There is no direct fiscal impact of adopting the 2022 CBSC. City's costs related to implementation of the 2022 CBSC are recovered through building permit fees.

ATTACHMENTS

- A. Draft Ordinance adopting 2022 CBSC and related local amendments to the City's Building and Fire Code
 - Exhibit A: Chapter 15.20 (Fire Code)
 - Exhibit B: Changes to chapters in Title 15

ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE REPEALING AND REPLACING CHAPTERS 15.02 THROUGH 15.24 OF TITLE 15 “BUILDINGS AND CONSTRUCTION” OF THE PINOLE MUNICIPAL CODE IN ORDER TO ADOPT BY REFERENCE, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2022 EDITIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA ENERGY CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA EXISTING BUILDING CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, REFERENCED STANDARDS, AND INTERNATIONAL PROPERTY MAINTENANCE CODE.

WHEREAS, the California Building Standards Commission has adopted a new Title 24 of the California Code of Regulations, also referred to as the 2022 California Building Standards Code, that will become effective statewide on January 1, 2023; and

WHEREAS, currently Title 15 “Buildings and Construction, I. Adoption of Uniform Code” of the City of Pinole Municipal Code adopted the building standards contained in the 2019 versions of the California Building Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, California Administrative Code, as such Codes are approved by the State Building Standards Commission (collectively, the “California Building Standards Code”); and

WHEREAS, the updated California Building Standards Code becomes effective within the City on January 1, 2023, and Title 15 is updated by default to incorporate the California Building Standards Code without local amendments; and

WHEREAS, Section 17922 of the California Health and Safety Code requires local agencies to adopt the building standards contained in the California Building Standards Code; and

WHEREAS, Section 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards provided that such modifications are reasonably necessary because of local climatic, geological or topographical conditions so long as a local agency adopts such findings; and

WHEREAS, a duly noticed public hearing was advertised as required by applicable law; and

WHEREAS, the City Council finds that no additional environmental review is necessary because this Ordinance is not a project that has the potential to cause substantial or potentially substantial, adverse change in the environment and qualifies for an exemption under the California

Environmental Quality Act (CEQA) Guidelines Section 15061 (b) (3), and further, the Ordinance establishes standards for the approval of ministerial projects that are not themselves subject to CEQA review; and

WHEREAS, the City Council finds that the adoption of the 2022 Edition of the California Administrative, Building, Residential, Green Building Standards, Energy, Plumbing, Mechanical, Electrical, Existing Building, Fire, Reference Standards and related construction Codes help protect public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PINOLE DOES ORDAIN as follows:

SECTION 1. The forgoing Recitals are true and correct and incorporated herein by this reference.

SECTION 2. Those certain documents, copies of which are on file and are open for inspection by the public at the Building Division of the City of Pinole, being marked and designated as the California Code of Regulations Title 24, Part 1, Part 2 Volumes 1 and 2, Part 2.5, Part 3, Part 4, Part 5, Part 6, Part 9, Part 10, Part 11, Part 12 together with all appendices thereto; each and all of the regulations, provisions, conditions, and terms of the International Property Maintenance Code all of which are on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 3.

Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.20, and 15.22, 15.24 of Title 15, Buildings and Construction, of the Pinole Municipal Code are hereby repealed and replaced in its entirety as provided in Exhibit A and Exhibit B:

SECTION 4. References To Prior Uniform Building and Construction Codes. Unless superseded and expressly repealed, references in City forms, documents, and regulations to chapters and sections of the prior adopted Uniform Building Codes shall be construed to apply to the corresponding provisions contained in the chapters and sections of Title 15 of the Pinole Municipal Code adopted by this Ordinance and all other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. Adoption. This Ordinance shall take effect on the later of thirty (30) days after passage or January 1, 2023, whichever occurs later, and shall within fifteen (15) days after passage, be posted in accordance with Section 36933 of the Government Code of the State of California with the names of these City Council members voting for and against it.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the Pinole City Council on the 1st day of November, 2022, by the following vote:

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

Vincent Salimi , Mayor

ATTEST:

Heather Bell, CMC
City Clerk

Chapter 15.20**FIRE CODE**

Sections:

- 15.20.010 Fire Code – Adoption.
- 15.20.020 Establishment and duties of bureau of fire prevention.
- 15.20.030 Amendments to the California Fire Code.

15.20.010 FIRE CODE - ADOPTION

The City of Pinole hereby adopts the 2022 California Fire Code (California Code of Regulations, Title 24, Part, 9 [based on the 2021 International Fire Code published by the International Code Council]), including Chapters 1-10 and 12-80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, and Appendix K, as amended by the changes, additions, and deletions set forth in this ordinance. The 2022 California Fire Code, with the changes, additions, and deletions set forth in this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the fire code are controlling and enforceable within the limits of each jurisdiction.

15.20.020 ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION

The 2022 California Fire Code as adopted and amended in this Chapter shall be enforced by the bureau of fire prevention of the Pinole Fire Department which is established and which shall be operated under the Chief of the Fire Department.

15.20.030 AMENDMENTS TO THE CALIFORNIA FIRE CODE.**A. Chapter 1. Scope and Administration.**

Chapter 1 is adopted in its entirety except as amended below:

101.1 Title. This code is the Fire Code of City of Pinole and is hereinafter referred to as “this code.”

Section 102.1 is amended to add item 5, to read:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of this jurisdiction.

Section 105.5 is amended to read:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.63.

Section 105.5.33 is amended to read:

105.5.33 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, including for sites that allow mobile fueling from a service provider to the general public, fueling of motor vehicles at approved locations from a tank vehicle and limited or temporary fueling operations for special events (fueling of watercraft from shore, piers, floats, or barges).

Section 105.5.40 is amended to read:

105.5.40 Cannabis/Plant Extraction Related System(s)/Operations. An operational permit is required for any of the following cannabis/plant extraction related systems operations.

1. Cultivation
2. Plant Extraction Systems
3. Testing/Lab
4. Manufacturing
5. Distribution
6. Carbon Dioxide Systems or volatile solvent

Section 105.5 is amended to read:

105.5.52 Wood products. An operational permit is required to store chips, hogged material, wood or other combustible pallets, lumber or plywood in excess of 200 cubic feet (6 m3).

Section 105.5 is amended by adding Sections 105.5.55 through 105.5.63 to read:

105.5.55 Asbestos removal. A permit is required to conduct asbestos-removal operations regulated by Section 3319

105.5.56 Automobile Wrecking or Dismantling Yard. An operation permit is, required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

105.5.57 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees

105.5.58 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code

105.5.59 Model rockets. A permit is required to sell model rocket motors or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17. Permits issued in accordance with this section are for the site, and are effective as long as site conditions have not changed.

105.5.60 Temporary Occupancy. A permit is required for any temporary occupancy.

105.5.61 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3313.1.

105.5.62 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 34.

105.5.63 Indoor Growing Operation. A permit is required to operate an indoor growing operation.

Exception: Agricultural Greenhouses in an agricultural zone.

Section 105.6 is amended to read:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29.

Section 105.6 is amended by adding Sections 105.6.25 through 105.6.29 to read:

105.6.25 Access for fire apparatus. Plans shall be submitted, and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire District access is required by the Fire Code.

105.6.26 Construction, Substantial Alteration, Additions of a building for which a building permit is required. Plans shall be submitted to the fire code official for all land developments or for the construction, substantial alteration, additions, or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or substantial alteration.

105.6.27 Land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.6.28 Water supply for fire protection. Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the City pursuant to Section 507.

105.6.29 Land Development. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction.

Section 105.7 is added, to read:

105.7 Responsibility of permittee. Construction permits shall be presumed by the Fire District, Fire Department to incorporate all of the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No City approval shall relieve or exonerate any person from the

responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 112.4 is amended to read:

112.4 Violation penalties. Every person who violates any provision of this fire code is guilty of an infraction or misdemeanor in accordance with Health and Safety Code Section 13871 and Government Code Section 53069.4. The imposition of one penalty for any violation shall not excuse the violation or permit to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions.

B. Chapter 2. Definitions.

Section 202 is amended by adding the following definitions to that section:

Administrator. Shall mean the Fire Chief.

Aerial Pre-Plans. An overhead layout of a parcel that contains structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The preplan shall be developed in accordance with a format approved by the AHJ. Preplan symbols shall comply with AHJ or the latest edition of NFPA 170 (Standard for Fire Safety and Emergency Symbols), and NFPA 1620 (Standard for Pre-Incident Planning).

All-weather driving surface. A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.

Automobile Dismantling or Wrecking Yard. The operation of dismantling or removing parts from salvaged vehicles including engines or engine parts.

Wrecking Yard. An area that stores or dismantles salvaged vehicles.

Board of Directors. The City of Pinole City Council is the governing body of the City of Pinole Fire Department.

Board of Fire Commissioners. The City of Pinole City Council is the governing body of the City of Pinole Fire Department.

Combustible Material. Rubbish, litter or material of any kind other than hazardous vegetation that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

Defensible Space. The area adjacent to a structure or dwelling as determined by the fire code official where wildfire prevention or protection practices are implemented to provide the key point of defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.

Driveway. A private roadway that provides access to no more than two (2) single-family dwellings.

Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane, and access roadway.

Fire Code Official. The Fire Chief or a duly authorized representative, or other person as may be designated by law, appointment or delegation and charged with the administration and enforcement of this code.

Firebreak. A continuous strip of land upon and from which all combustible material hazardous vegetation or other growth has been removed to bare mineral soil to stop or prevent the extension of fire from one area to another.

Fire Trail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires. Must be able to support the safe travel of a Type 3 Fire Apparatus.

Fuel Break. A strategically located block or strip, on which a cover of dense, heavy, or combustible vegetation has been changed to one of lower fuel volume or reduced combustibility, as an aid to fire control. Fuel breaks require annual and recurring maintenance.

Hazardous Vegetation. Vegetation that is combustible and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying or diseased trees and any other vegetation as determined by the fire code official.

Key Box or Knox Box. (Underwriters Laboratory) UL "Listed" box, size and style, approved by the Fire Code Official or designee that meets the requirements and uses the same security key code adopted by the Fire Department

Ladder Fuel. Fuel that provides vertical continuity between surface fuel and canopy fuel strata, increasing the likelihood that fire will carry from surface fuel into the crowns of shrubs and trees.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Ornamental Landscaping. Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.

Person. Includes any agency of the county, city, district or other local public agency and any individual, firm, association, partnership, business trust, corporations, limited liability company, or company.

Public Nuisance. A declaration by the fire code official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

Response Time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction, which is or when dry may become a fire hazard. See combustible material.

Rural Area. An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.

Rural Residential Area. An area generally designated for single-family residential use with parcels between three (1.2140619ha) and 10 (4.046873ha) acres in size.

Sprinkler Alarm and Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, paper street and, easements.

Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Temporary Fire Department Access Road for Construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary Fire Department Access Road for Construction of One (1) Residential (R3) Unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary Water Supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree Litter. Any limbs, bark, branches, and/or leaves in contact with other vegetation or left to gather on the ground.

Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:

1. Weeds that bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds that are otherwise noxious or dangerous;
4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.
5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

C. Chapter 3. General Precautions Against Fire.

Section 304.3.5 is added, to read:

304.3.5 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct, and associated equipment free from accumulations of lint and combustible materials.

Section 308.1.4, Exception 1 is amended to read:
Exception 1. Residential Occupancies.

Section 324 is added to Chapter 3, to read:

SECTION 324 Exterior Fire Hazard Control.

324.1 Subsurface Fires.

324.1.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

324.1.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or combustion of peat, vegetable matter, or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the Fire District may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of proving rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 325 is added to Chapter 3, to read:

SECTION 325 Automobile Wrecking Yards.

325.1 General. The operation of automobile wrecking yards shall be in accordance with this section.

325.2 Definitions. The following terms are defined in Chapter 2:

Automobile Dismantling
Automobile Wrecking Yard

325.3 Requirements.

325.3.1 Permits. An operational fire code permit is required as in Section 105.6.53.

325.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

325.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires, and all other debris.

325.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms, or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the fire code official to be a fire hazard.

325.3.5 Fire Protection. Offices, storage buildings, and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A: 40-B-C rating. When required by the fire code official, additional fire extinguishers shall be provided.

325.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the fire code official.

325.3.6.1 Distance from Water Supply. Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the fire code official.

325.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

325.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.

325.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts.

325.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems, and transmissions shall be kept available on site. Single-use plugs, diking, and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state, and local requirements.

325.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks.

325.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding, or drilling of any kind, is prohibited.

325.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the fire code official.

D. Chapter 4. Emergency Planning and Preparedness.

Section 401.5.1 is added to read:

401.5.1 Nuisance Fire Alarm. A fee may be charged for false/ or nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Section 401.10 is added to read:

401.10 Aerial Pre-Plans. For all new construction the fire official is authorized to require a fire aerial pre-plan to be prepared by an approved vendor at the cost of the developer.

Section 401.11 is added to read

401.11 Standby Personnel. Where, in the opinion of the fire code official or Fire Chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or Fire Chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.

E. Chapter 5. Fire Service Features.

Section 503.1.4 is added to read:

503.1.4 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires the approval of the fire code official.

Section 503.1.5 is added to read:

503.1.5 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trails impractical, alternate means of access shall be provided and requires approval by fire code official.

Section 503.2.1 is amended by adding the following exception:

Exception: A driveway with a minimum width of 16 feet is acceptable for access to one or two single- family dwellings.

Section 505.3 is added, to read:

505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the fire code official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

F. Chapter 6. Building Services and Systems.

Section 605.3.1 is added to read:

605.3.1 Spark Arrestors. All Chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrestor per CBC 2113.9.2

G. Chapter 9. Fire Protection Systems.

Section 901.6.3 is amended to read:

901.6.3 Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third party electronic record keeping service as chosen by the fire district.

Section 902.1 is amended to add:

Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.1.1 is amended to read:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1

occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

Section 903.2.1.3 is amended to read:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.2 is amended in its entirety, to read:

903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

3. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.

Exception: Floors classified as an open parking garage are not required to be sprinklered.

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.

Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet

2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.

Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.

3. The Group E fire area has an occupant load of 300 or more.
4. In rooms or areas with special hazards such as laboratories, vocational shops, and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.
6. For public school state-funded construction projects, see Section 903.2.19.
7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20.

Section 903.2.4 is amended to read:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeding 2,500 square feet (232 m²).

Section 903.2.4.4 is added to read:

903.2.4.4 Group F-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group M occupancy (is) used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.
5. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.8 is amended to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies. An automatic sprinkler system shall be installed in new manufactured homes, new mobile homes, and multifamily manufactured homes with two dwelling units, including those located in mobile home parks, in accordance with Title 25 of the California Code of Regulations.

Section 903.2.8.1.1 is added, to read:

903.2.8.1.1 Group R-3 Substantial Addition or Alteration. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either of the following occurs:

1. Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 3,600 square feet.
2. Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.9 is amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group S-1 occupancy used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.9.1 is amended to read:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.10.1 is amended to read:

903.2.10 Group S-2 parking garages. An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.
2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

3. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.

Section 903.2.10.3 is added to read:

903.2.10.3 Group S-2 low hazard storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Exception: Open parking garages, including canopies and photovoltaic panel systems with open parking underneath, shall meet automatic sprinkler system

requirements in accordance with the 2022 California Building Code and 2022 California Fire Code without local amendment.

Section 903.3.1.1.4 is added to read:

903.3.1.1.4 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.1.3 is amended to read:

903.3.1.3 Sprinkler Systems for One and Two family dwellings. Automatic sprinkler systems for one- and two- family dwellings shall be permitted to be installed in accordance with section 903.3.1.3.1.

Section 903.3.1.3.1 is added to read:

903.3.1.3.1 Pipe limitations. Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.3.9 is amended to read:

903.3.9. Floor control valves. Individual floor control valves and water flow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies.

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of

the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6.1 and 903.6.2 are added to read:

903.6.1 Substantial Addition. An automatic sprinkler system shall be provided throughout all existing R-3 Occupancy buildings where a substantial addition occurs and the total new gross floor area of the structure exceeds 3,600 square feet. Group R-3 substantial additions or alterations shall comply with Section 903.2.8.1.1.

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard).

Section 907.4.4 is added to read:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including, but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms, and locker rooms.
2. Corridors, hallways, and aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.

7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies.
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.
14. Sales floor areas.
15. Break or lunch rooms
16. Copy or work rooms.
17. Computer server rooms exceeding 200 sq. ft.
18. File or Storage rooms exceeding 200 sq. ft.

Section 907.6.6 is amended to read:

907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL-listed central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Group 1-3 occupancies shall be monitored in accordance with Section 907.2.6.3.
3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.
6. Occupancies with local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.6.7 is added to read:

907.6.7 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.7.1 is added to read:

907.6.7.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

H. Chapter 10. Means of Egress.

Section 1028.5.1 is added to read:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and shall terminate at a public way as defined in the California Building Code.

I. Chapter 33. Fire Safety During Construction and Demolition.

Section 3303.1.2 is added to read:

3303.1.2 Amendments. Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official, based on previous fires or hazards that occurred on site or occurring within the jurisdiction.

Section 3303.1.3 is added to read:

3303.1.3 Site Security requirements. Site security requirements shall include the following if deemed necessary by both the building official and fire official:

1. Controlled access points
2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top
3. Security guards, full-time 24/7 presence on-site, to perform fire watch and patrols
4. Detection check points located throughout the buildings for fire watch and patrol verification
5. Security camera coverage throughout the site with motion detection notifications
6. Identify measures taken to prevent tampering with security cameras and motion sensors
7. Necessary lighting throughout the project site

Section 3319 Asbestos Removal is added to read as follows:

3319.1 General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3319.

Exception: Section 3319 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets and similar equipment.
2. Pipes, ducts, girders or beams that have a length less than 21 linear feet (6400 mm).
3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m²) or a dimension of less than 10 linear feet (3048 mm).
4. Floor tiles when their removal can be completed in less than four hours.
5. Group R-3 occupancies.

3319.2 Notification. The fire code official shall be notified 24 hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

3319.3 Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

3319.4 Signs. Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of 2 inches (51 mm) high.

J. Chapter 50. Hazardous Materials - General Provisions.

Section 5001.5.1 is amended to add item number 10 and 11 to read as follows:

10. Fire Department related safety equipment

- A. Fire alarm control panel (FACP)
- B. Sprinkler riser
- C. Fire department connection (FDC)
- D. Knox Box location
- E. Gas valve shutoff
- F. Electrical main shutoff
- G. Water shutoff
- H. Elevator equipment room

11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 & 551 for references.

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location; as determined by the fire code official. This location may be in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1.2 is added to read:

5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

K. Chapter 56. Explosives and Fireworks.

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within jurisdiction of the District.

Exceptions:

1. Storage and handling of fireworks by a Public Safety Agency.
2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.
3. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read as follows:

5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the jurisdiction. Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended to read as follows:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608

L. Chapter 57. Flammable and Combustible Liquids.

Section 5703.3.1 is added to read:

5703.3.1 Facility site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read as follows:

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class of liquids.

Section 5706.2.4.4 is amended to read:

Section 5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class liquids.

M. Chapter 58. Flammable Gasses and Flammable Cryogenic Fluids

Section 5806.2 is amended to read as follows:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

N. Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limit. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L).

O. Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2021): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 850 (2020): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations

Chapter 80 is further amended by amending the NFPA 13D (2022) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe

shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Table B105.2 is amended to read:

TABLE B105.2
Required Fire-Flow for Buildings Other Than
One- and
Two-Family Dwellings, Group R-3 and R-4
Buildings and Townhouses

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE- FLOW (GALLONS PER MINUTE)	FLOW DURATION (HOURS)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute= 3.785 Liters

- a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Appendix C. Fire Hydrant Locations and Distribution.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read: **TABLE C102.1 REQUIRED NUMBER**

AND SPACING OF FIRE HYDRANTS (footnote h and J)

The heading of the fourth column of Table C102.1 is amended to read:

**MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD
FRONTAGE TO A
HYDRANT (d, f, g, i)**

Footnotes "i" and "j" are added to Table C102.1, to read:

- i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

- j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

Appendix D. Fire Apparatus Access Roads.

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds (34,473 kg) in accordance with Caltrans Design Standard HS-20-44.

Exception: Driveways serving one or two single-family dwellings may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

Section D103.2 is amended to read:

D103.2 Grade. Fire department access roadways having a grade of between 16 percent and 20 percent shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound (19 958 kg) traction load. The grooves in the concrete surface shall be ½ inch (13 mm) wide by ½ inch (13 mm) deep and 1 ½ inch (38 mm) on center and set at a 30 to 45-degree angle across the width of the roadway surface. No grade shall exceed 20 percent, nor shall the cross slope exceed 8%, unless authorized in writing by the fire code official.

Section D103.2.1 is added to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

Section D103.3 is amended to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7620 mm) inside and 45 feet (13 716 mm) outside.

Figure D103.1 is amended to read:

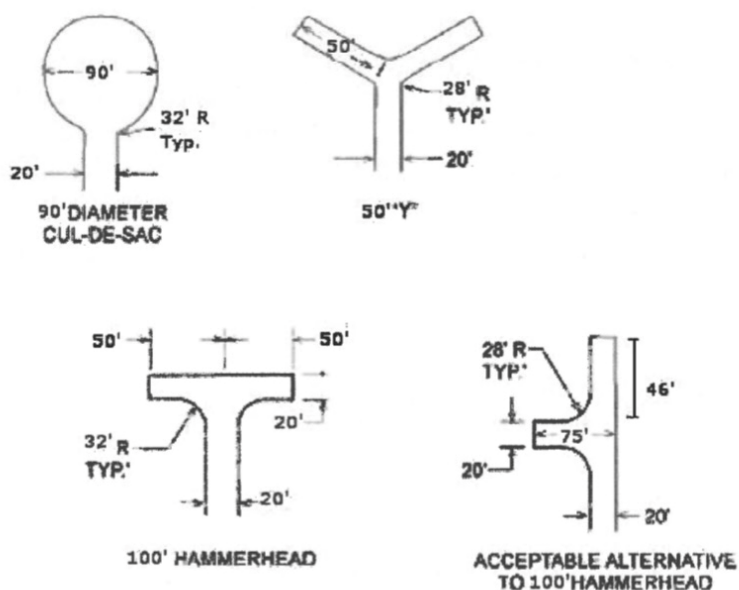


Table D103.4 is amended to read:

Table D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20 ^a	None required
151 - 750	20 ^a	100-foot Hammerhead, 50-foot "Y", 75-foot Shunt or 90-foot- diameter cul-de-sac in accordance with figure D103.1
Over 750	Special approval required ^b	

- a. A driveway with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.

- b. Any fire apparatus access roadway or driveway that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outset or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40 feet in length.

Section D103.5 is amended as follows:

Criteria 1 of Section D103.5 is amended to read:

1. The minimum clear width shall be 20 feet (6096mm).

Exception: For access to one or two single-family dwellings, 16 feet clear width is acceptable.

Criteria 9 is added to Section D103.5, to read:

9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D106.1 is amended by deleting the exception and to read:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Section D106.2 is deleted.

Chapter 15.02 GENERAL PROVISIONS

Sections:

- [15.02.010](#) Title.
- [15.02.020](#) Organization.
- [15.02.030](#) Codes adopted by reference.
- [15.02.040](#) Expiration of permits.
- [15.02.050](#) Premises identification numbering.
- [15.02.060](#) Construction permit fees - set by City Council.
- [15.02.070](#) Permitted hours and condition of construction, penalties.
- [15.02.080](#) Misrepresentations in permit application.
- [15.02.090](#) Disconnection of utility service.

15.02.010 TITLE.

Chapters [15.02](#) through [15.24](#) shall be known as the "City of Pinole Building Codes" and shall be cited as such.

15.02.020 ORGANIZATION.

A building division is established in accordance with the provisions of California Building Code, 2022 Edition, adopted in [Chapter 15.04](#). This division shall be a part of and shall operate under the direction of the Community Development Director. The building division is authorized to direct and enforce all the provisions of this Title and any of the Codes adopted in this Title.

15.02.030 CODES ADOPTED BY REFERENCE.

For the purpose of establishing proper regulations for building construction, maintenance of housing standards, installation of electrical, plumbing and mechanical systems and swimming pool construction, the codes specifically listed in [Chapters 15.02](#) through [15.22](#), except as modified in this Title, are adopted and made a part of this Title by reference, without publishing or posting thereof, and copies of each of these Codes as listed in this Title are now on file for use and examination by the public in the office of the City Clerk.

15.02.040 EXPIRATION OF PERMITS.

All permits issued by the building division shall expire one hundred eighty (180) calendar days from date of issuance if the work is not commenced within this time (Except as noted in the 2022 CBC Section 105.5.1. and the 2022 CRC Section R105.5.1).

15.02.050 PREMISES IDENTIFICATION NUMBERING.

A. Every main structure or building constructed, altered, repaired or moved into the City shall be assigned a street address identification number by the Building Official and approved by the Fire Code Official (as defined in [15.04.030](#) of this Code).

B. Identification numbers shall be placed on the street side of the building or structure in such a manner as to be plainly visible from the street or public way. Identification numbers shall be a

minimum of 6" in height and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

C. The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official and Fire Code Official.

D. The owner or his or her designated agent shall be responsible for the maintenance of identification numbers.

E. Any changes to the assigned street identification numbers must be approved by the Building Official and Fire Code Official.

F. The fee for assigning or modifying a street address shall be set by resolution of the City Council.

15.02.060 CONSTRUCTION PERMIT FEES - SET BY COUNCIL.

All construction permit fees including building, plumbing, mechanical, electrical, swimming pools and solar shall be set by resolution of the City Council and reflected in the City's Master Fee Schedule.

15.02.070 PERMITTED HOURS AND CONDITION OF CONSTRUCTION, PENALTIES.

A. Work is allowed from seven a.m. (7:00 a.m.) to five p.m. (5:00 p.m.) Monday through Friday. Work is allowed, but no inspections will be performed on non-federal holidays, which are holidays that are not acknowledged federally but are recognized by the City of Pinole. These holidays include, but are not limited to, Cesar Chavez's Birthday and the Day After Thanksgiving.

B. Saturday work is allowed in commercial zones only, from nine a.m. (9:00 a.m.) to six p.m. (6:00 p.m.), if it is interior work and does not generate significant noise.

C. Exceptions for residential property owners.

1. Homeowners performing additions, repairs, or remodeling are allowed to work on their residences on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.).

2. By written authorization of the Building Official, a residential property owner with a valid permit to construct a single-family residence for personal occupancy shall be allowed to work on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.). This authorization shall be granted to applicants who have not built a residence in the City in the previous five (5) year period and who affirm in writing their intention to reside at the subject property.

D. Exceptions for commercial construction. The City Council designates the City Manager (or his/her designee) to further modify on a case-by-case basis the hours of construction in commercial zones. Additionally, the City Manager (or his/her designee) can modify the

construction hours on a case-by-case basis based on inclement weather conditions or certain construction procedures (such as setting up for a concrete pour) and construction project characteristics that may require working beyond five p.m. (5:00 p.m.) on weekdays or six p.m. (6:00 p.m.) on Saturday.

E. The minimum fine for a citation or penalty for violating construction hours is one thousand dollars (\$1,000.00) and escalates in one thousand dollars (\$1,000.00) increments.

F. Work must be controlled to prevent causing a public nuisance due to dust, noise, vibrations, and the like.

15.02.080 MISREPRESENTATIONS IN PERMIT APPLICATION.

No person shall make false statement or misrepresentation in or in connection with an application for a permit under this Title. Any permit issued under this Title may be revoked or suspended at any time by the Building Official or designee for fraud, misrepresentation or false statement contained in an application for a permit, or for violations of this Title in connection with work done under the permit.

15.02.090 DISCONNECTION OF UTILITY SERVICE.

The Building Official (or designee) may shut off or disconnect any or all utility service to any structure or facility or to any electrical conductor or apparatus which he/she finds to be in violation of any state or county law or regulation relating thereto or to the public health, safety, or welfare, or he may order this done. If he/she finds that the violation involves an immediate danger to person(s) or to other properties or to the public health, safety or welfare, he/she may have the action taken as quickly as he/she deems necessitated by the danger; otherwise he/she shall give ten (10) days advance notice thereof by mail to the utility and the owner of the property as shown on the last assessment roll and by conspicuously posting notice of his orders and the action taken, which no person shall remove, tamper with or disobey. He/she shall rescind or modify such action when it becomes proper to do so in view of the danger or violation.

Chapter 15.04 BUILDING CODE

Sections:

- [15.04.010](#) Adoption by reference.
- [15.04.020](#) Copies on file.
- [15.04.030](#) Amendments made in the California Building Code.

15.04.010 ADOPTION BY REFERENCE.

The 2022 California Building Code, California Code of Regulations Title 24, Part 2, Volume 1 of 2 and Part 2, Volume 2 of 2, including the 2019 California Historic Building Code, Title 24, Part 8 and the 2019 California Existing Building Code, Title 24, Part Chapter 10, and all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.04.020 COPIES ON FILE.

One copy of the California Building Code and Appendices as adopted by Pinole Municipal Code [15.04.010](#), and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.04.030 AMENDMENTS MADE IN THE CALIFORNIA BUILDING CODE.

The California Building Code is amended and changed in the following respects:

- A. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1 subsection 1 is amended to read as follows:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided that the floor area does not exceed 120 square feet (11.15 m²), nor 8 feet in height, and for which written approval has been given by the Planning Division. These structures may still be regulated by [Section 710A](#), despite exemption from permit.

- B. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1, is hereby amended adding subsection 14 to read as follows:

14. Detached decks under 100 square feet and under 30 inches in height, for which written approval has been given by the Planning Division and Building Division.

- C. Section 105.3.2 of Chapter 1, Division II is amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing unless such application has been pursued in good faith, or a permit has been issued; except that the building official is authorized to grant one or more extensions of up to six (6) months. The extensions shall be requested in writing and justified cause demonstrated. Whatever the case, a permit application is valid for a maximum one (1) year after which time the application expires, and a new plan

review fee must be paid. The code in effect at the time the newest application is made shall be the code that is enforced.

D. Section 105.5 (Expiration) of Chapter 1 Division II is deleted in its entirety.

E. Chapter 1 Subsection 105.8 is added to the CBC, to read as follows:

105.8 Permit Issuance.

105.8.1 Except as otherwise provided in this Chapter, a permit shall be issued only to person holding a valid, unexpired, or unrevoked California building contractor's license, property owner or authorized agent.

105.8.2 A permit may be issued for work in a single-family dwelling used exclusively for living purposes, including any accessory buildings, if the permittee is the bona fide owner of the structure occupied by or designed to be occupied by the owner, in which case the owner himself fulfills the role of contractor for all work under the permit.

105.8.3 Any permit issued pursuant to this Chapter shall not be transferable to any person, business, or corporation.

F. Section 107.2 .1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

107.2.1 Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the location and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distance to all property lines and of every existing building on the property. Instead of detailed specifications, the city building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

G. Chapter 1 Division II Subsection 107.6 (Standard plans) is added to read as follows:

107.6.1 - Standard plans. The building official may approve a set of plans for a building or structure as a "standard plan," provided the applicant has made proper application, submitted complete sets of plans, and paid the plan checking fee as required by the City of Pinole. When it is desired to use an approved "standard plan" for an identical structure, three plot plans shall be submitted, and a plan-checking fee equal to one-half of the full plan-checking fee required by the City of Pinole shall be paid at the time application is made for such identical structure. Such duplicate plans shall be compared, stamped, and kept on the job as required by California Building Code Section [A] 107.3.1. In case of any deviation whatsoever from this standard plan, complete plans, together with a full

plan-checking fee, shall be submitted for the proposed work, as required by California Building Code Section [A] 107. Standard plans shall be valid for a period of one year from the date of approval. This period may be extended by the building official when there is evidence that the plan may be used again. The code in effect when the plan review application is submitted, and the plan review fee paid shall be the governing code.

- H. Section 110.1 (Inspections - General) is amended by adding the following to the end of the section:

At the time of first inspection by the city building official, a licensed land surveyor or civil engineer may be required to certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- I. Section 110.6.1 (Approval required) is added to read as follows:

110.6.1 The Building Official of the City of Pinole is authorized to develop a covered/concealed construction policy for any covered or concealed construction, without prior building inspection, to be opened to ensure compliance with the California Building codes. The policy shall encourage utilization of the least invasive deconstruction methods as possible to document construction methods used, such as photographs, invoices, and structural engineer/architectural engineer reports.

- I. Chapter 1, Section [A] 114 (Unlawful act). Chapter 1, Division II Section 114.5 Violation a Public Nuisance is added to read as follows:

It is declared that any violation of this code, the CPC, CMC, CEC, or other state building codes constitutes a public nuisance. In addition to any other remedies this code provides for enforcement, the city may bring civil suit to enjoin violation of its provisions.

- J. Section 202 of Chapter 2 (Definitions) is deleted in its entirety.

- K. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Fire Hazard: is any building device, appliance, apparatus, equipment, tank, vehicle, combustible material or waste, fence, or vegetation which, in the opinion of the City building official or the Fire Chief, is in such condition as to cause a fire or explosion or to augment the spread and intensity of a fire or explosion arising from any cause.

- L. Section 202 of Chapter 2 (Definitions) is amended to add the following definition to the existing definition:

Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.

- M. Section 501.2 of Chapter 5 (General building heights and areas) is amended to read as follows:

1. Address numbers. Apartment, Condominium and Townhouse Complexes - An illuminated, diagrammatic representation of the complex shall be installed at the primary vehicular and walkway entrance to each complex. This diagram shall be of sufficient size to be easily visible from said vehicular and walkway entrance.

a. An apartment, condominium, or townhouse complex shall be defined as a group of three or more separate, non-connecting buildings, all located on common ground where each building contains two or more living units.

b. Each building shall be marked at a location clearly visible from the nearest vehicular access with the street address, building number/letter and numbers of units located in that building.

Example: 2237 Address

Bldg. "B" Building designation
Units 1 - 8 Units in building

Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background.

2. Commercial - Individual units shall be addressed front and back. Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

3. Industrial - Individual units within a building shall be addressed front and back. Individual buildings shall be marked at a point clearly visible from the street. Minimum numeral size shall be 12" high with a 3" wide stroke and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

4. Lighting of building addresses - The building address for all new buildings constructed after the date of this ordinance shall be automatically lighted at night.

- N. Subsection 2111.15 (Wood burning stove appliances) is added to Chapter 21 (Masonry) of the California Building Code to read as follows:

Wood burning stove appliances. Any new wood-burning appliance must be one of the following:

1. A pellet-fueled wood device.
2. A U. S. EPA Phase II certified device; or

3. A low mass fireplace, masonry heater or other wood burning device of a make and model that meets EPA emission targets and has been approved in writing by the air pollution control officer of the Bay Area Air Quality Management District or the designee thereof.

- O. Subsection 2304.12.1.6 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See Section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

Chapter 15.06 RESIDENTIAL CODE

Sections:

- [15.06.010](#) Adoption by reference.
- [15.06.020](#) Copies on file.
- [15.06.030](#) Amendments made in the California Residential Code.

15.06.010 ADOPTION BY REFERENCE.

The 2022 California Residential Building Code, California Code of Regulations Title 24, Part 2.5, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.06.020 COPIES ON FILE.

One copy of the California Residential Code and Appendices as adopted by Pinole Municipal Code [15.02.010](#), and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.06.030 AMENDMENTS MADE IN THE CALIFORNIA RESIDENTIAL CODE.

The California Residential Code is amended and changed in the following respects:

- A. Section R202 of Chapter 2 (Definitions) is amended to add the existing pool definition to read as follows:
Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.
- B. Subsection R902.1.5 is added to Chapter 9 (Roof Assemblies) of the California Residential Code to read as follows:

All new roof coverings shall be a Class B or better roof covering assembly as defined by CBC 1505.3

Chapter 15.08
CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

- 15.08.010 Adoption by reference.
- 15.08.020 Copies on file.
- 15.08.030 Amendments made in the California Green Building Standards Code.

15.08.010 ADOPTION BY REFERENCE.

The 2022 California Green Building Standards Code, California Code of Regulations Title 24, Part 11 including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.08.020 COPIES ON FILE.

One copy of the California Green Building Standards Code and Appendices as adopted by Pinole Municipal Code 15.08.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.10
CALIFORNIA ELECTRICAL CODE

Sections:

15.10.010 Adoption by reference.

15.10.020 Copy on file.

15.10.010 ADOPTION BY REFERENCE.

The 2022 California Electrical Code, California Code of Regulations Title 24, Part 3, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.10.020 COPY ON FILE.

One copy of the California Electrical Code and Appendices as adopted by Pinole Municipal Code 15.10.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.12
CALIFORNIA PLUMBING CODE

Sections:

- 15.12.010 Adoption by reference.
- 15.12.020 Copy on file.
- 15.12.030 Amendments made in the California Plumbing Code.

15.12.010 ADOPTION BY REFERENCE.

The 2022 California Plumbing Code, California Code of Regulations, Title 24, Part 5, including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.12.020 COPY ON FILE.

One copy of the 2022 California Plumbing Code and Appendices as adopted by Pinole Municipal Code 15.12.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.14
CALIFORNIA MECHANICAL CODE

Sections:

15.14.010 Adoption by reference.

15.14.020 Copies on file.

15.14.010 ADOPTION BY REFERENCE.

The 2022 California Mechanical Code, California Code of Regulations Title 24, Part 4, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.14.020 COPIES ON FILE.

One copy of the California Mechanical Code and Appendices as adopted by Pinole Municipal Code 15.14.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.16

CALIFORNIA HOUSING AND PROPERTY MAINTENANCE CODE

Sections:

- 15.16.010 Housing and Property Maintenance Code - Adoption.
- 15.16.020 IPMC 102.3 Amended - Application of other codes.
- 15.16.030 IPMC 304.14 Amended - Insect screens.
- 15.16.040 IPMC 307.3.1 Amended - Disposal of garbage.
- 15.16.050 IPMC 602.4 Amended - Occupied workspaces.
- 15.16.060 House moving.
- 15.16.070 Compliance with construction requirements.

15.16.010 HOUSING AND PROPERTY MAINTENANCE CODE - ADOPTION.

The Housing and Property Maintenance Code for the City is the California Housing Law Regulations as set forth in Division 13, Part 1.5, commencing with Section 17910, in the Health and Safety Code (as amended) combined with the 2021 International Property Maintenance Code (IPMC) except as amended by the changes, additions and deletions set forth in this Chapter.

15.16.020 IPMC 102.3 AMENDED - APPLICATION OF OTHER CODES.

Section 102.3 of the IPMC is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City Municipal Code and the California Building Codes.

15.16.030 IPMC 304.14 AMENDED - INSECT SCREENS.

Section 304.14 of the IPMC is amended as follows:

During the entire year, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

15.16.040 IPMC 308.3.1 AMENDED - DISPOSAL OF GARBAGE.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading "an approved incinerator unit in the structure available to the occupants in each dwelling unit" shall be deleted in its entirety.

15.16.050 IPMC 602.4 AMENDED - OCCUPIABLE WORKSPACES.

Section 602.4 of the IPMC is amended as follows:

Indoor occupiable workspaces shall be supplied with heat during the entire year to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

15.16.060 HOUSE MOVING.

A. Any person, firm, or corporation wishing to move any house or structure on any public street or way in the city shall first obtain a permit as provided in this section.

B. House moving, as permitted in this section, is allowed only on the day and hours as stated on the permit and on the routes as approved by the director of public works and the chief of police.

C. The building department may issue a permit for house moving when the person, firm or corporation has applied for such permit and has complied with the following:

1. A special pre-moving inspection of the building has been made and approved.
2. Posted a performance bond in the amount of two thousand dollars (\$2,000) payable to the city.
3. Provided a certificate of insurance for public and auto liability of not less than one hundred thousand dollars (\$100,000); three hundred thousand dollars (\$300,000) bodily injury and twenty-five thousand dollars (\$25,000) property damage.
4. Payment of a permit fee of fifty dollars (\$50) for each day or part thereof in which the moving operation will take place.
5. Agree to furnish adequate traffic control. Method and number of persons directing traffic must be approved by the chief of police.
6. Agree to pay the cost of any police and fire protection which may be required. A deposit of fifty (\$50) dollars is required.
7. Provide a copy of signed agreement with the public utilities as to date, time, and route.

8. Post a time schedule with the public services department, building department and police department at least twenty-four hours in advance of any actual move.

15.16.070 COMPLIANCE WITH CONSTRUCTION REQUIREMENTS.

Buildings moved into or relocated within the city shall be made to comply with the requirements for new construction in the codes adopted in this Title.

Chapter 15.18
ABATEMENT OF DANGEROUS BUILDINGS

Sections:

- 15.18.010 Abatement of dangerous buildings - Adoption.
- 15.18.020 Section 801.3 Amended - Costs.
- 15.18.030 Section 912 Amended - Cost Recovery.

15.18.010 ABATEMENT OF DANGEROUS BUILDINGS - ADOPTION.

The abatement of dangerous buildings code for the City is the 1997 Uniform Code For The Abatement of Dangerous Buildings as adopted and printed by the International Conference of Building Officials.

15.18.020 SECTION 801.3 AMENDED - COSTS.

Section 801 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

801.2 Costs. The cost of such work shall be paid from the General Fund and may be made a special assessment against the property involved or may be made a personal obligation of the property owner.

15.18.030 SECTION 912 AMENDED - COST RECOVERY.

Section 912 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the Finance Director of the City, who shall credit the same to the General Fund.

Chapter 15.22
ADMINISTRATIVE CODE

Sections:

[15.22.010](#) California Administrative Code - Adoption.

[15.22.020](#) Copying and imaging fee.

15.22.010 CALIFORNIA ADMINISTRATIVE CODE - ADOPTION.

The California Administrative Code for the City, sometimes referred to as "the CAC," is the California Administrative Code, 2022 Edition as approved by the California Building Standards Commission, and as published in Title 24, Part 1, of the California Code of Regulations.

15.22.020 COPYING AND IMAGING FEE.

Copying and imaging fees shall be set by resolution of the City Council and reflected in the City's Master Fee Schedule.

Chapter 15.24 VIOLATION - PENALTY

Sections:

[15.24.010](#) Violation - Penalty.

[15.24.020](#) Violation - Penalty for work without permits.

15.24.010 VIOLATION - PENALTY.

Any person violating any of the provisions of Chapters [15.02](#) through [15.22](#) of this Title shall be deemed guilty of an infraction and may be deemed guilty of a misdemeanor punishable by a fine or imprisonment, as established in the 2022 CBC, section 114 and 2021 IPMC section 109.

15.24.020 VIOLATION - PENALTY FOR WORK WITHOUT PERMITS.

[A]114.4 Violation penalties. (2022 CBC Section 114)

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

[A] 109.3 Prosecution of violation. (2021 IPMC)

Any person failing to comply with a notice of violation or order served in accordance with [Section 111.4](#) shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

This section classifies a violation as a “strict liability offense,” which is defined in [Section 202](#); thus, it is not required to prove that the person intended to violate the code or was negligent in doing so. All that is required for conviction is that the notice of violation for correction was properly served and that the person failed to comply. This aids jurisdictions in prosecuting code violators.

The code official must pursue, with legal counsel of the jurisdiction, legal means to correct the violation.

Any extensions of time for the violations to be voluntarily corrected must be for a reasonable, bona fide cause or the code official may be subject to criticism for “arbitrary and capricious” actions. In general, it is better to have a standard time limitation for correction of violations. Departures from this standard must be for a clear and reasonable purpose, usually stated in

writing by the violator. The code provides a mechanism for the municipality to recover costs expended on a property through placing a lien on the property. For example, if an unimproved lot had to be mown throughout the summer growing season, the cost of the mowing could be recovered through a lien on the property.

[A] 109.4 Violation penalties. (2021 IPMC)

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

An adopting jurisdiction is permitted to assess penalties for violations of the code. The penalties include monetary fines, as well as possible imprisonment. The severity of the fine or penalty is left for the jurisdiction to establish. The local jurisdiction, through its council and attorney or other administrative authority, will normally designate the range for the dollar amount of fines; however, the judge will determine the actual fine. This encourages support and agreement from all parties when enforcement action is taken. Fines should be large enough to discourage noncompliance with the code, but not so large as to be inappropriate for the violation being charged.

Each day a violation continues unabated after proper notice has been served is to be deemed a separate offense and may be charged as such. In general, it is better to cite violations daily. This action may expedite a court hearing or cause the owner to correct the violations rather than risk exorbitant fines or imprisonment. Whether to cite violations daily is a policy decision and should be made in cooperation with the attorney who will prosecute the cases.

Any person who commences work without the necessary permits shall be subject to the following penalties:

A. Penalties within a twelve (12) month period:

1. First Offense: an investigation fee equal to the permit fee.
2. Second Offense: an investigation fee equal to two times the permit fee and a five-hundred-dollar (\$500.00) penalty fee.
3. Third Offense: an investigation fee equal to three times the permit fee and a one-thousand-dollar (\$1,000.00) penalty fee.
4. Four or More Offenses: Four or more offenses shall result in referral of the matter to the City Attorney for prosecution.

B. The foregoing penalties, applicable to first, second, third, and fourth offenses for those commencing work without all necessary permits, supersede any conflicting provisions of this code governing the penalties for violation of any provision thereof. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable

time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

C. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.



CITY COUNCIL REPORT

11A

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: LILLY WHALEN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REVIEW AND FEEDBACK ON DRAFT 2023-2031 HOUSING ELEMENT
AND AUTHORIZE SUBMITTAL TO STATE

RECOMMENDATION

Staff recommends that the City Council provide feedback on the draft Housing Element for 2023-2031 and authorize submittal of the draft to the State Department of Housing and Community Development (HCD) for an initial 90-day review.

BACKGROUND AND OVERVIEW

The Housing Element is one of eight mandatory elements of a General Plan and is required by California State Law to be updated every eight years. The City last updated its Housing Element in 2015. The City's Housing Element was certified by the State Department of Housing and Community Development (HCD) as being in compliance with State law.

The City of Pinole, in coordination with consultants Michael Baker International (MBI), have been preparing an update to the City's Housing Element as required by State law. The updated Housing Element must address what land use planning steps the City will take such that it will be possible for the City to meet its Regional Housing Needs Allocation (RHNA) share of units assigned by HCD and Association of Bay Area Governments (ABAG).

The following provides a brief overview of the process followed to update the Housing Element to date:

- On March 22, 2022¹ the City Council received an introduction to the Land Use Planning for Pinole process, which includes an update to the Housing Element as well as the existing Health and Safety Element and a new Environmental Justice Element.

¹ https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_10946972/File/City%20Government/City%20Clerk/Agenda%202022/03-22-2022%20Sp%20Mtg/03.22.2022%20FINAL%20HYBRID%20SPECIAL%20AGENDA%20PACKET.pdf

- A multilingual (English, Tagalog, Cantonese, and Spanish) online community survey was released and heavily promoted through email list notification, project website, flyers, postcards, social media posts, banners, stakeholder interviews, and community workshops. 149 community members took the survey.
- On May 11, 2022, the first community workshop was held².
- On June 9, 2022, the second community workshop was held³.
- On June 30, 2022, a focus group interview was held with Friends of the Pinole Creek Watershed, Pinole Valley Community Church and a property management company.
- On July 13, 2022⁴, the City Council and Planning Commission held a special joint meeting to receive a comprehensive status update of the project.
- On July 25 and 26, 2022, stakeholder interviews with the Pinole Rotary Club and the Contra Costa Association of Realtors were held to gather input regarding issues the community faces and recommendations to alleviate the identified housing issues.
- On October 17, 2022, the first draft of the Housing Element was released for public review and comment (see Attachment A). A copy of the draft can be found through the City's webpage⁵, which links to the dedicated General Plan Update page⁶, and a public review hardcopy is available at City Hall. The draft is also accessible at: [landuseplanningforpinole.com/assets/Pinole_HousingElement_PublicReviewDraft%20\(2\).pdf](https://landuseplanningforpinole.com/assets/Pinole_HousingElement_PublicReviewDraft%20(2).pdf)
- On October 24, 2022, the Planning Commission reviewed the draft Housing Element, with a focus on the programs and policies in addition to the opportunity sites, and provided feedback and recommendations to the City Council, which are discussed further in this report.

Staff is seeking feedback from City Council on the draft Housing Element, particularly on policies/programs and the opportunity sites inventory.

Feedback from the City Council will be evaluated by the City's consultant and the draft Housing Element will be updated as appropriate. The City will then submit the updated draft Housing Element to HCD, which is a standard part of the Housing Element update process. HCD is allowed a maximum 90-day review period to provide comments. As discussed later in this report, Staff plans on bringing the draft Housing Element to the City Council for adoption in late January in order to meet the statutory deadline of January 31, 2023. A subsequent amendment to the Housing Element may be necessary based on feedback from HCD.

² Recording of meeting is on the project website: <https://www.landuseplanningforpinole.com/>

³ Ibid

⁴ https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_10946972/File/City%20Government/City%20Clerk/Agenda%202022-07-13%20Hybrid%20Special%20Agenda%20Packet.pdf

⁵ https://www.ci.pinole.ca.us/city_government/planning/general_plan_updates

⁶ <http://landuseplanningforpinole.com/>

REVIEW & ANALYSIS

Housing Element

As a component of the City of Pinole's General Plan, the Housing Element contains a comprehensive set of housing policies and actions intended to provide a sufficient number of housing units for people of all income levels. The current Housing Element update effort presents the strategic plan for accommodating the RHNA and meeting the needs of the Pinole community at all income levels for the current planning period of eight years, from 2023 through 2031. This period of time is referred to as the "6th Cycle." The update builds on an assessment of the housing needs and evaluates housing programs, available land, and constraints on housing production during the 5th Cycle Housing Element (period which covered 2015-2022). Significant revisions have been made to the Housing Needs Assessment, which contains updated statistics and analyses based on data from the 2020 US Census and the American Community Survey as well as other agencies and organizations. A revised sites inventory has been prepared to meet the RHNA. New additions for the 6th Cycle include analysis pertaining to compliance with AB 686, which requires the City to take meaningful steps to promote and affirmatively furthering fair housing.

The consultant team and City staff have prepared the draft Housing Element which was released for 30-day public review on October 17, 2022. The draft Housing Element, as well as the updates to the Health & Safety Element and a new Environmental Justice Element⁷, is available on the City's website dedicated to the Housing Element update. To solicit feedback on the draft, a notification email was sent to parties on the City's contact and stakeholder list, and announcements have been made on the City's social media accounts. The Planning Commission also reviewed the draft at a public meeting on October 24, 2022. The discussion on the November 15, 2022 City Council agenda is to provide an update to the City Council regarding the status of the Housing Element and the contents of the draft, particularly on the topics of housing resources and programs (see Attachment B for PowerPoint slides).

Public Engagement

Outreach for the Housing Element update began in March 2022. This involved engaging community members, stakeholders, and the City Council in identification of housing, health, safety and environmental justice issues in Pinole. Translation of the community survey, community workshops and outreach materials was provided in Spanish, Tagalog, and Cantonese. To spread the word of the project, the City posted banners around the community, mailed postcards to residents, and placed notices and announcements on Pinole Community Television and social media accounts. These outreach materials contained QR codes to the project website and community surveys. The project website hosts information about the project, the schedule, survey, and recordings of past engagement activities. Interested parties may contact the consultant team for additional

⁷ www.LandUsePlanningForPinole.com

information or to request placement on the project notification list by emailing ContactUs@LandUsePlanningForPinole.com.

The public participation program to date has included:

- An online community survey
- Notifications and announcements on Pinole TV and social media accounts
- Stakeholder focus groups and interviews
- Two virtual community workshops
- One study session with the City Council
- One joint study session with the City Council and Planning Commission
- One Planning Commission workshop on the public review draft

Members of the community have shared comments ranging from concerns over affordability, burdens on developers, homelessness, access to parks, preservation of open space, and hazards of drought, fire, and earthquakes. Many of the programs and policies being considered for the Housing Element reflect these topics. The full summary of community engagement activities and outcomes of outreach and survey results are included as Appendix C of the 2023-2031 draft Housing Element.

RHNA

The RHNA is a critical component to updating local housing elements and is also mandated by State Law. RHNA quantifies the need for housing within each jurisdiction during the respective planning period. The intent of the RHNA is to ensure that the local jurisdictions not only address the needs of their immediate areas but also address their share of housing needs for the entire region. Future housing need is based on population and employment growth projections over the 2023-2031 period. Based on these projections, HCD assigns each region an allocation of future housing units in a variety of income levels in an effort to address projected and existing housing needs (California Government Code Section 65584). The local council of governments then determines the share of the regional housing need for each local jurisdiction.

The RHNA allocation for the City of Pinole was developed by the Association of Bay Area Governments (ABAG). ABAG serves as the local council of government for the Bay Area region. ABAG allocates each jurisdiction's "fair share" of the projected housing need based on household income groupings over the eight-year planning period. Table 1 presents the City's allocation of the region's housing needs by income group as determined by ABAG.

Buffer

Recent changes to State law (Senate Bill 166 – 2017) have required cities to continually maintain adequate capacity in their sites inventories to meet their RHNA for all income levels. In the event that a site is developed below the density projected in the Housing Element, or at a different income than projected, the City must have adequate sites

available to accommodate the remaining balance of the RHNA. If the City does not have any additional capacity within the existing zoning, it must identify and rezone for new sites that can accommodate the remaining need. For these reasons, the City is including an additional buffer of at least 20 percent above the RHNA in each category. Table 1 identifies the City of Pinole's RHNA and Buffer units for the 2023-2031 planning period.

Table 1: City of Pinole 2023-2031 RHNA Allocation

Income Group	Pinole Number of Units	
	RHNA	Buffer
Very Low (<50% Area Median Income, "AMI")	121	24
Low (50-80% AMI)	69	14
Moderate (>80-120% AMI)	87	17
Above Moderate (>120% AMI)	223	45
Total	500	600

The various income categories are based on the County's Area Median Income (AMI), which is adjusted annually. To provide some context, Table 2 shows the income categories for Contra Costa County in 2021, and the maximum household income for a family of four in each income category along with the associated maximum monthly rent.

Table 2: 2021 Income Categories for a Household of Four

Household of Four	Very-Low Income (up to 50% AMI)	Low Income (up to 80% AMI)	Moderate Income (up to 120% AMI)	Above Moderate Income (over 120% AMI)
Maximum Gross Income	Up to \$68,500	Up to \$109,600	Up to \$150,700	Over \$150,700
Maximum Monthly Rent	\$1,713	\$2,740	\$3,768	>\$3,768

Sites Inventory

State Law requires local governments to prepare a site inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment. This inventory is then used to identify sites that can be developed for housing within the respective planning period. The City prioritized identifying sites that meet the RHNA requirements without necessitating a rezoning process. These include sites that are recently approved, pending approval, vacant and zoned to allow residential at the densities that satisfy the RHNA requirements for lower- and moderate-income households, and then other vacant and underdeveloped lands with suitable existing zoning.

The RHNA sites are dispersed throughout the City to avoid the overconcentration of housing in a particular area and to ensure housing is distributed in an equitable fashion when considering the availability and proximity of resources and services.

Pinole has had excellent housing production in all income levels over the last few years. The recently approved and current pending projects are projected to meet approximately 82% of the RHNA for the next 8-year period, as shown in Table 3. The entitled and pending projects meet the entirety of the low and above moderate-income categories.

Table 3: Entitled and Pending Projects⁸

Entitled and Pending Projects	Very Low	Low	Moderate	Above Moderate	Total
Single Family Homes, ADUs, triplex, and lot subdivisions	-	-	1	16	17
Appian Village	-	8	23	123	154
SAHA Affordable Veteran's Housing	27	6		-	33
BCRE Mixed-Use Office and Residential	2	2	-	25	29
Vista Woods Affordable Senior Housing	7	135	37	-	179
Pinole Vista	13	14		196	223
Total	49	165	61	360	635

Table 4, Housing Capacity, shows that the capacity of the sites inventory in the draft Housing Element can meet and exceed the RHNA and the 20% buffer based on the existing zoning and General Plan land use designations. The table now includes the recently approved Pinole Vista project in the pending projects. It also includes revisions to the inventory made in response to the approval. As a result, the City is including additional buffer to meet the very low- and moderate-income categories. Rezoning to meet the RHNA for this eight-year period is not necessary.

Table 4: Housing Capacity

Category	Very Low	Low	Moderate	Above Moderate	Total
RHNA Requirement	121	69	87	223	500

⁸ The recently approved Pinole Vista Point project was not included in the Public Review Draft of the Housing Element, but will be included in a revision to the draft, including it in the list of entitled projects for which the City can take credit toward the RHNA.

Category	Very Low	Low	Moderate	Above Moderate	Total
Total Requirements (RHNA + 20% Buffer)	145	83	104	268	600
Pending Projects	49	165	62	359	635
ADUs	7	7	7	3	24
Vacant Site Capacity	61	-	25	-	86
Non-Vacant Site Capacity	41	-	19	-	60
Total	158	172	113	139	805
Surplus/(Deficit) of RHNA Plus 20% buffer	13	89	9	94	205

Housing Plan

This section of the Housing Element outlines the City of Pinole's goals, policies, and implementation programs for the preservation, conservation, improvement, and production of housing for the 2023 – 2031 planning period. The goals, policies, programs, and quantified objectives are designed to help ensure housing opportunities for all existing and future residents of the community. As appropriate, programs also include a geographic targeting.

The Housing Plan consists of three main components:

- **Goals** – broad objectives and desires/outcomes
- **Policies** – general commitments, strategies, approaches
- **Actions** – measurable outcomes, metric, timelines, responsible parties, and funding

This 6th Cycle Housing Element updates the Goals, Policies, and Actions based on the findings of the Housing Element's analysis of Needs, Constraints, Resources, Fair Housing, and a review of the performance of the prior 5th Cycle Housing Element.

The City's housing programs are organized into six categories:

- Housing Production
- Constraint Removal
- Housing Preservation
- Housing Assistance
- Special Housing Needs
- Fair Housing Programs

During the meeting on November 15, 2022, the consultant team will lead the City Council through a discussion on program specifics for each category. The intent of the discussion is to provide an understanding of the range of existing, required, and proposed programs, to share with the Council the outcome of prior feedback and public comment on the creation of the draft programs, and to solicit any feedback. Highlighted programs are as follows:

Program 4: Facilitate ADU Production

To encourage and increase ADU production in the City, a number of new efforts are included. The programs are intended to help the City meet its target projection of three ADUs per year. This program works in conjunction with Program 22, ADU, JADU, and SB 9 Education. If annual production and affordability rates do not match the estimates included in the Housing Resources Section, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program within six months to facilitate additional ADU production. The program includes the following pieces:

- Updated ADU Ordinance
- ADU Tracking
- ADU Fast Track
- ADU Amnesty Program
- Fee Waivers for Affordable ADUs

Program 8: Housing for Extremely Low Income Households and Persons with Disabilities

To support the production of housing for extremely low income (less than 30% AMI) households and persons with disabilities, the City will develop a Housing Asset Fund Policy that prioritizes affordable housing developments for extremely-low income households and households with persons with disabilities, develop a fee waiver program that would provide low or no-cost building permits to age-qualified, ELI households and disabled households to make improvements to their home for universal design, reduce parking standards for ELI household developments and partner with housing service providers within Contra Costa County to determine the best way to facilitate development of housing for extremely low-income households and persons with disabilities.

Program 9: Senior Housing Incentives

The needs analysis identified a special need for the development of housing for seniors in Pinole. In response to this need, the City will develop a set of incentives to encourage the development of housing for seniors. Specific incentives include:

- Reducing parking requirements for senior housing development.
- Permit fee waivers for elderly residents for adaptation and modifications of households to accommodate universal design and aging in place (per Program 8).

- Enhanced rebate incentives for homeowners to make it financially feasible to undertake energy efficient and weatherization projects (per Program 18).
- Promote home match shared housing programs (per Program 10), such as Front Porch's Home Match, for homeowners to turn an available room into an opportunity to earn income, save money, age-in place, provide affordable housing and create new social connections.
- Participation in regional programs to provide assistance to seniors.

Program 11: Zoning Amendments

The City is including a number of zoning amendments as identified in the constraints section to ensure compliance with State law and remove constraints to development. Amendments to the zoning ordinance are as follows:

- Amend the Emergency Shelter ordinance to comply with AB 139
- Amend zoning ordinance to allow for Low Barrier Navigation Centers by right in mixed-use and nonresidential zones that allow multi-family uses
- Update zoning ordinance to permit manufactured homes on permanent foundations in RMU
- Amend zoning ordinance to comply with SB 9 standards
- Update zoning ordinance to comply with State density bonus law

Program 19: Fair Housing Resources and Services

To promote fair housing resources and services, the City will:

- Advertise services and collaborate with the County's fair housing provider
- Provide education resources to tenants, landlords, and homeowners
- Make fair housing resources available online, at the public information counter, at the library, and Senior Center
- Refer fair housing complaints to a qualified fair housing provider
- Provide translation services as needed at City events and at the front counter

Program 21: Housing Resource and Education

The City will promote and advertise available housing resources to residents through a variety of mediums. The City will continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's down payment assistance programs. Specific actions will include:

- Information regarding housing resources on City website
- Pamphlets at City Hall and other community locations such as the Senior Center and Library

- Information through articles in local newspaper and with cable TV public service announcement
- Advertising housing resources through social media
- Presence at a booth in community events at least once a year
- Provision of materials in multiple languages, in coordination with Program 19

Other Updates to the General Plan

City staff and the consultant team are also preparing other updates to the General Plan, specifically an update to the Safety Element (formerly Health and Safety Element) and a new Health and Environmental Justice Element. These Elements are still in draft production and have not yet been released for public review. This section provides a status update of those efforts.

Safety Element Update

The Safety Element identifies and establishes a policy framework and action program for the City and community members to prepare for, respond to, and/or recover from either a natural or man-made disaster. Natural Hazards refer to seismic events (surface rupture, ground shaking, ground failure, tsunami, seiche, dam failure, and subsidence); flooding (heavy rain events, dam failure); slope instability (landslide, liquefaction); fire (wildland fires and urban fires); and climate change (adaptation and resilience from severe weather incidents such as drought, severe winds or heavy rains). Man-Made Hazards refer to hazardous materials (use, storage, transport), utility-related incidents (power failure, natural gas leaks, drought/water shortages), and crime, terrorism, and active shooters.

Pinole currently has an adopted Health and Safety Element which also includes a Noise Element. Since many of the topics of discussion and goals and policies of the Health Element overlaps with the Environmental Justice Element, the Health Element has been integrated with the Environmental Justice Element. The Safety Element is now a standalone Element which will include the existing (unmodified) Noise Element. The Safety Element has been revised to update information and incorporate new topics of discussion including climate resiliency, evacuation, drought, dam inundation, impact of tsunami, emergency preparedness, etc. The Goals and Policies are also updated accordingly. The Safety Element also establishes nexus to the existing Sustainability Element (Climate Resiliency), Community and Public Services Element (Police and Fire), Emergency Operations Plan, the Pinole Creek Watershed Vision Plan, and other existing planning documents.

In addition to updating the Safety Element, a Vulnerability Assessment study was also conducted. California Senate Bill (SB) 379 requires local jurisdictions to incorporate climate change and resilience strategies into General Plan Safety Elements. Because the City is updating the existing Safety Element and has not adopted a Local Hazard Mitigation Plan (LHMP), the City is required to address climate change and resilience strategies through the following process:

1. Prepare a vulnerability assessment that identifies risks climate change poses to the local jurisdiction and the geographic areas at risk from climate change.
2. Prepare a set of adaptation and resilience goals, policies, and objectives based on the findings in the vulnerability assessment.
3. Prepare a set of feasible implementation measures designed to carry out the goals, policies and objectives identified.

An Evacuation Routes study has also been prepared to comply with the Assembly Bill 747. Per AB 747, the City's Safety Element needs to address evacuation planning for any emergency scenarios that would warrant an evacuation of populations within the affected areas. The evacuation planning is a component of the LHMP. Because the City is updating the existing Safety Element and has not adopted a LHMP, the City is required to address the capacity, safety, and viability of the evacuation routes under a range of emergency scenarios applicable to the local jurisdiction. It was determined that the City will evaluate two scenarios:

1. Wildfire- Potential fire hazard approaching from the southeast burning towards the City limits
2. Dam Inundation- Potential failure at the Maloney Reservoir

Staff anticipates that the Safety Element will be published for public review in February 2023, and scheduled for City Council adoption in May 2023.

Health and Environmental Justice Element

The Environmental Justice Element is a new regulatory component to California General Plans, with the purpose of identifying neighborhoods with disproportionate environmental/pollution burden and establishing policies that advance environmental justice. Environmental Justice is defined by California Government Code Section 65040.12[e] as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Using the May 2022 California Environmental Protection Agency (CalEPA) definition to identify Impacted Communities, census tracts in Pinole were evaluated against categories identified by CalEPA. Findings are reported below in Table 5.

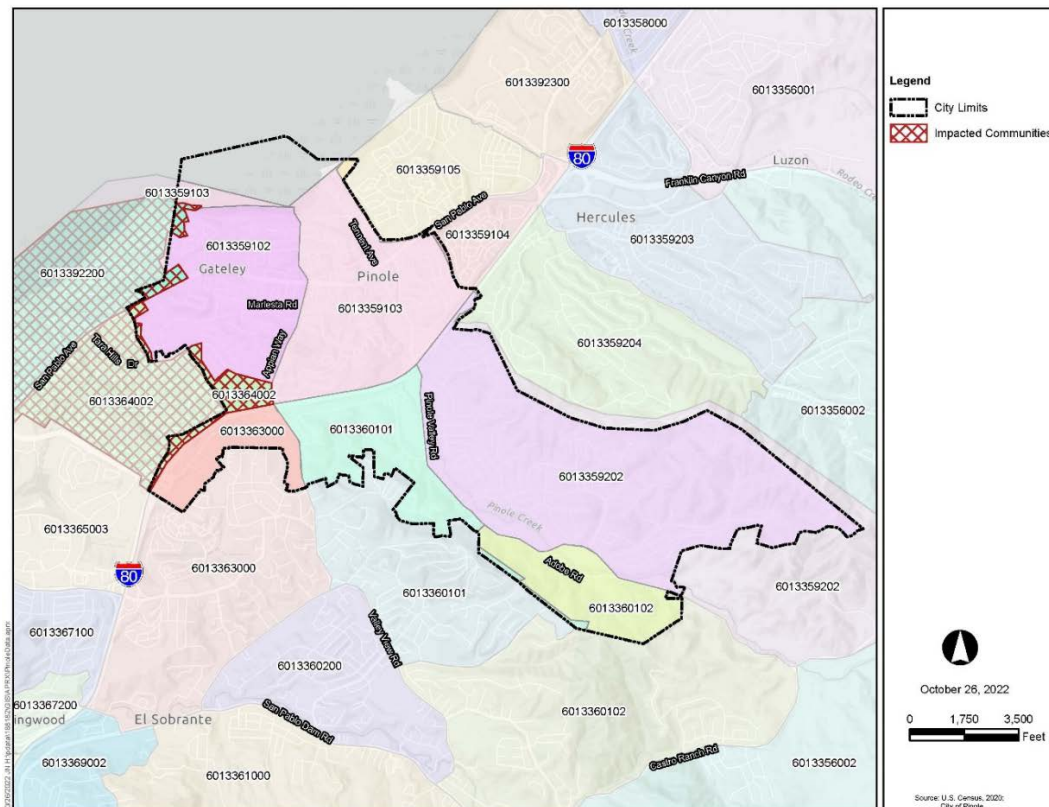
Table 5: Disadvantaged Community Designation Criteria Applicability to Pinole

DAC Designation Criteria	Applicability to Pinole	Notes
1. Census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0.	Applicable	One census tract in Pinole has a CalEnviroScreen score of 75 or higher: <i>Census Tract 3922.02;</i> CalEnviroScreen Composite Score 85

2. Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores.	Not applicable	Census tracts in Pinole are not reported by CalEnviroScreen with data gaps.
3. Census tracts identified in the SB 535 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0.	Applicable	Two census tracts in Pinole were identified as SB 535 Disadvantaged Communities: <i>Census Tract 3922.02</i> ; and <i>Census Tract 3640.02</i> .

As recommended by the California Office of Planning and Research (OPR) guidance, CalEnviroScreen 4.0 data is utilized to investigate unique pollution burdens or socioeconomic factors affecting Census Tract 3922.02 and Census Tract 3640.02. One census tract within the City of Pinole meets Criteria 2 and 3 (Census Tract 3922.02) and one census tract within the City meets Criteria 3 (Census Tract 3640.02). See Figure 1 for a map of impacted communities in Pinole.

Figure 1: Map of City of Pinole Impacted Communities



The Health and Environmental Justice Element will include an existing conditions section, evaluating the CalEnviroScreen data, other relevant data sources, including the Healthy Places Index, USDA Food Access Research Atlas, WalkScore, and historical discriminatory land use decisions. Based on the findings, goals, policies and actions will address equity on the following topical areas:

1. Equity in Access (access to healthy food, public facilities, public transit, key employment centers, government services and quality schools/childcare)
2. Equity in Environment (access to healthy air and water quality, pollution reduction, health risks associated with climate vulnerability, health risks to sensitive receptors)
3. Equity in Civic Engagement (access and availability to information and resources, opportunities to participate, access to ballot box/polling place)
4. Equity in Generations (preserving the right for future generations to live, work and enjoy Pinole)

This structure meets the OPR requirements and expands into topical areas that are unique to Pinole. Policies address disproportionate burdens in Impacted Communities, and also address equity across the City. Additionally, Health policies previously located within the Safety Element are being evaluated and adapted into the Environmental Justice Element, where appropriate. This will reduce redundancy within the City General Plan and ensure a comprehensive Health and Environmental Justice Element.

The Health and Environmental Justice Element is under internal staff review as of November 1, 2022. Staff anticipates that the Health and Environmental Justice Element will be published for public review in published for public review in February 2023, and scheduled for City Council adoption in May 2023.

Planning Commission Recommendation

The Planning Commission held a workshop on the public review draft of the Housing Element on October 24, 2022. The commissioners had reviewed the draft Housing Element in great detail. The meeting included a page-by-page discussion of specific questions and recommendations by each of the commissioners organized by the proposed housing plan programs, RHNA opportunity sites, and general comments. Overall, the commissioners were very complimentary of the draft Housing Element document for the quality of its content and the ease of use and readability, as well as the online community survey. The workshop concluded with a recommendation of the Planning Commission to advance the project by submitting a revised draft to HCD for its review and comment. Specific recommendations from the Planning Commission are included in Table 5 below, along with staff recommendations on how to address the comment:

Table 5: 10/24/22 Planning Commission Recommendations and Opportunities for Enhancement of Draft Housing Element

Planning Commission Recommendations	Housing Element Update Response / Opportunities for Enhancement
Adjust the sites inventory to include the recently approved redevelopment of the Kmart site for 223 units (including 27 lower-income units)	Update sites maps, inventory, and sites chapter to reflect addition of Kmart site
Allow and encourage single and small unit room rentals	- ADUs and JADUs promotion programs - Tenant - Owner Matching Program - Implement recently adopted state laws (AB 352 Efficiency Units) - SROs allowed in five zones
Promote and incentivize affordable housing on religious facility sites	- Implement recently adopted state laws (AB 1851, AB 2244 - parking) Consider: <i>Allowing multifamily housing on religious institution sites (where not currently allowed)</i>
Promote and incentivize affordable housing for teachers	Consider: <i>Adding teachers to funding priority policy with ELI and Disabled (P-8)</i> <i>Adding teachers to the Owner - Tenant Matching program for seniors (P-10)</i> <i>Adding allowing employee, faculty housing on school sites</i>
Consider more protections for renters to prevent and minimize displacement	Consider: <i>Adding 1st right of refusal/option to purchase</i> <i>Advance notification, relocation assistance</i> <i>Just cause eviction ordinance</i>
Encourage additional efforts to obtain more input from Pinole's diverse population	- Pinole recently adopted its new Communication & Engagement Plan - Consider: <i>Specifically include CBOs with all HEU program education and engagement efforts, goals for increased participation among diverse communities, monitoring & adjustment</i>

Staff requests City Council direction and guidance on incorporation of any of the opportunities for enhancement of the draft Housing Element that will be sent to the State.

Builder's Remedy

The Housing Accountability Act, Government Code section 65589.5, limits the land use authority of local agencies that do not timely adopt a compliant housing element. Specifically, if the City does not have a compliant housing element, the City may not deny a residential or qualifying mixed-use project with at least 20% of the units reserved for low-income households, or 100% of the units reserved for moderate income households, on the basis of that project being inconsistent with the City's Zoning Code and General Plan Land use designation. This is commonly known as the "Builder's Remedy".

The deadline for the City to adopt a compliant Housing Element is January 31, 2023. During previously Housing Element cycles, there was an 180 day grace period during which Housing Element were not considered non-compliant. However, there is no similar grace period during the 6th cycle. Although the Builder's Remedy has been part of state law for many years, it has not been invoked until this 6th Housing Element cycle. Accordingly, there are many unknowns about the scope of the Builder's Remedy and how it would apply. Staff plans on bringing the draft Housing Element to the City Council for adoption in late January in order to meet the statutory deadline. A subsequent amendment to the Housing Element may be necessary based on feedback from HCD.

Environmental Review

Pursuant to the California Environmental Quality Act, the City of Pinole will be conducting an environmental review of the proposed draft Housing Element and intends to adopt an addendum to the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the City's 5th Cycle Housing Element. The 6th Cycle Housing Element does not change the environmental conclusions of the previously adopted IS/MND, nor does the draft Housing Element result in new impacts/mitigation measures.

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions in this report.

ATTACHMENT

- A- Draft Housing Element, released for public review October 17, 2022
- B- PowerPoint Slides for November 15, 2022 Presentation to City Council

CITY OF PINOLE

HOUSING ELEMENT

2023-2031

Public Review Draft

October 14, 2022



HOUSING ELEMENT UPDATE

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Introduction

Purpose and Content

The City of Pinole's 2023 – 2031 Housing Element has been prepared in compliance with the State of California Government Code Section 65302 and in conformance with the Housing Element Guidelines as established by the California Department of Housing and Community Development (HCD). This Housing Element sets forth the City's overall housing objectives in the form of goals, policies, and programs. This format will facilitate the periodic update of the Housing Element, as required by State law.

Data Sources

Various sources of information were used to prepare the Housing Element. The US Census on Population and Housing remains the most comprehensive source of data available on population and housing trends and was widely used throughout the element. Additional data sources consulted include:

- Demographic and housing data provided by ABAG, the State Department of Finance (DOF), and the Census Bureau;
- Housing market information, such as home sales, rents, and vacancies from the Contra Costa Association of Realtors, Craigslist, Zillow, and Home Mortgage Disclosure Act (HMDA);
- Building permit and zoning information from the City of Pinole Development Services Department;
- Special needs housing and services data, including homeless services, from Contra Costa County;
- Housing survey administered to residents and landlords; and
- Telephone interviews with housing professionals and service providers.

Other statistics draw from the most recent figures reported by the U.S. Census Bureau, including the 2020 Census and the American Community Surveys (ACS). Future projections are based on data provided by ABAG. Where available, this data is supplemented with current market data and local secondary sources of information.

Relationship to Other Elements and Plans

This Housing Element identifies goals, policies, and programs that guide housing policy for the City over the 2023 to –2031 planning period. The goals, policies, and programs are consistent with the direction of the other General Plan elements, specifically the Land Use Element, Safety Element, and the Environmental Justice Element. Each goal is followed by

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one or more policies that are designed to provide direction to the policy makers that will enable progress towards the goals. Consistency will be reviewed as part of the annual General Plan implementation progress report as required under Government Code section 65400. Listed after a discussion of the goals and policies are the programs designed to implement the specific goals and policies.

The Housing Element goals, policies, and programs aim to:

- Encourage the development of a variety of housing opportunities and provide adequate sites to meet the 2023 – 2031 Regional Housing Needs Allocation (RHNA).
- Assist in the development of housing to meet the needs of lower- and moderate-income households.
- Address and, where appropriate and legally possible, remove governmental constraints to housing development.
- Conserve, preserve, and improve the condition of the existing affordable housing stock. Promote equal housing opportunity for all residents to reside in the housing of their choice. These objectives are required by and delineated in State law (California Code Section 65583 [c][1]).

Public Participation

As required by State law (Government Code Section 65588[c]), all economic segments of the community must be provided an opportunity to review and comment on the Housing Element.

The City of Pinole had a comprehensive and successful public engagement process. It provided extensive information that informed and guided the preparation of the draft Housing Element update. Targeted outreach began in March 2022. This involved engaging a diverse group of people in the planning process, including community members, stakeholders, service providers, educators, the Planning Commission, and City Council in identification of Pinole's Housing Element housing issues. The public participation program included:

- Website. An interactive housing element update website, launched in March 2022 and accessed through the City's webpage, that included a description of the project, how to provide input, workshop dates and materials, a link to the Housing Element update survey, and FAQs.
- Surveys. A multilingual (English, Tagalog, Cantonese, and Spanish) online community survey was heavily promoted through email list notification, project website, flyers, postcards, social media posts, banners, stakeholder interviews, and community workshops.
- Focus Group. One focus group was held on Thursday, June 30, 2022 at 4:00 p.m. to gather input from community members and housing service providers.

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- Stakeholder Interviews. Two stakeholder interviews were held on July 25, 2022 with The Pinole Rotary Club and July 26, 2022 with Contra Costa Association of Realtors to gather input regarding issues the community faces and recommendations to alleviate the identified housing issues.
- Community Workshops. Two virtual community workshops were held on Wednesday, May 11, 2022, and Thursday, June 9, 2022. The website was updated to include information about the community meetings and the project planner sent emails to notify individuals on the mailing list which included stakeholders, community service providers, and members of the public. The links to the presentation video recording were posted on the Housing Element Update website.
- Study Session. One joint study session with the Planning Commission and City Council was held on July 13, 2022. All the efforts of notifying the public that were made for the two community meetings were repeated for the joint study session. The links to the presentation video recording were posted on the Housing Element Update website. The joint study session focused primarily on RHNA site strategy, housing issues, and proposed programs included in the Housing Element. It included a robust discussion of housing issues and responsive programs to meet the needs of all Pinole residents.

Summary of Comments Received

During the outreach process, the City heard comments that touched on issues such as difficulty paying rent, mortgage, or down payment; homelessness; and insufficient housing supply, including affordable housing, farm-worker housing, and preferred locations for future housing. Many of the programs and the RHNA sites inventory in the Housing Element Update reflect the community input. In summary, the community engagement and input yielded the following themes and feedback:

- Linking public investment with new housing: Participants expressed a desire for new housing near community facilities and amenities. Program 18 will coordinate with the Environmental Justice Element to pursue place-based improvements in low resource areas to increase environmental health and quality of Pinole through projects identified in the City's capital improvement program.
- Affordability: Participants expressed the lack of affordable housing options in Pinole; specifically identifying ways to incentive multifamily development. Program 7 consists of creating a set of incentives for projects that provide additional affordable housing beyond the City's 15 percent inclusionary requirement.
- Education and Outreach: Participants expressed a lack of community engagement and education on affordable housing, ADUs, housing services and programs that are available, and housing policy. Program 15, Program 19, Program 21 and Program 22 implements outreach and education strategies to increase community

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awareness about ADUs, housing resources and services, and available fair housing and financing support.

- Housing protections: Participants expressed a need for protections and resources for seniors, first-time homebuyers, and lower-and middle-income individuals. Program 20 establishes coordination with a fair housing service provider to work with residents and landlords for income protections and state rent control laws and in conjunction with Program 19. Program 9 will create a set of incentives to encourage the development of housing for seniors.

A summary of outreach is also provided in the Affirmatively Furthering Fair Housing chapter. For complete survey results and additional detail on outreach see APPENDIX C: PUBLIC OUTREACH.

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Review of Past Accomplishments

State law (California Government Code Section 65588[a]) requires each jurisdiction to “review its housing element as frequently as appropriate to evaluate all of the following:

- (1) The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal.
- (2) The effectiveness of the housing element in attainment of the community’s housing goals and objectives.
- (3) The progress of the city, county, or city and county in implementation of the housing element.
- (4) The effectiveness of the housing element goals, policies, and related actions to meet the community’s needs, pursuant to paragraph (7) of subdivision (a) of Section 65583.”¹

Per HCD, the three areas of requisite analysis are:

- Review the results of the previous housing element’s goals, objectives, and programs. The results should be quantified where possible but may be qualitative where necessary.
- Compare what was projected or planned in the previous housing element to what was achieved. Determine where the previous housing element met, exceeded, or fell short of what was anticipated.
- Based on the above analysis, describe how the goals, objectives, policies, and programs in the updated housing element are being changed or adjusted to incorporate what has been learned from the results of the previous housing element.

Housing Production

The 5th Cycle RHNA for the City of Pinole is shown in Table 1. The 5th Cycle allocation for the City consisted of 80 very low income units, 43 low income units, 43 moderate income units, and 126 above moderate income, for a total of 297 units. As of December 2021, 27 units have been permitted during the 5th Cycle. There is a remaining RHNA need of 80 very low income, 43 low income, 42 moderate income, and 100 above moderate-income units.

¹http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65588.#:~:text=65588.,of%20the%20state%20housing%20goal.

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Table 1: 5th Cycle Housing Production

	Very Low	Low	Moderate	Above Moderate	Total
5th Cycle RHNA Allocation	80	43	43	126	297
Permitted	-	-	1	26	-
Remaining Requirement	80	43	42	100	265

Source: City of Pinole

No Net Loss and Adequate Sites

Pursuant to Senate Bill (SB) 166, the City must always maintain adequate sites to accommodate the remaining RHNA requirement. The City saw development of 27 units over the 5th Cycle.

The City provided a capacity for 74 units on vacant sites and 419 units on specific plan sites, for a total of 493 units. The 5th Cycle identified a surplus capacity of 196 units. At no point during the 5th Cycle did the City have a net loss of capacity. The City maintained a surplus of available sites for all income levels throughout the 2015 to 2023 planning cycle.

Effectiveness at Assisting Special Needs Populations

This section reviews the City's progress on assisting populations with special housing needs during the 5th Cycle. The City has implemented multiple programs to assist special needs populations over the 5th Cycle.

Seniors and Residents with Disabilities

The Pinole Senior Center offers services and programs to the elderly, including free assistance with legal and health services, and fitness classes.

WestCAT is a service of the Western Contra Costa Transit Authority, which provides a Senior Dial-A-Ride service that offers rides to senior citizens. WestCAT also provides a Paratransit service to Pinole, which is a curb-to-curb service ensuring that riders are transported safely and comfortably. These vehicles are equipped with wheelchair lifts providing access for all elderly persons with different levels of abilities.

Through the Contra Costa County Area Agency on Aging, Pinole participates in several food programs including Meals on Wheels, CalFresh, Food Bank of Contra Costa and Solano, and the Senior Food Program.

Persons Experiencing Homelessness

The County works collectively with all cities, including Pinole, to help address the needs of the homeless population in Contra Costa County. The homeless population in the City (53 in the most recent point-in-time count) receives aid from programs through Contra Costa

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County Health, Housing & Homeless Services. This includes the Continuum of Care and C.O.R.E. Homeless Outreach.

Accessibility Improvements

The City coordinated with the West Contra Costa Unified School District to complete off-site improvements at Pinole Valley High School that create easier access to the school for persons with disabilities. These changes include new ADA ramps, four traffic signals, and roadway restriping.

The City installed 41 “share the road” signs along Pinole Valley Road. There are 20 signs in the south bound direction beginning at Pinole Valley High School and 21 signs in the north bound direction to San Pablo Avenue. There have also been several road projects that involved upgrading ADA ramps on various segments on San Pablo Avenue.

In addition, the City installed 40 thermoplastic bicycle Shared Lane Markings (SLMs), “sharrows,” along Pinole Valley Road to San Pablo Avenue. This route links with the bicycle lanes passing Pinole Valley High School and provides connectivity from the Valley and Old Town to the commercial area near I-80. This route also allows access from Pinole Valley to the Hercules Transit Center.

The City is currently completing a Local Road Safety Plan which will suggest roadway improvements to make roadways safer for all users. Also, the City is scheduled to undertake the development of an Active Transportation Plan which will help identify improvements that will increase the safety and mobility of non-motorized users.

Evaluation of Previous Housing Element Programs

This section illustrates the City of Pinole’s accomplishments and status in implementing the housing programs identified for the 2015-2023 5th Cycle, as well as the continued appropriateness of each program for the 2023-2031 6th Cycle. Programs that have been successfully completed or that consist of routine staff functions are marked as “remove,” as these programs are no longer necessary for the 6th Cycle. Previous programs that are continued with no or minor modifications are marked as “continue.” Finally, programs marked as “retain/modify” are programs that will be continued, but have updated goals and metrics, and may involve combining multiple existing programs into a single 6th Cycle program for ease of use and streamlining.

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Table 2: Review of 5th Cycle Programs

5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
Conduct An Annual Housing Element Review (H.1.1)	Provide for annual review of the Housing Element, with opportunities for public input and discussion, in conjunction with State requirements for a written review by April 1 of each year (per Government Code Section 65583(3)). As part of the Annual Housing Element Review, the City will conduct a General Plan internal consistency review.	Annually	Complete for 2021. The City will continue to conduct annual reviews of the Housing Element in subsequent years	Remove - This is a routine staff function and not considered a Housing Element Program. This is also an HCD requirement (Government Code Section 65400.)	N/A
Explore Housing Development Partnerships (H.1.2)	The City shall seek out opportunities to work with other public agencies by identifying housing grant funding opportunities to encourage and implement improvements and expansion of housing supply, and work with developers by creating a developer interest list and periodically assessing development needs to encourage new residential development to provide affordable housing. Contact other public agencies such as the Contra Costa County Housing Authority or Contra Costa County Department of Conservation and Development at least once a year for funding and partnering opportunities.	Ongoing	The City has been working with developers on multiple affordable housing projects in the City. The City has facilitated pre-submittal meetings and calls to provide information, highlight application needs, discuss process, and discuss affordable housing requirements and incentives. Projects the City has worked with developers on include the 223 units at Pinole Vista Plaza's vacant K-Mart site, 27 of which are affordable, the 154 townhomes and condominium development on the vacant Doctor's Hospital site, the 29-unit apartment project on a mixed use site, a 33 unit affordable veteran's housing on a former redevelopment agency	Retain/Modify into an outreach and technical assistance program.	Program 3

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
			property, and a 100% affordable 179 unit senior complex. The City has not compiled a developer interest list and plans to do so during the 6 th Cycle.		
Periodically Review Residential Development Requirements (H.1.3)	Monitor development standards to ensure their appropriateness in fostering residential and mixed use development. • For key housing opportunity sites, provide development standards and design objectives to streamline the development review process for projects that are consistent with applicable Specific Plans and the General Plan. • Provision of clear guidelines and incentives for the development of housing in conformance with current state laws and to identify specific ways to streamline processing for subsequent development proposals.	Ongoing (as necessary)	Regular ongoing discussions on permitting, process, and code update improvements.	Retain/Modify – combine with Mixed-Use incentive program	Program 5
Apply Design Review Guidelines (H.2.1)	Apply the Zoning Ordinance Residential Design Guidelines to new residential projects in order to evaluate projects in the context of existing neighborhoods and continue to maintain an objective process that clearly communicates community expectations in the Design Review process.	Ongoing	The City continues to implement the Residential Design Guidelines for residential projects. The City received thirteen residential design review applications in 2021. The City has recently begun the process of creating objective design standards, with the standards anticipated to be completed and adopted during the 6 th Cycle.	Retain/Modify to ensure compliance with SB 330 and that development standards, design guidelines, and findings are objective, and promote certainty in the planning and approval process.	Program 12

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
Adequate Sites to Meet Regional Fair Share of Housing Growth (H.2.2)	The City shall provide for a variety of housing types with densities ranging from one to seven units per acre in low-density residential areas and up to fifty dwelling units per acre in very high density residential and mixed use areas along portions of the City's transportation corridors included in the proposed Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way, with the incorporation of density bonuses available consistent with State law. In support of this Housing Element, the City developed a parcel-specific inventory of sites suitable for future residential development, including vacant sites currently designated under the City's General Plan and housing opportunity sites designated in the City's Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way The City's overall construction target is 80 units (2 extremely low, 5 very low, 5 low, 20 moderate, and 48 above moderate).	Ongoing	Complete. Three Corridors Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way includes adequate sites available to developers to meet Regional Fair Share of Housing Growth. A detailed inventory of potential residential development sites is included within Table 6.43 and 6.44 of the adopted Housing Element.	Retain	Program 1
Rehabilitation Assistance (H.2.3)	The City will improve public awareness of rehabilitation loan subsidy programs offered by the County and other agencies. Specific actions should include: (a) pamphlets on the programs available at City Hall; and (b) providing public information through articles in the local newspaper and with cable TV public service announcements. In addition, the City will annually explore funding availability at the local, State, and federal levels and pursue funding programs as appropriate with the goal of reinstating the City's Rehabilitation Program. Target: 50 units: 10 extremely low, 10 very low, 10 low, and 20 moderate), inclusive of the target for Action H.2.4 below.	Ongoing (annually)	City staff continues to assist homeowners and provide information at City Hall on rehabilitation assistance resources. In 2021, the City issued 656 permits to rehabilitate housing units, including roofing, water heater replacement, furnace, solar, window/patio door replacement, and home remodel/addition projects.	Retain/Modify. Increase program specificity, language, and metrics, including setting a geographic target for assistance.	Program 15

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
Acquisition/ Rehabilitation of Blighted or Distressed Properties (H.2.4)	As in other parts of the State, many households in Pinole have been impacted by the recession and depressed housing market, resulting in increases in distressed properties and foreclosure activities. Furthermore, with the dissolution of redevelopment, the City no longer has the funding available to address blighted properties in the community. The City will continue to pursue opportunities to partner with nonprofit housing developers to acquire and rehabilitate blighted or distressed properties, with the objective of making these units available to low income households as affordable housing. Target: 50 units (10 extremely low, 10 very low, 10 low, and 20 moderate), inclusive of the target for Action H.2.3 above.	Ongoing	The City worked with the developer on the construction of an affordable veteran's housing project on a former redevelopment property. The City has worked with the developer to entitle a 100% affordable senior housing complex on an underutilized site.	Retain/Modify. Remove portion regarding blight and redevelopment agency. Update metrics, language, and, set a geographic target for assistance.	Program 16
Fee Structure Evaluation (H.3.1)	Periodically review the City's current development impact fees to ensure that new development contributes its fair share of the costs for the provision of services and facilities.	Ongoing	A fee update was initiated in calendar year 2022 and adopted by City Council in June 2022. Fees went into effect Sept 2022. Significant changes were made to building permit fees that made the fee schedule more equitable. The adopted fee schedule is now more similar to neighboring jurisdictions, especially for larger scale projects.	Retain/Modify. Specify fee evaluations to be done not less than every 5 years.	Program 13
General Plan Land Uses (H.4.1)	Evaluate General Plan land use designations and plan programs annually to ensure they are consistent with the City's overall goals and review the entire General Plan within eight years.	Annually	The City's GP land use designations are applied to provide direction and flexibility to help meet evolving overall land use goals and policy objectives.	Remove – Not a Housing Element Program.	N/A
Housing Construction (H.4.2)	Construct or encourage the construction of housing units throughout the City through use of the following mechanisms. Construction or approval of at least 279 units between 2014 and 2023.	Ongoing	City staff meets regularly with property owners and developers to encourage additional housing construction at all affordability	Modify - increase program specificity, language, and metrics regarding	

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
			levels on available housing opportunity sites. Staff provides information regarding the State density bonus programs, and helps owners/developers determine use of bonuses, waivers/exceptions, and incentives. Staff also meets with individuals to provide information on about SB 9 and ADUs.	construction of housing.	
	Mixed-Use Incentives: Encourage mixed residential-commercial uses in areas consistent with the Land Use Plan, and in particular along portions of the San Pablo Avenue, Pinole Valley Road, and Appian Way corridors to increase housing opportunities through the following and other means, if appropriate: (1) increased densities; (2) prioritized development project review and processing; and (3) flexibility in parking and development standards.		The City assisted in exploring potential for flexible parking standards, including shared parking agreements for mixed use development.	Retain/Modify.	Program 5
	Rental Housing Site Assemble and Development: City shall contact affordable housing builders annually and provide information about sites to facilitate development of affordable rental housing. Based on development interest, the City shall explore possible assistance including priority processing.		The City executed a Disposition and Development Agreement and agreed to provide a Purchase Loan and Construction Loan to assist in the purchase of the Property and construction of the SAHA project (811 San Pablo Ave). The site was a former redevelopment property sold by the City to the developer with agreement to construct an affordable rental housing development.	Retain/Modify – roll into outreach and technical assistance program, and program to develop specific priority processing procedure.	Program 3 and Program 7
	Affordable Housing Incentives: Support the use of the following incentives for well-designed rental and ownership projects that provide a minimum of 15 percent of total units		The City implements its 15% inclusionary housing program for the creation of affordability units in projects.	Retain/Modify to develop specific process for priority review of affordable	Program 7

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
	affordable to low and moderate income households for 45 and 55 years respectively: a. Density bonuses. Provide density bonuses consistent with the State Density Bonus Law (Government Code Section 65915). b. Flexibility in development standards. Allow flexibility in applying development standards (e.g., parking, floor area, setback, height standards). c. Prioritized Development Review. Affordable housing development should receive the highest priority and efforts should be made by staff and decision-makers to provide technical assistance to potential affordable housing developers; consider project funding and timing needs in the processing of applications; and provide the fastest turnaround time possible in determining application completeness.		The City has an adopted set of design modifications for affordable housing including potential for priority processing. This is adopted in section 17.32.040 of the Zoning Ordinance.	housing developments that go beyond the inclusionary requirement.	
	Require Affordable Housing in Market Rate Residential Projects. Require 15 percent of the units located in new residential developments be affordable, and of those units, 40 percent must be affordable to very low income households. The City's intent is the construction of units on-site. If this is not practical, the City will consider other alternatives of equal value, such as in-lieu fees, construction of units off-site, donation of a portion of the property for future non-profit housing development, etc.		15% inclusionary requirement has been applied in all applicable housing developments.	Retain/modify.	Program 6
	Housing for Extremely Low Income Households and Persons with Disabilities. Based on funding availability, the City shall explore, at least once a year, development assistance for multifamily and supportive housing to meet the needs of extremely low income households and persons with disabilities (including persons with developmental disabilities). The City shall continue to contact housing service providers within West Contra Costa County to determine the best way to facilitate development of housing	Ongoing		Retain.	Program 8

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
	for extremely low income households and persons with disabilities. The City will annually contact developers to assist in development where feasible by prioritizing available funding, assisting and supporting new applications, providing priority processing, considering fee deferrals or subsidies and design modifications, and facilitating site acquisition.				
Parcel Consolidation (H.4.3)	The City will play an active role in facilitating lot consolidation, particularly as it relates to parcels listed in the Sites Inventory in this Housing Element. The lot consolidation procedure is included in the City's Municipal Code and made available to the public and discussed with developers during the preliminary review process. Lot consolidation requests made in order to facilitate development of affordable housing is processed administratively. Incentives offered for lot consolidation include allowing higher densities for larger parcels once consolidated, flexibility in development standards, and expedited processing.	Ongoing	City staff meets with property owners and developers to encourage parcel consolidation for housing development. The City did not receive any requests for lot consolidations during the 5 th Cycle.	Retain //Modify – include in affordable housing incentive programs	Program 7
Second Unit Ordinance (H.4.4)	The City will provide information to the public on the ordinance at City Hall and on its website. In addition, the City will review the Second Dwelling Unit Ordinance in regard to development requirements to encourage the development of well-designed secondary housing units in established residential areas. Construction of 16 new second units between 2014 and 2023.	Ongoing	Updated the ADU ordinance in 2017 and 2020. Staff regularly receives and responds to questions from the public regarding ADU standards and the permit process. 15 ADUs were constructed between 2017 and September 2022. The City streamlines the permitting of ADUs by processing them as a plan check of a building permit, and does not require	Retain and roll into ADU Programs	Program 4 and Program 21

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
			separate planning permitting for ADUs.		
Homebuyer Programs (H.4.5)	Continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's Down payment Assistance Program. Specific actions should include: (a) pamphlets on the programs available at City Hall; and (b) providing public information through articles in the local newspaper and with cable TV public service announcements. The City will continue to explore funding opportunities to reinstate the City's Homebuyer Program. Annual evaluation of funding available and pursue funding opportunities as available.	Annually	Inadequate financial resources available in 2021 to directly assist first-time homebuyers and re-establish the City's homebuyer program. The City refers interested individuals to available County and State programs.	Retain and Modify - staff can continue to refer interested parties to County and State programs. Modify to increase promotion of outreach programs.	Program 21
Below Market Rate (BMR) Regulations (H.4.6)	Implement and monitor rental (55 years) and resale (45 years) restrictions for low and moderate income units assisted or constructed by the former Redevelopment Agency to assure that these units remain at an affordable price level as they are occupied, and transferred.	Ongoing	The City continues to use a third-party contractor to monitor affordability control compliance.	Retain - add specific metric.	Program 17
Technical Assistance to Housing Developers (H.4.7)	The City will provide technical assistance to developers to encourage provision of affordable housing that are consistent with City goals. Assistance could include provision of information about available funding sources, pre-application planning meetings, expedited development review and processing, and facilitation of neighborhood meetings.	Ongoing	City staff continued to meet with prospective housing developers in 2021.	Retain/Modify – combine into outreach and technical assistance program.	Program 3

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
Accessible Units for the Physically Disabled (H.4.8)	The City will facilitate programs and projects that meet Federal, State and local requirements to provide accessibility for the physically disabled in residential units and will promote affordable accessible housing for the physically disabled. The City will encourage accessible units in all new projects; additionally, where outside funding is involved, the City will ensure compliance with funding agency requirements for units accessible to the physically disabled. The City will provide technical assistance to assure proposed units meet Building Code requirements. The City will implement the adopted ordinance establishing Reasonable Accommodation procedures to accommodate the needs of persons with disabilities. Five percent of the units built or approved between 2014 and 2023 should be adaptable for the physically disabled	5% of units built or approved between 2014 and 2023 should be adaptable for the physically disabled	The City is committed to assisting in the development of new projects that provide accessible housing for the disabled or issuing building permits for projects that improve the accessibility of existing housing. The City did not receive any new development requests for housing for the physically disabled or accessibility modifications to existing residential units during the 5 th Cycle.	Remove – completed reasonable accommodations procedure.	N/A
Housing for the Homeless (H.4.9)	The City amended the Zoning Ordinance to provide emergency shelters and transitional housing for the homeless; however, additional revisions to the Zoning Ordinance are required to be consistent with State law. Specifically, the Zoning Ordinance will be revised to address the provision of supportive and transitional housing as a residential use to be subjected to requirements for similar uses in the same zones. The Zoning Ordinance will also be revised to remove the emergency shelter distance requirements (other than from another shelter). State law (SB2) allows the emergency shelter ordinance to set distance requirement only from another shelter. The City's ordinance currently includes distance requirements from a public park and a school, transit route, etc. Within 12 months of adopting the 2015-2023 Housing Element, the City will amend the Zoning Ordinance to address the provisions for transitional housing, supportive housing, and emergency shelters consistent with SB 2. The City will continue to monitor the effectiveness and appropriateness of the adopted provisions in facilitating housing for the homeless.	By May 2016	Text amendments were approved in 2016.	Remove - Completed.	N/A

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
	Complete within one year of Housing Element adoption.				
Employee Housing (H.4.10)	Currently the Zoning Ordinance does not address the provision of employee housing. The City will amend the Zoning Ordinance within one year of the Housing Element adoption to identify employee housing meeting Health and Safety Code definitions will be considered as a residential use and to be permitted in the same manner as similar uses in the same zones. Amend Zoning Ordinance to address employee housing within one year of Housing Element adoption	By May 2016	Text amendments were approved in 2016.	Remove - Completed.	N/A
Prevention of Housing Discrimination (H.4.11)	The City will take actions to prevent discrimination in the housing market and provide information on fair housing laws. Staff will distribute fair housing pamphlets provided by fair housing organizations at the public information counter at City Hall, Pinole Library, and at the Pinole Senior Center, as well as on the City's website. Staff will continue to refer all fair housing complaints to Housing Rights Incorporated, a local fair housing advocacy firm or other groups that provide comparable service. The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every five years. The City will work with the County to publicize the outreach program for the update.	Ongoing	No housing discrimination disputes were brought to the City's attention in 2021.	Retain/Modify - increase program specificity, language, and metrics regarding fair housing. Expand program to include counseling, education, etc.	Program 20
Conservation of Affordable Housing Units (H.4.12)	Pinole's supply of affordable housing units is largely made of multi-family units with affordability covenants in place that ensure affordability at a specific income level for a set period of time following the provision of financial assistance to the project, generally through the former Pinole Redevelopment Agency. A number of the covenants were recorded prior to changes in State law that took effect in 2001 requiring minimum thresholds for affordability and are now nearing their expiration dates. The City will take appropriate steps to ensure that the units with covenants close to expiration are	Through 2017	Former RDA assets, and revenues generated from those assets, are maintained in a Low- and Moderate-Income Housing Asset Fund that continues to be used to administer and monitor compliance with affordable housing and loan agreements and provide for affordable housing development.	Retain - update timeframe, and specific metric (# of homes,)	Program 17

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
	conserved or replaced and will remain affordable to moderate and lower income households. Specifically, the City will: • Contact the property owners to assess their interest and incentives required in extending the affordability covenant for the at-risk units. • Work with property owners to notify tenants of potential conversion to market rate at least one year prior to conversion, pursuant to State law. • Contact affordable housing developers/providers to solicit their interest and financial capacity in acquiring the at-risk units, • Work with interested property owners/affordable housing developers/providers to pursue funding for the preservation and improvement of at-risk units. Total: 113 units (24 very low, 4 low, and 85 moderate) Through 2017: 24 very low income units; 4 low income units; and 85 moderate income units.				
Explore Options for Senior Assistance Programs (H.4.13)	Explore program revisions and potential new programs aimed at providing assistance to seniors that would allow them to live independently and age in their homes. The potential assistance program(s) may be an offshoot of or include revisions to the existing Residential Rehabilitation Loan Program, which provides grants and low-interest loans to qualifying households. Specifically, identify funding and initiate a program to provide grants to senior homeowners for home improvements to increase accessibility for daily activities. Pursue funding in 2015 with the goal of initiating program in 2016.	2015-2016	Insufficient financial resources were available to establish a City program.	Retain – Modify to set specific measures and goals	Program 9

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5 th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6 th Cycle Program Number
Energy and Water Conservation (H.5.1.1)	Reduce energy and water consumption in residential buildings by balancing energy-efficient design and water conservation features with cost-effective construction.	Ongoing	The City continued to provide information on available energy and water conservation programs. The City adopted updates to the water efficient landscaping ordinance in the municipal code to reflect the current State ordinance.	Remove – completed.	N/A
Water and Sewer Service Priority Allocation for Affordable Housing (H.5.1.2)	The City will comply with SB 1087 requirements regarding water and sewer priority allocation to affordable housing. The City will coordinate with the East Bay Municipal Utility District, the West County Wastewater Sewer District, and the Pinole/Hercules Water Pollution Control Plant (WPCP) Joint Powers Agreement as needed to facilitate adoption of similar policies or to ensure that the State Public Utility Commission policies are adhered to. Adopt policy within one year of Housing Element adoption	By May 2016	Completed in 2016.	Remove - Completed.	N/A

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Housing Needs Assessment

The housing needs assessment analyzes the varied needs of all segments of the community. The assessments evaluate characteristics that inform housing need including population trends, demographics, employment trends, household characteristics, housing stock characteristics, housing inventory and market conditions, and preservation of at-risk units. The assessment also analyzes housing needs of various special needs groups, including elderly persons, large households, female-headed households, persons with disabilities (including developmental disabilities), homeless persons, farmworkers, and extremely low-income households. These components are presented in the context of the City of Pinole, Contra Costa County, and other regional or neighboring areas as appropriate. The housing needs assessment guides the identification of appropriate goals, policies, and programs for the City to implement during the 2023–2031 Housing Element cycle.

The housing needs assessment uses multiple data sources for analysis. Primary data sources include the 2020 American Community Survey (ACS), the 2014–2018 Comprehensive Housing Affordability Strategy (CHAS) published by the US Department of Housing and Urban Development (HUD), and the 2020 US Census. The CHAS provides information related to households with housing problems, including overpayment, overcrowding, and/or housing without complete kitchen facilities and plumbing systems. CHAS data is based on the 2014–2018 ACS data files but differs from the standard files by including a variety of housing need variables shown by HUD-defined income limits and HUD-specified household types. CHAS data uses the HUD Area Median Family Income (HAMFI), which does not differ from the area median income (AMI) used by the California Department of Housing and Community Development (HCD) except that it does not utilize AMI income categories. Both HAMFI and AMI use the same median income from the metropolitan area, which for Pinole is the Oakland-Hayward-Berkeley metropolitan district. Tables that use HAMFI instead of AMI are noted².

HCD uses five income categories to evaluate housing need based on the AMI for each metropolitan statistical area; they are used for both funding and planning purposes. The categories are as follows:

- Extremely low-income households, between 0% and 30% of the AMI
- Very low-income households, between 30% and 50% of the AMI
- Low-income households, between 50% and 80% of the AMI
- Moderate-income households, between 80% and 120% of the AMI

² Note that data from the different sources and different years may have varying estimates for totals such as population or number of households.

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- Above moderate-income households, above 120% of the AMI

Extremely low-, very low-, and low-income households may be grouped together for planning purposes and referred to as “lower-income households.”

Projected Housing Needs

As required by California Government Code section 65583, each jurisdiction must have land zoned to accommodate its fair share of the regional housing need. Each jurisdiction’s share of needs is known as the Regional Housing Needs Allocation (RHNA). HCD determines the needs for each region of the state. The Association of Bay Area Governments (ABAG) is the regional planning agency for the nine county Bay Area region responsible for assigning each jurisdiction within the region its share of the RHNA. The RHNA is broken down into the five income levels: extremely low, very low, low, moderate, and above moderate.

As determined by HCD, the RHNA for the Bay Area region over the 2023–2031 planning period is 441,176 units. Contra Costa County as a whole received a RHNA of 49,043 units. Pinole was assigned a RHNA of 500 total units, as shown in Table 3.

Table 3: Pinole RHNA, 2023–2031

Income Group	% of County AMI	Units	% of Units
Extremely Low ¹	0–30%	60	12.0%
Very Low	30–50%	61	12.2%
Low	50–80%	69	13.8%
Moderate	80–120%	87	17.4%
Above Moderate	> 120%	223	44.6%
Total	-	500	100%

Source: Association of Bay Area Governments (ABAG) as referenced in Pinole 2023-2031 Housing Element Data Package, Table HHPROJ-01.

¹Pursuant to AB 2634, local jurisdictions are also required to project the needs of extremely low-income households (0–30% of AMI). Fifty percent of the very low-income households are presumed to qualify as extremely low-income households.

Existing Housing Needs

Existing housing needs take into consideration demographic information about the community and region, including population and employment trends. It also considers data about the housing stock and characteristics, including housing age, condition, rates of cost burden, and rates of overcrowding.

Population Growth Trends

Table 4 provides the population trends of Pinole and select regional jurisdictions from 2010 to 2020. Pinole has a population of 19,505 as reported by the 2020 US Census. The County saw a 10.0 percent increase in population over the 10-year time span. Pinole experienced a lower growth rate of 6.1 percent, about 1,115 people. This is a comparable growth rate to

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the nearby jurisdictions of El Cerrito and Hercules. Richmond and San Pablo saw marginally higher population changes at 7.2 percent and 7.8 percent, respectively, while Martinez experienced a lower rate of growth at 3.6 percent.

Table 4: Regional Population Change, 2010–2020

Jurisdiction	2010	2020	% Change
Bay Area	7,150,739	7,790,537	8.9%
Contra Costa County	1,049,025	1,153,561	10.0%
Pinole	18,390	19,505	6.1%
El Cerrito	23,549	24,953	6.0%
Hercules	24,060	25,530	6.1%
Martinez	35,824	37,106	3.6%
Richmond	103,701	111,217	7.2%
San Pablo	29,139	31,413	7.8%

Source: California Department of Finance, E-5 series (as referenced in ABAG 2023-2031 Housing Element Data Package, table POPEMP-01).

Table 5 provides annual average population growth from 2000 through 2020. Between 2010 and 2020, the Bay Area and Contra Costa County experienced similar average annual growth rates of approximately 1 percent per year. During the same ten-year period, Pinole saw slightly slower annual average growth at 0.6 percent (an increase of 1,115 residents total). In contrast, from 2000 to 2010, the City's population estimate decreased by 649 people or approximately 0.3 percent annually on average.

Table 5: Annual Average Population Growth, 2000–2020

Jurisdiction	2000	2010	2020	2000-2010		2010-2020	
	Total Population			Population Change	AAGR	Population Change	AAGR
Pinole	19,039	18,390	19,505	-649	-0.3%	1,115	0.6%
Contra Costa County	948,816	1,049,025	1,153,561	100,209	1.0%	104,536	1.0%
Bay Area	6,784,348	7,150,739	7,790,537	366,391	0.5%	639,798	0.9%

Source: California Department of Finance, E-5 series (as referenced in ABAG 2023-2031 Housing Element Data Package, table POPEMP-01).

Age Composition

Pinole's current and future housing needs are determined in part by the age characteristics of its residents as each age group typically has distinct housing needs and preferences. For instance, a higher proportion of young adults generally indicates a need for rental units and first-time homebuyer or first move-up opportunities, including condominiums, townhomes, and smaller single-family homes. Middle-aged residents are usually at the peak of their earning power and typically occupy larger homes. Senior residents are generally homeowners who have resided in their single-family homes for an extended period of time,

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and may be in need of making home adaptation improvements to facilitate aging in place or transitioning to smaller living spaces and/or assisted living facilities. As a part of Program 8, the City is developing an aging in place permit policy that reduces the cost of building permits for age-qualified homeowners to make improvements to their home for universal design in order to support aging in place.

Table 6 summarizes the population's age distribution and percentage change from 2000 to 2020. From 2010 to 2020, the largest increases in population were in the age groups of 65-74 years (78.3 percent or 1,219 individuals) and 25-34 years (66.5 percent or 1,408 individuals). The largest decline was in the 15-24 years age group (-38.3 percent) followed by the 45-54 years age group (-27.1 percent). The 2000-2010 and 2010-2020 time periods both show a declining trend in the under 14 age groups in Pinole; over the course of the 20-year period, the 0-4 years age group decreased 19.8 percent, and the 5-14 years age group decreased by 31.2 percent. In comparison, the Countywide age group of 0-4 years decreased by 0.1 percent and the 5-14 age group increased by 1.3 percent.

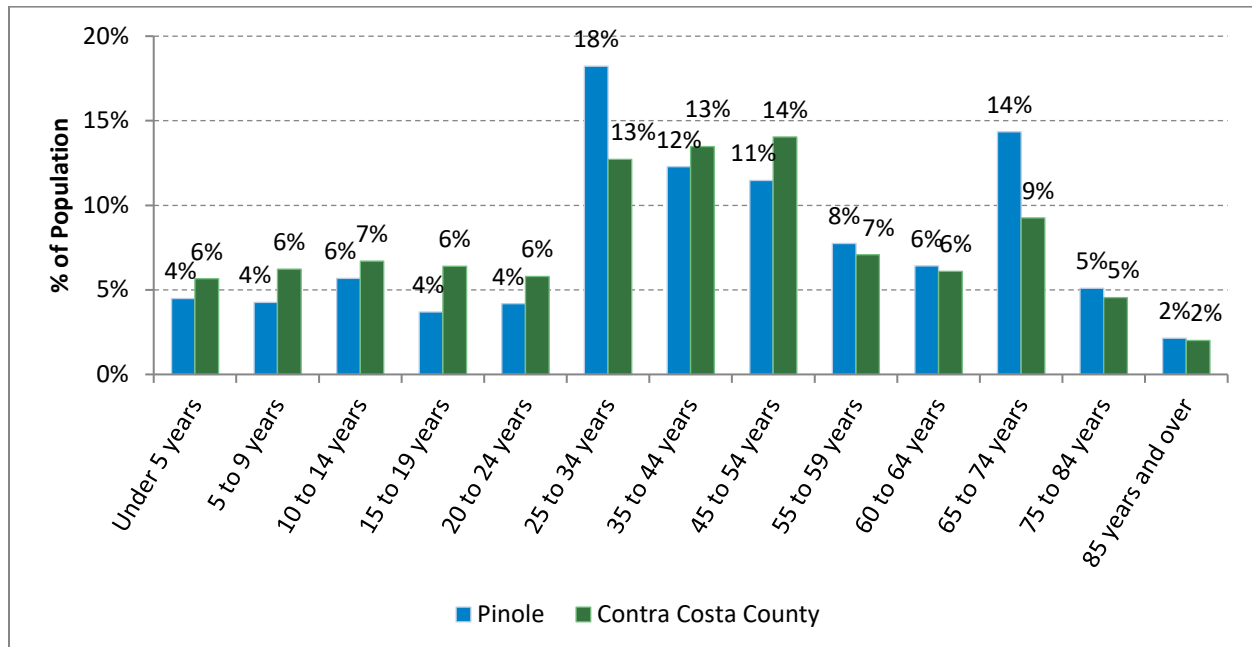
This data suggests that there is an increasing need for senior housing, which may take the form of age-restricted developments, smaller units, and housing with increased support services and proximity to healthcare. The growing 25-34-year-old age group suggests a need for first-time homeownership opportunities and larger housing units, as this group has a higher propensity to start families.

Table 6: Population Age Distribution, Pinole

Age Group	2000	2010	2020	Change 2000-2010		Change 2010-2020	
Age 0-4	1,083	933	869	-150	-13.9%	-64	-6.9%
Age 5-14	2,794	2,038	1,923	-756	-27.1%	-115	-5.6%
Age 15-24	2,367	2,467	1,523	100	4.2%	-944	-38.3%
Age 25-34	2,097	2,116	3,524	19	0.9%	1,408	66.5%
Age 35-44	3,298	2,209	2,375	-1,089	-33.0%	166	7.5%
Age 45-54	2,995	3,043	2,218	48	1.6%	-825	-27.1%
Age 55-64	1,949	2,736	2,737	787	40.4%	1	0.0%
Age 65-74	1,299	1,556	2,775	257	19.8%	1,219	78.3%
Age 75-84	855	859	986	4	0.5%	127	14.8%
Age 85+	302	433	413	131	43.4%	-20	-4.6%
Total	19,039	18,390	19,343	-649	-3.4%	953	5.2%

Source: US Census Bureau, Census 2000 SF1, Table P12; Census 2010 SF1, Table P12; American Community Survey 5-Year Data (2016-2020), Table DP05.

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Figure 1: Population Age Distribution, 2020

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table DP05.

Race and Ethnicity

An understanding of the racial and ethnic trends in a region contributes to an analysis of housing demand. According to 2020 ACS data, Non-White populations in Pinole occupy multifamily units at a higher rate than White populations.³ Race and ethnicity characteristics also can be correlated with income levels. Table 7 summarizes the racial and ethnic composition of the population in 2010 and 2020. As of 2020, 24 percent of Pinole residents of any race were of Hispanic origin and 76 percent were Non-Hispanic. Of the Non-Hispanic population, 33 percent were white, and 25 percent were Asian or Pacific Islander and 11 percent were Black or African American. Between 2010 and 2020, the White Non-Hispanic population percentage declined by 5 percent, while the Asian or Pacific Islander population percentage increased by 2.6 percent, and the Black or African American population increased by 2.1 percent.

³ US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25032A-E.

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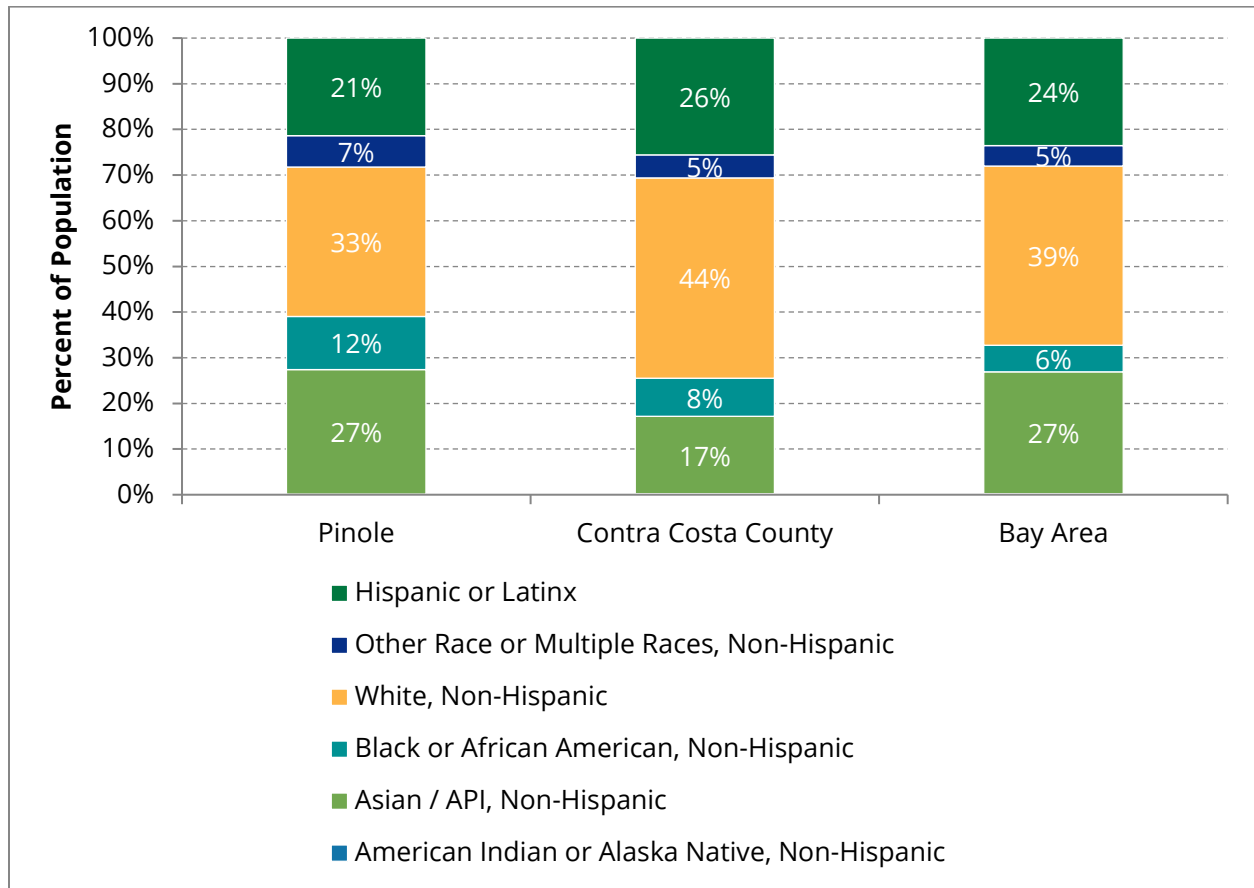
Table 7: Racial and Ethnic Composition, Pinole

Racial/Ethnic Group	2010		2020	
	Number	%	Number	%
Not Hispanic or Latino				
White	7,037	38.1%	6,362	32.9%
Black or African American	1,642	8.9%	2,122	11.0%
American Indian & Alaska Native	71	0.4%	25	0.1%
Asian	4,044	21.9%	4,769	24.7%
Native Hawaiian & Pacific Islander	50	0.3%	20	0.1%
Some other race alone	123	0.7%	136	0.7%
Two or more races	1,005	5.4%	1,202	6.2%
Subtotal	13,972	75.7%	14,636	75.7%
Hispanic or Latino				
White	2,060	11.2%	1,833	9.5%
Black or African American	29	0.2%	33	0.2%
American Indian & Alaska Native	36	0.2%	59	0.3%
Asian	35	0.2%	63	0.3%
Native Hawaiian & Pacific Islander	0	0.0%	0	0.0%
Some other race alone	1,938	10.5%	1,933	10.0%
Two or more races	391	2.1%	786	4.1%
Subtotal	4,489	24.3%	4,707	24.3%
Total	18,461	100.0%	19,343	100.0%

Source: US Census Bureau, American Community Survey 5-Year Data 2010 and 2020, Table B03002.

Figure 2 compares the racial and ethnic composition of Pinole compared to Contra Costa County and the Bay Area region. Pinole is a diverse community. The White, non-Hispanic population makes up a smaller subgroup of the population than the County or Bay Area (33 percent compared to 44 and 39 percent, respectively). In Pinole, a larger proportion (12 percent) of the population is Black or African American (8 percent in the County and 6 percent in the Bay Area). The Asian population is representative of the Bay Area, making up 27 percent of the total population, but higher than the County's 17 percent.

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Figure 2: Regional Racial/Ethnic Composition, 2019

Source: US Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002.

Employment Trends

Employment trends in a region also influence housing needs. The quality and/or pay of available employment can determine the need for various housing types and prices.

Table 8 shows the labor force and employment trends in Pinole in 2010, 2015, and 2020. The labor force has increased by over 1,000 from 2010 to 2020. The unemployment rate decreased by 1.8 percent, from 6.9 percent to 5.1 percent, between 2010 and 2020 and according to Local Area Unemployment Statistics (LAUS) it decreased by 1.5 percent from 2015-2020. In 2020, the unemployment rate for Pinole, at 5.1 percent was lower than the County's unemployment rate of 5.5 percent and according to LAUS it was within a tenth of a percent difference between Pinole (3.3 percent) and the East Bay Region (3.2 percent).

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Table 8: Employment Trends, Pinole

Year	Labor Force	Employment	Unemployment	Unemployment Rate	
2010	9,557	8,888	669	6.9%	-
2015	9,757	9,128	629	6.4%	4.8%*
2020	10,595	10,051	544	5.1%	3.3%*

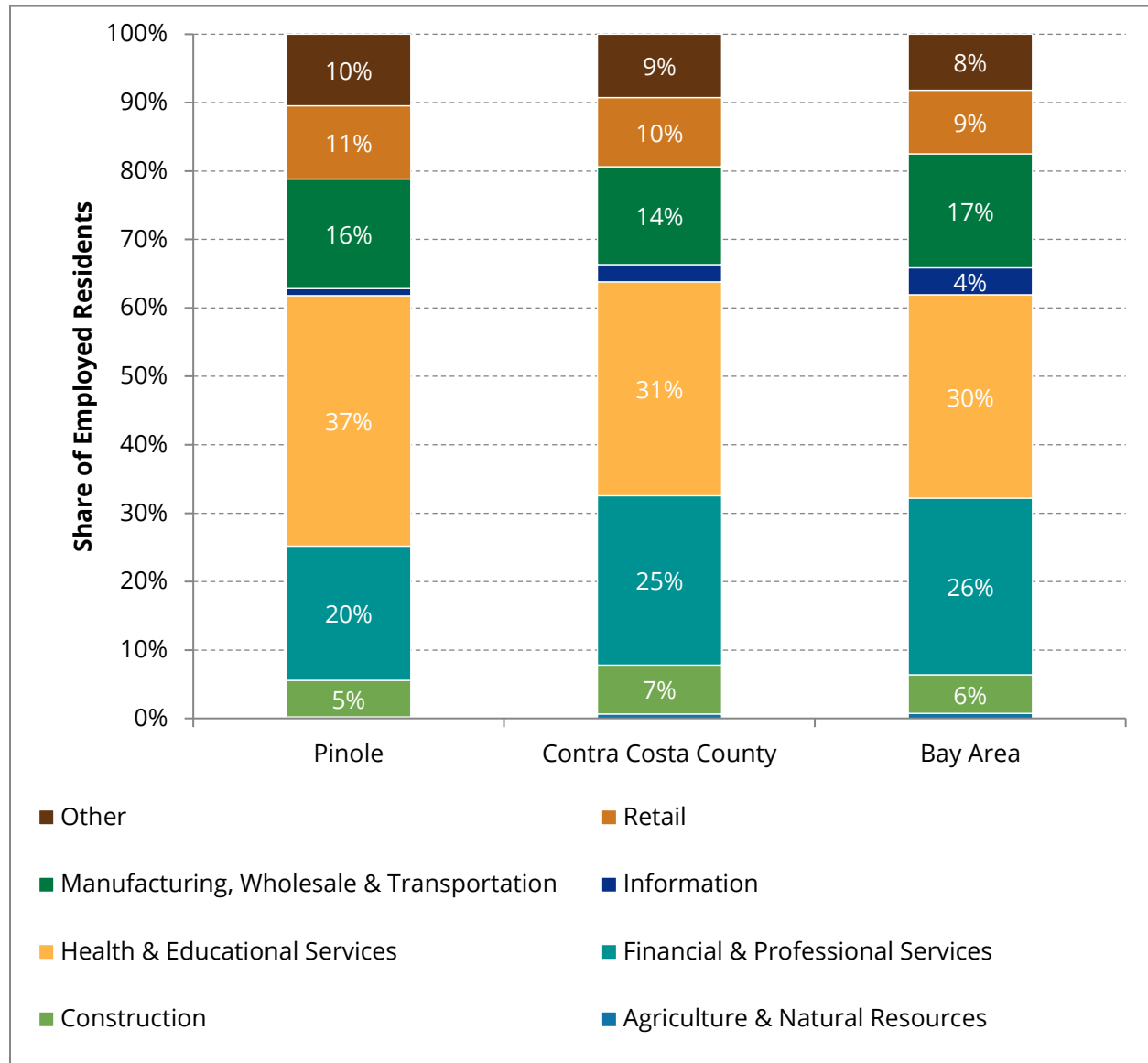
Source: US Census Bureau, American Community Survey 5-Year Data 2010, 2015, and 2020, Table DP03.

*Source: CA EDD, Local Area Unemployment Statistics (LAUS) program; TNDG

Figure 3 displays the employment share by industry in Pinole, Contra Costa County, and the Bay Area region. The employment by industry breakdown when compared among the City, County, and Bay Area region has a few, small differences. Pinole has a smaller percentage of workers employed in the financial and professional services than Contra Costa County and the Bay Area. It has a higher percentage of workers employed in the health and educational services sector.

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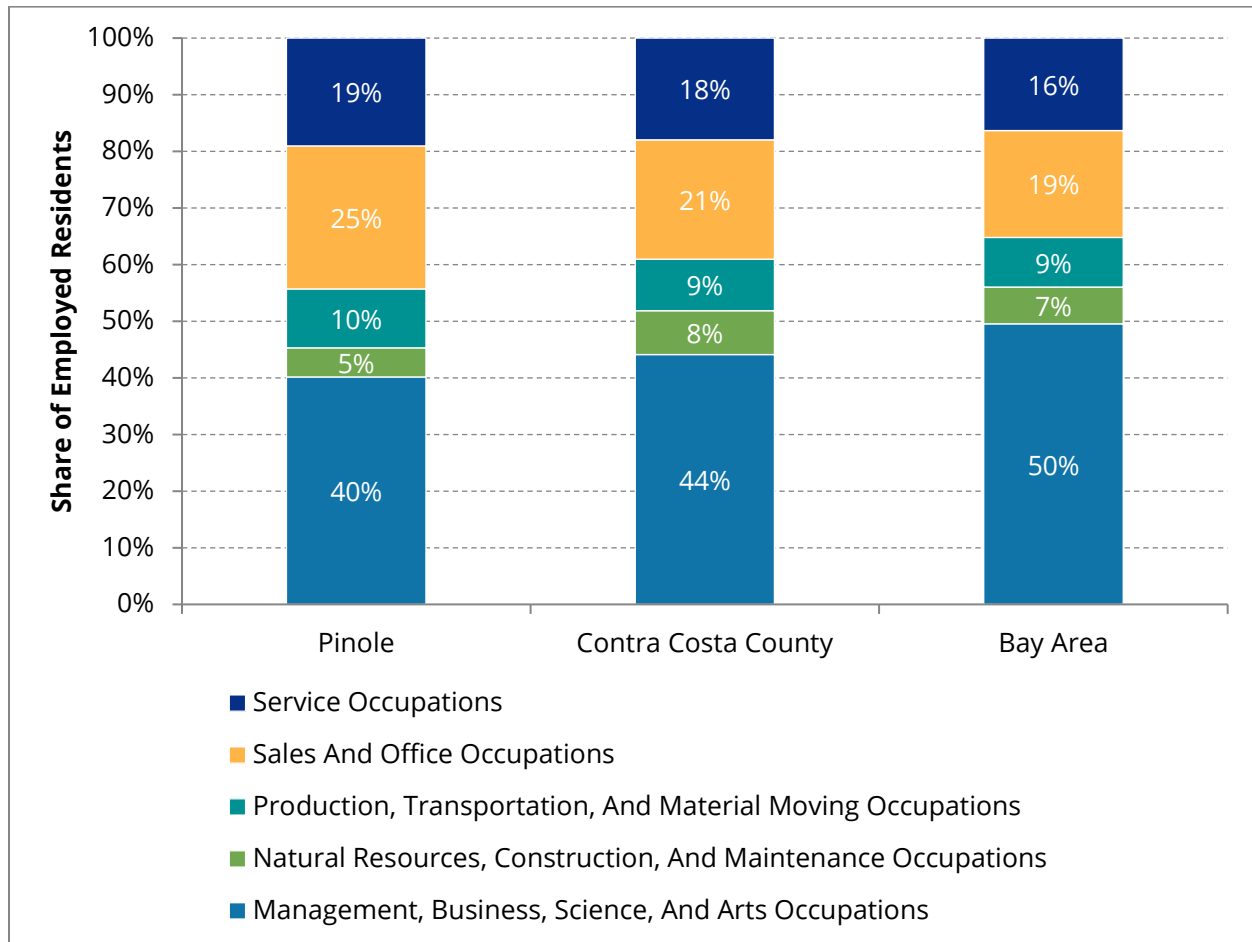
Figure 3: Regional Employment by Industry, 2019



Source: US Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030.

Figure 4 displays the regional employment by occupation for Pinole, Contra Costa County, and the Bay Area. As with regional employment by industry, the makeup of employment by occupation is similar across the City, County, and Bay Area region. The largest difference is in the management, business, science, and arts occupations, in which Pinole has a smaller percentage of people employed (40 percent) than the County and Bay Area (44 and 50 percent, respectively). Pinole has a slightly higher percentage of people employed in the sales and office occupations (25 percent) than the County and Bay Area (21 and 19 percent, respectively). The comparison of regional employment by occupation and industry shows no specific housing need unique to Pinole as compared to the County and region.

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Figure 4: Regional Employment by Occupation, 2019

Source: US Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24010.

Household Characteristics

This section describes Pinole's household characteristics, including data on the number of households, household size, and household income. The US Census Bureau defines a household as all persons living in a single housing unit, whether or not they are related. A household can be one person, a single family, multiple families, or any group of related or unrelated persons. The US Census Bureau defines a family as related persons living within a single housing unit.

As shown in Table 9, the number of households in Pinole decreased by 6.2 percent between 2000 and 2010. This was a significant deviation from the increase the County and State experienced during the same time period (6.9 and 7.7 percent, respectively). Between 2010 and 2020, Pinole's household growth has been on par with the state as a whole at just under 6 percent, but lower than the County's 8 percent growth. In 2020, the US Census Bureau reported 6,792 households in Pinole.

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Table 9: Number of Households, 2000–2020

Area	2000	2010	2020	% Change 2000-2010	% Change 2010-2020
Pinole	6,837	6,411	6,792	-6.2%	5.9%
Contra Costa County	344,422	368,087	398,299	6.9%	8.2%
California	11,502,870	12,392,852	13,103,114	7.7%	5.7%

Source: US Census Bureau, Decennial Census 2000, Table DP1. American Community Survey 5-Year Data 2010 and 2020, Table S1101.

The average number of persons per household in Pinole was 2.83 in 2020, a slight decrease from 2.88 in 2010. In contrast, the County and State both saw an increase in household size since 2010. As shown in Table 10, the average number of persons per household in Pinole is now similar to the County's average but lower than the statewide average of 3.00. A larger household size may indicate a need for larger housing units and more bedrooms. It may also suggest a need for more affordable units to alleviate the pressure for individuals to cohabitate primarily because of high housing costs. These issues are further analyzed in the Overpayment and Overcrowding section of the needs assessment.

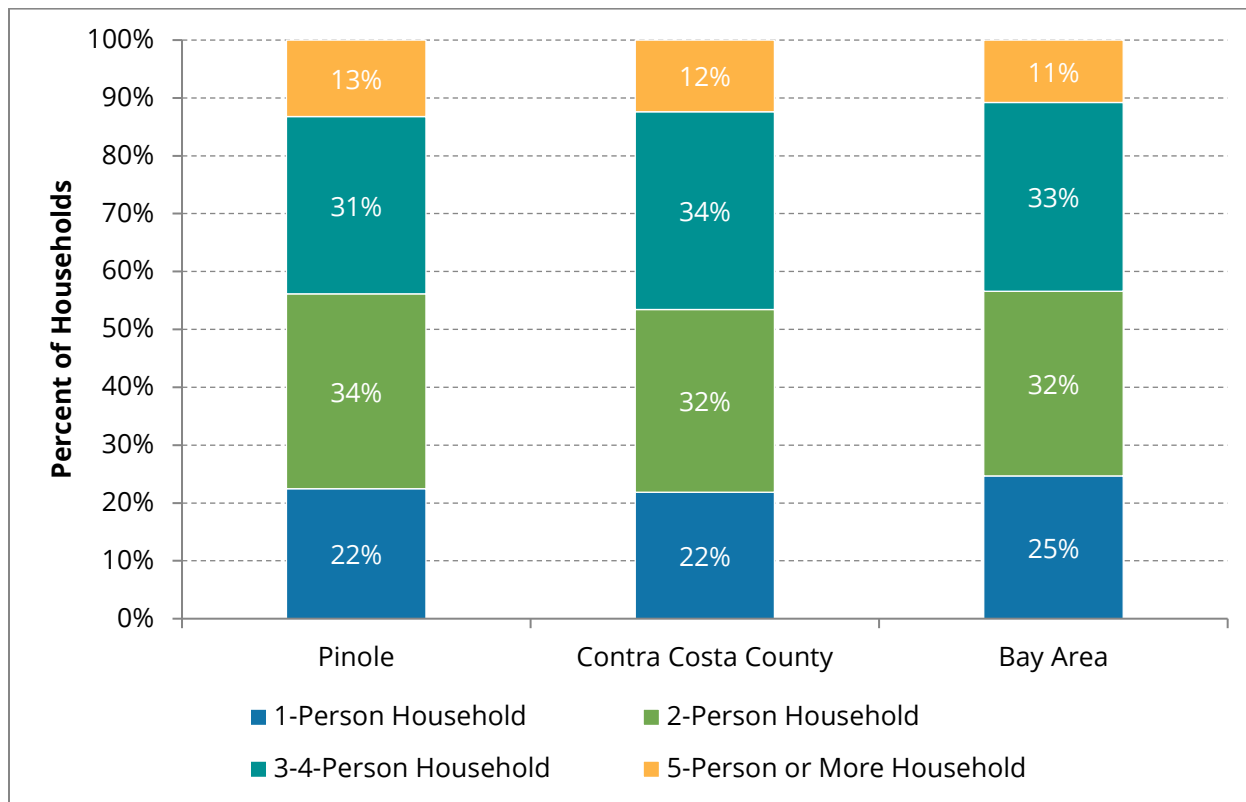
Table 10: Regional Average Household Size

Area	2000	2010	2020
Pinole	2.79	2.88	2.83
Contra Costa County	2.72	2.75	2.86
California	2.87	2.90	3.00

Source: US Census Bureau, Decennial Census 2000, Table DP1 SF2. American Community Survey 5-Year Data 2010 and 2020, Table S1101.

Figure 5 shows the household size distribution of Pinole, Contra Costa County, and the Bay Area region. The distribution is similar among all three geographic areas of analysis. Pinole has a slightly higher proportion of 2-person and 5-or-more-person households than the State or County and fewer 3-to-4-person households.

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Figure 5: Households by Size, 2019

Source: US Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11016.

Table 11 shows trends in household size from 2010 through 2020. The largest change has been an increase in two-person households. In 2010 they made up about 30 percent of all households and now comprise nearly 39 percent of total households. This represents a 42 percent increase in two-person households over the 10-year period. Households with five or more persons increased over 20 percent from 2010 to 2020. One-person households decreased slightly and three- and four-person households declined substantially (17 percent and 25.5 percent, respectively, from 2010 to 2020).

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Table 11: Household Size, Pinole, 2010–2020

Household Size	2010		2015		2020		2010-2020
	Units	% of Total	Units	% of Total	Units	% of Total	% Change
1-Person Household	1,307	20.4%	1,531	22.7%	1,298	19.1%	-0.7%
2-Person Household	1,854	28.9%	2,479	36.8%	2,636	38.8%	42.2%
3-Person Household	1,433	22.4%	1,124	16.7%	1,184	17.4%	-17.4%
4-Person Household	1,130	17.6%	817	12.1%	842	12.4%	-25.5%
5+ person household	687	10.7%	786	11.7%	832	12.2%	21.1%
Total	6,411	100%	6,737	100%	6,792	100%	5.9%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), (2011-2015), and (2006-2010), Table B25009.

The decrease in three- and four-person households may partially be attributed to Pinole's recent trend toward smaller family size, as shown in Table 12. Average family size decreased from 3.27 in 2010 and 2015 to 3.19 in 2020. This contrasts with the County's increase in average family size from 3.28 to 3.34 over the same period. This correlates with Table 6, which shows that the 0-4-years age group decreased 19.8 percent and the 5-14 years age group decreased by 31.2 percent between 2000 and 2020. This data may indicate that as families grow, they are priced out of the housing market and choosing to live elsewhere, that Pinole families are choosing to have fewer children, or a combination of both.

Table 12: Family Household Characteristics, 2010–2020

Area	2010	2015	2020	Change 2010-2020
Pinole				
Families as % of All Households	74.3%	71.6%	74.6%	+0.3%
Average Family Size	3.27	3.27	3.19	-0.08
Contra Costa County				
Families as % of All Households	70.5%	71.0%	71.9%	+1.4%
Average Family Size	3.28	3.34	3.34	+0.06

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), (2011-2015), and (2006-2010), Table S1101.

Table 13 displays household size by tenure in Pinole. Just under 70 percent of housing units are owner-occupied citywide. When looking at tenure by household size, one-person households have a lower homeownership rate than other household sizes. Their lower household income may make it more challenging to finance a home.

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Table 13: Household Size by Tenure, Pinole, 2020

	Owner Occupied				Renter-Occupied				Total			
	Contra Costa County		Pinole		Contra Costa County		Pinole		Contra Costa County		Pinole	
1-person household	12.9%	51,401	11.2%	758	8.9%	35,587	8.0%	540	21.8%	86,988	19.1%	1,298
2-person household	22.5%	89,816	29.0%	1969	9.0%	35,985	9.8%	667	31.6%	125,801	38.8%	2,636
3-person household	12.2%	48,703	10.8%	736	5.7%	22,746	6.6%	448	17.9%	71,449	17.4%	1,184
4-person household	11.3%	44,967	10.0%	681	5.1%	20,331	2.4%	161	16.4%	65,298	12.4%	842
5-person household	4.9%	19,568	5.5%	373	2.7%	10,598	2.0%	138	7.6%	30,166	7.5%	511
6-person household	1.9%	7,423	2.3%	157	1.0%	3,934	1.2%	83	2.9%	11,357	3.5%	240
7-or-more person household	1.1%	4,360	0.9%	58	0.7%	2,880	0.3%	23	1.8%	7,240	1.2%	81
Total:	66.8%	266,238	69.7%	4732	33.2%	132,061	30.3%	2,060	100%	398,299	100%	6,792

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25009.

The median household income for Pinole in 2020 was \$104,904, which is within 1 percent of the median income for the County (\$103,997). In the City, the median income for owner-occupied households (\$112,342) was about \$34,000 higher than the median income for renter-occupied households (\$77,976). The County has a larger income disparity between owners and renters, with owner-occupied households earning over \$56,000 more than renter-occupied households.

Table 14: Median Household Income by Tenure

Jurisdiction	2020 Median Income
Pinole	\$104,904
Owner-Occupied Households	\$112,342
Renter-Occupied Households	\$77,976
Contra Costa County	\$103,997
Owner-Occupied Households	\$125,809
Renter-Occupied Households	\$69,772

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25119.

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The State of California uses five income categories to determine eligibility for housing programs. Table 15 shows the State-defined income ranges for each affordability category based on the Contra Costa County AMI of \$125,600 for a household of four.

Table 15: Income Range by Affordability Level Based on State Area Median Income, 2021

Affordability Category	% of County Median	Income Range
Extremely Low Income	< 30%	≤ \$ 41,100
Very Low Income	30%-50%	\$41,101 - \$ 68,500
Low Income	50%-80%	\$68,501 - \$ 109,600
Moderate Income	80%-120%	\$109,601 - \$ 150,700
Above Moderate Income	> 120%	> \$150,700

Source: California Department of Housing and Community Development, Revised State Income Limits for 2021, Dec. 31, 2021.

Table 16 provides a breakdown of income level by tenure in Pinole, using the 2014–2018 CHAS data. Approximately 30 percent of households in Pinole are renter-occupied, compared to 34 percent of households in the County. In Pinole, about 55 percent of households are above the HUD area median family income, which is comparable to the County's 56.5 percent.

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Table 16: Household Income Level by Tenure, 2018

Income Level	Owner Occupied	%	Renter Occupied	%	Total	%
Pinole						
Less than or equal to 30% of HAMFI ¹	295	4.4%	260	3.9%	555	8.3%
Greater than 30% but less than or equal to 50% of HAMFI	435	6.5%	380	5.7%	815	12.2%
Greater than 50% but less than or equal to 80% of HAMFI	510	7.6%	315	4.7%	825	12.4%
Greater than 80% but less than or equal to 100% of HAMFI	545	8.2%	265	4.0%	810	12.1%
Greater than 100% of HAMFI	2,860	42.9%	800	12.0%	3,660	54.9%
Total²	4,650	69.7%	2,020	30.3%	6,670	100%
Contra Costa County						
Less than or equal to 30% of HAMFI	16,810	4.3%	31,625	8.1%	48,435	12.3%
Greater than 30% but less than or equal to 50% of HAMFI	21,115	5.4%	20,335	5.2%	41,450	10.6%
Greater than 50% but less than or equal to 80% of HAMFI	26,450	6.7%	18,655	4.8%	45,105	11.5%
Greater than 80% but less than or equal to 100% of HAMFI	21,355	5.4%	14,480	3.7%	35,835	9.1%
Greater than 100% of HAMFI	171,795	43.8%	49,655	12.7%	221,450	56.5%
Total²	257,530	65.7%	134,750	34.4%	392,275	100%

Source: US Department of Housing and Urban Development (HUD), CHAS ACS tabulation, 2014-2018.

¹ HUD area median family income (HAMFI)

² Data presented in this table are based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100 percent total due to the need to extrapolate sample data out to total households. Interpretations of these data should focus on the proportion of households in need of assistance rather than on precise numbers.

Housing Stock Characteristics

This section discusses the housing stock in Pinole including change in housing units, unit size, unit type, age of housing stock, overpayment and overcrowding rates, and housing age and conditions. By analyzing past and current housing trends in the housing stock, future housing needs can be assessed.

Table 17 summarizes the number of housing units in the City and County from 2000 to 2020. In 2000, Pinole had 6,828 housing units. By 2010, the number of housing units increased to 7,158, a 4.8 percent increase. Between 2010 and 2020, the City is estimated to have approximately 52 fewer units (0.7 percent). There was no major loss of units or demolition without replacement during the Cycle, and the decrease is within the margin of error in the census data. In 2020, the Census reported 7,106 housing units in the City, which comprised 1.7 percent of the County's housing units. Pinole's share of the County's housing units slightly

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decreased from 2000 to 2020, suggesting that housing unit production in the County is outpacing the production in Pinole.

Table 17: Housing Units, 2000–2020

Year	Pinole	% Change	County	% Change	Pinole as % of County
2000	6,828	-	354,577	-	1.9%
2010	7,158	4.8%	400,263	12.9%	1.8%
2020	7,106	-0.7%	423,342	5.8%	1.7%

Source: US Census Bureau, Decennial Census 2000, Table H001 SF1, 2010 and 2020, Table H1 Redistricting Data.

Table 18 summarizes the distribution of unit size by tenure in 2020. The most common unit size for renter-occupied units was two-bedroom units, followed by three-bedroom units. The most common size for owner-occupied units was three-bedroom units followed by four-bedrooms units. Owner-occupied units tended to be larger than renter-occupied units.

Table 18: Unit Size by Tenure, Pinole, 2020

Unit Size	Owner-Occupied		Renter-Occupied		Total Occupied Housing Units	
	Units	%	Units	%	Units	%
No bedroom/Studio	47	1%	127	2%	174	3%
1 bedroom	9	0%	319	5%	328	5%
2 bedrooms	541	8%	812	12%	1,353	20%
3 bedrooms	2,391	35%	568	8%	2,959	44%
4 bedrooms	1,603	24%	207	3%	1,810	27%
5 or more bedrooms	141	2%	27	0%	168	2%
Total	4,732	70%	2,060	30%	6,792	100%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25042.

Table 19 summarizes Pinole's housing inventory by building type from 2010 to 2021. In 2021, single-family detached units comprised the largest percentage of housing stock, approximately 70 percent with 5,056 units. Multifamily housing made up 20 percent with 1,461 units. Compared to Contra Costa County, Pinole has a slightly larger share of the housing stock in the form of single-family detached housing units. Single-family detached homes make up 67 percent of the County's housing and multifamily housing accounts for 24 percent. Between 2010 and 2021, the distribution of building types has remained the same for both the County and the City.

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Table 19: Housing Inventory by Unit Type

Building Type	2010		2021	
	Units	%	Units	%
Pinole				
Single-Family Home: Detached	5,050	70.6%	5,056	70.5%
Single-Family Home: Attached ¹	613	8.6%	616	8.6%
Multifamily ²	1,459	20.4%	1,461	20.4%
Mobile Homes	36	0.5%	36	0.5%
Total	7,158	100%	7,169	100%
Contra Costa County				
Single-Family Home: Detached	266,693	66.6%	280,271	66.6%
Single-Family Home: Attached ¹	31,594	7.9%	32,162	7.6%
Multifamily ²	94,602	23.6%	101,034	24.0%
Mobile Homes	7,374	1.8%	7,284	1.7%
Total	400,263	100%	420,751	100%

Source: State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2021. Sacramento, California, May 2021.

¹“Single-Family Home: Attached” is defined as a one-unit structure attached to another unit by a common wall; they are commonly referred to as a townhouse, half-plex, or row house. The shared wall or walls extend from the foundation to the roof with adjoining units to form a property line. Each unit has individual heating and plumbing systems.

²“Multifamily” refers to a structure containing two or more units and not classified as a “Single-Family Home: Attached” structure. The units in the structure share attic space and heating and plumbing systems.

Table 20 displays the US Census Bureau’s estimates of the number of occupied housing units by building type and tenure in Pinole in 2020. Most of Pinole’s housing stock is composed of owner-occupied, detached single-family homes (68.8 percent) followed by renter-occupied, detached single-family homes (16.4 percent). Analyzing the tenure split of the various housing building types reveals that 80.8 percent of detached single-family homes were owner occupied. Multifamily housing was predominantly renter occupied (79.2 percent).

Diversifying Pinole’s housing stock to include more multifamily housing in both rental and ownership forms has the potential to provide more affordable housing options, given the construction efficiencies of the multifamily building type. Multifamily housing can also be beneficial for seniors, people with disabilities, and those who prefer less home maintenance or do not need the yard space characteristic of single-family properties.

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Table 20: Housing Building Type by Tenure, Pinole, 2020

Building Type	Owner Occupied	% of Total Units	Renter Occupied	% of Total Units	Total Units
Detached Single-Family Homes	4,218	68.8%	1,003	16.4%	5,221
Attached Single-Family Homes	310	5.1%	92	1.5%	402
Multifamily Housing	35	0.6%	133	2.2%	168
Mobile Homes	68	1.1%	153	2.5%	221
Boat, RV, Van, etc.	34	0.6%	81	1.3%	115
Total	4,665	76.1%	1,462	23.9%	6,127

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25032.

Housing Age and Condition

The age of a housing unit is often an indicator of housing conditions. In general, housing that is 30 years old or older may need repairs based on the useful life of materials. Housing over 50 years old is considered aged and is more likely to need major repairs. Many federal and state programs use age of housing as one factor to determine housing needs and the availability of funds for housing and community development.

Table 21 summarizes the age of housing stock by tenure in 2020. Approximately 88.6 percent of all housing units in the City were built prior to 1990 (over 30 years ago), and 52.6 percent of units were built before 1970 (over 50 years ago). This distribution does not significantly vary based on tenure in Pinole. For example, 87.5 percent of the renter-occupied housing stock was built before 1990 and 53.3 percent of renter-occupied units were built prior to 1970. The City has seen very little rental family housing stock built within the past two decades; only 35 rental units have been built since 2000, compared to 197 owner-occupied units.

A windshield survey from code enforcement estimates that about 15 – 20 units in the City are in need of significant repair, under 1 percent of units in the City.

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Table 21: Year Housing Built

Year Built	Owner-Occupied		Renter-Occupied		Total	
Built 2014 or later	20	0.4%	0	0.0%	20	0.3%
Built 2010 to 2013	18	0.4%	0	0.0%	18	0.3%
Built 2000 to 2009	159	3.4%	35	1.7%	194	2.9%
Built 1990 to 1999	323	6.8%	222	10.8%	545	8.0%
Built 1980 to 1989	738	15.6%	331	16.1%	1,069	15.7%
Built 1970 to 1979	999	21.1%	374	18.2%	1,373	20.2%
Built 1960 to 1969	1,317	27.8%	496	24.1%	1,813	26.7%
Built 1950 to 1959	982	20.8%	415	20.1%	1,397	20.6%
Built 1940 to 1949	95	2.0%	72	3.5%	167	2.5%
Built 1939 or earlier	81	1.7%	115	5.6%	196	2.9%
Total	4,732	100%	2,060	100%	6,792	100%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25036.

Housing tenure by date of occupancy is listed in Table 22, which shows when households moved into their housing unit. About 30 percent of owner-occupied households have been in the same place of residence since 1989 or earlier (over 30 years). Given that most homeowners do not purchase their home until they are in their late twenties or thirties, this suggests that many of these homeowners would be nearing their senior years and living in housing that is more likely to require repairs due to aging materials. Program 9 includes the development of a policy to give low or no-cost building permits for age-qualified homeowners to make improvements to their home so that they are able to age in place.

Table 22: Housing Tenure by Date of Occupancy

Move In Year	Owner Occupied	% of Units	Renter Occupied	% of Units	Total	% of Units
Moved in 2019 or later	32	0.7%	138	6.7%	170	2.5%
Moved in 2015 to 2018	707	14.9%	804	39.0%	1,511	22.2%
Moved in 2010 to 2014	660	13.9%	767	37.2%	1,427	21.0%
Moved in 2000 to 2009	1,114	23.5%	183	8.9%	1,297	19.1%
Moved in 1990 to 1999	773	16.3%	118	5.7%	891	13.1%
Moved in 1989 or earlier	1,446	30.6%	50	2.4%	1,496	22.0%
Total	4,732	100%	2,060	100%	6,792	100%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25038.

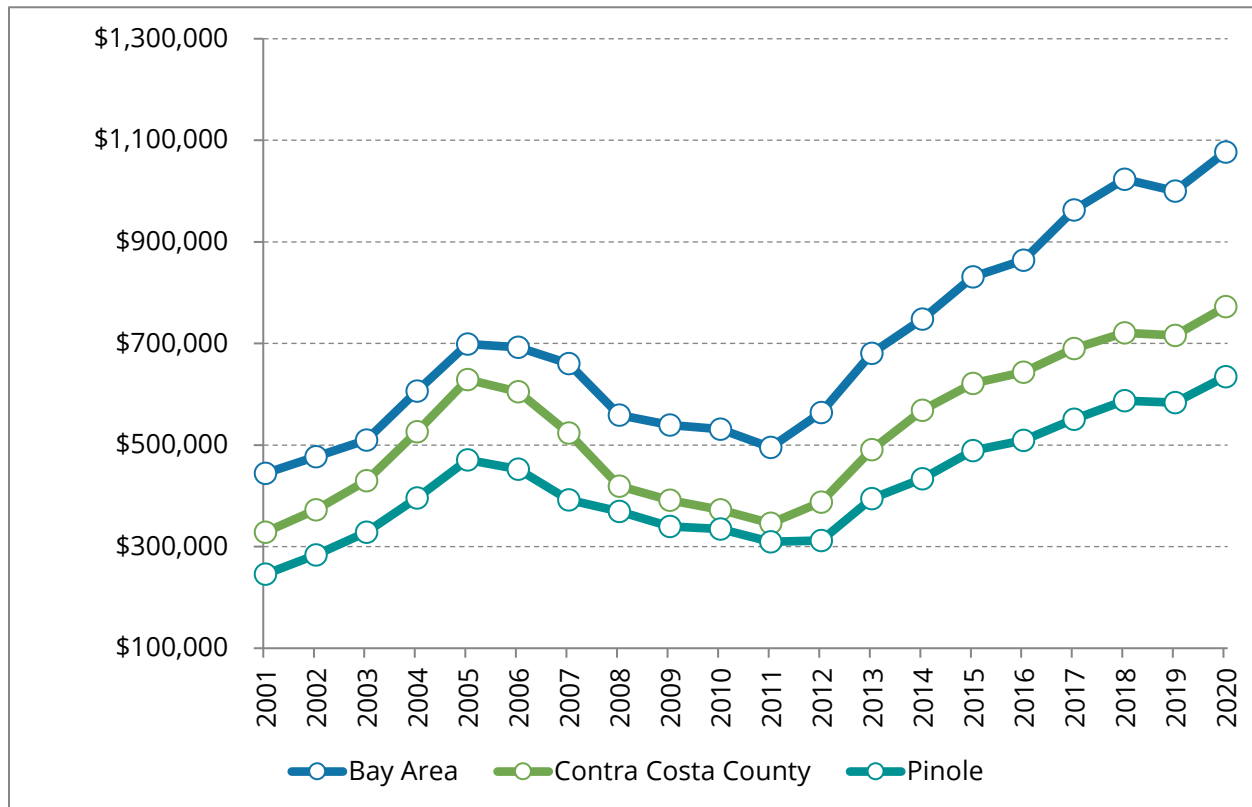
Median Home Sales Price

Figure 6 shows the change in home prices in Pinole, Contra Costa County, and the Bay Area region from December 2001 to December 2020. While each geography follows the same general trend over time, Pinole home prices are lower than the other two geographies. After

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2005, the housing market slowdown affected home sale prices in Pinole. Between 2005 and 2011, the home sales prices in Pinole decreased by approximately 35 percent. Since then, the median sales prices for new and resale homes in Pinole have steadily increased, with a minor dip at the start of the COVID-19 pandemic in early 2020. Pinole home prices are significantly lower than the County. The median home price in December 2020 was \$634,914, which was 18 percent (\$137,499) lower than the County median of \$772,413.

Figure 6: Regional Home Values, 2001–2020



Source: Zillow Home Value Index (ZHVI), December 2020 (as referenced in ABAG, 2023-2031 Housing Element Data Package, Table HSG-08.)

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums.

Home values in Pinole increased by 17 percent between February 2021 and February 2022, from \$665,000 to \$779,000, as shown in Table 23. In February 2022, the Zillow home value index in Contra Costa County was \$949,000, which represents a 22 percent increase since February 2021. In February 2022, the home values in Contra Costa County were 22 percent higher than those in Pinole. Since a household can typically qualify to purchase a home that is 2.5 to 3.0 times the annual income of that household, Pinole's median income of about

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\$105,000 implies that the median sales price should be between \$262,500 and \$315,000.⁴ The home value index of approximately \$780,000 indicates a high potential for housing cost burden in the City.

Table 23: Zillow Home Value Index, Neighboring Jurisdictions

Jurisdiction	February 2021	February 2022	% Change
El Cerrito	\$1,040,000	\$1,130,000	9%
Hercules	\$851,000	\$1,030,000	21%
Martinez	\$674,000	\$729,000	8%
Pinole	\$665,000	\$779,000	17%
Richmond	\$693,000	\$778,000	12%
San Pablo	\$519,000	\$605,000	17%
Contra Costa County	\$780,000	\$949,000	22%

Source: Zillow Home Value Index (ZHVI), February 2022, <https://www.zillow.com/ca/home-values/>, accessed March 31, 2022.

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums.

Rental Prices

Table 24 and Figure 7 show median home rental prices in Pinole and Contra Costa County from 2010 to 2020. In 2020, the median rental price in Pinole was \$1,997. This is a 30 percent increase from the 10-year low of \$1,538 in 2015. Rental prices have been steadily increasing in the City since 2015. It should be noted that these median rental prices do not fully capture the housing market effects of the global COVID-19 pandemic. One of the economic impacts seen in California during the COVID-19 pandemic was a rapid increase in home prices, potentially caused by a rapid increase in remote work and higher demand for housing in suburban settings such as Pinole. As a result, rental values in the years following the onset of the pandemic are estimated to be significantly higher and continue to rise.

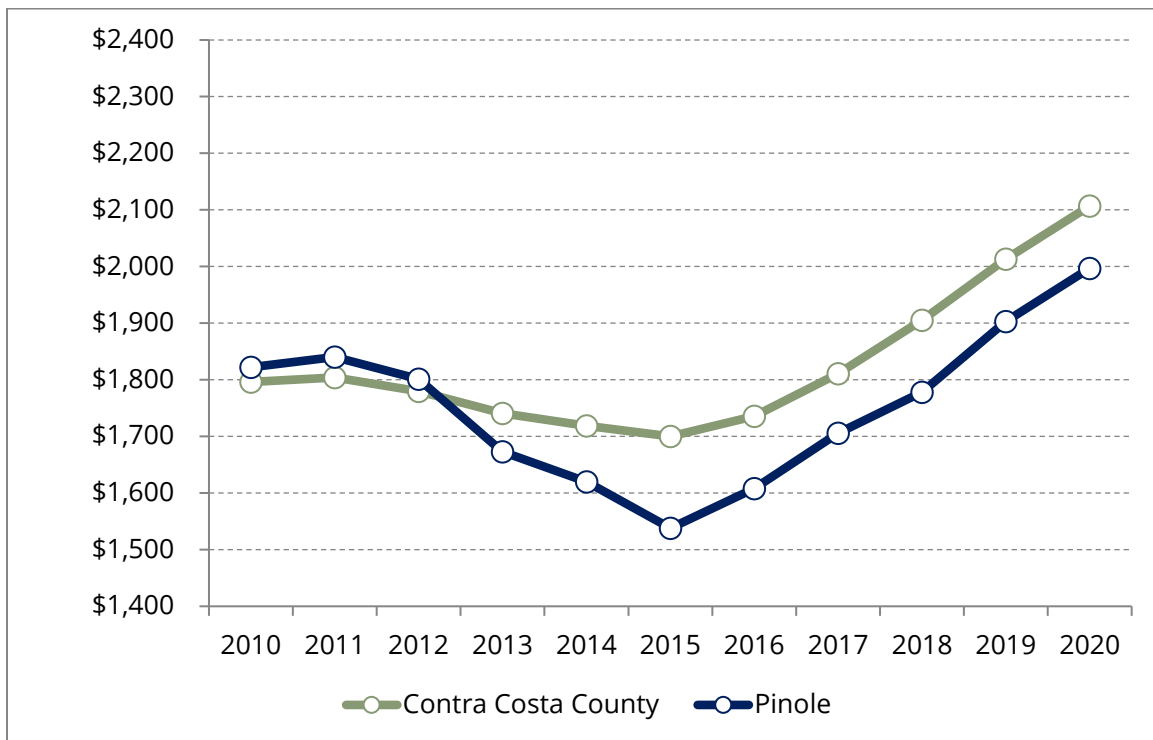
⁴ Assumes 10% down payment; 5.00% mortgage interest rate; taxes, insurance, PMI and HOA account for 35% of housing costs; and uses 2022 Contra Costa County Housing Authority utility allowances.

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Table 24: Median Monthly Rent, 2010–2020

Median Rental Prices	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Pinole	\$1,822	\$1,840	\$1,801	\$1,673	\$1,620	\$1,538	\$1,608	\$1,706	\$1,778	\$1,903	\$1,997
Contra Costa County	\$1,796	\$1,804	\$1,780	\$1,741	\$1,719	\$1,700	\$1,736	\$1,811	\$1,905	\$2,013	\$2,107

Source: American Community Survey 5-Year Estimates, Table B25105.

Figure 7: Median Rental Prices, 2010–2020

Source: US Census Bureau, American Community Survey 5-Year Estimates, Table B25105.

Table 25 displays the affordable and fair market rents for low-income households in the Oakland-Fremont HUD Fair Market Rent Area, which includes Contra Costa County. Fair market rents are estimates of what a person moving today can expect to pay in gross rent (cost of shelter plus utilities) for a modestly priced rental home in a given area. The kind of home that can be rented for the fair market rent is in decent condition, but it is not luxury housing. The methodology used to calculate hourly wage and annual salary required to afford the fair market rents without spending greater than 30 percent of income on housing is provided by the National Low Income Housing Coalition.

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Table 25: Affordable and Fair Market Rent for Low-Income Households

Unit Size	Hourly Wage Required ³	Annual Salary Required ²	Fair Market Rent ¹
Studio	\$29.58	\$61,520	\$1,538
One Bedroom	\$35.65	\$74,160	\$1,854
Two Bedroom	\$43.73	\$90,960	\$2,274
Three Bedroom	\$57.81	\$120,240	\$3,006
Four Bedroom	\$68.81	\$143,120	\$3,578

Source: National Low Income Housing Coalition, Out of Reach 2021: California.

¹ HUD FY 2022 Fair Market Rent Documentation System for Oakland-Fremont, CA HUD Metro FMR Area. ² Multiply the FMR by 12 to get yearly rental cost. Then divide by .3 to determine the total annual income needed to afford the FMR without spending more than 30 percent of income on housing. ³ Hourly wage assumes working 40 hours per week and 52 weeks per year.

Vacancy Rates

Vacancy rates are indicators of housing supply and demand that reflect the degree of housing choice that is available. Higher vacancy rates can induce downward price pressure, while low vacancy rates can influence upward price pressures. Low vacancy rates usually indicate high demand and/or low supply conditions in the housing market. Vacancy rates that are too low can force prices up, making it more difficult for lower- and moderate-income households to find housing. For rental units, a 7 to 8 percent vacancy rate is considered “healthy,” and a vacancy rate of 2 to 3 percent is considered “healthy” for owner-occupied housing. In 2015, the vacancy rate in Pinole was 6.7 percent and decreased to 3.5 percent in 2020. Table 26 summarizes the number of occupied and vacant units in Pinole and Contra Costa County in 2015 and 2020.

Table 26: Occupancy Rates

Occupancy Status	Contra Costa County				Pinole			
	2015	%	2020	%	2015	%	2020	%
Occupied Housing Units	384,646	95.0%	407,029	96.1%	6,737	93.3%	6,860	96.5%
Vacant Housing Units	20,355	5.0%	16,313	3.9%	484	6.7%	246	3.5%
Total Housing Units	405,001	100%	423,342	100%	7,221	100%	7,106	100%

Source: US Census Bureau, American Community Survey 5-Year Data (2011-2015) and (2016-2020), Table B25002.

Overpayment and Overcrowding

Overpayment is defined as households paying more than 30 percent of their gross income on housing-related expenses, including rent or mortgage payments and utilities. Households paying greater than 30 percent of their gross income on housing-related expenses are considered to be cost burdened. Severe overpayment occurs when households pay 50 percent or more of their gross income for housing. Higher costs for housing may contribute to households having a limited ability to cover other everyday living expenses. The impact of

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housing costs is more apparent for extremely low-, very low-, and low-income households, especially renter households.

Table 27 categorizes renters based on the percent of household income spent on rent. According to 2020 ACS data, 40.9 percent of households spend more than 30 percent of their income on rent. Over 20 percent of households spend more than 50 percent on rent.

Table 27: Gross Rent as a Percentage of Household Income, 2020

Percent of Household Income	Number of Households	Percent of Households
Less than 10 percent	44	2.1%
10 to 14.9 percent	171	8.3%
15 to 19.9 percent	307	14.9%
20 to 24.9 percent	223	10.8%
25 to 29.9 percent	155	7.5%
30 to 34.9 percent	159	7.7%
35 to 39.9 percent	322	15.6%
40 to 49.9 percent	101	4.9%
50 percent or more	420	20.4%
Not computed	158	7.7%
Total	2,060	100.0%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25070.

Table 28 illustrates housing cost as a percentage of household income by tenure. It shows the number and percentage of households in Pinole and Contra Costa County that experience a cost burden and severe cost burden. According to 2014–2018 HUD CHAS data, in Pinole, 2,768 households (42 percent) experience some form of overpayment, with 849 households (13 percent) experiencing severe overpayment. This is a significant share of the community experiencing a housing cost burden and reflective of a larger regional issue. The County has an even larger share overpaying for housing; 52 percent of households experience some degree of overpayment, and 16 percent experience severe overpayment. Renters are disproportionately affected by overpayment in both Pinole and the County.

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Table 28: Overpayment by Income Level and Tenure, 2018

Household Income Range	All Households		Households with Housing Cost Burden			
	Number ⁵	%	Overpayment (>30% of income on rent)		Severe Overpayment (>50% of income on rent)	
Owner Households, Pinole						
<= 30% of HAMFI	295	4.4%	165	3.5%	155	3.3%
> 30% ≤ 50% of HAMFI	435	6.5%	230	4.9%	145	3.1%
> 50% ≤ 80% of HAMFI	510	7.6%	235	5.1%	135	2.9%
> 80% ≤ 100% of HAMFI	545	8.2%	164	3.5%	4	0.1%
> 100% of HAMFI	2,860	42.9%	155	3.3%	0	0.0%
Owner Subtotal	4,650	69.7%	949	20.4%	439	9.4%
Renter Households, Pinole						
<= 30% of HAMFI	260	3.9%	205	10.1%	165	8.2%
> 30% ≤ 50% of HAMFI	380	5.7%	310	15.3%	185	9.2%
> 50% ≤ 80% of HAMFI	315	4.7%	215	10.6%	50	2.5%
> 80% ≤ 100% of HAMFI	265	4.0%	160	7.9%	10	0.5%
> 100% of HAMFI	800	12.0%	80	4.0%	0	0.0%
Renter Subtotal	2,020	30.3%	970	48.0%	410	20.3%
Total (Owners & Renters)	6,670	100%	1,919	28.8%	849	12.7%
Owner Households, County						
<= 30% of HAMFI	16,810	4.3%	12,770	5.0%	10,425	4.0%
> 30% ≤ 50% of HAMFI	21,115	5.4%	13,195	5.1%	7,785	3.0%
> 50% ≤ 80% of HAMFI	26,450	6.7%	14,225	5.5%	5,860	2.3%
> 80% ≤ 100% of HAMFI	21,355	5.4%	8,770	3.4%	2,585	1.0%
> 100% of HAMFI	171,795	43.8%	25,585	9.9%	3,355	1.3%
Owner Subtotal	257,530	65.7%	74,545	28.9%	30,010	11.7%
Renter Households, County						
<=30% of HAMFI	31,625	8.1%	25,495	18.9%	21,515	16.0%
> 30% ≤ 50% of HAMFI	20,335	5.2%	17,070	12.7%	8,545	6.3%
> 50% ≤ 80% of HAMFI	18,655	4.8%	11,610	8.6%	2,415	1.8%
> 80% ≤ 100% of HAMFI	14,480	3.7%	5,680	4.2%	460	0.3%
> 100% of HAMFI	49,655	12.7%	5,200	3.9%	105	0.1%
Renter Subtotal	134,750	34.4%	65,055	48.3%	33,040	24.5%
Total (Owners & Renters)	392,280	100%	139,600	35.6%	63,050	16.1%

Source: 2014-2018 HUD CHAS data, Summary Level data for Contra Costa County and City of Pinole.

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An overcrowded housing unit is defined by the US Census Bureau as a housing unit occupied by more than one person per room (excluding bathrooms, kitchen, hallway, and closet space). Occupancy by more than 1.5 persons per room constitutes severe overcrowding. Overcrowding can affect public facilities and services, reduce the quality of the physical environment, and create conditions that contribute to deterioration of the housing stock. Additionally, overcrowding can indicate that a community does not have an adequate supply of affordable housing and/or variety of suitable housing units to meet the needs of the community.

Table 29 summarizes overcrowding in Pinole by tenure. Approximately 247 households, roughly 3.6 percent of households, in Pinole were experiencing overcrowding in 2020. This includes 173 owners and 74 renter households. Overall, Pinole has a lower percent of households that are overcrowded compared to the County (3.6 percent and 5.0 percent respectively).

Table 29: Overcrowding by Tenure

Persons per Room	Owners		Renters		Total	
	Overcrowded Households	% of Total	Overcrowded Households	% of Total	Overcrowded Households	% of Total
Pinole						
1.01 to 1.50	156	3.3%	66	3.2%	222	3.3%
>1.50	17	0.4%	8	0.4%	25	0.4%
Total Overcrowded	173	3.7%	74	3.6%	247	3.6%
Contra Costa County						
1.01 to 1.50	4,483	1.7%	9,001	6.8%	13,484	3.4%
>1.50	1469	0.6%	4,974	3.8%	6,443	1.6%
Total Overcrowded	5,952	2.2%	13,975	10.6%	19,927	5.0%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25014.

Preservation of Units at Risk of Conversion

Jurisdictions are required by state Housing Element Law to analyze government-assisted housing that is eligible to convert from low-income to market-rate housing over the next 10 years. State law identifies housing assistance as a rental subsidy, mortgage subsidy, or mortgage insurance to an assisted housing development. Government-assisted housing might convert to market-rate housing for a number of reasons, including expiring subsidies, mortgage repayments, or expiration of affordability restrictions.

⁵ Data presented in this table are based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100 percent total due to the need to extrapolate sample data out to total households. Interpretations of these data should focus on the proportion of households in need of assistance rather than on precise numbers.

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Qualified Entities

Under Government Code Section 65863.11, owners of federally assisted projects must provide a “Notice of Opportunity to Submit an Offer to Purchase” to qualified entities that agree to preserve the long-term affordability if they should acquire at-risk projects at least one year before the sale or expiration of use restrictions. Qualified entities have first right of refusal for acquiring at-risk units. Qualified entities are nonprofit or for-profit organizations with the legal and managerial capacity to acquire and manage at-risk properties that agree to maintain the long-term affordability of projects. The following is a list of qualified entities from HCD for Contra Costa County and the surrounding area.

- ACLC Dewey Housing, Inc.
- Affordable Housing Associates
- Alameda County Allied Housing Program
- Anka Behavioral Health
- BRIDGE Housing Corporation
- Christian Church Homes
- Community Housing Development Corporation
- East Bay Asian Local Development Corporation
- East Bay Neighborhood Housing Services
- Eden Housing, Inc.
- Eskaton Properties, Inc.
- Foundation for Affordable Housing, Inc L + M Fund Management LLC
- Neighborhood Housing Services of the East Bay
- Northern California Land Trust, Inc.
- Pacific Community Services, Inc.
- Resources for Community Development
- ROEM Development Corporation
- Rubicon Programs, Inc.
- Rural California Housing Corporation
- Satellite Affordable Housing Associates

Inventory of At-Risk Units

There are no assisted units at risk of conversion in the City during the 6th Housing Element Cycle. There are 301 affordable housing units in Pinole that are subject to rent restrictions per covenants recorded on the property that the City monitors for compliance. The covenants on these properties expire between 2053 and 2099.

Currently, 37 rent-restricted housing units are at converting to market rate within 10 years of the beginning of the planning period (by 2033). Table 30 displays the units that will be converted during the next Cycle as well as units that were converted during the 5th Cycle.

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Table 30: Units at Risk of Conversion or Converted During the 5th Cycle, Pinole

Project	Affordable Units	Assisted Units	Type of Government Assistance	Expiration of Affordability
Converting During 6th Cycle				
Westmont of Pinole (formerly Pinole Senior Village) 2850 Estates Avenue	37 (as of 2022)	31 moderate income 6 very low income	RDA	2028
Subtotal	37	-	-	-
Converted During 5th Cycle				
885 Fifth Avenue	1	1 low income	RDA	2014
1965 San Pablo Avenue	1	1 low income	RDA	2014
1520 San Pablo Avenue	4	3 moderate income; 1 low income	RDA	2015
950 Appian Way	3	1 moderate income; 1 low income; 1 very low income	RDA	2015
2529 San Pablo Avenue	1	1 moderate income	RDA	2015
2548 San Pablo Avenue	4	4 moderate income	RDA	2017
815 San Pablo Avenue	2	2 moderate income	RDA	2017
2395 San Pablo Avenue (Pear Street Bistro)	4	3 moderate income; 1 very low income	RDA	2017
Bayside Apartments 530 Sunnyview Drive	93	71 moderate income 22 very low income	RDA	2020
Total	113	-	-	-

Source: City of Pinole, 2022. *These units are accessory dwelling units that are not required to be rented, but if they are rented must be below market rent (less than 120% of AMI).

Of these rent-restricted units, 37 are beds for seniors at Westmont of Pinole, which was formerly Pinole Senior Village. In 2018, the owner purchased the land from the City and the facility from Pinole Senior Village. At that time, a new affordable housing covenant was recorded on the property, which permitted the owner to reduce the number of very low-income beds by one each year. Moderate-income beds are phased out at a maximum rate of 6 per year through 2023 and 5 per year from 2024 to 2028. There were originally 65 rent-restricted beds. Ten were restricted to very low-income households earning 50 percent or less of the AMI. Fifty-five beds were restricted to moderate-income households (110 percent or less of AMI). Table 31 shows the rent-restricted unit reduction schedule. By December 31, 2028, no rent-restricted bed will be required to be maintained at this facility. The owner

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cannot raise the rent on any rent-restricted beds and may only reduce restricted beds by voluntary vacation of such bed by an eligible tenant.

Table 31: Westmont of Pinole Rent-Restricted Unit Reduction Schedule

Minimum Required Rent-Restricted Units by Year		
Income Level	Moderate Income	Very Low Income
2018	55	10
2019	49	9
2020	43	8
2021	37	7
2022	31	6
2023	25	5
2024	20	4
2025	15	3
2026	10	2
2027	5	1
2028	0	0

Source: Affordable Housing Covenant between Pinole Senior Living, L.P. and City of Pinole.

Replacement Costs

The California Tax Credit Allocation Committee's 2020 report provides estimates and data on the cost of building assisted units. It estimates that the average cost of an assisted unit in the State of California is \$439,827.⁶

Table 32 summarizes the estimated replacement costs per unit using construction cost estimates from the UC Berkeley Turner Center and average unit sizes in the City of Pinole from Apartment Finder. Combined, they provide an estimate for replacement costs by unit size specific to Pinole. It ranges from \$252,700 for a one-bedroom unit to \$421,420 for a three-bedroom unit. These replacement cost estimates are on the low end because construction costs are from 2018 and have been steadily rising and have not been adjusted for inflation.

⁶ California Tax Credit Allocation Committee, 2020 Annual Report. <https://www.treasurer.ca.gov/CTCAC/2020/annualreport/2020-TCAC.pdf>

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Table 32: Replacement Cost

Unit Size	Construction Cost per Square Foot ¹	Average Square Foot/ Unit ²	Replacement Cost per Unit
1 bedroom	\$380	665	\$252,700
2 bedroom	\$380	899	\$341,620
3 bedroom	\$380	1,109	\$421,420

Source: ¹UC Berkeley Terner Center, 2020, The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California, 15. https://ternercenter.berkeley.edu/wp-content/uploads/2020/08/Hard_Construction_Costs_March_2020.pdf. ²ApartmentFinder.com, <https://www.apartmentfinder.com/California/Pinole-Apartments>, accessed March 25, 2022.

A variety of programs exist to assist cities to acquire, replace, or subsidize at-risk affordable housing units. The following summarizes financial resources available to the City of Pinole.

Federal Programs

Community Development Block Grant (CDBG) – CDBG funds are awarded to cities on a formula basis for housing activities. The primary objective of the CDBG program is the development of viable communities through the provision of decent housing, a suitable living environment, and economic opportunity for principally low- and moderate-income persons. CDBG funds can be used for housing acquisition, rehabilitation, economic development, and public services.

HOME Investment Partnership – HOME is a flexible grant program and funds are awarded on a formula basis for housing activities. HOME considers local market conditions, inadequate housing, poverty, and housing production costs. HOME funding is provided to jurisdictions to assist rental housing or homeownership through acquisition, construction, reconstruction, and/or rehabilitation of affordable housing.

Section 8 Housing Choice Voucher Rental Assistance Program – This program provides rental assistance payments to owners of private, market-rate units on behalf of very low-income tenants.

Section 811/202 Program – Nonprofit and consumer cooperatives can receive no-interest capital advances from HUD under the Section 202 program for the construction of very low-income rental housing for seniors and persons with disabilities. These funds can be used in conjunction with Section 811, which can be used to develop group homes, independent living facilities, and immediate care facilities. Eligible activities include acquisition, rehabilitation, new construction, and rental assistance.

State Programs

California Housing Finance Agency (CalHFA) Multifamily Programs – CalHFA's Multifamily Programs provide permanent financing for the acquisition, rehabilitation, and preservation or new construction of rental housing that includes affordable rents for low- and moderate-income families and individuals. One of the programs is the Preservation

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Acquisition Finance Program, which is designed to facilitate the acquisition of at-risk affordable housing developments and provide low-cost funding to preserve affordability.

Low-Income Housing Tax Credit (LIHTC) – This program provides tax credits to individuals and corporations that invest in low-income rental housing. The LIHTC program creates affordable housing opportunities when the developer of a project “sells” the tax credits to an investor(s) who contributes equity to the development in exchange for an ownership position in the project.

California Community Reinvestment Corporation – The California Community Reinvestment Corporation is a multifamily affordable housing lender whose mission is to increase the availability of affordable housing for low-income families, seniors, and residents with special needs by facilitating private capital flow from its investors for debt and equity to developers of affordable housing. Eligible activities include new construction, rehabilitation, and acquisition of properties.

Monitoring of Affordable Units

The City continually monitors the list of affordable housing units and their eligibility to convert to market-rate housing. Former RDA assets, and revenues generated from those assets, are maintained in a Low- and Moderate-Income Housing Asset Fund that continues to be used to administer and monitor compliance with affordable housing and loan agreements and provide for affordable housing development.

The City conducts annual compliance monitoring on over 300 affordable units to ensure property owners and management are complying with affordable income and rent restrictions required by City agreements. Properties are affordable to very low to moderate income households. The City expects to monitor over 400 affordable units as new affordable units are constructed over the next five years. The majority of affordable units are located in rental properties. The City monitors two ownership units to ensure the property owners continue living at their properties as their primary residence or sell their units to income qualified buyers. Program 17 is included to continue to monitor and preserve at-risk housing in the City.

Quantified Objectives

Housing Element law requires that cities establish a maximum number of units that can be converted over the planning period. During the planning period, zero rent-restricted housing units are at risk of being converted to market rate.

Special Housing Needs

Due to special needs or circumstances related to income, family or household characteristics, age, and disability, certain groups have historically had greater difficulties finding quality affordable housing. They also often have a higher prevalence of special

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circumstances leading to housing problems such as lower incomes, higher housing cost burdens, and overcrowding. State law therefore requires evaluation of housing needs of these groups, in particular senior households, single-parent households, persons with physical, mental and developmental disabilities, large households, farmworkers, and homeless individuals. Table 33 provides an overview of the presence of special needs populations within the City.

Table 33: Overview of Special Needs Groups, Pinole

Special Needs Group	# of People	% of Population
Persons with a Disability	2,389	12%
Persons Experiencing Homelessness	7	<1%
Farmworkers	29	<1%
Special Needs Group	# of Households	% of Households
Householders Age 65+	2,354	35%
Large Households	832	12%
Female-Headed Households	1,050	16%
Extremely Low-Income Households	555	8%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020) and HUD CHAS Data (2014-2018).

Table 34 shows the services currently providing support to the special needs populations in Pinole.

Table 34: Inventory of Services for Special Needs Populations

Services/Programs	Details
Pinole Senior Center	Provides social, educational, recreational, health, nutritional, and consumer services and activities. Serves as a cooling center in extreme temperatures. Membership sponsorship program available for eligible seniors in need of financial assistance.
Pinole Grove Senior Apartments	Offers 70 affordable, one- and two-bedroom senior apartments with senior-targeted amenities.
Westmont of Pinole	Offers Independent Living, Assisted Living, and Memory Care services.
Visiting Angels Pinole	Offers comprehensive home care for seniors based on their individual needs and preferences in order to help older adults live in their own homes. Services include respite care, personal care, dementia care, companion care, home care services and palliative care.
St. Clare's Home for Seniors	Offers 12 senior living and assisted living units.
Tara Hills Care Home	Community care facility for the elderly
Granada Home Care I and II	Two 6-bed residential care facilities for seniors

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Services/Programs	Details
Cole Vocational Services Pinole	Offers structured, activity-based adult day programs that give individuals the chance to achieve goals, become independent and be active in the community.
Pathway to Choices	Provides independent living services, supported living services, adult day program, behavior management, and competency training to people with developmental disabilities.
811 San Pablo Affordable Housing	Approved 33-unit affordable housing project to low and very-low income households on City land.
Vista Woods Affordable Housing	Approved 179 unit affordable housing project for seniors

Source: City of Pinole.

Farmworkers

Traditionally, agricultural workers are defined as persons whose primary incomes are earned through permanent or seasonal agricultural labor. The 2016–2020 ACS found that 29 Pinole residents were employed in the agriculture, forestry, fishing and hunting, and mining industry. This is less than one percent of all employed individuals in the City over 16 years old.

Table 35 shows the 2017 estimates of farmworkers for Contra Costa County, as reported by the US Department of Agriculture's Census of Agriculture. As indicated, there were an estimated 1,310 farmworkers in the County working on 161 farms. The 2007 Census of Agriculture counted 1,873 farmworkers in the County. This yields a 30 percent decrease of farmworkers in the County from 2007 to 2017.

Table 35: Number of Farmworkers and Farms, Contra Costa County, 2017

Farm/Worker Type	Farmworkers	Farms
Farm Size		
Farms with less than 10 employees	343	126
Farms with 10 or more employees	967	35
Total	1,310	161
Length of Employment of Workers		
Workers working 150 days or more	450	-
Workers working less than 150 days	860	-

Source: 2017 Census of Agriculture, Table 7, Contra Costa County,
https://www.nass.usda.gov/Quick_Stats/CDQT/chapter/2/table/7/state/CA/county/013/year/2017.

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Large Households

State housing law defines large households as those consisting of five or more members. Large households are considered a special needs group because it may be difficult for these households to secure adequately sized, affordable housing. In order to balance affordable housing along with other financial responsibilities, large households tend to reside in smaller dwelling units, which may lead to overcrowding.

In 2020, approximately 12 percent (832) of Pinole's 6,792 households were considered large households. This is a similar proportion as seen countywide. Of those large households, 71 percent (588) lived in owner-occupied units, while 29 percent (244) lived in rental housing. Between 2010 and 2020, the percentage of households in the City that are large households remained unchanged as did the distribution between renters and homeowners of large households. In 2010, approximately 12 percent (833) of Pinole's 6,775 households were considered large households. Of those large households, 71 percent (595) lived in owner-occupied units, while 29 percent (238) lived in rental housing.

In Pinole, the proportion of large households that are owners (71 percent) is comparable to the general proportion of ownership households citywide. There is a higher proportion of large households owning their home compared to Contra Costa County (64 percent).

Table 36: Large Households by Tenure, 2020

Household Type (Size)	Owner-Occupied Households		Renter-Occupied Households		Total Households	
Pinole						
Five-person Household	373	73%	138	27%	511	8%
Six-person Household	157	65%	83	35%	240	4%
Seven-or-more-person Household	58	72%	23	28%	81	1%
Total Large Households	588	71%	244	29%	832	12%
Total of All Households	4,732	70%	2,060	30%	6,792	100%
Contra Costa County						
Five-person Household	19,568	65%	10,598	35%	30,166	8%
Six-person Household	7,423	65%	3,934	35%	11,357	3%
Seven-or-more-person Household	4,360	60%	2,880	40%	7,240	2%
Total Large Households	31,351	64%	17,412	36%	48,763	12%
Total of All Households	266,238	67%	132,061	33%	398,299	100%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25009.

Large households tend to have more difficulty purchasing housing due to the financial constraints of supporting a larger household and because there is limited housing stock of

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adequate size. Additionally, rental units with three or more bedrooms are not common, and large affordable rental units are even less common. This can lead to overcrowded housing conditions.

Table 37 provides a summary of housing problems experienced by large households in Pinole by tenure. As previously noted, the types of housing problems include overcrowding, overpayment (cost burden), and households lacking kitchen or plumbing facilities. CHAS 2014–2018 data indicates that 55 percent of large households experience at least one of the housing problems. Analyzing by tenure, 81 percent of large renter households and 43 percent of large owner households have at least one form of housing problem.

As of 2020, 27 percent of the City's housing stock has four or more bedrooms (refer to Table 18). This equates to 1,810 housing units with four or more bedrooms to serve the estimated 832 large households that require at least four bedrooms to avoid over-crowded conditions. However, these figures do not consider whether it is actually large households who occupy these housing units. One must also consider whether these housing units with four or more bedrooms are affordable to large households. Table 37 shows that 34 percent of large households experience a cost burden and 6 percent experience a severe cost burden. Large households that rent have over twice the rate of overpayment (52 percent) than large homeowner households (24 percent).

Table 37: Large Households by Housing Problems and Tenure, Pinole, 2018

Household Type	Large-Household Renters		Large-Household Owners		Total Large Households	
Total Households	270		580		850	
Large Households with Any Housing Problem ¹	81%	220	43%	250	55%	470
Large Households with Cost Burden (> 30%) ²	52%	125	24%	100	34%	225
Large Households with Severe Cost Burden (> 50%) ²	4%	10	7%	30	6%	40

Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2014-2018 data, Table 4 and Table 7.

Notes: Data presented in this table are based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100 percent total due to the need to extrapolate sample data out to total households. Interpretations of these data should focus on the proportion of households in need of assistance rather than on precise numbers.

¹The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30 percent.

²Cost burden occurs when housing costs exceed 30 percent of household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. Severe cost burden occurs when housing costs exceed 50 percent of household income.

Female-Headed Households

Female-headed households who do not have a spouse present are a special needs group because they tend to experience comparatively low rates of homeownership, lower incomes,

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and high poverty rates. Female-headed households are often further characterized by whether they have children in the household. Table 38 shows the number of female-headed households by tenure and presence of children. In 2020, 15.5 percent of households in Pinole were female-headed households. This is higher than the County where female-headed households comprise 12.0 percent of all households. Female-headed households in Pinole have a higher rate of homeownership than those in the County (54 percent and 49 percent, respectively). However, female-headed households with children have lower homeownership rates than the County; only 9 percent of female-headed households with children own their home in Pinole compared to 15 percent in the County. Of the 1,050 female-headed households in Pinole, 300 had children under 18 and 750 had no children present.

Table 38: Female-Headed Households by Tenure in Pinole, 2020

Household Type	Owner- Occupied Households		Renter- Occupied Households		Total	% of Total Households
Total Households	4,732		2,060		6,792	
Female householder, no spouse present, <i>with</i> children under 18	93	2.0%	207	10.0%	300	4.4%
Female householder, no spouse present, <i>without</i> children	469	9.9%	281	13.6%	750	11.0%
Total Female-Headed Households	562	11.9%	488	23.7%	1,050	15.5%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25115.

In Pinole, only 1 percent of female-headed households (11 households) are below the poverty line. All of those 11 households have children under age 18 present. All female-headed households without children are above the poverty line. About 3 percent of all female-headed households with children under 18 are below the poverty line. This is significantly lower than the female-headed household poverty rate in Contra Costa County (17 percent for those female-headed households without children and 25 percent for those with children).⁷

⁷ US Census Bureau, American Community Survey 5-year Data (2016–2020), Table B17010.

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Table 39: Female-Headed Households by Poverty Status in Pinole, 2020

Household Type	Income Below Poverty Level		Income Above Poverty Level		Total	% of Total Households
Total Households	308		6,484		6,792	
Female householder, no spouse present, <i>with</i> children under 18	11	3.6%	1,039	16.0%	1,050	15.5%
Female householder, no spouse present, <i>without</i> children	159	51.6%	887	13.7%	1,046	15.4%
Total Female-Headed Households	170	55.2%	1,926	29.7%	2,096	30.9%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B17017.

Homelessness

Data on homelessness in Contra Costa County is based on the 2022 Point-in-Time (PIT) information provided to HUD by the Richmond/Contra Costa County Continuums of Care (CoCs) in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. A follow-up survey sampling of unsheltered and sheltered individuals is conducted two weeks following the count.

As shown in Table 40, Contra Costa County had an estimated homeless count of 2,295 persons (668 are sheltered and 1,627 unsheltered). Of these homeless, 319 people (13.9 percent) were in households with adults and children under 18.

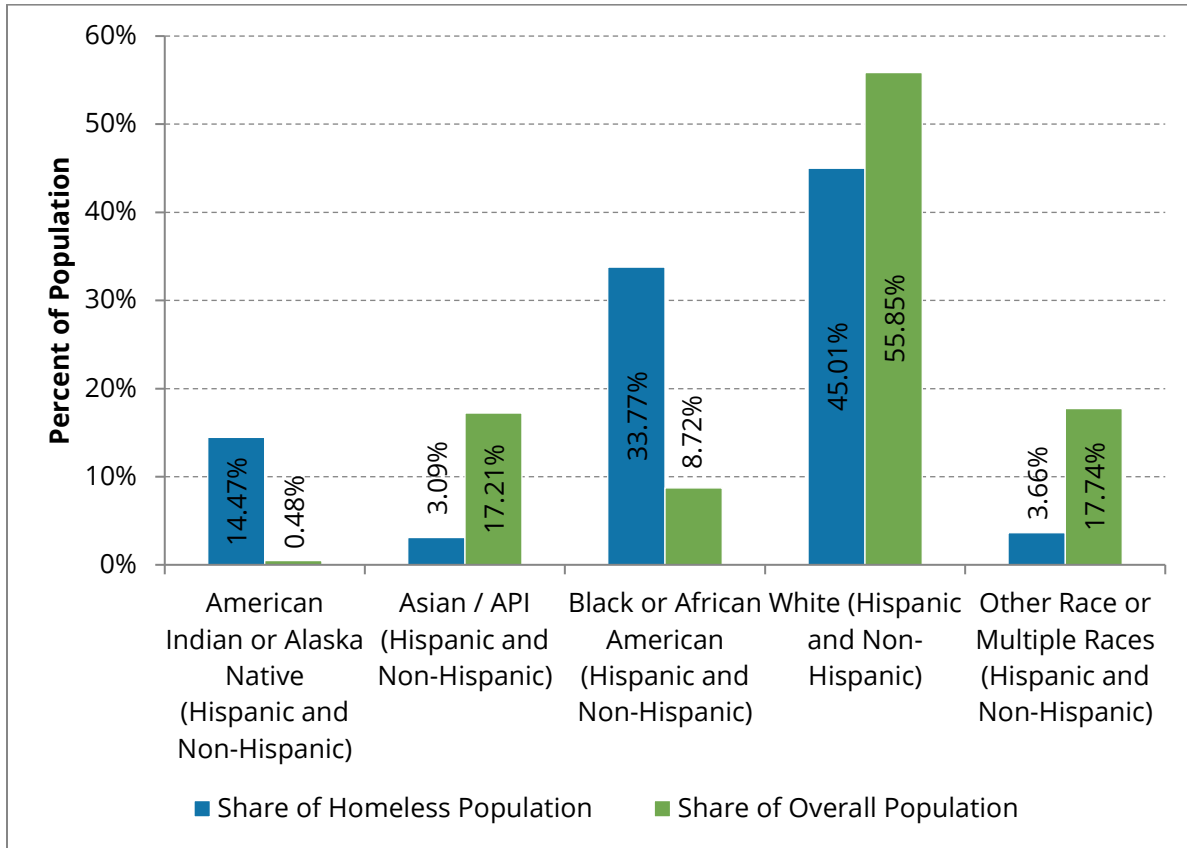
Table 40: Homelessness by Household Type and Shelter Status, Contra Costa County

Variable	People in Households Composed Solely of Children Under 18	People in Households with Adults and Children	People in Households without Children Under 18
Sheltered - Emergency Shelter	0	159	359
Sheltered - Transitional Housing	0	32	118
Unsheltered	0	128	1,499

Source: US Department of Housing and Urban Development, Continuum of Care Homeless Populations and Subpopulations Reports (2019)

Figure 8 analyzes the race of the homeless population and shows that the White population makes up the greatest share of the homeless population (45 percent) followed by Black people (34 percent). The Black or African American population and American Indian or Alaskan Native population are disproportionately affected by homelessness, as these groups make up a relatively large share of the homeless population despite making up a small share of the overall population.

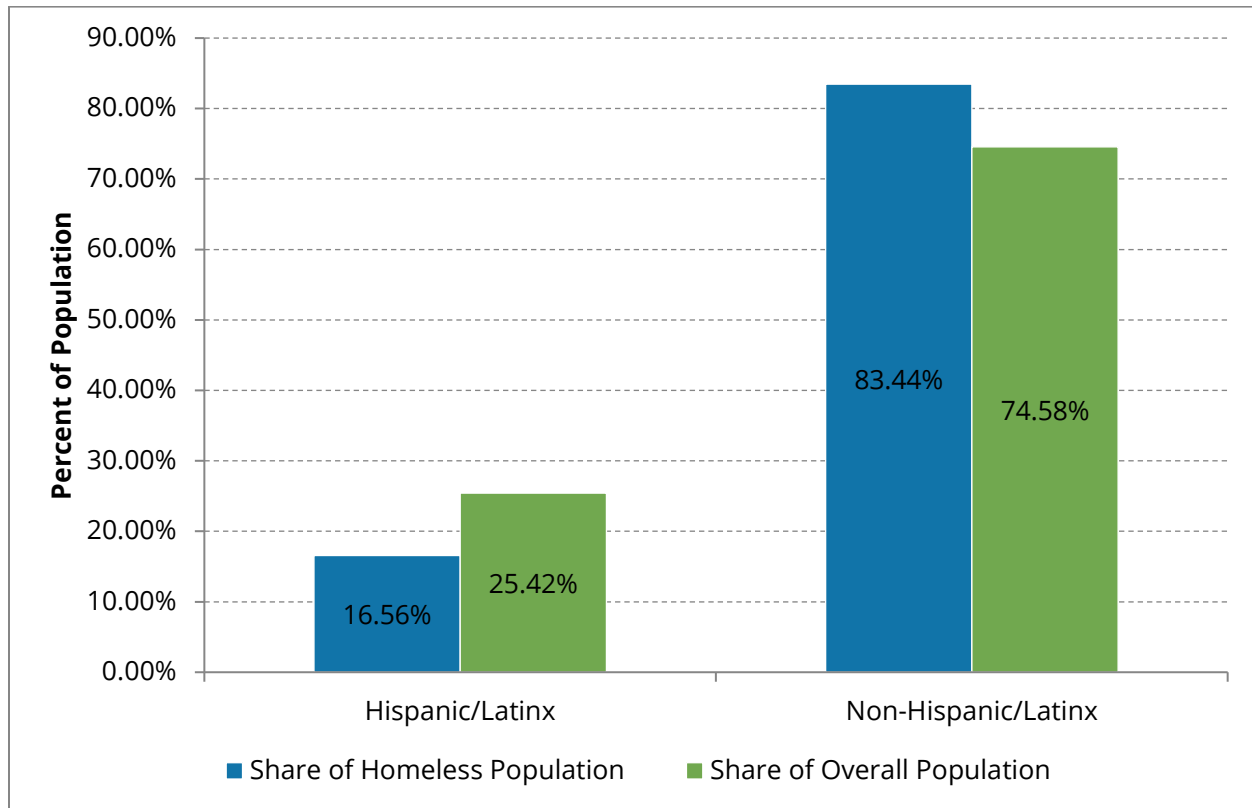
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Figure 8: Racial Group Share of General and Homeless, Contra Costa County, 2019

Source: US Department of Housing and Urban Development, Continuum of Care Homeless Populations and Subpopulations Reports (2019); US Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I).

Figure 9 shows that 16.6 percent of the homeless population is Hispanic/Latinx.

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Figure 9: Latinx Share of Homeless Populations, Contra Costa County, 2019

Source: US Department of Housing and Urban Development, Continuum of Care Homeless Populations and Subpopulations Reports (2019); US Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I).

Table 41 shows some of the unique challenges that persons experiencing homelessness in Contra Costa face. Of the 2,295 homeless persons counted, 22.6 percent suffer from severe mental illness, 21.5 percent contend with chronic substance abuse, 5 percent are veterans, 5 percent are victims of domestic violence, and 0.4 percent live with HIV/AIDS.

Table 41: Characteristics of Persons Experiencing Homelessness, Contra Costa County, 2019

Variable	Chronic Substance Abuse	HIV/AIDS	Severely Mentally Ill	Veterans	Victims of Domestic Violence
Sheltered - Emergency Shelter	86	4	128	25	28
Sheltered - Transitional Housing	31	1	27	14	6
Unsheltered	377	4	364	75	80
Percent of Total	21.5%	0.4%	22.6%	5.0%	5.0%

Source: US Department of Housing and Urban Development, Continuum of Care Homeless Populations and Subpopulations Reports (2019)

Notes: These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.

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Table 42 shows a count of individuals that were identified as unsheltered in West Contra Costa County during the January 2022 Point In Time Count (PITC). Pinole had 53 unsheltered individuals, a significant increase from 3 in 2019. West Contra Costa County saw a large increase in the unsheltered population from 510 in 2019 to 877 in 2022.

Table 42: Homeless Population—Unsheltered Individuals in West Contra Costa County

Homeless Population	2019 Unsheltered Population	2022 Unsheltered Population
Pinole	3	53
Crockett	12	6
El Cerrito	8	31
El Sobrante	16	13
Hercules	1	0
North Richmond	38	31
Richmond	333	632
Rodeo	41	27
San Pablo	58	84
West County Total	510	877

Source: Contra Costa Health Services. 2022 Homeless Point-In-Time Count and Survey.

According to California Department of Education Enrollment Data shown in Table 43, over the 2019-2020 academic year, 2,209 students in Contra Costa County experienced homelessness, and 99 of those students were in Pinole. The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. Student homelessness increased in Pinole between the 2018-19 and 2019-20 academic years by 15 students (18 percent) despite having decreased countywide by 365 students (14 percent) over the same period.

Table 43: Students in Local Public Schools Experiencing Homelessness

Geography	2016-17	2017-18	2018-19	2019-20
Pinole	68	84	84	99
Contra Costa County	2,116	2,081	2,574	2,209
Bay Area	14,990	15,142	15,427	13,718

Source: California Department of Education, California Longitudinal Pupil Achievement Data System, Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020).

Notes: Totals reflect the number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30) in public schools. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

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Resources

There are a number of regional programs available in close proximity to Pinole to assist persons experiencing homelessness. To help meet the special needs of the homeless, the Contra Costa Crisis Center operates a 24-hour homeless hotline that connects homeless individuals and families to resources available in the County. Through the center, homeless persons are given emergency motel vouchers, provided free voicemail boxes, and referred to local service programs, including housing assistance, job training, substance abuse treatment, counseling, and emergency food, health care, and other vital services.

Table 44 lists facilities with various programs designed for people experiencing homelessness.

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Table 44: County Homeless Facilities

Agency Name	Program Name
Interim Housing (Emergency Shelters)	
Bay Area Community Services	Don Brown Shelter
Bay Area Rescue Mission	Men's Emergency Shelter
Bay Area Rescue Mission	Women and Families Shelter
Berkeley Food and Housing Project	Central County Warming Center
Contra Costa Health Services Homeless Program	Brookside Adult Interim Housing
Contra Costa Health Services Homeless Program	Brookside Adult Interim Housing for Veterans
Contra Costa Health Services Homeless Program	Calli House Youth Shelter
Contra Costa Health Services Homeless Program	Concord Adult Interim Housing
Contra Costa Health Services Homeless Program	Philip Dorn Respite Center
Contra Costa Health Services Homeless Program	Philip Dorn Respite Center for Veterans
Greater Richmond Interfaith Program	Emergency Shelter
Greater Richmond Interfaith Program	West County Warming Center
Interfaith Council of Contra Costa	Winter Nights Shelter
SHELTER, Inc.	Mountain View House
STAND for Families Against Violence	Emergency Shelter
Trinity Center	Trinity Winter Shelter
Transitional Housing	
Bay Area Rescue Mission	Men's Transitional Housing Program
Bay Area Rescue Mission	Women & Family Transitional Housing
Bi-Bett Corporation	Uilkema House
Contra Costa Health Services Homeless Program	Appian House: Youth
Contra Costa Health Services Homeless Program	Pomona Apartments
SHELTER, Inc.	Casa Verde
STAND	STAND for Families Against Violence
STAND	STAND Transitional Housing

Source: Contra Costa Health Services: Health, Housing, and Homeless Services Division, Annual Point-in-Time Count Report, August 2020, Appendix A.

The City will continue to prioritize its limited resources to support affordable housing solutions affordable to those with extremely low, very low, and low incomes, particularly those who may experience homelessness or are at risk of losing access to permanent housing.

Emergency shelters are defined by the California Health and Safety Code Section 50801 as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied

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emergency shelter because of an inability to pay.” The City Zoning Ordinance allows the development of emergency shelters by right in the Office Industrial Mixed Use zone.

Persons with Disabilities

People living with disabilities may have a wide range of housing needs, depending on the type and severity of their disability. Housing affordability is a major concern for individuals with disabilities, particularly for those whose disability impacts their income earning potential. Design accommodations to navigate within the home and to/from the residence are another challenge for persons with disabilities. Access often requires specially designed dwelling units that include features such as wider doorways, ramps in place of stairs, and elevators for units with multiple stories. These modifications have the potential to be expensive and are not usually found in older dwelling units. Ongoing enforcement of the City's Building Code ensures that new construction will be accessible to disabled persons, though all units may not have all the features needed by specific individuals. Additionally, housing with adequate access to public facilities and public transit are important for this special needs group.

The US Census Bureau categorizes disabilities as follows:

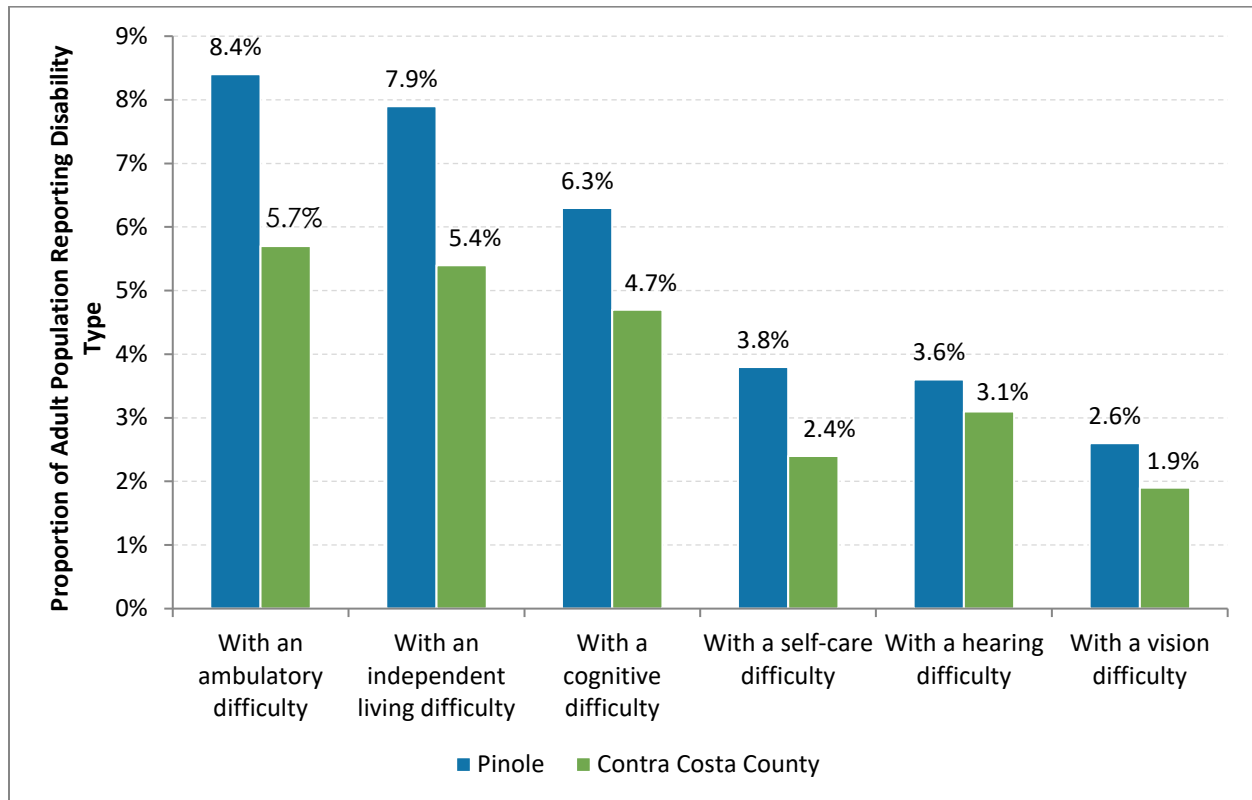
- Hearing difficulty: deaf or has serious difficulty hearing
- Vision difficulty: blind or has serious difficulty seeing even with glasses
- Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions
- Ambulatory difficulty: has serious difficulty walking or climbing stairs
- Self-care difficulty: has difficulty dressing or bathing
- Independent living difficulty: has difficulty doing errands alone, such as visiting a doctor's office or shopping

Based on the 2016-2020 American Community Survey, there are 2,389 individuals, or 12.4 percent of the population, living with at least one form of disability in Pinole. This is slightly higher than the County where 11.2 percent of the population has a disability.⁸ Further information about the type of disabilities residents experience and how it compares to Contra Costa County is illustrated in Figure 10.

⁸ Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table C18108.

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Figure 10: Disability by Type



Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table S1810.

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

Compared to the County, Pinole has a larger share of the population experiencing each type of disability. Ambulatory and independent living disabilities are the most prevalent, at 8.4 percent and 7.9 percent, respectively, see Figure 10.

Table 45 shows the elderly population in the City and County and their disability status. In Pinole, 8 percent of people aged 65 and above have one type of disability and 16 percent have two or more disabilities. Twenty-five percent of the elderly population in Pinole experiences at least one type of disability, which is lower than the County's 31 percent. However, the rate of elderly persons experiencing a disability is twice that of the citywide disability rate of 12.4 percent.

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Table 45: Elderly People with Disabilities

Disability Status	# of Elderly People with a Disability	% of People Age 65+ (total 4,169)	# of Elderly People with a Disability	% of People Age 65+ (total 178,981)
	Pinole		Contra Costa County	
1 type of disability	354	8%	24,799	14%
2+ types of disability	680	16%	31,425	18%
Total Elderly with a Disability	1,034	25%	56,224	31%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table C18108.

Persons with Development Disabilities

A subgroup of disabled residents is those who are developmentally disabled. Many developmentally disabled persons are able to live and work independently. However, more severely disabled individuals require a group living environment with supervision, or an institutional environment with medical attention and physical therapy. Because developmental disabilities exist before adulthood, the first housing issue for the developmentally disabled is the transition from living with a parent/guardian as a child to an appropriate level of independence as an adult. In Pinole, an estimated 146 individuals have a developmental disability, of which 81 individuals (55 percent) are under age 18.⁹

The California Department of Developmental Services (DDS) currently provides community-based services through 21 community-based nonprofit corporations known as regional centers. The regional centers serve as a local resource to help find and access services and support available to individuals and families once eligibility is determined. The Regional Center of the East Bay provides service to developmentally disabled individuals throughout Contra Costa and Alameda counties. According to the California Department of Developmental Services, as of December 2019, the Regional Center of the East Bay served 21,009 residents with developmental disabilities in the region. Table 46 displays the breakdown of type of developmental disabilities served at the Regional Center. The largest populations served are those with an intellectual disability (43 percent) followed by autism (40 percent).

⁹ California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020), as referenced in ABAG 2023-2031 Housing Element Data Package, Table DISAB-04.)

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Table 46: Developmental Disability by Type, 2019

Regional Center of the East Bay		
Developmental Disability	Individuals	Percent
Autism	8,459	40%
Cerebral Palsy	2,426	12%
Epilepsy	2,368	11%
Intellectual Disability	9,127	43%
Other	3,367	16%
Total*	21,009	N/A

Source: California Department of Developmental Service (December 2019), Consumers by Diagnosis and Regional Center.

*People may have more than one type of disability, so individual disability categories will not sum to total.

A number of housing types are appropriate for people living with a developmental disability, including rent-subsidized homes, licensed single-family homes, and homes available through the Housing Choice Voucher program, Program 20. The design of housing accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the considerations that are important in serving this group. Incorporating barrier-free designs in all new multifamily housing, as required by California and federal fair housing laws, along with affordability, is especially important in housing for disabled residents.

Elderly Persons

The US Census defines persons 65 years of age and older as elderly. Pinole's elderly population has special housing needs associated with affordability, maintenance, and upkeep of their homes, as well as physical access. Elderly persons are more likely to have fixed incomes and have a substantial portion of their financial resources in non-liquid assets, such as property. They often spend a higher percentage of their income on food, housing, medical care, and personal care comparative to non-elderly persons. Elderly persons may have special needs related to housing location and construction. Because of limited mobility, elderly persons typically need closer access to medical services, shopping, public transit, and other amenities. In terms of housing construction, elderly persons may need ramps, handrails, elevators, lower cabinets and counters, and special security devices to allow for greater self-protection. In addition, the elderly may require assistance with housekeeping, maintenance, and repairs to remain in their own homes for as long as possible. Special consideration should be given for recreational and social amenities for the elderly.

As shown in Table 47, an estimated 22 percent of the City's population (4,174 persons) was at least 65 years old in 2020. The percentage of the population that is elderly has steadily been increasing since 1990. Between 2010 and 2020, 1,326 additional people fit the definition of elderly. Table 6 provides a more detailed breakdown of population growth by specific age categories, revealing that the largest percentage increase in population belonged to the 65-74 age group (78.3 percent increase or 1,219 individuals).

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Table 47: Elderly Population, 1990–2020

	1990	2000	2010	2020
65 years and over	1,723	2,456	2,848	4,174
Total Population	17,460	19,039	18,390	19,343
Percent of Total	10%	13%	15%	22%

Source: US Census Bureau, Decennial Census (1990-2010). American Community Survey 5-Year Data (2016-2020), Table DP05.

According to the 2020 US Census data shown in Table 48, 35 percent of Pinole's households are headed by one person aged 65 or over. This is higher than the 26 percent of Contra Costa County households.

Table 48: Householders by Age

Householder Age	Pinole		Contra Costa County	
	Households	Percent	Households	Percent
15-24 years	54	0.8%	6,634	1.7%
25-34 years	2,003	29.5%	121,924	30.6%
35-64 years	2,381	35.1%	165,541	41.6%
65-74 years	1,424	21.0%	59,638	15.0%
75-84 years	635	9.3%	30,479	7.7%
85+ years	295	4.3%	14,083	3.5%
Total	6,792	100%	398,299	100%

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25007.

As indicated in Table 49, the 2020 median household income for Pinole households with a householder aged 65 and older was \$85,556, which is 14 percent higher than in Contra Costa County, at \$75,172. The median income for all households regardless of age is \$104,904 citywide and \$103,997 countywide (a difference of less than 1 percent). The median income of the elderly population in Pinole is approximately \$19,500 less (18 percent lower) than the median income citywide. The lower incomes of the elderly may partially be explained by the fact that elderly populations often live on a fixed income; tend to have a significant portion of their net worth tied up in non-liquid assets, such as property; and have a higher incidence of disability (see Table 45), which may affect earning potential.

Table 49: Median Household Income for Elderly Households (65+ Years)

Householder Age	Pinole Median Income	Contra Costa County Median Income
65 Years and Older	\$85,556	\$75,172
All Households	\$104,904	\$103,997

Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table S1903.

Based on HUD's 2014-2018 data CHAS data shown in Table 50, 39 percent of elderly households in Pinole are low income (below 80 percent of the area median family income). Contra Costa County was nearly the same at 40 percent. According to 2020 US Census

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information, approximately 3 percent of Pinole's seniors fell below the poverty line, compared to 3.7 percent citywide.¹⁰

Table 50: Income Distribution, Elderly Households (62+ Years)¹

Income	Pinole		Contra Costa County	
	Number	%	Number	%
HUD Area Median Family Income (HAMFI)				
<= 30% of HAMFI	310	10%	19,620	14%
> 30% - 50% of HAMFI	460	15%	18,185	13%
> 50% - 80% of HAMFI	440	14%	18,605	13%
> 80% - 100% of HAMFI	405	13%	13,530	10%
> 100% of HAMFI	1470	48%	72,225	51%
Total	3,085	100%	142,165	100%

Source: US Department of Housing and Urban Development (HUD, Comprehensive Housing Affordability Strategy (CHAS) data (2014-2018), Table 5.

¹ HUD defines "elderly" as people aged 62 and up. However, the US Census Bureau defines "elderly" as people aged 65 and older.

Table 51 summarizes the housing problems experienced by elderly households in Pinole. According to the 2014-2018 CHAS data, 31.6 percent of all elderly households experience some type of housing problem. This includes 48.7 percent of renters and 27.5 percent of owners. For households with at least one person 62 years and older, 81 percent resided in owner-occupied units and 19 percent resided in renter-occupied units.¹¹

Table 51: Elderly Households by Housing Problems and Tenure, 2018

Housing Problem Type	Elderly Owners		Elderly Renters		Total Elderly	
% of Elderly with any Housing Problem ¹	27.5%		48.7%		31.6%	
% of Elderly with Cost Burden (> 30%) ²	26.0%		42.9%		29.2%	
% of Elderly with Severe Cost Burden (>50%) ²	14.1%		32.1%		17.6%	
All Elderly Households	2,490	80.7%	595	19.3%	3,085	100%

Source: 2014-2018 HUD CHAS data, Table 5 and Table 7.

¹ The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30 percent.

² Cost burden occurs when housing costs exceed 30 percent of household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. Severe cost burden occurs when housing costs exceed 50 percent of household income.

The increasing number of elderly persons in the population is creating more demand for affordable, accessible, and low-maintenance housing. As residents age, they may desire alternatives to single-family units, opting for smaller multifamily units or assisted care living.

¹⁰ US Census Bureau, American Community Survey 5-year Data (2016–2020), Table S1701.

¹¹ HUD CHAS Data (2014-2018), Table 5.

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Another option for seniors looking to downsize is accessory dwelling units, which could house seniors or their caregivers. Based on the demographic trends, the need for senior housing is considered a high priority.

Pinole Grove Senior Apartments at 800 John Street offers 70 affordable, one- and two-bedroom senior apartments. Amenities include a community room, a landscaped courtyard, a library, and a hair salon. Units must be occupied by at least one resident who is at least 62 year of age or older. A minimum of 28 units are rent restricted to very low-income households (50 percent of AMI), and 41 units are restricted for moderate-income households (120 percent of AMI).

Westmont of Pinole (formerly Pinole Senior Village) provides independent living, assisted living, and memory care options for seniors. As of 2022, 31 moderate-income and 6 very low-income beds are required to be maintained. In 2018, as a condition of the sale of the property, a covenant was recorded that allowed the owner to reduce the rent restricted units according to the schedule in Table 31. By 2028, there will not be any rent-restricted bed requirements at this facility. The owner cannot raise the rent on any rent-restricted beds and may only reduce restricted beds by voluntary vacation of such bed by an eligible tenant.

The Pinole Senior Center provides social, educational, recreational, health, nutritional, and consumer services and activities to more than 1,000 yearly participants. The Senior Center (2500 Charles Avenue) can be set up to serve as a cooling center during extreme heat events. Per City guidelines, the Senior Center will be opened as a cooling center if the National Weather Service forecasts that Pinole will experience two consecutive days with high temperatures of 95 degrees or more and necessary staff is available. A need-based, no-cost annual membership is available to eligible seniors and is funded by donations from community members.

The City will address the needs of the elderly population through policies and programs that address affordability and special design guidelines for the elderly through Program 9 which includes participation in regional assistance programs, an aging in place low or no-cost building permit, and waiving park impact fees for developments with affordable senior units.

Extremely Low-Income Households

HUD defines extremely low-income households as those with income less than 30 percent of the HUD area median family income (HAMFI). Table 52 summarizes the housing problems experienced by extremely low-income households in Pinole. According to the 2014–2018 CHAS data provided by HUD, there are 555 extremely low-income households in Pinole, which represents about 8.3 percent of all households in the City. In 2018, 8.3 percent of Pinole households were in the extremely low-income category, which is a very slight decrease from 8.6 percent in 2013. Extremely low-income households comprise a smaller share of all households in Pinole compared to the County (12.3 percent of Contra Costa County households). About 47 percent of the extremely low-income households rented their dwelling units; 53 percent owned their dwelling.

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Table 52: Extremely Low-Income Households with Housing Problems, 2018

	Extremely Low-Income Renter-Occupied	Extremely Low-Income Owner-Occupied	Extremely Low-Income Total Households
Households with Income < 30% of HAMFI	260	295	555
with any Housing Problem ¹	220	165	385
with Cost Burden (> 30%) ²	205	165	370
with Severe Cost Burden (>50%) ²	165	155	320

Source: HUD Comprehensive Housing Affordability Strategy (CHAS) Data, 2014-2018, Summary Level Data for Pinole.

1. The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30 percent.

2. Cost burden occurs when housing costs exceed 30 percent of household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. Severe cost burden occurs when housing costs exceed 50 percent of household income.

About one-third of all households in Pinole experienced at least one housing problem. Of the extremely low-income households in Pinole, 69.4 percent experienced at least one type of housing problem, with renters higher at 84.6 percent and owners at 55.9 percent. Housing problems for extremely low-income households are a regional issue, and Pinole fares better than the County overall, which has a rate of 80.1 percent. Based on 2018 HUD CHAS data, an estimated 40 extremely low-income households in Pinole lack complete plumbing or kitchen facilities.¹² However, many of these households may live in units without complete kitchens, but who received provided meals. ACS 2018 data show 84 housing units lacking complete kitchen facilities, but 75 of those had meals included in rent (only 9 housing units are without a kitchen and without meals provided.)¹³

Extremely Low-Income Households and Overpayment

About 66.7 percent of extremely low-income households were paying more than 30 percent of their income on housing costs, regardless of tenure type. About 55.9 percent of extremely low-income homeowners and 78.8 percent of renters are overpaying. There was also a high rate of households suffering from a severe cost burden (paying more than 50 percent of their incomes on housing). This was the case for about 57.7 percent of all extremely low-income households (52.5 percent for extremely low-income owners and 63.5 percent of extremely low-income renters). All these characteristics occurred at a much higher rate among extremely low-income households than in the City as a whole. At least 28.7 percent of all households in Pinole were overpaying, and 12.7 percent were severely overpaying. The

¹² HUD CHAS Data (2014-2018), Table 3.

¹³ US Census Bureau, American Community Survey 5-year Data (2014-2018), Table B25054.

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County's extremely low-income households experience a cost burden at a rate of 79 percent and an extreme cost burden at a rate of 65.9 percent.

Extremely Low-Income Households and Overcrowding

In addition to the overpayment problems mentioned above, Pinole's extremely low-income households have an overcrowding problem, though it is not as widespread as the overpayment problem. Overcrowding is defined as more than 1.0 occupant per room (excluding kitchens, bathrooms, and garages). According to 2014-2018 HUD estimates in Table 29, 421 of all households in Pinole (regardless of income level or tenure) were living in overcrowded conditions, which represents about 6.3 percent of the total 6,670 households in the City. Examining only the 555 extremely low-income households in the City, 7.0 percent (39 households) experience overcrowding. Overcrowding only affected the extremely low-income renters even though 53.2 percent of extremely low-income households are owner occupied. The rate of severe overcrowding among extremely low-income renters is over four times higher in Pinole than it is countywide (13.5 percent in the City and 3.0 percent in the County.) Extremely low-income renters in Pinole are disproportionately affected by overcrowded living conditions. This indicates a need for larger affordable rental units.

Pinole households with incomes less than 30 percent of the AMI are significantly more affected by housing problems than other income groups. The needs of extremely low-income households include housing units designed for transient/homeless populations, multifamily rental housing, factory-built housing, mobile homes, supportive housing, single-room occupancy units, and workforce housing.

Summary of Housing Needs

Pinole's overarching housing needs include addressing high housing costs; accommodating demographic age shifts; diversifying the housing stock; and giving consideration to these special needs groups:

- Elderly (35% of households)
- People with disabilities (12% of population)
 - Ambulatory disabilities (8.4% of adults)
 - Independent living disabilities (7.9% of adults)
- Large households (12% of households)
- Extremely low-income households (8.3% of households)

High Housing Costs

High housing costs in Pinole are representative of a regional and statewide issue. Home values have increased steadily since 2012. The median rental price has increased 30 percent since 2015 (see Table 24). In Pinole, 2,768 households (42 percent) experience some form of

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overpayment, with 849 households (13 percent) experiencing severe overpayment. Overpayment is especially problematic for extremely low-income households, 66.7 of whom experience housing cost burden and 57.7 percent experience a severe cost burden. A high rate of overcrowding is seen among extremely low-income renters (15 percent of these households are overcrowded and 13.5 percent are severely overcrowded). Renters earning 50-80% of the HUD AMI are another group with high overcrowding (19 percent of these households are overcrowded).

Demographic Age Shifts

Planning for an aging population is of utmost importance. In 2020, 22 percent of Pinole's population was 65 years old or older (see Table 6). About 35 percent of households are headed by a resident over 65 years old (see Table 48). Housing to accommodate seniors may take the form of age-restricted developments, smaller units, multifamily housing, ADUs, and housing with increased support services and proximity to healthcare. Universal design practices should be implemented with new construction, given that a high proportion of elderly persons experience some form of disability, particularly ambulatory disabilities. Affordability should be prioritized. The median income for elderly in Pinole is \$19,500 less (18 percent lower) than the median income citywide. About 39 percent of elderly households are low income and 30 percent of households moved into their home prior to 1989 (30 years ago). This suggests a need for low-income housing repair assistance to help seniors in aging housing stock retrofit to age in place. Program 8 includes a fee waiver that would provide low or no-cost building permits to age-qualified, ELI households, and disabled households to make improvements to their home for universal design.

Another age group to plan for is the 25-34 year age group. This group had the largest population increase out of all age groups between 2010 and 2020 and now comprises 18 percent of the population (see Table 6). About 30 percent of households have householders aged 25-34 (see Table 48). This group would benefit from having a greater supply of smaller housing units, multifamily housing, ADUs, more affordable rental units, and housing designed for the first-time homebuyer. Because this age group has a higher propensity to start families, a portion of housing production for this demographic should set aside larger units as well.

The under age 14 population in Pinole declined by 28 percent between 2000 and 2020. The 0-4-year age group decreased 19.8 percent and the 5-14 age group decreased by 31.2 percent over that time. Although the rate of decline of the population under age 14 tempered between 2010 and 2020 to just 6 percent, these long-range trends are markedly different than the County trends. In the County, the 0-4 year age group decreased by 0.1 percent and the 5-14 age group increased by 1.3 percent between 2000 and 2020. Average household size and average family size have decreased in Pinole since 2010 despite having increased in the County. These shifting demographics may indicate that as families grow, they are priced out of the housing market, or Pinole families are choosing to have fewer children, or a combination of both. To plan for an inclusive community that includes families with children,

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the City may consider emphasizing family-friendly housing practices. This could take many forms including affordable-by-design multifamily housing, rent-restricted units for a variety of income levels, and ensuring a portion of new rental housing has larger, multi-bedroom units.

Special Needs Groups

In addition to the special needs of elderly and extremely low-income households mentioned above, people with disabilities and large households are other special needs groups that make up a considerable share of the population and/or households. People with disabilities make up 12.4% of population—with ambulatory (8.4%) and independent living (7.9%) disabilities being the most prevalent—and have very similar housing needs as elderly persons.

Large households (those with 5 or more people) make up 12 percent of all households in Pinole. Over a third (34 percent) of large households experience a cost burden. Pinole has a slightly higher proportion of 5-or-more-person households than the state or County. These factors suggest a need for larger units. Table 37 shows that 34 percent of large households experience a cost burden and 6 percent experience a severe cost burden. Large households that rent have over twice the rate of overpayment (52 percent) than large homeowner households (24 percent).

Diversifying Housing Stock

About 70 percent of Pinole's housing stock is single-family homes, and 70 percent of housing units are owner-occupied. Introducing a variety of housing building types and more rental housing opportunities would facilitate a more inclusive community. Examples include age-restricted developments, smaller affordable-by-design units, multifamily housing, ADUs, universal design practices to accommodate those with disabilities, and housing with increased support services.

Constraints on Housing

The provision of adequate and affordable housing opportunities is an important goal of the City. However, a variety of factors can constrain the development, maintenance, and improvement of housing. This section describes these constraints, including private market forces, governmental codes and regulations, and the physical and natural environment, and analyzes the impact on the production and preservation of housing.

Governmental Constraints

Potential governmental constraints include, but are not limited to, growth management measures, land use controls, development standards, building codes, processing fees and procedures, exactions, property taxes, and site improvement costs. Governmental constraints can limit or deter the operations of the public, private, and nonprofit housing development sectors, making it difficult to meet the demand for housing and limiting supply in a region. Such constraints can limit access to housing for various ethnic, racial, or social groups, or prevent lower-income households from having adequate housing opportunities.

The City of Pinole has the authority to regulate the location, base density, and type of residential development that occurs within the City. This authority is asserted in several ways, including land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other factors that may influence the development, maintenance, and improvement of housing. Like all local jurisdictions, the City of Pinole has a number of procedures, fees, and regulations it requires developers to follow. Additionally, like any agency, the City is constrained by resource availability and other factors beyond its control. Below is a summary of key issues.

Land Use Controls

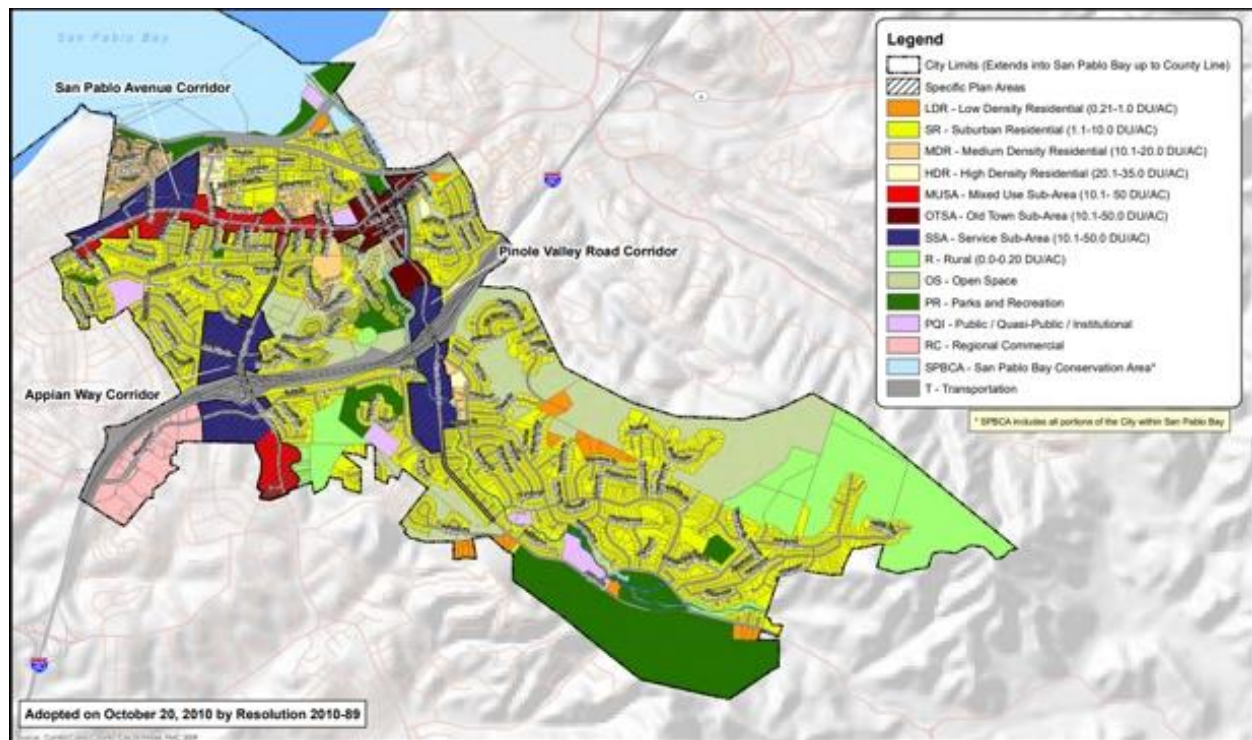
The City of Pinole sets forth policies to guide new development and the use of land within the City limits through its General Plan. These policies, in conjunction with the Three Corridors Specific Plan (2010) and Zoning Ordinance, control the amount and distribution of land allocated for different uses within the City and how this land can be developed.

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General Plan

The City of Pinole adopted an updated General Plan in October 2010. The General Plan is a comprehensive, long-range general policy document that expresses the community's vision and establishes five key topics: Sustainability, Priority Development Areas, Economic Development, Recreation and Resources, and Housing. The General Plan Vision identifies Housing as a key topic and states the City will need diverse housing opportunities for people who work and live in Pinole and the region. The Land Use and Economic Development

Figure 11: General Land Use Map



Element of the General Plan identifies the location, distribution, density, and intensity of land use within the City.

The City completed a comprehensive Zoning Ordinance update to correspond with the adopted General Plan in 2010; the Three Corridors Specific Plan adopted with the General Plan established new standards and guidelines for development around Specific Plan corridors consisting of San Pablo Avenue, Pinole Valley Road, and Appian Way. These regulations establish the base considerations and standards for land uses and development within the City. Adopted base densities for residential uses are included in the analysis of the sites discussed in the Sites Section.

The General Plan identifies five residential land use designations, as follows:

R – Rural (0.0 to 0.2 dwelling unit per acre). Includes sites where development shall be

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clustered to preserve at least 90% of the property in a natural condition and predominantly free of development to protect visual and environmental resources. This designation is typical for sites that are characterized by steep slopes, contain environmental resources, have visual significance in the community, are integral to riparian systems, or which have been identified as having limited development potential due to service delivery constraints. These parcels also create opportunities for urban agriculture uses, including agricultural parks and specialty crop farming. Other uses, such as telecommunications facilities, solar collectors, and wind energy conversion systems, may be considered provided they are designed to preserve the natural landscape. These areas help preserve remaining natural landscapes. In certain areas of the city, they can also provide open space buffers between Pinole and neighboring communities, serve as fire breaks, provide connections between neighborhoods and recreational areas, and may provide an educational resource.

LDR - Low Density Residential (0.21 to 1 dwelling unit per acre). Includes sites located adjacent to open space areas or near environmental resources where it transitions to residential land uses. This designation is typical of sites where larger lot sizes are appropriate to ensure flexible siting and design to maintain scenic and environmental resources.

SR - Suburban Residential (1.1 to 10 dwelling units per acre). Provides for single-family development that is typical of most residential areas of the City. This is the single largest residential category.

MDR - Medium Density Residential (10.1 to 20 dwelling units per acre). Intended for attached dwelling units, typically two or three stories, which include on-site usable open space. Medium Density Residential land use would include townhomes, apartments, condominiums and planned unit developments.

HDR - High Density Residential (20.1 to 35 dwelling units per acre). Provides for higher density multifamily areas, typically two or three stories, usually located near transit corridors or arterial roadways and located in close proximity to commercial services.

The General Plan describes Specific Plan land use designations as follows:

SSA - Service Sub-Area (10.1 to 50.0 dwelling units per acre). The Service Sub-Area is intended to maintain and enhance existing land uses while providing land use flexibility and incentives to encourage new private investment and additional development. Each service sub-area is described as follows.

San Pablo Avenue: Preserve land for manufacturing and industrial uses, particularly “green industry.” A limited amount of general office, retail and residential uses may be permitted where they will not conflict with the principal industrial uses in the area.

Pinole Valley Road: Maintain and increase existing employment opportunities and encourage new housing opportunities while accommodating commercial uses that serve residents through mixed-use development. This is a transitional area that serves residential

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neighborhoods in Pinole Valley and serves as a gateway immediately south of the historic Old Town.

Appian Way: Maintain and enhance the regional gateway area into Pinole and capitalize on freeway access to upgrade existing development and attract a desirable mix of commercial services and residential uses.

OTSA - Old Town Sub-Area (10.1 to 50.0 dwelling units per acre). The Old Town Sub-Area will maintain and enhance the residential, commercial and mixed-use character, scale and style of Old Town Pinole. All types of commercial and residential uses as either a single use or in combination with other allowable commercial and residential uses are allowed within this area, at intensities that preserve the character of Old Town Pinole. The designation is intended to encourage ground-floor, pedestrian-friendly retail sales and service uses with upper floors of office and/or residential uses. Residential uses may include single-family and multi-family residential uses.

MUSA - Mixed-Use Sub-Area (10.1 to 50.0 dwelling units per acre). The Mixed-Use Sub-Area encourages mixed residential and commercial development that is united by transit and pedestrian improvements, parks and public spaces. This land use designation allows all types of commercial and residential uses as either a single use or in combination with other allowable commercial and residential uses at densities and intensities that support transit service. The designation is intended to encourage ground floor, pedestrian-friendly retail sales and service uses with upper floors of office and residential uses. Residential uses may include single-family and multi-family residential uses.

The density and intensity ranges for the Three Corridors Specific Plan Area land use categories are shown in Table 53. Development incentives are granted for a project where the project promotes transit-oriented development (TOD) objectives or other City objectives as identified in a Specific Plan, the Redevelopment Plan, or approved planned development, or through any other similar planning document adopted for the area. Incentives may include increased density, reduced parking, greater building height, or other deviations from regular zoning standards.

Table 53: Three Corridors Specific Plan Areas Development Densities and Intensities

Sub-Area	Density (du/acre)	
	Normal (max)	With TOD Incentives (max)
Mixed-Use	35	50
Old Town	35	50
Service	35	50

Source: City of Pinole General Plan

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Three Corridors Specific Plan

The Three Corridors Specific Plan expands upon the vision of the sub-area land use designations provided in the General Plan (SSA, OTSA, and MUSA) for each of the three corridors within the Specific Plan. The document establishes the allowable land uses and development standards within each of the three corridors. Development standards include the establishment of standard and special building height requirements, provision of height exceptions, building placement/setback requirements, allowed frontage types, allowed building types, and allowable parking types. Where a standard is not addressed in the Specific Plan, the standard from the Zoning Ordinance would apply. Where there are conflicts in allowable uses and standards between the Specific Plan and Zoning Ordinance, the Specific Plan would govern.

Development Standards

In general, the City's Zoning Ordinance (Title 17 of the Pinole Municipal Code) establishes development standards for new development, such as densities, height, parking, and setbacks, to implement the development envisioned in the General Plan. The Three Corridors Specific Plan contains development standards applicable when a property is located within the Specific Plan area. As with other cities, Pinole's development standards and requirements are intended to protect the long-term health, safety, and welfare of the community while implementing the goals and policies of the General Plan and Specific Plan. Table 55

Height Limits

The City has one type of height limit in residential districts: a maximum height measured from finished grade to the top of the roof or parapet walls. Height limits in the R, R-1, R-2, and R-3 is 35 feet and 20 feet in the LDR district. For the R-4 and mixed-use zones (RMU, CMU, OIMU), the height limit is 50 feet. The height limits do not constrain development from reaching their prescribed General Plan densities.

For development located within the Three Corridors Specific Plan area, the height standards are based on the corridor and the sub-area designation, as provided in Table 54.

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Table 54: Three Corridors Specific Plan Height Standards

Corridor	Sub-Area		
	Old Town	Mixed Use	Service
San Pablo Avenue*	40 feet or 3 stories	50 feet or 4 stories	50 feet or 4 stories
Pinole Valley Road*	40 feet or 3 stories	50 feet or 4 stories	n/a
Appian Way**	n/a	35 feet or 4 stories	75 feet or 6 stories

* Step back at a 45 degree angle above the second story when adjacent to single family home/zone with 35 foot height limit, or above the third story when across the street from single family home/zone with 35 foot height limit or less.

** Height is limited to 35 feet where development is located within 60 feet of an existing single family home or zone with a height limit of 35 feet or less.

Setbacks

All residential zones have setbacks, which are the minimum distances between a structure and a lot line. Setbacks in Pinole vary between the residential zones depending on density. The lower density (LDR and R-1) zones are largely uniform, with 20-foot front setbacks, 5- to 10-foot side setbacks, and 20-foot rear setbacks. The medium to higher density (R-2, R-3, R-4) have 0-foot front setbacks, 5-foot side setbacks, and 15-foot rear setbacks. Mixed use zones (RMU, CMU, OPMU, and OIMU) have 0-foot front and side setbacks with 15-foot rear setbacks, with OPMU and OIMU having 10-foot side setbacks. While all setbacks reduce the amount of land that is developable on a site, the setbacks do not constrain projects from reaching the maximum housing density in a zone.

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Table 55: Primary Building Development Standard for City of Pinole Base Zoning Districts

District	Lot Area (min sq ft)	Setback (minimum distance between structure and property line)					Building Height (max ft)	Allowed Density (units/acre)	
		Front Yard	Side Yard	Side Yard for Second Story	Street Side Yard	Rear Yard		Min	Max
R	5 ac. ¹	30	15	15	20	30	30	15	15
LDR	43,560	20	10 ²	15	15 ⁴	20 ⁴	20	10 ²	15
R-1	6,000	20	5 ³	12	10 ⁴	20 ⁴	35	5 ³	12
R-2	3,000	0	5	10	10	15	35	5	10
R-3	1,500	0	5	5	10	15 ⁵	35	5	5
R-4	N/A	0	5	5	10	15 ⁵	50	5	5
RMU	N/A	0	0	0	10	15 ⁵	50	20.1	35.0
CMU	N/A	0	0	0	10	15 ⁵	50	20.1	30.0
OPMU	N/A	0	10	10	10	15 ⁵	50	N/A	N/A
OIMU	N/A	0	10	10	10	15 ⁵	50	N/A	N/A

Source: City of Pinole Municipal Code 17.24.020

Notes:

1. The approving authority may approve lots less than five (5) acres in size and reduced setbacks for clustering of units to preserve open space or other resources as part of comprehensive design review.
2. The combined side yard setbacks shall not be less than twenty (20) feet.
3. Within required side yards, at least one (1) side shall provide four (4) feet of unobstructed surface to allow unobstructed access between the front and rear yards.
4. Listed setback distance or twenty percent (20%) of lot width in side yard and twenty percent (20%) of lot depth in rear yard, whichever is less.
5. If abutting non-residential property, there is no minimum rear yard setback.

For development located within the Three Corridors Specific Plan area, setback standards are based on the corridor and the sub-area designation, as provided below.

Table 56: Three Corridors Specific Plan Setback Standards

Corridor	Setback	Sub-Area		
		Old Town	Mixed Use	Service
San Pablo Avenue*	Build to Front Line	0-5 feet	0-10 feet	0-5 feet
	Minimum Side Yard	0 feet, except 15 feet if abutting residential	0 feet, except 15 feet if abutting residential	0 feet, except 15 feet if abutting residential
	Minimum Rear Yard	5 feet, except 15 feet if abutting residential	0 feet, except 15 feet if abutting residential	0 feet, except 15 feet if abutting residential

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Corridor	Setback	Sub-Area		
		Old Town	Mixed Use	Service
Pinole Valley Road*	Build to Front Line	0-5 feet	n/a	0-5 feet
	Minimum Side Yard	0 feet, except 15 feet if abutting residential	n/a	0 feet, except 15 feet if abutting residential
	Minimum Rear Yard	5 feet, except 15 feet if abutting residential	n/a	0 feet, except 15 feet if abutting residential
Appian Way**	Build to Front Line	n/a	0-10 feet	0-5 feet
	Minimum Side Yard	n/a	0 feet, except 20 feet if abutting residential	0 feet, except 20 feet if abutting residential
	Minimum Rear Yard	n/a	0 feet, except 20 feet if abutting residential	0 feet, except 20 feet if abutting residential

* Step back at a 45 degree angle above the second story when adjacent to single family home/zone with 35 foot height limit, or above the third story when across the street from single family home/zone with 35 foot height limit or less.

** 35 foot height limit within 60 feet of side or rear property line when adjacent to single family home/zone with 35 foot height limit.

Parking

The Pinole Municipal Code Chapter 17.48 establishes parking standards for various types of land uses, including residential development. High parking requirements can reduce the potential land available for development and increase the cost of development. The minimum parking requirements for residential developments in Pinole are shown in Table 57. Chapter 17.48 also provides for reduced parking and shared parking through the Conditional Use Permit process with approval by the Planning Commission. The parking requirements for Pinole have not been a constraint to multi-family and below market-rate developments. In particular, larger multifamily projects have been subject to the City's inclusionary housing requirements and have been eligible for reduced parking under State Density Bonus law. Additionally, the context of some development projects (e.g., senior housing development with reduced parking need or location of a project allowing for shared parking) have allowed for further flexibility in meeting parking need unique to specific characteristics of a project. The parking requirements have not been a constraint to residential development.

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Table 57: Parking Requirements by Land Use

Land Use Type	Required Parking Spaces	
Residential Uses	Boarding and Rooming Houses	1 space per family (based on designed capacity) plus 0.8 spaces/employee during the peak employment shift and 0.8 spaces per full-time resident staff
	Dwelling, Single-Family - studio	1 space per dwelling unit (garage enclosed or covered)
	Dwelling, Single-Family - one bedroom	2 spaces per dwelling unit (garage enclosed or covered), tandem parking spaces permitted
	Dwelling, Single-Family - two to four bedrooms	2 spaces per dwelling unit (1 space must be garage enclosed or covered), tandem parking spaces permitted in Old Town
	Dwelling, Single-Family - five or more bedrooms	3 spaces per dwelling unit (2 spaces must be garage enclosed or covered and accessed independently; the third space may be tandem)
Dwelling, Multiple-Family	Studio units	1 space per dwelling unit (garage enclosed or covered) plus 0.3 spaces per dwelling unit for visitor parking
	One-bedroom units	1.5 spaces per dwelling unit (1 space must be garage enclosed or covered) plus 0.3 spaces per dwelling unit for visitor parking
	Two+ bedroom units	2 assigned spaces per dwelling unit (1 space must be garage enclosed or covered) plus 0.3 spaces per dwelling unit for visitor parking
Accessory Dwelling Unit	1 space per bedroom or ADU, whichever is less, except parking may be waived as provided in Chapter 17.70, Accessory Dwelling Units and Junior Accessory Dwelling Units	
Senior units, studio, one- and two-bedroom units	1 space per dwelling unit	
Senior units, three + bedroom units	1 space per dwelling unit plus 1 additional off-street space	
Mobile Home Park	2 parking spaces per home site	

Source: City of Pinole Municipal Code 17.48.050

Inclusionary Housing Requirements

Pinole Municipal Code Chapter 17.32.02 stipulates that, for all rental or ownership developments of four or more units, at least 15 percent of the total units must be constructed and offered for sale or rent as affordable housing units. Of those units, no less than 40 percent (or 6 percent of the total) must be made available to very low-income households.

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Incentives for constructing affordable housing may include density bonuses, fee subsidies or deferrals, and design incentives as follows:

1. Density Bonus. Consistent with California Government Code Sections 65915 through 65918, qualifying projects can receive a density bonus by right.
2. Fee Subsidy or Deferral. The City Council may subsidize or defer payment of city development impact fees and/or building permit fees applicable to the affordable housing units or the project of which they are a part. The affordability control covenant shall include the terms of the fee subsidy or deferral.
3. Design Modifications. The granting of design modifications relative to affordable housing requirements shall require approval of the City Council and shall meet all applicable zoning requirements of the city. Modifications to typical development standards may include the following:
 - a. Reduced minimum setbacks;
 - b. Reduced minimum building separation requirements;
 - c. Reduced square footage requirements;
 - d. Reduced parking requirements;
 - e. Reduced minimum lot sizes and/or dimensions;
 - f. Reduced street standards;
 - g. Reduced on-site open space requirements;
 - h. Increased height limitations;
 - i. Increased maximum lot coverage;
 - j. Increased floor area ratio;
 - k. Allowance for live-work units within multi-family residential zoning districts;
 - l. In lieu of reduced setbacks, allowance for attached dwelling units, if shown to be necessary to make the project feasible; or
 - m. Other regulatory incentives or concessions proposed by the developer or the city that result in identifiable, financially sufficient, and actual cost reductions.
 - n. Priority Processing. After receiving the required discretionary approvals, the residential development that provides affordable housing units may be entitled to priority processing of building and engineering approvals, subject to the approval of the City Manager.

The City does not collect in-lieu fees through the City's inclusionary requirement, it utilizes an incentive based approach to achieving affordable housing on-site. An alternative method of compliance is the construction of affordable units at an off-site alternative location. As a part of Program 6, the City will study the possibility of adopting a set of in-lieu fees.

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Density Bonus

The City's Zoning Ordinance includes a provision for granting density bonuses as an incentive for the production of affordable housing in Section 17.38.020. The City's Density Bonus provision within the Municipal Code is not up to date with the latest updates to California Government Code 65915. Where development is proposed that is eligible for density bonuses and their associated waivers and incentives under State Law, the provisions under California Governmental Code Section 65915 are applied to the project.

As part of Program 11, the City will update the Zoning Ordinance to reflect the latest provisions set forth in California Government Code 65915.

Providing for a Variety of Housing Types

Table 58 shows the allowed uses in residential zones in the Zoning Code. As discussed in the next section, accessory dwelling units and junior accessory dwelling units are allowed in all residential zoning districts under Section 17.20.020 of the City's Zoning Ordinance. Single-family residential zoning includes six districts: R, LDR, R-1, R-2, R-3, and RMU. Single-family dwellings are permitted as a matter of right in most multifamily residential districts except R-4 and is only allowed in one mixed-use district (RMU).

Multifamily residential zoning includes R-1, R-2, R-3, R-4, and RMU (Residential Mixed Use), CMU (Commercial Mixed Use), OPMU (Office Professional Mixed Use), and OIMU (Office Industrial Mixed Use) mixed-use districts. Multifamily units are permitted as a matter of right in the R-2, R-3, R-4 districts; they are also permitted in the RMU and CMU districts.

Table 58: Allowed Residential Uses Under the Zoning Code

Land Uses	R	LDR	R-1	R-2	R-3	R-4	RMU	CMU	OPMU	OIMU
Dwelling, Accessory/ Junior Accessory ¹	P	P	P	P	P	P	P	P	P	P
Dwelling, Multifamily	N	N	N	P	P	P	P	P	N	N
Dwelling, Single Family	P	P	P	P	P	N	P	N	N	N
Dwelling, Two-Family	N	N	N	P	P	N	N	N	P	P
Dwelling, Three- and Four-Family	N	N	N	P	P	P	P	P	N	N
Emergency Shelter ²	N	N	N	N	N	N	N	N	N	P
Group Residential	N	P	P	P	P	P	C	C	N	N
Manufactured Home	P	P	P	P	P	P	N	N	P	N
Mobile Home Park	C	C	C	C	C	C	N	N	N	N
Residential Care Facilities	P	P	P	P	P	P	P	P	N	N
Single Room Occupancy Facilities	N	N	N	C	C	C	C	C	N	N

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Land Uses	R	LDR	R-1	R-2	R-3	R-4	RMU	CMU	OPM U	OIM U
Supportive Housing (located in housing of a type permitted in the zone)	P	P	P	P	P	P	P	P	P	P
Transitional Housing ² (located in housing of a type permitted in the zone)	N	P	P	P	P	P	P	P	P	P

Source: City of Pinole Municipal Code 17.20.020

Note: P = Permitted; C = Conditionally Permitted; N=Not Allowed

1 See additional regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units in Chapter 17.70.

2 See additional regulations for Emergency Shelters in Chapter 17.62.

Where a property is located within the Three Corridors Specific Plan area, the Specific Plan establishes the list of allowable residential uses based on the corridor, sub-area, and land use/zoning designation. The exhibits below (Table 59, Table 60, Table 61) show the allowable residential uses in the three corridor areas of the Specific Plan. In general, multifamily residential is permitted by right throughout the Specific Plan area with some exceptions such as prohibition on Public Quasi-Public Institutional (PQI) parcels, required Conditional Use Permit approval in OPMU, and limitation of units on the ground floor at street frontages in certain locations. Single family residential is not permitted outside of the Old Town Sub-Area. Second dwelling units (or ADUs/JADUs) are allowed consistent with the locational requirements as provided under the Zoning Code; and the Zoning Code would take precedence over the Specific Plan for any conflicts between the Specific Plan and Zoning Code regarding ADUs/JADUs to maintain consistency with requirements under State law.

Table 59: Permitted Land Uses for San Pablo Avenue

Land Uses	Old Town Sub-Area				Service Sub-Area		Mixed-Use Sub-Area			
	MDR	RMU	CMU	OPMU	CMU	OPMU	VHR	RMU	CMU	OPMU
Dwelling, Multifamily	P	P	P ¹	P ¹	P ¹	P ¹	P	P	P ¹	P ¹
Dwelling, Second Unit	CUP	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²
Dwelling, Single-family	P	P	N	N	N	N	N	N	N	N
Dwelling, Two-family	P ³	P ³	N ³	N	N	N	N	N	N	N
Family Day Care Home, Small (6 children or less)	P	P	P	P	P ³	P ³	P	P	P ³	P
Family Day Care Home, Large (7 – 24 children)	P ⁴	P ⁴	P ⁴	P ⁴	P	P	P	P	P	N
Home Occupation	P	P	P	P	P ⁴	P ⁴	P ³	P ³	P ⁴	P
Live-Work Facility	P	P	P	P	P	P	N	P	P	P

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Land Uses	Old Town Sub-Area				Service Sub-Area		Mixed-Use Sub-Area			
	MDR	RMU	CMU	OPMU	CMU	OPMU	VHR	RMU	CMU	OPMU
Residential Care Home	CUP	P	P	P	CUP	CUP	CUP	P ⁴	CUP ¹	CUP ¹
Emergency Shelter/ Temporary Home	N	N	N	N	CUP ¹	CUP ¹	CUP	N	CUP ¹	CUP ¹

1 Not allowed on first floor at street frontage, except for residential development on a property with an affordable housing agreement and when that development includes community benefits as specified in the General Plan.

2 See Multi-Family Residential

3 Not permitted if the same use is preexisting and within 200'

4 Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

Table 60: Permitted Use Table for Pinole Valley Road

Land Uses	Old Town Sub-Area			Service Sub-Area	
	MDR	HDR	CMU	CMU	OPMU
Dwelling, Multifamily	P	P	P ¹	P ¹	P ¹
Dwelling, Second Unit	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²
Dwelling, Single-family	P	N	N	N	N
Dwelling, Two-family	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²
Family Day Care Home, Small (6 children or less)	N	P	P	P ³	P ³
Family Day Care Home, Large (7 – 24 children)	CUP ⁴	CUP ⁴	CUP ⁴	P	P
Home Occupation	N	P	P	P ⁴	P ⁴
Live-Work Facility	P	P	P	P	P
Residential Care Home	CUP	P	P	CUP ¹	CUP ¹
Emergency Shelter/ Temporary Home	N	N	N	CUP ¹	CUP ¹

1 Not allowed on first floor at street frontage

2 See Multi-Family Residential

3 Not permitted if the same use is preexisting and within 300'

4 Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

Table 61: Permitted Use Table for Appian Way

Land Uses	Service Sub-Area			Mixed-Use Sub-Area		
	RMU	CMU	OPMU	HDR	RMU	CMU
Dwelling, Multifamily	P	P	P ¹	P	P	P ¹
Dwelling, Second Unit	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²
Dwelling, Single-family	N	N	N	N	N	N
Dwelling, Two-family	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²	N/A ²

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Land Uses	Service Sub-Area			Mixed-Use Sub-Area		
	RMU	CMU	OPMU	HDR	RMU	CMU
Family Day Care Home, Small (6 children or less)	P ³	P ³	P ³	P ³	P ³	P ³
Family Day Care Home, Large (7 – 24 children)	CUP	CUP	CUP	N	CUP	CUP
Home Occupation	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Live-Work Facility	P	P	P	P	P	P
Residential Care Home	CUP	CUP ¹	CUP ¹	CUP	CUP	CUP ¹
Emergency Shelter/ Temporary Home	N	N	N	N	N	N

1 Not allowed on first floor at street frontage

2 See Multi-Family Residential

3 Not permitted if the same use is preexisting and within 300'

4 Home occupations must have no external evidence of business activity, (e.g. signs, noise, odor, vibration, etc.) or reduce available parking. No customers or employees are allowed at the home and no advertising which gives the home address is allowed.

Accessory Dwelling Units

Accessory dwelling units (ADU) and junior accessory dwelling units (JADU) are attached or detached dwelling units that provide complete independent living facilities for one or more persons and are located on a lot with a proposed or existing primary residence. ADUs provide additional housing opportunities for people of all ages and economic levels. The City of Pinole allows and regulates ADUs and JADUs in Chapter 17.70 of the Municipal Code and in compliance with California Government Code Sections 65852.2 and 65852.22. ADUs are permitted on lots with an existing or proposed single-family or multifamily residence, subject to a ministerial approval process through building permit plan check review.

The City will continue to update the ADU ordinance as necessary and work with the state to ensure compliance with state law as part of its ADU production program (Program 4), which includes efforts to spur the development of affordable housing through the construction of ADUs. The City is also creating a Home Sharing and Tenant Matching Program to help senior residents age in place and encourage ADU and JADU development (Program 10).

Senate Bill 9

Effective January 1, 2022, Senate Bill (SB) 9 requires ministerial approval of a housing development with no more than two primary units in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. SB 9 facilitates the creation of up to four housing units in the lot area typically used for one single-family home. The City has not received any SB9 applications as of October 2022 but has seen some interest from homeowners. Promotion of SB9 opportunities in the City is included as a part of Program 22.

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The City has not adopted an SB9 ordinance or objective standards. The City will amend the zoning ordinance in Program 11 to reflect the provisions of California Government Code Section 65852.21.

Emergency Shelters

An emergency shelter is housing with minimal supportive services for unhoused persons that is limited to occupancy of 180 days or less per calendar year by an unhoused person. No individual or household may be denied emergency shelter because of an inability to pay.

The City's emergency shelter requirements are provided in Article IV Special Use Standards of the Zoning Ordinance. Pursuant to SB 2, the City of Pinole permits emergency shelters by right without discretionary review in the Three Corridors Specific Plan Office Industrial Mixed Use (OIMU) zone.

The Zoning Ordinance permits emergency shelters by right in the OIMU zone subject to the same development and management standards as other permitted uses in the zone. In addition, the following requirements regulate future emergency shelters to enhance compatibility (Chapter 17.62):

- Emergency shelters of more than ten persons shall be situated more than 300 feet from another emergency shelter.
- A maximum of 30 beds shall be available in the facility, unless a conditional use permit is approved for a greater number. The maximum number of beds does not apply in situations of City- or statewide designated disasters or catastrophic conditions.
- Smoke detectors, approved by the Fire Department, shall be provided in all sleeping and food preparation areas for emergency shelters.
- The size of an emergency shelter shall be in character with the surrounding neighborhood.
- The emergency shelter shall have an interior, on-site waiting and client intake area that is a minimum of 200 square feet. The emergency shelter shall include a landscaped exterior waiting area that is a minimum of 100 square feet.
- Off-street parking shall be provided at the rate of one space per three beds plus one space per employee, and may only be required based on demonstrated need, provided that the same parking requirements are applied for other residential or commercial uses in the same zone.
- Exterior lighting shall be consistent with Zoning Code requirements.
- Emergency shelters shall provide on-site management and support staff at all times during shelter use.
- Emergency shelters must have on-site security during the hours that the shelter is in operation.

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Assembly Bill 139 (2019) modified the allowed parking standards for emergency shelters. The City may now only require parking to meet the needs of staff working at the shelter and may not impose any standards based on the number of beds or persons served. The City's existing ordinance requires three parking spaces for every shelter bed plus one employee, which is not reflective of recent changes to state law. The City is including Program 11 to amend the Emergency Shelter ordinance to comply with AB 139. The City will also review the other standards for emergency shelters to verify that they are required for all other uses in the zone and are not unique to emergency shelters beyond those allowed by state law.

Pinole has 35.4 acres of land zoned OIMU, all of which is located in the northwestern area of the City along San Pablo Avenue. Emergency shelters in land zoned OIMU allows for proximity to public transit, employment centers and some commercial amenities and resources along one of the City's major commercial throughfare. Building in the OIMU zone may have heights up to 50 feet and no front yard setbacks. Required setbacks include 10-foot side and 15-foot rear setbacks. The OIMU standards will not preclude or constrain the development of emergency shelters.

The latest homeless point-in-time count indicated that there are 53 unsheltered homeless individuals living in Pinole; the City needs to ensure that at least 1,400 sf of floor area could be available for emergency shelter development or conversion. Based on a review of the City's standards and shelter need, there are 5.6 acres of vacant land and multiple underutilized lots in the OIMU zone that meet the requirements and can accommodate the City's shelter need.

Low Barrier Navigation Centers

Low barrier navigation centers (LBNC) are service-enriched shelters that are focused on moving individuals into more permanent housing. LBNCs provide temporary housing while case managers connect individuals experiencing homelessness to shelter, public benefits, and health services. Under the Housing for Homeless Act (2019), local governments are required to allow LBNCs by right in areas zoned for mixed uses and nonresidential zones that permit multifamily uses.

Pinole does not currently explicitly allow LBNCs in any zone, though this would not prevent their development if an application for one were received. Through Program 11, the City will amend its zoning code pursuant to Government Code Section 65583 to allow for LBNCs by right in areas zoned for mixed uses and nonresidential zones that permit multifamily uses.

Manufactured Homes

The permitting of modular, or manufactured, housing on foundations is subject to the same development standards as conventional single-family units, consistent with Government Code Section 65852.3. The City of Pinole permits modular homes by right in all residential zones that permit single-family dwellings by right except in the Residential Mixed Use (RMU) district. As part of the zoning code amendment program, Program 11, the City will amend

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the zoning code in RMU to permit manufactured homes on permanent foundations as if they were single-family homes.

Supportive and Transitional Housing

Supportive or transitional housing that serves up to six individuals is allowed by right in all residential zones except in the Rural (R) zone. Supportive or transitional housing that serves more than six individuals, provides on-site services, and is licensed by the state as a group home. While the City allows these uses by right in most cases, the City does not have objective design standards for these types of homes to add certainty to the development process. As part of Program 12, the City will create and adopt objective development standards.

Single-Room Occupancy Units

Single-room occupancy (SRO) residences are small, one-room units occupied by a single individual, and may either have a shared or private kitchen and bathroom facilities. SROs are rented on a monthly basis, typically without a rental deposit, and can provide an entry point into the housing market for extremely low-income, formerly unhoused, and disabled persons. SRO units are allowed in five multifamily zones upon the granting of a conditional use permit. There is no potential constraint on the development of SRO residences.

Development Review and Permitting Procedures

The efficiency and timing of a jurisdiction's processes for review and approval of residential development has a significant impact on the amount and pace of housing construction. The procedures for development review and permitting in the City of Pinole are described below.

Permit Processing Procedure

The requirements of the permit processing procedure have the potential to act as a constraint to the development of housing. The time and uncertainty of the review and revision cycle can contribute significantly to the overall cost of the project, ability to obtain and maintain funding, and the cost of each dwelling unit. Certainty and consistency in permit processing procedures and reasonable processing times are important to ensure that the developmental review and approval process does not act as a constraint to development by adding excessive costs or discouraging housing development.

Permitted uses are those uses allowed without discretionary approval of the use. In general, residential uses are either permitted by right or not permitted, with some exceptions. Therefore, discretionary review based solely on allowing a residential use is uncommon. Discretionary review is more typical for the physical development or modification of a residential structure.

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Design Review is the discretionary review process through the Planning Division to review proposed residential development and modifications, and it is separated into Administrative Design Review and Comprehensive Design Review. Administrative Design Review is the staff-level review process applicable to single family residential additions. Comprehensive Design Review requires approval by the Planning Commission and encompasses all new residential developments.

The Zoning Code provides for certain variances or reductions in standards with discretionary review. The discretionary review processes allow for consideration of certain deviations from standards following consideration by the Community Development Director or the Planning Commission and determination that findings in the municipal code have been met. For single family residential structures, minor deviations for limited modification of maximum height by 10 percent and setbacks by 5 percent may be approved by the Community Development Director following a public hearing. Parking reductions may be granted through a Conditional Use Permit approved by Planning Commission. For other types of deviations from standards, a variance may be requested for consideration by the Planning Commission. Although discretionary review may extend the time required for application processing, they provide flexibility where warranted by special circumstances applicable to a project and for which there may be no other remedy. In some instances, a Conditional Use Permit or Variance may be processed concurrently with another entitlement request such as Comprehensive Design review that also requires discretionary review.

City staff conducts preliminary reviews to assist applicants prior to application submittal at no additional cost. This allows staff and the prospective applicant to identify important project issues early in the development review process. Further, the City has prepared Residential Design Guidelines to clarify City expectations for proposed new residential development, which can assist applicants prior to application submittal. ADUs, interior remodels and minor exterior modification, such as reroofs, siding work, and deck work, are only subject to ministerial review through the building permit plan check process and involve short processing times; these approvals may be issued over the counter or typically within four to six weeks depending on completeness of the submittal, the extensiveness of comments, and the responsiveness of applicants. A single family residential addition requiring Administrative Design Review is normally processed between six to eight weeks depending on the completeness of the application; approval can typically be provided within three to four weeks following determination that the application is complete. New development requires Comprehensive Design Review, which applies to new single family residences and larger multifamily residential structures. A new single family residence may require three to four months to process depending on application completeness, responsiveness to comments and resubmittals, public noticing requirements, and scheduling of public hearings. Multifamily developments generally require longer review times due to the complexity of the projects, which can range from four months to a year (or longer), especially if more extensive studies are required due to the scale of development, site constraints, and potential impacts. Whenever possible, the City processes all project

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applications concurrently in order to maximize the efficiency of processing and save time and cost for both the City and the developer.

Permit Processing Time

New residential additions and development projects in the City are required to complete the design review process, either by staff-level review or by review with a Planning Commission hearing. Table 62 shows the typical permit processing time for development that is consistent with the City's General Plan, Zoning Ordinance, and Residential Design Guidelines. Multifamily projects in the R-3 and R-4 zones and permitted areas within the Three Corridors Specific Plan are subject to Comprehensive Design Review. All single-family subdivisions require tentative and final map approvals. A project that is not consistent with the City's zoning and land use regulations could require additional approvals, such as a rezoning, General Plan amendment, or a variance when warranted.

The average length of time for discretionary approvals is at least four months for multifamily developments or a single-family subdivision. A General Plan amendment or rezoning could add another 30 to 60 days to the process as each require City Council approval. Large complex projects impose a lengthier review process, largely due to the environmental review process. The amount of time required to complete environmental review of a project depends greatly on the size, scope, and location of the project, the environmental issues under review, and the extent of public comment received. Program 5 includes reviewing and updating as necessary the EIR prepared for the GP and Specific Plan so that individual projects can use it for their environmental documentation, and not have to prepare individual studies and reports. This will speed up the review/approval process and greatly reduce costs for the applicant.

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Table 62: Typical Permit Processing Time by Project Type

Permit Type	Length of Approval	Approval Body
Building Permit	4–6 weeks	Issued by Building Department
Conditional Use Permit	12–15 weeks	Planning Commission
Variance	12–15 weeks	Planning Commission
Subdivision/Tentative Tract Map	15–26 weeks	Planning Commission
Final Tract/Parcel Map	15–26 weeks	Planning Commission
Zone Change/Zoning Amendment	15–26 weeks	City Council
General Plan Amendment	15–26 weeks	City Council
Administrative Design Review	4–8 weeks	Community Development Director
Comprehensive Design Review (Single Family)	12–15 weeks	Planning Commission
Comprehensive Design Review (Multifamily)	15–52 weeks	Planning Commission
Environmental Review	4–52 weeks	Varies by Project

Planning, Building, and Development Impact Fees

Housing developments are typically subject to three types of fees: planning-related fees, building permit fees, and development impact fees. The fees are charged by the City and other agencies to cover administrative processing costs associated with development and help ensure the provision of adequate services.

Fees vary based on the type of application necessary for project approvals. The processing fees are passed on in the rent or sales price, so excessive fees may ultimately affect the affordability of housing. It is best practice to periodically conduct user fee studies to ensure the City is recouping the cost of providing services in areas for which fees apply. On June 21, 2022, the Pinole City Council approved modifications and increases to the Building, Planning, Code Enforcement and Public Works user fees. The adoption of new fees was a culmination of a fee study evaluating internal costs necessary to maintain City operations, including provision of services required for processing development applications, and ensuring fees are within a reasonable range with respect to those charged by other jurisdictions. This was the final step in accomplishing a Strategic Plan objective to conduct a comprehensive fee study to ensure cost recovery of current and potential service fees. The most current fee schedule is available on the City's website. Planning-related fees for the City of Pinole are shown in Table 63.

On average, fees for a single-family development are comparable to the surrounding jurisdictions in Contra Costa County and represent a reasonable level of fees necessary to retain the quality of development and infrastructure that characterizes the City's standards. The average fee is also comparable for multifamily units. Fees may represent a barrier to the

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construction of housing because they increase the minimum costs of a dwelling unit and are passed onto the purchaser or renter. However, as the City's fees are not excessive, and the City has seen housing production during the 5th Cycle, these development fees do not constitute actual constraints on the production of housing.

Table 63: Planning Related Fees

Applications	Fee
Design Review	
Administrative Design Review: Single family residential additions; additions of less than 500 sf for multifamily and nonresidential	\$725
Comprehensive Design Review – Small New single-family residence; new multifamily building with 2 to 4 units; multifamily and nonresidential additions 500 to 5,000sf	\$3,700
Comprehensive Design Review – Medium New multifamily building with 5 to 10 units; multifamily and nonresidential additions 5,001 to 10,000sf	\$9,941
Comprehensive Design Review – Large New multifamily building of 10 or more units; new nonresidential buildings; multifamily and nonresidential additions greater than 10,000sf	\$20,000 Deposit; \$14,000 Minimum Fee
Conditional Use Permits (CUP)	\$5,186
Prezoning / Annexation	\$20,000 Deposit; \$14,000 Minimum Fee
Rezoning / Zoning Code Amendment (Includes Map and Text	\$9,460
Minor Development Plan Amendment	\$430
General Plan Amendment	\$10,000 Deposit; \$7,000 Minimum Fee
Specific Plan Amendment	\$10,000 Deposit; \$7,000 Minimum Fee
Subdivision / Tentative Map	
Minor Subdivision / Parcel Map (4 Lots or Less)	\$5,000 Deposit; \$3,500 Minimum Fee
Major Subdivision / Tract Map (5 or More Lots)	\$7,500 Deposit; \$5,000 Minimum Fee
Final Map	
Parcel Map	\$5,000 Deposit; \$3,500 Minimum Fee
Tract Map	\$7,500 Deposit; \$5,000 Minimum Fee
Variance	
Minor Deviation	\$660
Single Family Variance	\$1,1650

Source: City of Pinole

The City of Pinole provides a fee schedule for the development impact fees per use. Development impact fees add to the cost of residential development. However, they can be a cost-effective mechanism for financing the new infrastructure (e.g., water, sewer, roads)

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required to support new development. The fees allow for the consolidation of infrastructure projects when it is more cost-effective to do so and, by law, must be linked to the actual impact of the specific project.

The City of Pinole imposes a number of development impact fees, including for public facilities and equipment, wastewater development, parks and recreation development, transportation, police, fire protection, and drainage development. Typically, fees for higher-density residential are lower than those for lower-density residential. Development fees for the City of Pinole are shown in Table 64. The City will be reviewing its development impact fees by the end of 2023.

Table 64: Development Impact Fees, Per Unit

Fee Type	Single Family	Multi-Family
Police	\$1,148.95	\$870.42
Fire Protection	\$1,468.25	\$1,112.31
Public Facilities & Equipment	\$1,981.29	\$1,500.98
Wastewater	\$4,943.00	\$3,707.00
Transportation	\$414.83	\$294.53
Drainage	\$1,104.82	\$66.29
Parks and Recreation	\$8,013.78	\$6,071.05

Source: City of Pinole

School Fees

In addition to the costs above, the West Contra Costa Unified School District charges development fees. The entirety of Pinole is served by the West Contra Costa Unified School District. As of 2020, the residential development fees for the school district are \$4.08 per square foot. The City does not have control over these fees, but the fees have not constrained the development of housing in recent years.

County Transportation Impact Fee

West County Subregional Transportation Mitigation Program (STMP) is managed by the West Contra Costa Transportation Advisory Committee (WCCTAC) to mitigate the heavy regional traffic impacts in the county and includes an impact fee assessed for new development. The City collects the STMP fee on behalf of WCCTAC for new developments, with fees assessed based on the number and type of units. For FY 2022-2023, the STMP fee is \$6,458 for a new single family residence and \$3,181 for each multifamily residential unit. The City does not have control over these fees, but the fees have not constrained the development of housing in recent years.

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SB 35 Approval Procedure

SB 35 (2017) requires a Streamlined Ministerial Approval Process for developments in jurisdictions that have not made sufficient progress toward their Regional Housing Needs Allocation.

The City of Pinole has not received any SB 35 applications. Should the City receive an SB 35 application, it will follow the below permitting procedure from the Streamlined Ministerial Approval Process guidelines outlined by the California Department of Housing and Community Development.

- After receiving a notice of intent to submit an application for a Streamlined Ministerial Approval Process, and prior to accepting an application for a Streamlined Ministerial Approval process, the City will complete the tribal consultation process outlined in Government Code Section 65913.4(b).
- The City will perform a determination of consistency with regard to objective zoning, subdivision, and design review standards.
- The City will perform a determination of consistency with density requirements.
- The City will complete the design review within the following timeline:
- Within 60 calendar days of submittal of the application to the City if the development contains 150 or fewer housing units.
- Within 90 calendar days of submittal of the application to the City if the development contains more than 150 housing units
- The City will determine whether the applicant for Streamlined Ministerial Approval complies with requirements, and will approve or deny the application, within the following timeline:
- Within 90 calendar days of submittal of the application to the City if the development contains 150 or fewer housing units
- Within 180 calendar days of submittal of the application to the City if the development contains more than 150 housing units.

Should the City receive an SB 35 application, the City will facilitate the above process and will support any future applicants and provide information regarding the SB 35 permitting process on the City website.

Housing for Persons with Disabilities

The US Census Bureau defines persons with disabilities as those with a long-lasting physical, mental, or emotional condition. Certain conditions affect a person's housing choices, whether it creates a need for accessibility, living spaces for caretakers, transit access, or other.

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Reasonable Accommodation Procedures

Pinole's Municipal Code includes specific provisions to facilitate reasonable accommodation for individuals with disabilities. Section 17.12.050 specifies that "in order to make specific housing available to an individual with a disability, a disabled person or representative may request reasonable accommodation relating to the various land use, zoning, or rules, policies, practices, and/or procedures of the City." When a request for reasonable accommodation is filed with the Community Development Director, it will be reviewed and considered as a ministerial action unless determined otherwise by the Community Development Director. A request for reasonable accommodation shall be considered ministerial in nature when it is related to a physical improvement that cannot be constructed to conform to the City's setbacks or design standards. Typical improvements considered to be "ministerial" in nature would include ramps, walls, handrails, or other physical improvements necessary to accommodate a person's disability. The Community Development Director shall issue a written determination of his or her action within 30 days of the date of receipt. If the Community Development Director determines that the request is non-ministerial, he or she will refer it to the Planning Commission, which will hold a public hearing to consider the request.

In making a determination regarding the reasonableness of a requested accommodation, the approving authority must make all of the following findings:

- The housing which is the subject of the request for reasonable accommodation will be used for an individual protected under the Fair Housing Act.
- The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the Fair Housing Act.
- The requested reasonable accommodation does not impose an undue financial or administrative burden on the City and does not fundamentally alter City zoning, development standards, policies, or procedures.

In addition, the Zoning Ordinance allows for reduced parking requirements for housing for persons with disabilities (Section 17.48.060). With the exception of monitoring compliance with building code requirements, which are also governed by the state, the City has no authority to approve or deny group homes of six or fewer people. The City does not restrict occupancy of unrelated individuals in group homes, and, in permitted zones, permits housing for special needs groups without regard to distances between such uses or the total number of uses in the City.

The City complies with the intent of reasonable accommodation requirements and is not determined a constraint for developing multi-family housing.

Definition of a Family

The Pinole Municipal Code Section 17.98.020 defines family (household) as "One (1) or more persons, whether or not related by blood, marriage, or adoption, sharing a dwelling unit in a

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living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs, and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.” This definition is consistent with state law and does not pose a constraint on the development of housing for persons with disabilities.

California Building Code

The City of Pinole has adopted the 2019 California Building Code, with local amendments. The modifications and changes were adopted with recommendation by the City of Pinole Building Official. Modifications and changes are reasonable and necessary due to local climactic, geological, or topographical conditions or are otherwise permitted by state law. Local amendments to the building code can be found in Pinole City Code Chapter 15.04.030 and include changes to definitions, permit issuance conditions, sprinkler system requirements, exterior building materials, and slab thickness. Amendments are minor changes, and no modifications pose constraints to development.

The City will be adopting the 2022 triennial building code update by the end of 2022.

Code Enforcement

The City's Code Enforcement staff responds to potential violations of the Pinole Municipal Code. There is one full time and one seasonal code enforcement officer in the City. Code enforcement is both proactive and reactive in the City. Proactive code cases are opened if violations have to do with health, safety, or welfare. Code Enforcement works in tandem with the City's Building Official to ensure all structures are built with permit and applicable inspections, which ensure health and safety of our constituents

Most housing-related code cases are building without a permit, outdoor storage (debris, miscellaneous “collections” in the front yard and visible from the public right of way/street/sidewalk), and overgrown vegetation/dead trees posing a hazard.

On- and Off-Site Improvements

The City requires on- and off-site improvements for new developments, which are intended to meet health and safety requirements of the community. Residential developers are responsible for constructing road, water, sewer, and storm drainage improvements on new housing sites. Chapter 16.20 General Regulations and Design includes local street rights-of-way and curb-to-curb widths, sanitary sewer and storm drainage lines, street lighting, erosion control, landscaping, and easements. Although it is likely that the costs for the construction of on-site and off-site improvements do have an impact on housing supply and affordability, the requirements are not excessive compared with nearby jurisdictions and are necessary to provide safe transportation access and utility system connections.

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Nongovernmental Constraints

Requests to Develop Below the Anticipated Density

Requests to develop housing at densities below those anticipated in the Housing Element act as a potential constraint to housing development. Over the last housing cycle, the City developed above the densities anticipated for their Cycle 5 Housing Element Opportunity Sites. The projects developed above the anticipated densities are shown in Table 65.

Table 65: 5th Cycle Sites Developed

Site (APN, Address)	Anticipated # of Units	Actual # of Units	Anticipated Density (du/ac)	Actual/ Proposed Density (du/ac)	Identified Site (5 th Cycle)
811 San Pablo Ave (SAHA)	9	33	30	55	Yes
600 Roble (Vista Woods)*	146	179	50	89.1	Yes
2151 Appian Way (Appian Village)*	113	154	30.5	20.9	Yes

*: Cycle 5 Housing Element Opportunity Sites which comprised multiple parcels

Land Costs

Land costs have a demonstrable influence on the cost and availability of affordable housing. Land prices are determined by numerous factors, most important of which are land availability and permitted development densities. As land becomes less available, the price of land increases. According to Contra Costa Association of Realtors in 2022 the average sales price for a single-family detached home is \$828,110 which is up 6.7% from 2021, however closed sales are down 22% from 2021. The average sales price for a townhouse-condo attached home is \$554,909 which is up 22.4% from 2021 with closing sales down 26.7% from 2021.

In Pinole, proximity to the employment centers in Silicon Valley and San Francisco and the scarcity of adequate housing opportunities in western Contra Costa County have influenced upward pressure on land and housing costs.

According to online listings from Zillow.com, in August 2022, there was only one vacant residential parcel listed for sale in the City. This vacant parcel was listed for \$1,500,000. The price of land varies depending on a number of factors, including size, location, the number of units allowed on the property, and access to utilities.

Recent vacant land sold is shown by cost and acreage in Table 66; this does not include sale parcel described above. The price for recent land sold ranges from \$7.34 to \$13.86 per square foot, with an average price of \$9.97 per square foot (or \$434,293 per acre). The City has little control over land costs.

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Table 66: Recent Vacant Lot Sales in Pinole

Acreage	Land Cost	Cost per sq. ft.	Date Sold
0.37	\$223,500	\$13.86	12/28/21
1.00	\$320,000	\$7.34	10/07/21
0.79	\$300,000	\$8.71	05/24/21

Source: Zillow.com, 2022

Construction Costs

Construction costs include the cost of materials and labor. Materials costs include the cost of building materials (wood, cement, asphalt, roofing, pipe, glass, and other interior materials), which vary depending on the type of housing being constructed and amenities provided. In general, construction costs can be lowered by increasing the number of units in a development, until the scale of the project requires a different construction type that commands a higher per square foot cost.

One indicator of construction costs is Building Valuation Data, compiled by the International Code Council (ICC). The unit costs compiled by the ICC include structural, electrical, plumbing, and mechanical work, in addition to interior finish and normal site preparation. The data are national and do not account for regional differences, nor include the price of the land upon which the building is built. The most recent Building Valuation Data, dated February 2022, reports the national average for development costs per square foot for apartments and single-family homes as follows:

- R-2 Residential Multifamily: \$139.06 to \$206.81 per square foot
- R-3 Residential One- and Two-Family Dwelling: \$150.87 to \$192.58 per square foot
- R-4 Residential Care/Assisted Living Facilities: \$175.81 to \$244.45 per square foot

California building costs tend to be higher than national levels. A 2020 study by the Berkeley Turner Center noted that construction costs in the state are highest in the Bay Area, and reached more than \$380 per square foot in 2018.¹⁴

Financing Availability

Interest rates affect homeownership opportunities throughout the City. In August 2022, Freddie Mac's primary mortgage market survey listed interest rates on home loans at 5.13 percent on a 30-year fixed-loan rate. While low interest rates are expected to prolong the availability of financing, low housing inventory can create competition among potential

¹⁴ Turner Center for Housing Innovation. The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California. Marc 2020. https://turnercenter.berkeley.edu/wp-content/uploads/2020/08/Hard_Construction_Costs_March_2020.pdf

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homebuyers, especially for first-time homebuyers. The sales price of housing is typically adjusted for changes in mortgage rates.

Table 67 displays the number of loan applications received in 2020 for the purpose of purchasing a home in the Oakland-Berkeley-Livermore metropolitan statistical area, which includes the City of Pinole. Specifically, the table provides the number of total applicants, the number of originated applications, the number of applications that were approved but not accepted, and the number of applications denied across various types of loans.

Table 67: Disposition of Home Loans, 2020

Loan Type	Total Applicants	Originated	Approved Not Accepted	Denied	Withdrawn / Other
Conventional Purchase	42,938	26,224	1,192	3,120	12,402
Government Backed Purchase	7,847	4,111	242	598	2,896
Home Improvement	8,775	4,487	281	1,796	2,211
Refinance	74,951	37,535	2,136	11,064	24,216
Total	134,511	72,357	3,851	16,578	41,725

Source: lendingpatterns-lite.com, 2020

Federal and State Programs

The City participates with Contra Costa County as part of the Urban County Program for federal Community Development Block Grant (CDBG) and HOME funds. The CDBG program, sponsored by the US Department of Housing and Urban Development (HUD), is a primary source of funds for the county's community development and housing programs. As an eligible Urban County, as defined by HUD, Contra Costa County receives funds annually to carry out CDBG eligible activities. The county directs these funds to housing, economic development, infrastructure improvements, public facilities, and public service projects designed to meet the needs of very low- and low-income persons. The City can also apply directly to the county for CDBG and HOME funds for specific projects.

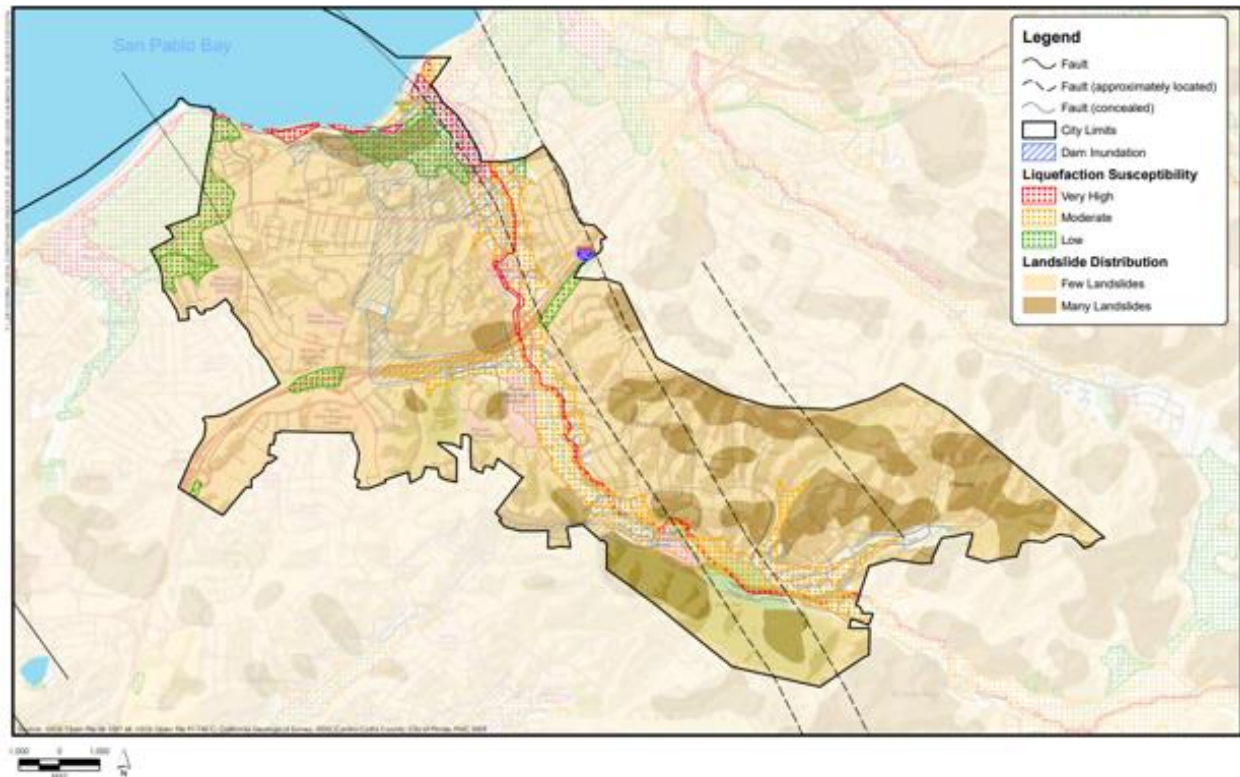
Environmental and Infrastructure Constraints

Environmental hazards affecting housing units include geologic and seismic conditions, soil conditions, flood risk, vegetation and wildlife habitat, toxic and hazardous waste, fire hazards, noise levels, and preservation of agricultural lands. Potential environmental constraints in Pinole include seismic hazards, flooding, and fire hazards. Infrastructure constraints include the availability and cost of water and sewer services. The following hazards may impact future development of residential units in the City and can pose a potential constraint to housing development.

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*Environmental Constraints***Seismic Hazards**

Pinole is located approximately 1.5–3.9 miles northeast of the Hayward fault and the Rodgers Creek/Healdsburg fault zone underneath San Pablo Bay and is also located about 18 to 20

Figure 12: Geological Hazards

miles northeast of the San Andreas fault zone. The Green Valley-Concord fault trend is located approximately 12 miles east of Pinole. Though the San Andreas fault system, which forms the boundary between the North American and Pacific plates, is the principal source of earthquakes in California, given its proximity to Pinole, the Hayward fault poses the greatest seismic threat to the City.

Flooding

The City of Pinole is located in a low flood zone. During heavy rain events and high tides, certain areas of the City may experience some flooding.

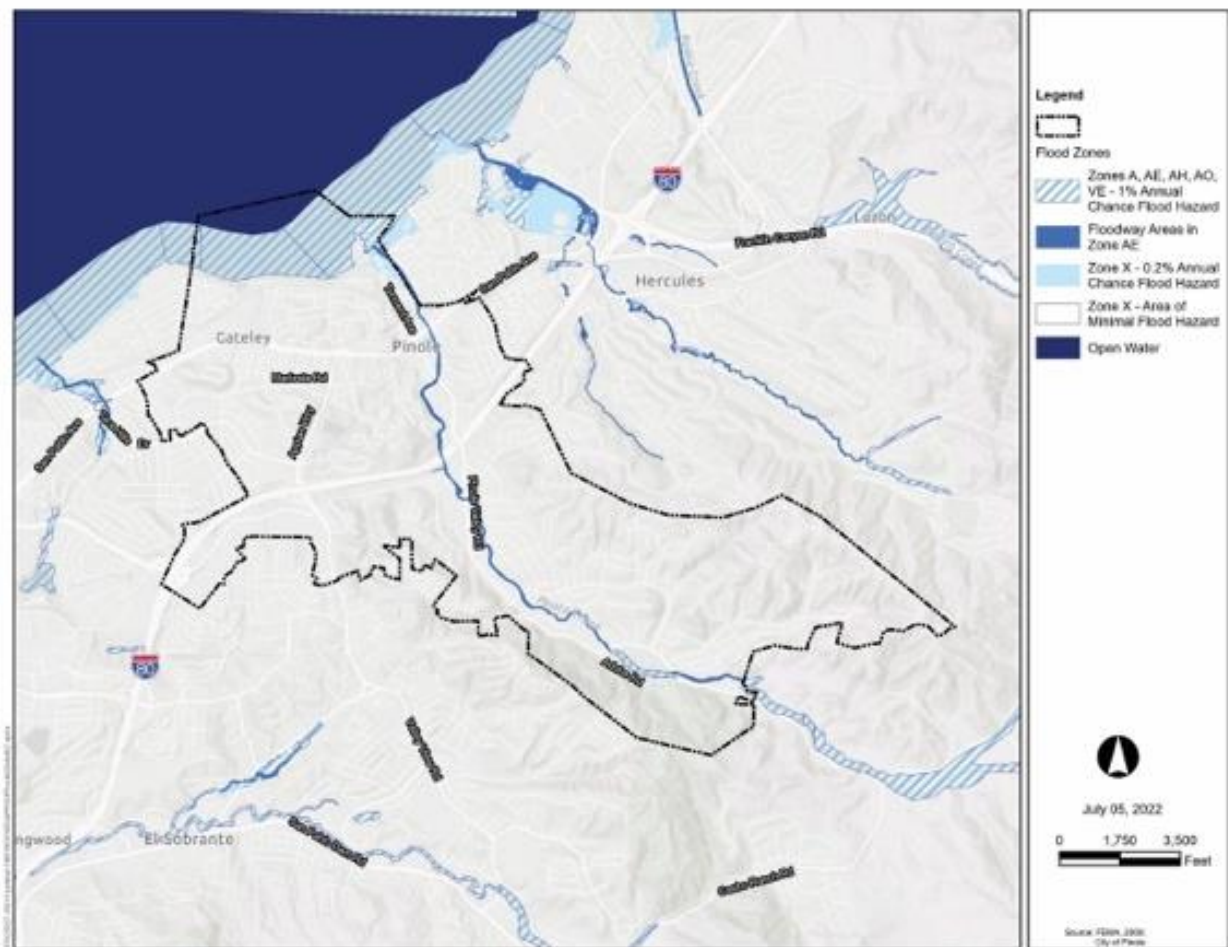
The FEMA National Flood Hazard Map has identified areas in Pinole that are subject to flooding, which are almost entirely located at the San Pablo Bay shoreline and along Pinole Creek- the two surface water features in the City. Coastal flooding of San Pablo Bay would potentially inundate areas along the northern coast of the City. Flood hazard zones have

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been mapped by FEMA that would result in the event of significant storm events. The flood hazard zone associated with San Pablo Bay would only affect the bay coastline area of the City and would not impact developments in the City. The flood zone is categorized as a FEMA 100-year flood hazard zone with a 1 percent annual chance of flooding.

Flood zones associated with Pinole Creek are primarily near San Pablo Bay in the northern area of the creek. The flood zone is categorized as a FEMA 500-year flood hazard zone with a 0.2 percent annual chance of flooding, which results from an extraordinary storm event. Flooding in this area is also unlikely and would not significantly impact critical infrastructure or notable areas within the City. The FEMA flood zones in the City are depicted in Figure 13.

Figure 13: FEMA Flood Zones



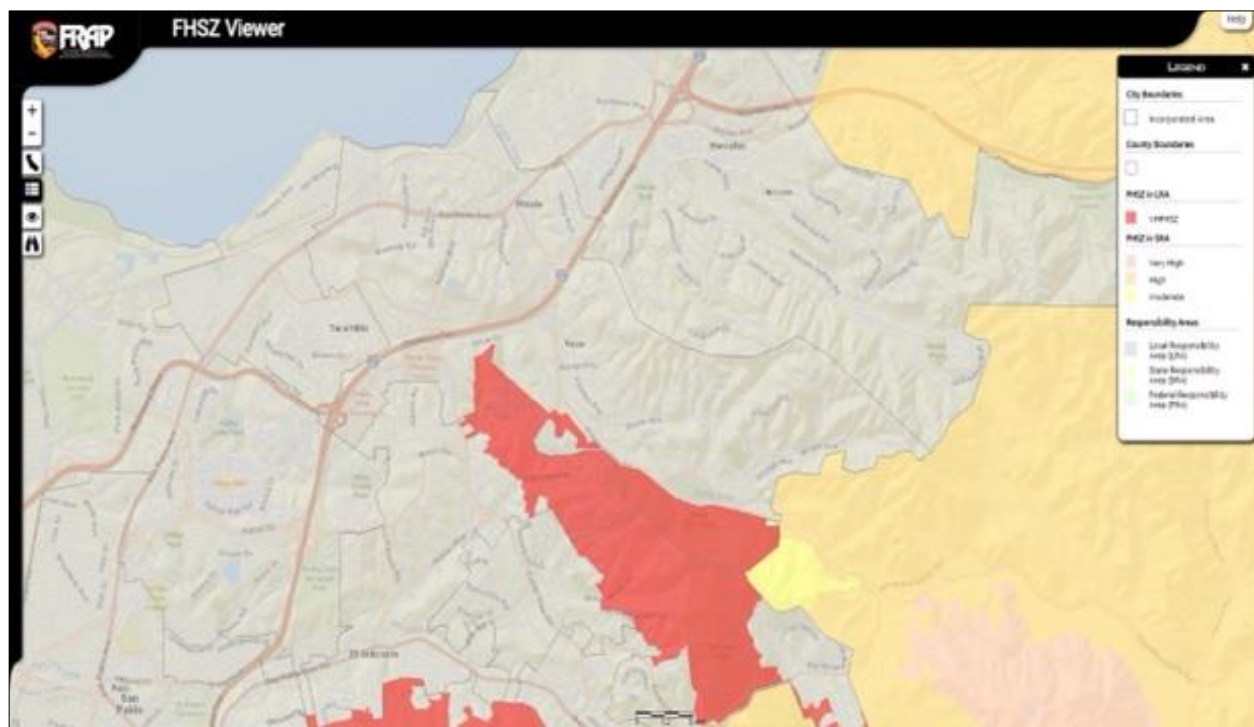
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Fire

The Very High Fire Hazard Severity Zone (VHFHSZ) in Pinole is shown in Figure 14 and are located along the southwestern border of the City. Additionally, moderate fire severity areas are located directly south of the City's southern border.

The East Bay Municipal Utility District (EBMUD) maintains a Fire Management Plan, which includes the Pinole Valley watershed basin located within Pinole's sphere of influence. EBMUD provides fire suppression and protection services on watershed lands. influence, and the Community Services and Facilities Element for further discussion of EBMUD. The City of Pinole Fire Department provides fire protection services within the City limits and has long-term contracts to serve several county unincorporated neighborhoods adjacent to the City. The City is currently in discussions with ConFire to negotiate a contractual arrangement for ConFire to take over all fire protection services (fire prevention, suppression, and emergency medical response). The Fire Department's mission is to provide for the safety and welfare of the public through preservation of life, property, and the environment. The Fire Department promotes disaster preparedness, fire prevention, and safety in the City by providing free services and safety devices, public outreach (schools, businesses) and public education and/or training courses (safety demonstrations including child car seat safety and earthquake preparedness), maintenance (station upgrades, etc.) and biannual inspections (commercial occupancies).

Figure 14: Fire Hazard Severity Zones



Source: CalFire FRAP

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Water and Sewer Infrastructure

Provision of adequate water and sewer do not constitute a constraint on development in the City.

The East Bay Municipal Utility District (EBMUD) provides water service to the City. The City of Pinole and West County Wastewater District (WCWD) are the wastewater service providers to the City. Currently there is adequate capacity available within EBMUD and both wastewater service providers sewer districts to handle development anticipated in the Pinole General Plan. The installed utilities that provide gas distribution, electric circuit, and service are also adequate to handle future development in Pinole.

The City complies with requirements regarding water and sewer priority allocation to affordable housing. As needed, the City will coordinate with EBMUD, WCWD, and the Pinole/Hercules Water Pollution Control Plant (WPCP) Joint Powers Authority to facilitate adoption of similar policies or to ensure adherence to California Public Utilities Commission policies on water/sewer priority for affordable housing. In 2016, the City adopted a policy for water and sewer services to provide priority allocation to affordable housing in the event a rationing system is implement.

The City of Pinole Public Works Department and West County Wastewater District maintain the City's sewer system. The City of Pinole is responsible for the collection and treatment of wastewater flows to their lift stations and treatment plant, the Pinole/Hercules Water Pollution Control Plant (WPCP). The Pinole/Hercules WPCP is owned and operated by a Joint Powers Authority comprising the Cities of Pinole and Hercules. The facility treats wastewater from both cities to secondary standards prior to discharge to San Pablo Bay. There are two operational discharge outfalls: deep-water and shallow water. The Deepwater outfall is shared with the Rodeo Sanitary District and is permitted by the RWQCB. The shallow water outfall is not permitted but has been used during wet weather conditions when influent flows exceed the capacity of the deep-water outfall.

In 2019 the City completed a full-scale upgrade of the Pinole-Hercules Water Pollution Control Plant to expand its capacity, meet new discharge requirements and provide wet weather treatment capabilities. These improvements met new conditions in the renewed National Pollutant Discharge Elimination System discharge permit that entail the elimination of blending of peak wet weather flows and use of the emergency outfall for peak wet weather flows less than 14.6 million of gallons per day (mgd).

The West County Wastewater District is responsible for collection and treatment of flows tributary to their lift stations and treatment plant. Approximately 0.4 square miles in Pinole lie within the district.

Affirmatively Furthering Fair Housing

Introduction

Assembly Bill (AB) 686 requires a jurisdiction's housing element to provide an analysis of contributing factors to fair housing issues and to commit to actively and meaningfully affirmatively further fair housing. This analysis includes an assessment of fair housing enforcement, outreach activities, integration and segregation, racially and ethnically concentrated areas of affluence and poverty, disparities in access to opportunities, disproportionate housing needs, and any other contributing factors that serve as impediments to fair housing. The assessment also analyzes the extent to which the identified Regional Housing Needs Allocation (RHNA) sites affirmatively further fair housing.

Outreach

The City of Pinole solicited community input throughout the Housing Element update process in a variety of ways. The main strategies to gather public participation are summarized below.

Outreach Activities

Community members were engaged using the following methods:

- Online survey in English, Tagalog, Cantonese, and Spanish
- Community Workshops
 - Workshops were recorded and made available on the City website in English, Tagalog, Cantonese, and Spanish
- Web page on City website
- Stakeholder focus groups/interviews
- Email list
- Postcards and flyers with links to project website, survey, community meeting dates, and notification of translation services
- Pinole Community Television advertisements
- Articles in the City's biweekly Administrative report
- Social media posts
- Banners around the community and at community facilities
- Joint City Council/Planning Commission study session

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Organizations Contacted and Consulted

Organizations contacted and interviewed included:

Affordable Housing Developers

- SAHA (Satellite Affordable Housing Associates)
- MRK
- BRIDGE Housing
- Community Housing Development Corporation

Business Groups

- Bayfront Chamber of Commerce
- Contra Costa College Economic & Workforce Development Department
- San Pablo Economic Development Corporation

Community and Environmental Justice Groups

- Communities for a Better Environment
- Environmental Justice League
- Friends of the Library
- Richmond Pinole Lions Club
- Friends of Pinole Creek Watershed
- Pinole Garden Club
- Pinole Seals Swim Club
- Pinole for Fair Government
- West County League of Women Voters
- Contra Costa Builders Exchange
- Building Industry Association of the Bay Area
- Contra Costa Association of Realtors
- Pinole Historical Society
- Their Club (youth group)
- The Quinan Street Project

Major Employers

- Kaiser Permanente
- Target

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- West Contra Costa Unified School District

Real Estate and Construction Groups

- Coldwell Banker Real Estate (Pinole Branch)
- Security Pacific Real Estate Brokerage (Richmond Branch)
- DeNova Homes
- BGAM - Property Management
- Sequoia Real Estate

Religious Organizations and Churches

- Church of Christ
- Nichiren Shoshu Myoshinji Temple
- Pinole Valley Community Church
- St. Joseph's Church
- Valley Bible Church
- Christ the Lord Church
- Sunset Evangelistic Center

Service Providers

- Eden Council for Hope and Opportunity (ECHO)
- Disabled People's Recreation Center
- Cole Vocational Services
- Pinole Senior Center
- EAH Housing
- Housing Authority of Contra Costa County
- Bay Area Rescue Mission
- Contra Costa Health Services
- The Salvation Army
- Meals on Wheels Contra Costa County
- Contra Costa County Aging & Adult Services
- HOPE Solutions
- Pathway to Choices
- East Bay Housing Organizations

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- Pinole Library

Housing Element Update – City Website

The City created the Housing Element update web page on the City's website to provide:

- Background and information on the Housing Element process;
- Link to the Housing Element update survey;
- Documents related to the Housing Element;
- Recordings of the Community Workshop presentations in English and Spanish;
- Notification to the public of future events; and
- Notification and interest sign-up lists and comment and question pathways for residents to get involved in the process and to provide comments or questions to the project team or City representatives.

Stakeholder Interviews

The City reached out to 58 individuals who represented a diverse range of agencies and organizations to participate in interviews and focus groups regarding the housing needs and issues in Pinole. Five interviews/focus groups were held on June 30, July 25, and July 26, 2022. The stakeholder groups that participated included the following:

- Friends of Pinole Creek Watershed (June 30, 2022, focus group)
- Pinole Valley Community Church (June 30, 2022, focus group)
- BGAM Property Management (June 30, 2022, focus group)
- Pinole Rotary Club (July 25, 2022, one-on-one interview)
- Contra Costa Association of Realtors (July 26, 2022, one-on-one interview)

The stakeholders discussed a variety of concerns and the following key themes were identified:

- Protect and promote the character of Pinole while providing a variety of housing options.
- Provide housing near community facilities and amenities like parks, open space, and transportation.
- A lack of affordable housing options and how to incentivize multifamily and affordable development in the City.
- Habitat restoration and protection needs to be considered when locating housing sites.
- Need for more education and outreach to inform residents of housing law and what affordable housing is, to shift the perceived stigma.

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- Provide protections and resources for seniors, first-time homebuyers, and lower- and middle-income individuals.

Housing Element Survey

Another component of the outreach effort was the Housing Element survey, posted on the City's website from May 2022 through August 2022, and promoted through a variety of channels to reach the entire community. Although the survey was offered in four languages (English, Spanish, Cantonese, and Tagalog), all respondents participated in English. As of the close of the online survey on August 15, 2022, the City received a total of 149 completed surveys. Of those who responded, 63 percent of respondents were homeowners, 49 percent of respondents were white or Caucasian, and 35 percent were a senior out of the 100 responses who answered the question (49 respondents skipped this question). Responses to the survey primarily revealed concerns from residents regarding:

- Difficulty paying rent, mortgage, or down payment
- Substandard housing quality
- Strong support for workforce housing
- Improvements to infrastructure and access to community amenities

Responses to the survey revealed particular concern about the following groups being able to find an affordable place to live in Pinole: persons experiencing homelessness, lower- and middle-income workers, and the elderly. The housing issues that survey respondents were most concerned about were poor infrastructure in neighborhoods (streetlights, sidewalks, roadways, etc.), followed by overcrowding and homelessness.

Public Workshops

The City held two virtual public workshops—Wednesday, May 11, 2022, and Thursday, June 9, 2022, both at 7:00 p.m.—to present information on the Housing Element update and gather public input. Twenty-five members of the community participated in the workshops and provided feedback through question and answer sessions in the Housing Element update process including housing needs (workshop #1) and the potential RHNA sites, draft goals, and programs (workshop #2). Live Tagalog, Cantonese, and Spanish interpretations were provided, recorded, and posted on the project webpage for both workshops for those who could not attend, or who wanted to review the materials and meetings at their leisure.

Assessment of Fair Housing Issues

City Overview

Pinole is located in Contra Costa County, in the Oakland-Hayward-Berkeley, CA Metropolitan Statistical Area. The City is bordered on the north by San Pablo Bay, on the southeast by

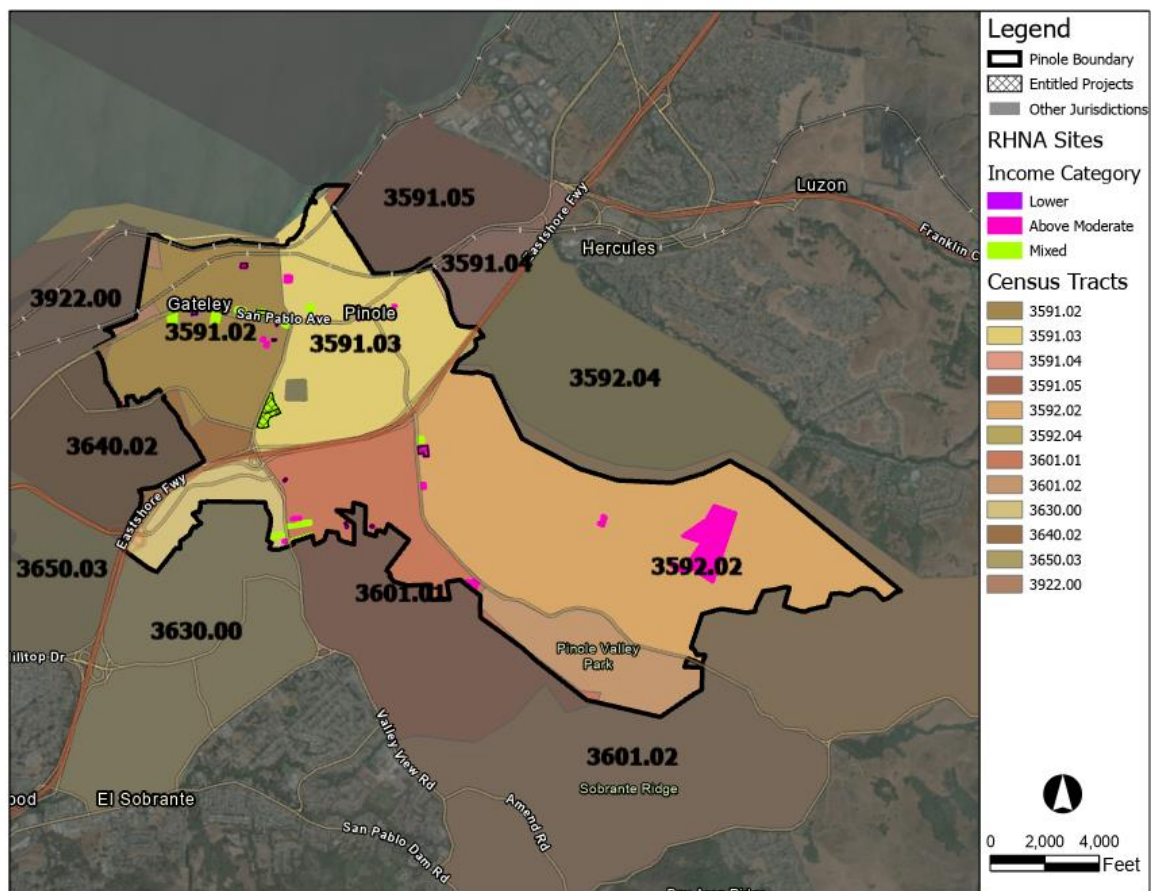
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regional park lands, and on the remain sides by surrounding jurisdictions. Pinole is approximately five square miles of land and is bisected by Interstate 80.

Much of the fair housing analysis is based upon census data provided at the census tract level. Figure 15 displays the census tracts in the City. Many tracts have a small area within the City of Pinole, but the majority of their area is located outside city limits. Two of the census tracts (tracts 3630 and 3640.02) have very little housing and are primarily commercial developments and Interstate 80. Census tract 3601.02 is completely occupied by the Pinole Valley Park, which is open space available to the public, and does not have any commercial or housing developments. Most of the housing in Pinole is located in four census tracts: 3591.02, 3591.03, 3592.02, and 3601.01.

The Affirmatively Furthering Fair Housing (AFFH) section also considers the effects that the selected RHNA sites may have on fair housing. Selected RHNA sites and entitled projects are relatively distributed throughout the City.

Figure 15: Census Tracts and RHNA Sites



Census Tracts and RHNA Sites

Source: HCD AFFH Data Viewer

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Fair Housing Enforcement and Outreach Capacity

Fair housing services are provided to residents of Pinole primarily through the Eden Council for Hope and Opportunity (ECHO) Housing. ECHO Housing is a US Department of Housing and Urban Development (HUD) approved housing counseling agency, which provides tenants and landlords in Contra Costa County and the region with services that include tenant's rights workshops, landlord training, rent review and eviction assistance, and mediation services. ECHO Housing has offices in Antioch, Alameda, and Monterey. Additionally, Bay Area Legal Aid provides legal assistance to low-income residents for a wide range of issues, including eviction issues, rent raises, and housing conditions and discrimination. Bay Area Legal Aid has offices in Richmond, Oakland, and Napa, as well as other cities in the Bay Area. This organization also offers monthly housing rights clinics in Richmond.

In addition to the efforts of the above nonprofit groups, Contra Costa County enacted an eviction and rent increase memorandum on April 21, 2020. The eviction moratorium for certain residential tenants and a moratorium on certain residential rent increases ended on September 30, 2021 and has not been extended. Protections laid out in the memorandum include the following: prohibition on evictions due to unpaid rent (related to COVID-19), ban on no-fault evictions, moratorium on rent increases, a 120-day grace period to pay back rent, and no late fees for back rent.

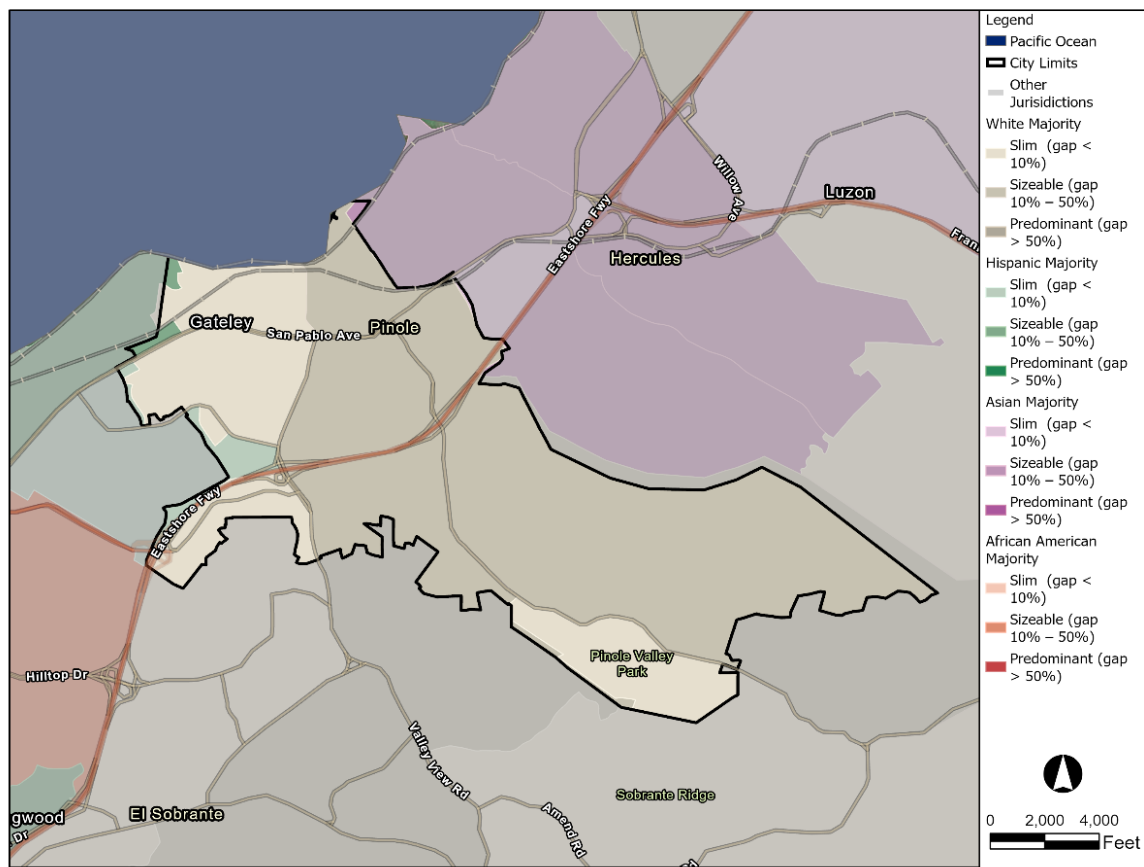
Integration and Segregation

Race and Ethnicity

Figure 16 shows the racial and ethnic majority by census tract in the City of Pinole. As illustrated, almost the entirety of the City has a sizable White majority, with a small portion in the west having a slim White majority. Just outside city limits, there is an Asian majority to the east and a Hispanic majority in the west. The portions of the City in the west with a slim White majority are also the areas where poverty and single female-headed households are more prevalent.

These trends continue beyond the bounds of the City. Pinole has comparable racial trends to the County and the Bay Area as a whole. A predominant discrepancy is Pinole's prominent Asian population, which makes up 27 percent of the City, while Countywide, the Asian population is about 17 percent of the overall makeup. Pinole has a prominent Filipino population.

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Figure 16: Racial and Ethnic Majority, 2010**Racial and Ethnic Majority, 2010**

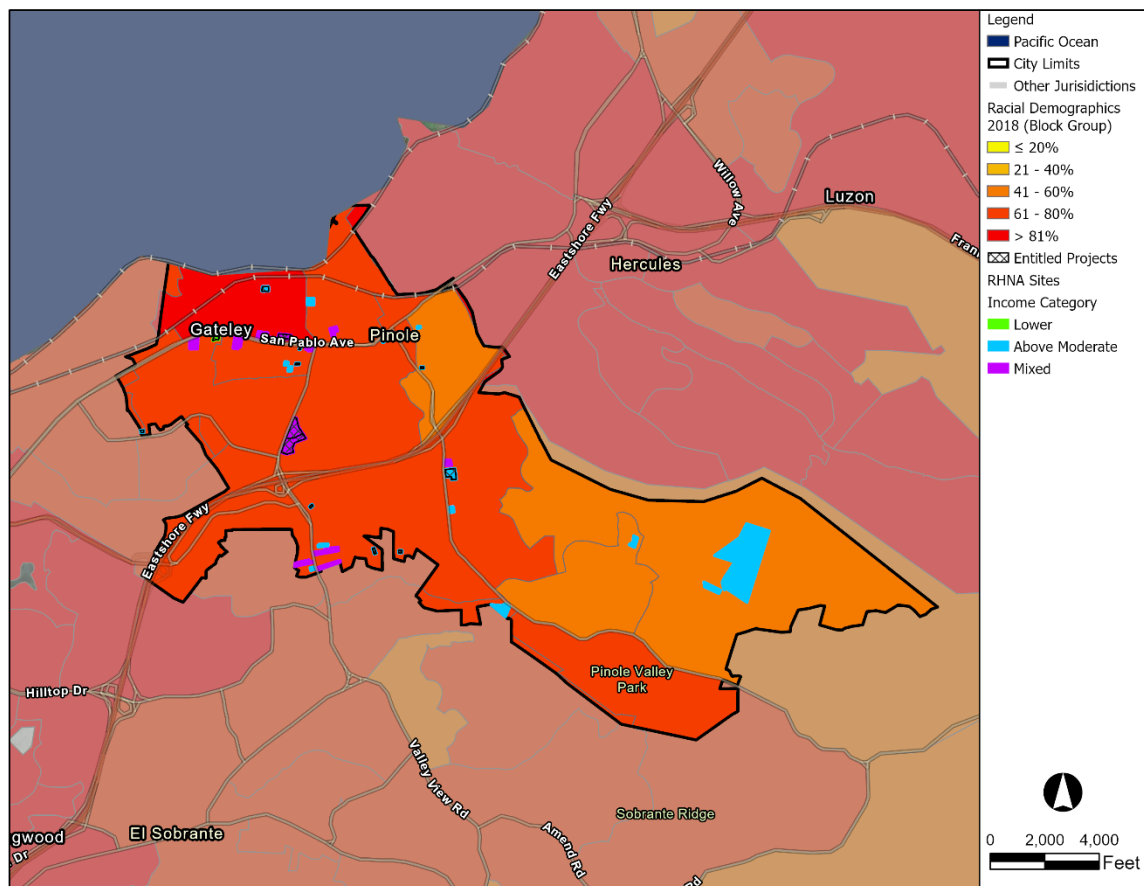
Source: HCD AFFH Data Viewer

Figure 17 shows the percent of the population in each block group that is non-White. As shown in Figure 17, the northwest portion of the City has the highest percent of the population that is non-White. The majority of Pinole has a non-White population between 41 to 60 percent. Three block groups in eastern Pinole have the lowest amount of non-White population, between 21 and 40 percent. The portions of the City in the west with a larger non-White population are also the areas where poverty and single female-headed households are more prevalent.

As of 2019, 67 percent of the City was non-White, while 56 percent of the County was non-White, and 61 percent of the Bay Area region was non-White. The overall distribution of the non-White population is comparable between the City and the region as a whole, with a slightly higher proportion in Pinole.

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Figure 17: Percent non-White, 2018 and RHNA Sites

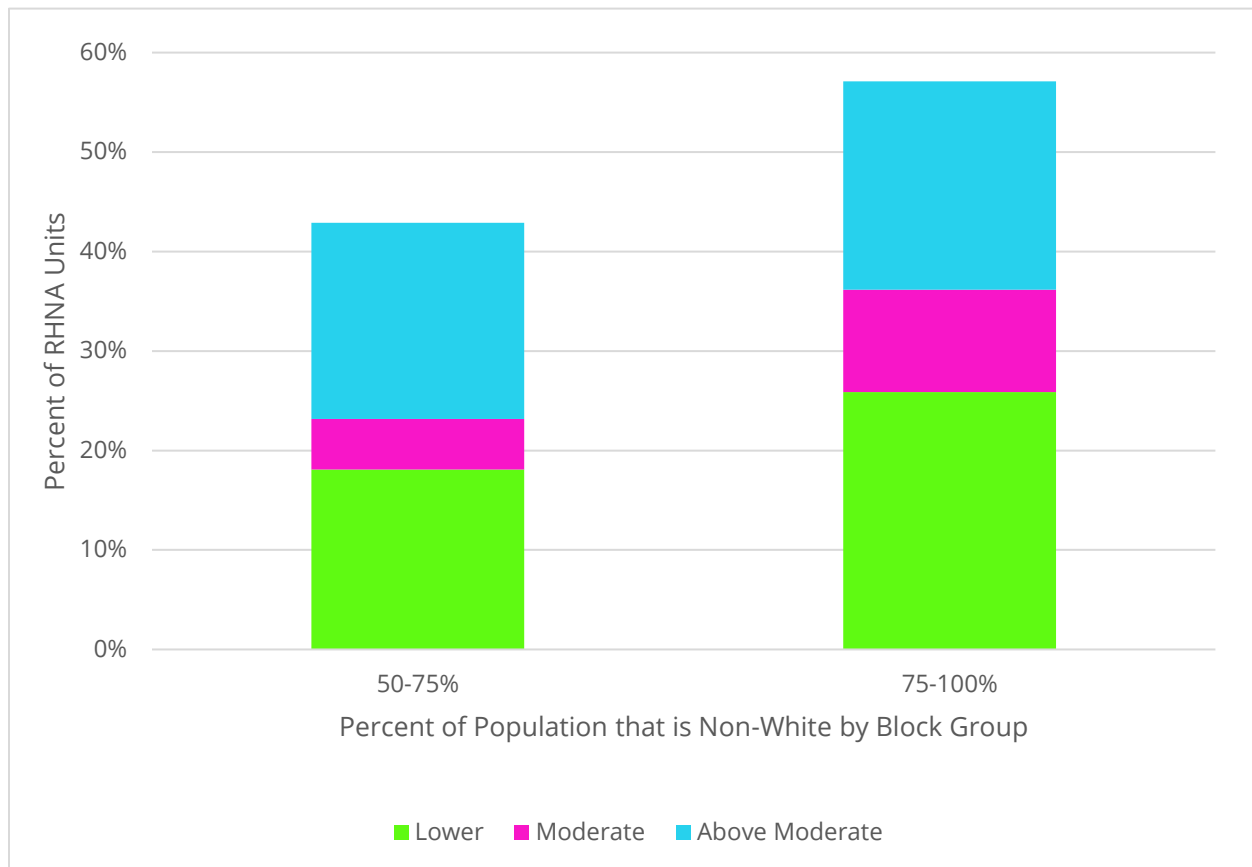


Percent non-White, 2018 and RHNA Sites

Source: HCD AFFH Data Viewer

Figure 18 compares the RHNA units with the total percentage of the population that is non-White. The sites are relatively evenly distributed throughout the City, without a concentration in any specific area. As the non-White population is distributed across the City as well, it is unlikely that the RHNA site selection will exacerbate any conditions or make any negative changes to fair housing conditions as they pertain to the non-White population.

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Figure 18: Percent non-White Comparison of RHNA Units**Dissimilarity Index – Race and Ethnicity**

Segregation is defined by the census as the spatial distributions of different groups among units in a metropolitan area. Segregation can be quantified by using the dissimilarity index, which measures the distribution of two groups in a city and assigns a score between 1 and 100. The level of segregation is determined by assessing what percentage of residents in a census block would have to move for each block to have the same proportion of said group. A score of zero (0) reflects a fully integrated environment; a score of 100 (or 100%) reflects full segregation. Therefore, a higher dissimilarity index indicates higher concentrations of the indicated ethnic groups in areas of the City, when compared to the White population distribution. A lower dissimilarity index implies higher integration, and a more even distribution of each ethnicity when compared to the White population. The formula for this calculation is provided by California Department of Housing and Community Development's (HCD) AFFH Guidance Document.

The categories for the dissimilarity index on a scale of 1-100 are as follows:

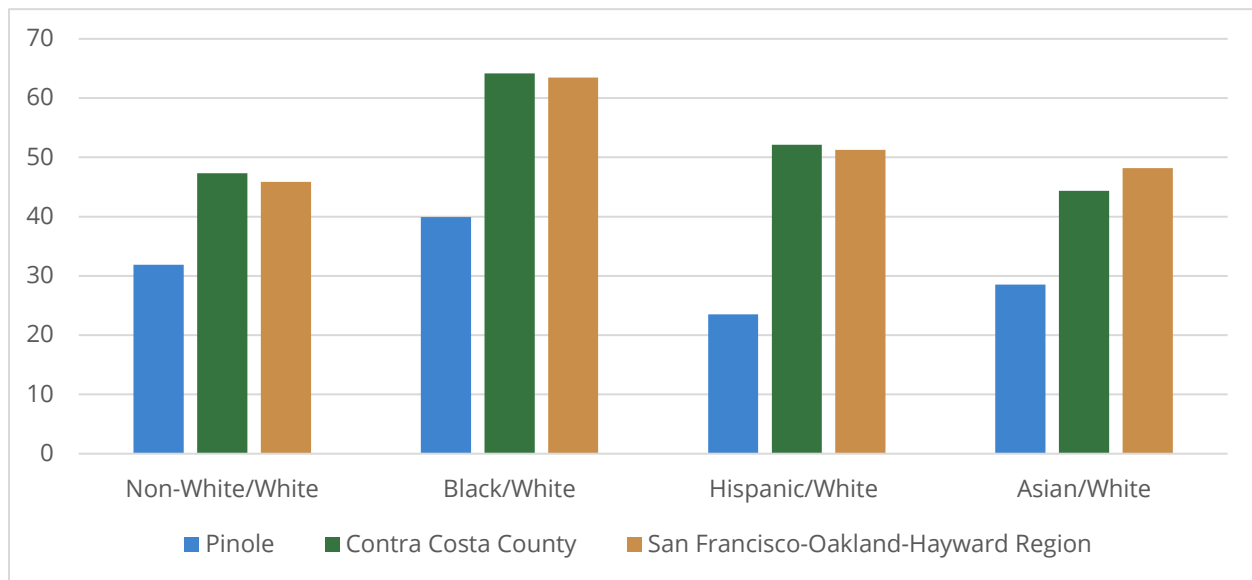
- <30: Low Segregation
- 30-60: Moderate Segregation

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- >60: High Segregation

Figure 19 provides the dissimilarity index values in Pinole, Contra Costa County, and the MSA region as a whole, indicating the level of segregation between White residents and residents who are non-White, Black, Hispanic, or Asian. In Pinole, there is moderate segregation between the Black and White populations. There is low segregation between the Hispanic and White populations and between the Asian and White populations. Overall, the City has a moderate dissimilarity index of 31.86, which is just above the threshold for low segregation. Segregation at the City level is much lower than Contra Costa County as a whole.

Figure 19: Dissimilarity Index for Race, 2020



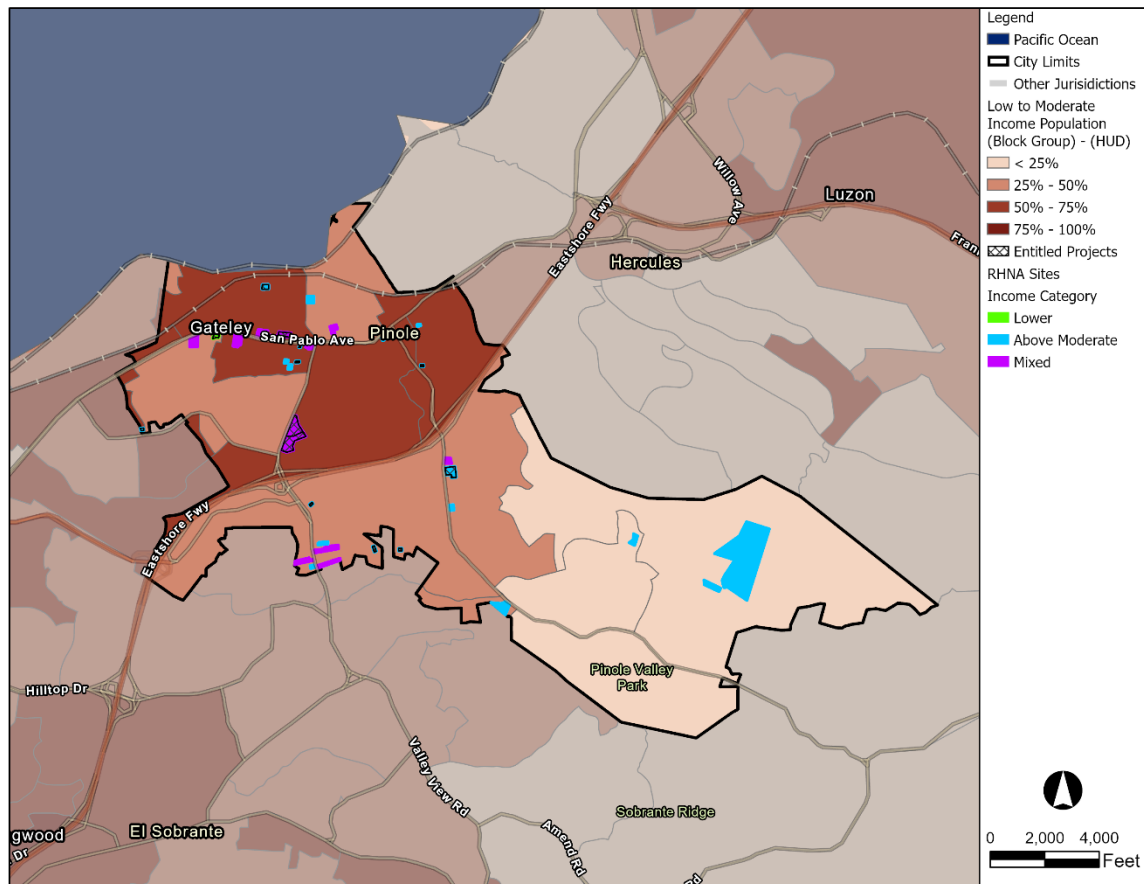
Source: American Community Survey 2020 5-Year Estimates, Contra Costa County Analysis of Impediments to Fair Housing

Income

The dissimilarity index can also be used to calculate income segregation, using the same scale as above. In the Bay Area region, income segregation is moderate with an income dissimilarity of 35.1. In Pinole, income dissimilarity is 26.6, indicative of low segregation.

As shown in Figure 20, and in comparison with Figure 17 above, the area in the western portion of the City with the greater concentration of the low- to moderate-income population is also the area with larger non-White population. It is also where the households at the poverty level and single female-headed households are more prevalent. Approximately 67 percent of the entitled and proposed units are located in an area where 50 to 75 percent of the households are low to moderate income.

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Figure 20: Low to Moderate Income Population, 2011–2015 and RHNA Sites**Low to Moderate Income Population, 2011–2015**

Source: American Community Survey 2010-2014

The City established a vision to focus growth along the corridors in the Three Corridors Plan, which has access to transit, employment opportunities, and community resources. The majority of RHNA sites are located along these corridors, where there is currently a more predominant low to moderate income population, as shown in Figure 21. The City is including Program 18, a place-based improvement program to ensure that the RHNA site selection will improve access to these resources throughout the City.

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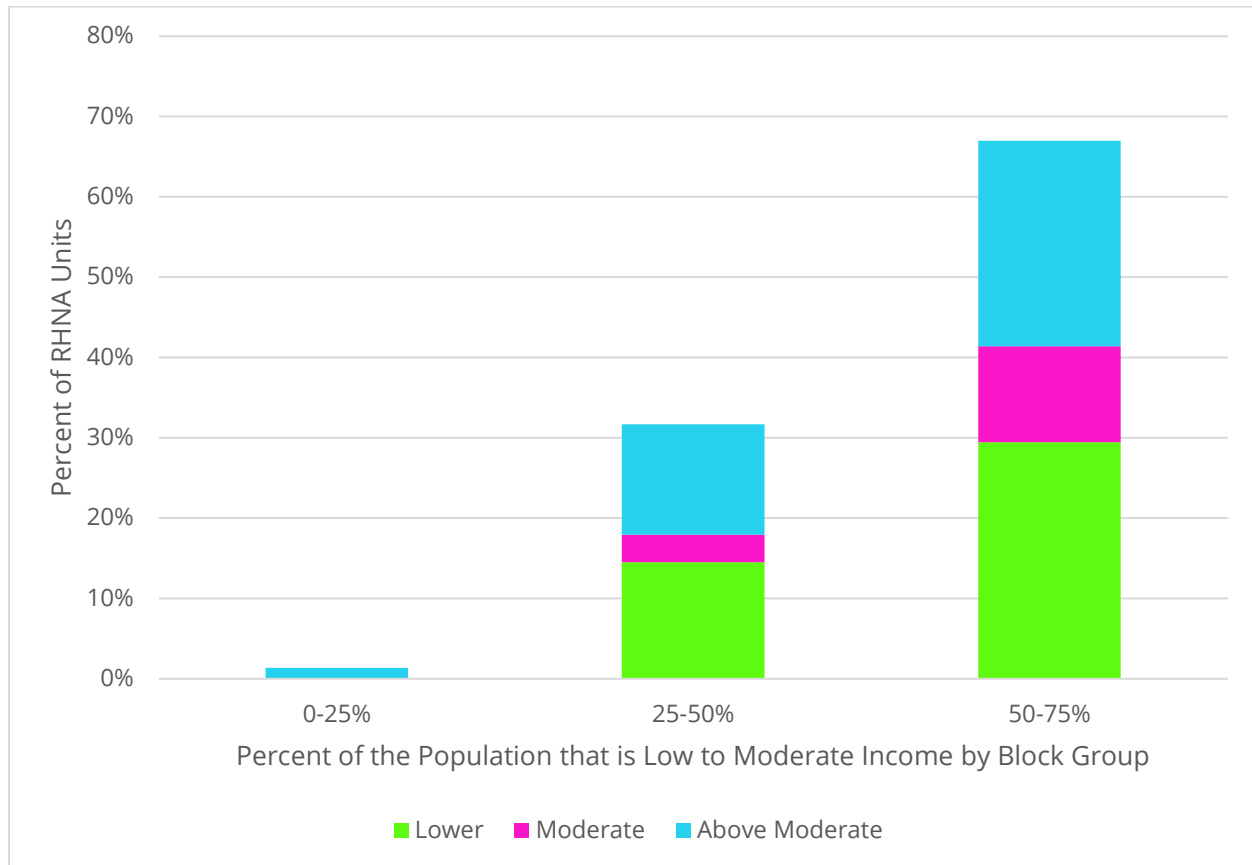
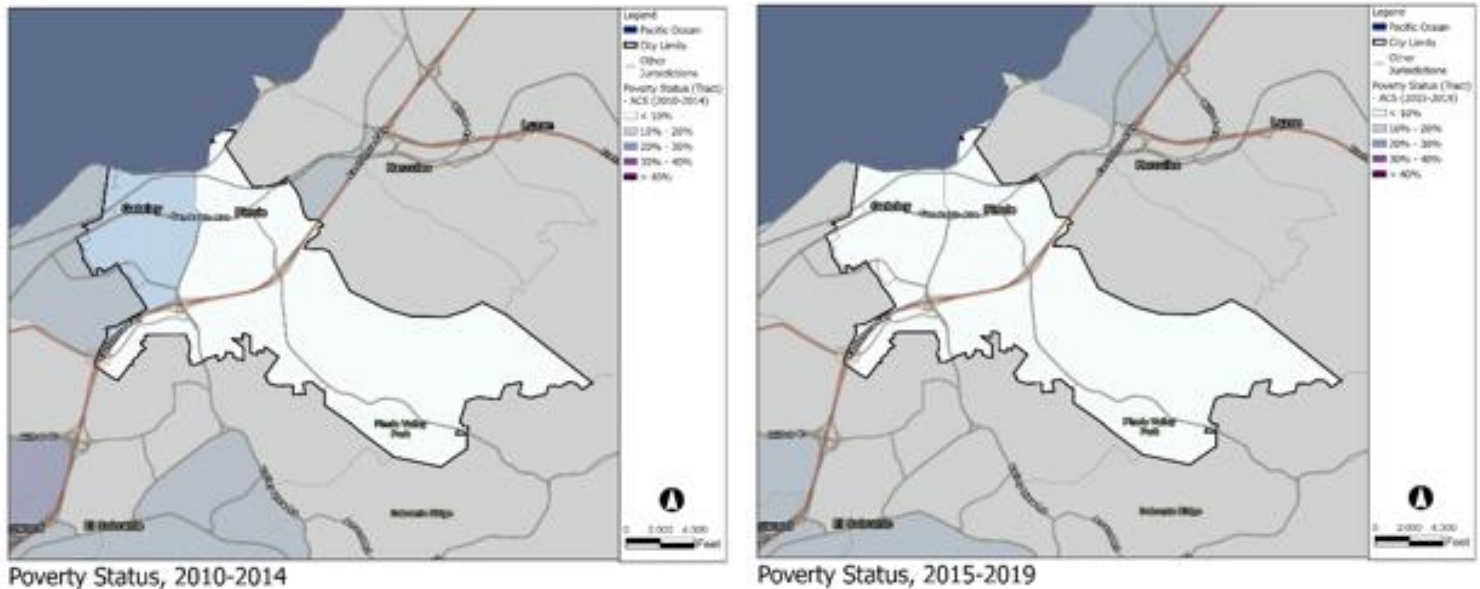
Figure 21: Low to Moderate Income Population Comparison of RHNA Units

Figure 22 shows the change in the population under the federal poverty line by census tract from 2010-2014 to 2015-2019. Poverty is defined by incomes falling below the annually defined thresholds for family size by the Census. As shown in Figure 22, there are no census tracts in Pinole where more than 10 percent of the population experiences poverty. Poverty levels have decreased over time, as the median income has risen in Pinole. In 2020, 3.7 percent of Pinole's overall population was below poverty level. Poverty in Contra Costa County is also low, with overall 8.2 percent of the population living below poverty level.

As there are no concentrations of poverty in the City, the distribution of the sites is unlikely to have an effect on distribution of poverty.

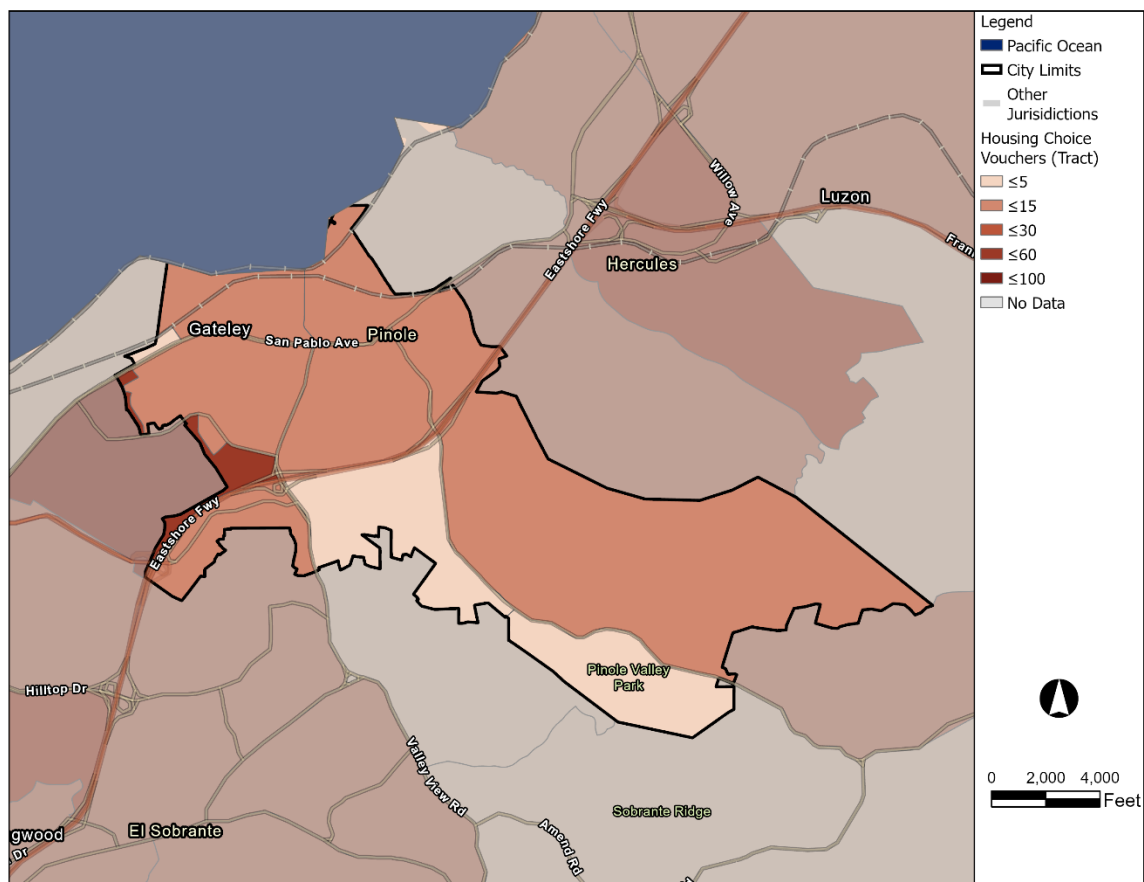
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Figure 22: Poverty Status, 2010-2014 and 2015-2019

Source: HCD AFFH Data Viewer

Figure 23 displays the distribution of housing choice vouchers (HCV) in the City. The HCV program is a 100 percent federally funded rental subsidy for low-income households living in privately owned rental units. The Contra Costa Housing Authority administers the HCV program for those in Pinole. The HCV program makes payments directly to the landlord and allows households to choose where they want to live, as long as it is up to minimum standards. Voucher amounts are dependent on family size and income and can expand housing choice and options for those on limited incomes, including those with low incomes, people with disabilities, and the elderly. As of 2010, there were 100 households using HCVs in the City of Pinole.

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Figure 23: Housing Choice Vouchers, 2010**Housing Choice Vouchers, 2010**

Source: HCD AFFH Data Viewer

Familial Status

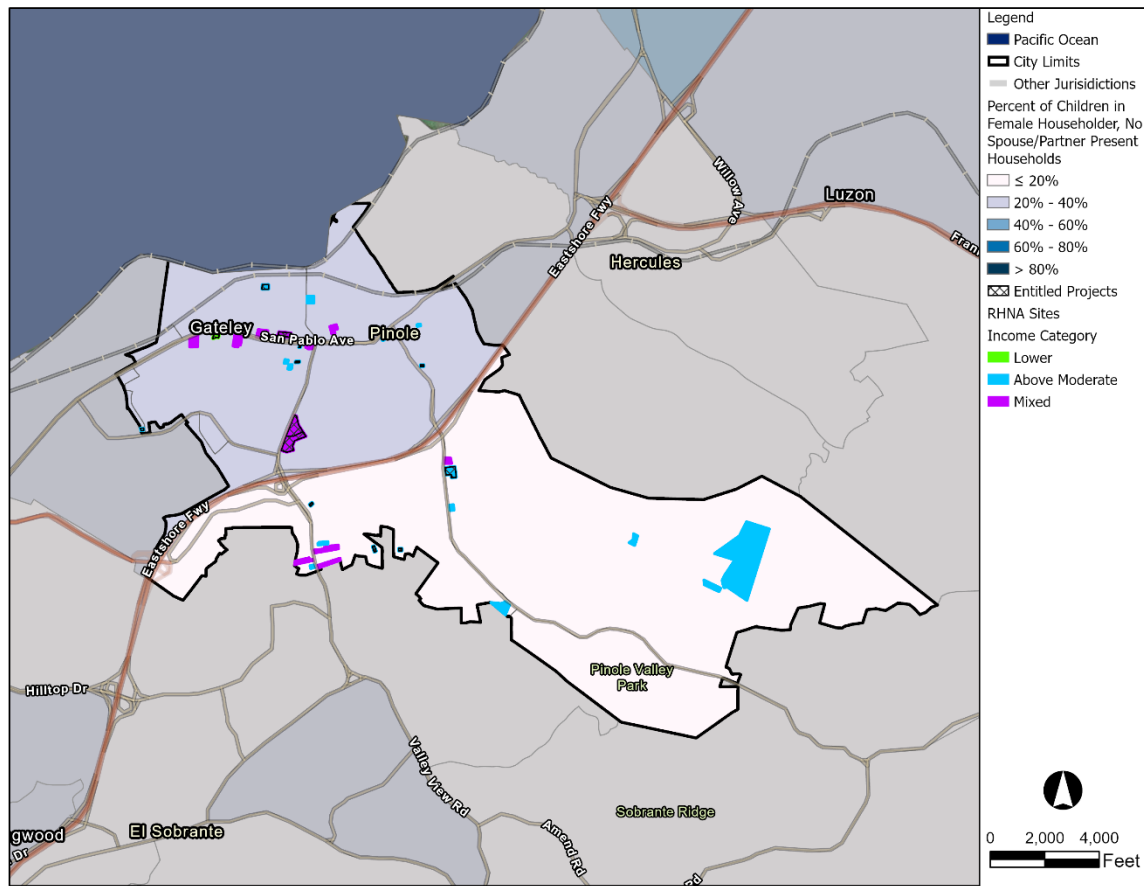
Figure 24 shows the percentage of children that are living in female-headed households with no spouse by census tract. It also shows entitled and proposed RHNA sites. In 2020, 1,050 households, or 15.5 percent of the total households in Pinole, were female-headed households, which is only slightly higher than the 12.0 percent for the County.

Four of Pinole's census tracts have less than 20 percent of children in female-headed households. These tracts are east of Interstate 80 (Eastshore Freeway). Conversely, all tracts west of Interstate 80 have between 20 and 40 percent of children in female-headed households.

As shown in Figure 25, about 80 percent of RHNA sites are in a tract where 20-40 percent of children are in female-headed households. There are no areas of the City where more than 28 percent of children are in female-headed households. RHNA sites are not expected to impact fair housing concerns based on familial status.

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Figure 24: Children in Female-Headed Households and RHNA Sites, 2015-2019



Children in Female-Headed Households, 2015-2019

Source: HCD AFFH Data Viewer

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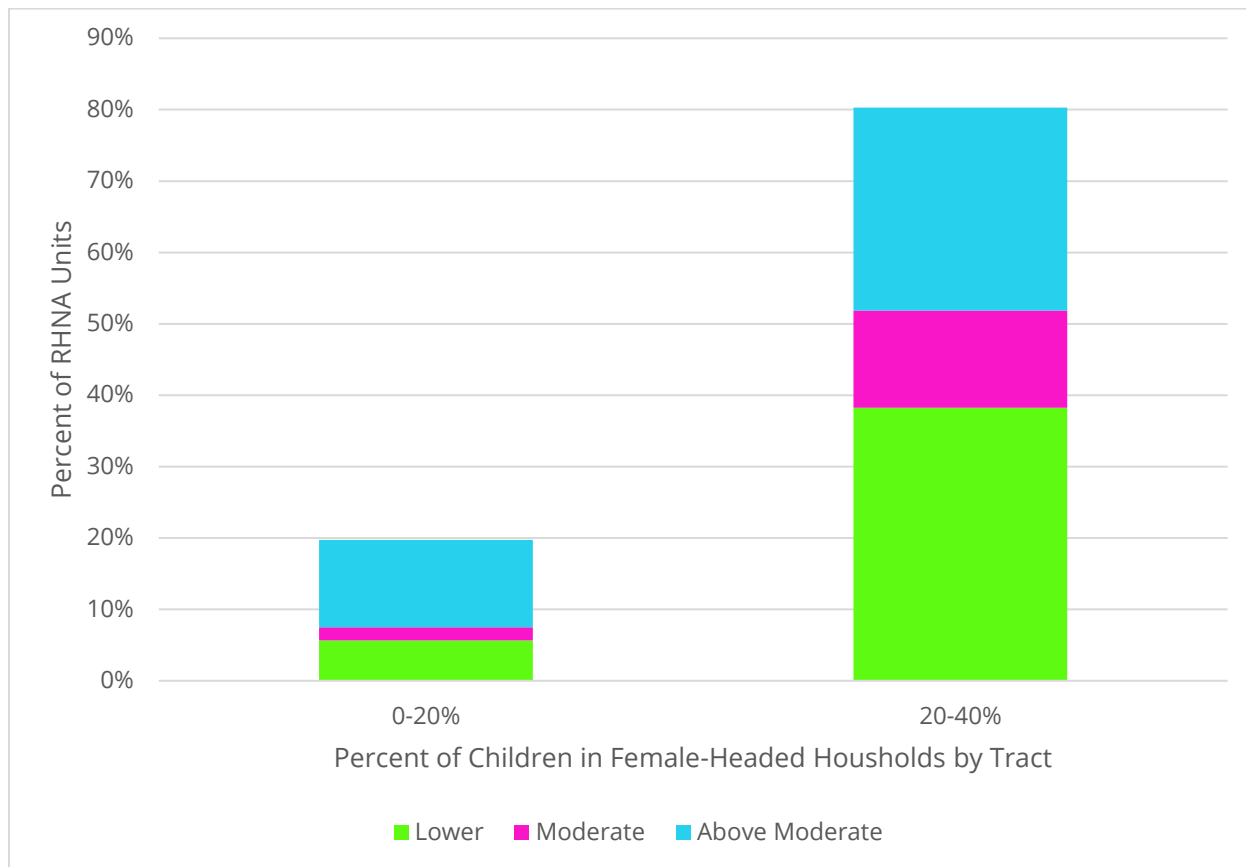
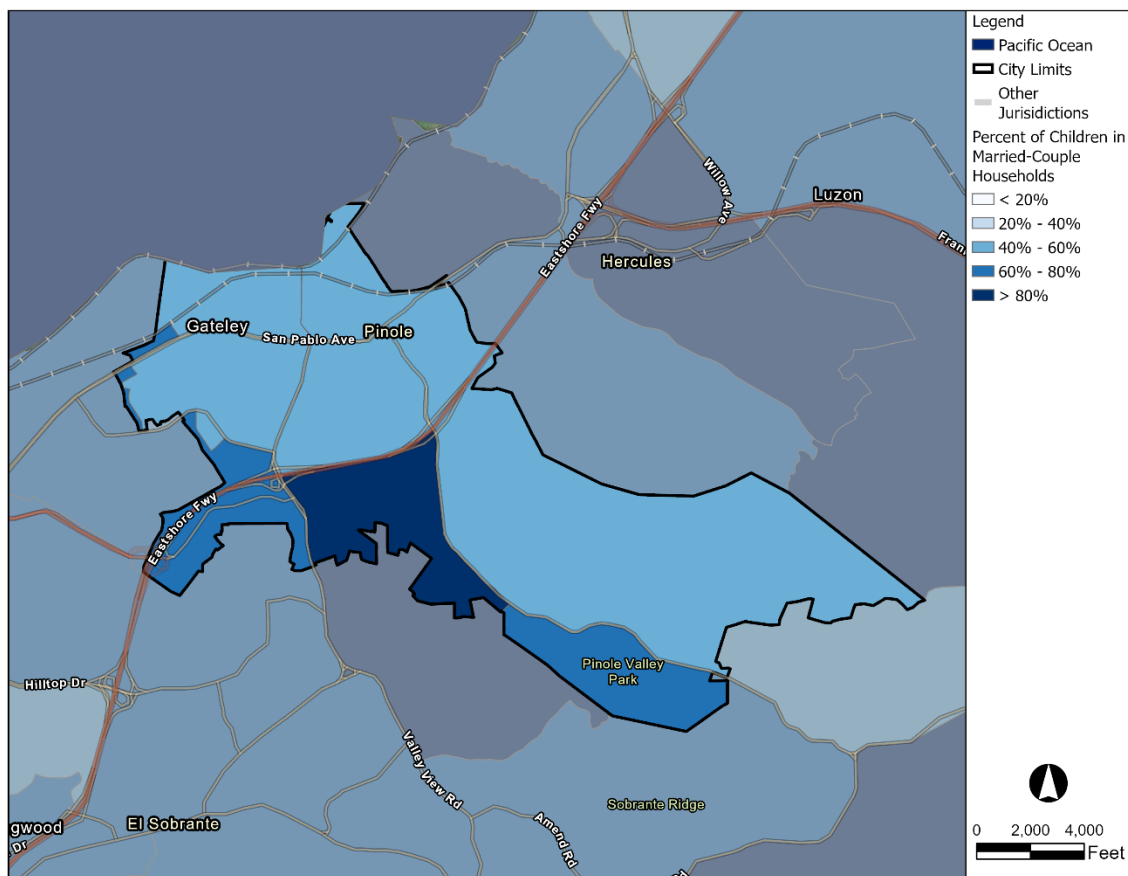
Figure 25: Female-Headed Households comparison of RHNA Units

Figure 26 shows the percentage of children in married couple households. No census tract in Pinole has less than 40 percent of children in married couple households. Most of the City's residential census tracts are in the 40 to 60 percent range, while census tract 3601.01 has a percentage of children in married couple households of 80 percent or more. In the City of Pinole, 23.3 percent of households are married couple households with children present, compared to 34 percent Countywide. RHNA sites are not expected to impact fair housing concerns based on familial status.

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Figure 26: Children in Married Couple Households, 2015-2019**Children in Married Couple Households, 2015-2019**

Source: HCD AFFH Data Viewer

Persons with Disabilities

The US Census Bureau provides information on the number of persons with disabilities of varying types and degrees. According to the US Census Bureau, a person is considered to have a disability if they have difficulty performing certain functions or difficulty with certain social roles. Affordability of appropriate housing and access, both within the home and to/from the home site, are the primary challenges for persons with disabilities. Access often requires specially designed dwelling units. Additionally, housing locations near public facilities and public transit are important for this special needs group. In 2019, it was estimated by the Census that 14 percent of the population in Pinole, 11 percent in Contra Costa County, and 10 percent in the Bay Area region have a disability. Types of disabilities included in the Census are:

- Hearing difficulty: deaf or has serious difficulty hearing
- Vision difficulty: blind or has serious difficulty seeing even with glasses

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- Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions
- Ambulatory difficulty: has serious difficulty walking or climbing stairs
- Self-care difficulty: has difficulty dressing or bathing
- Independent living difficulty: has difficulty doing errands alone, such as visiting a doctor's office or shopping

Figure 27 shows an estimate of the number of Pinole residents with disabilities by type of disability. The most prevalent types of disability are ambulatory and independent living difficulties. Note that individuals may have more than one type of disability.

Ambulatory issues are the highest reported disability Citywide. A large population with walking difficulty creates a need for single-story housing, elevators, transit access, wheelchair access, larger homes for live-in help, and proximity to health facilities.

Figure 27: Disability Characteristics, 2019

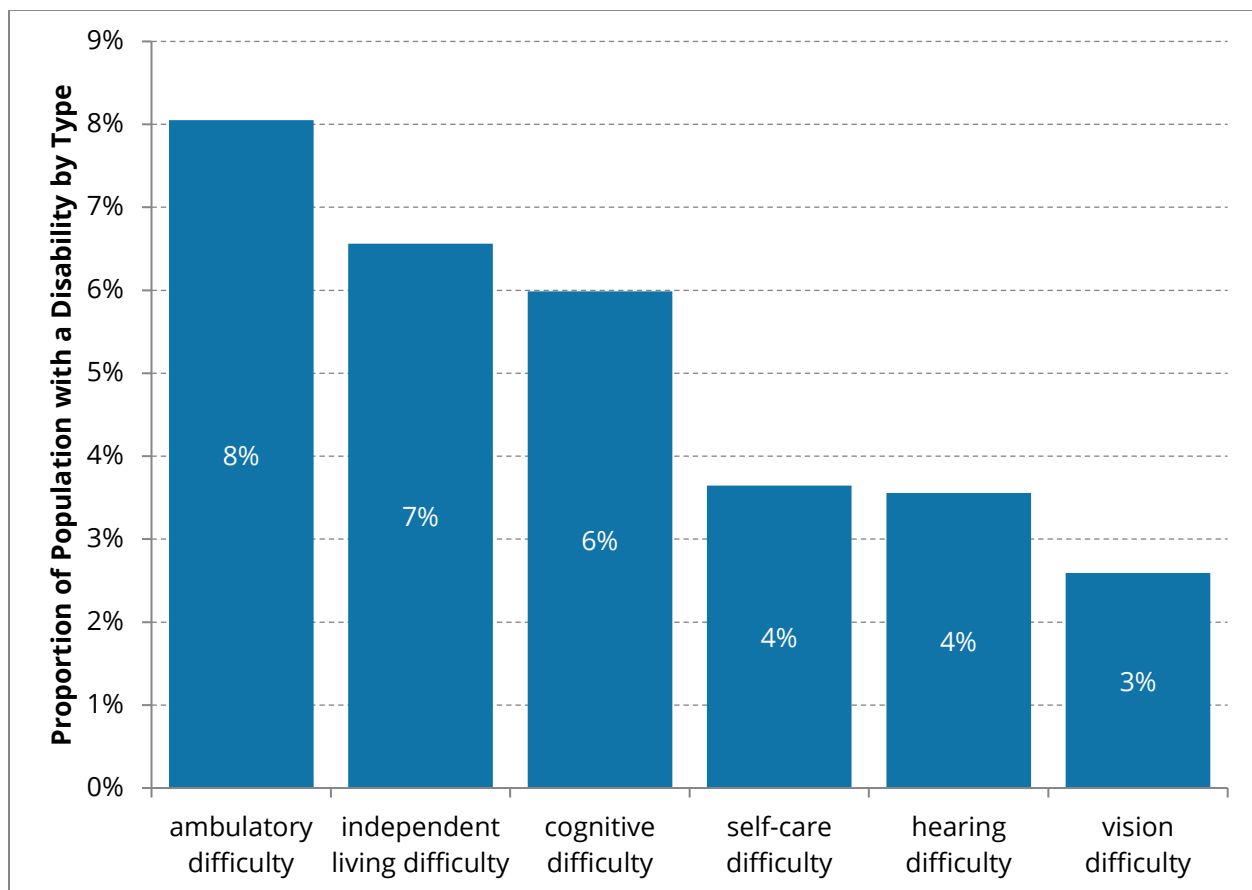
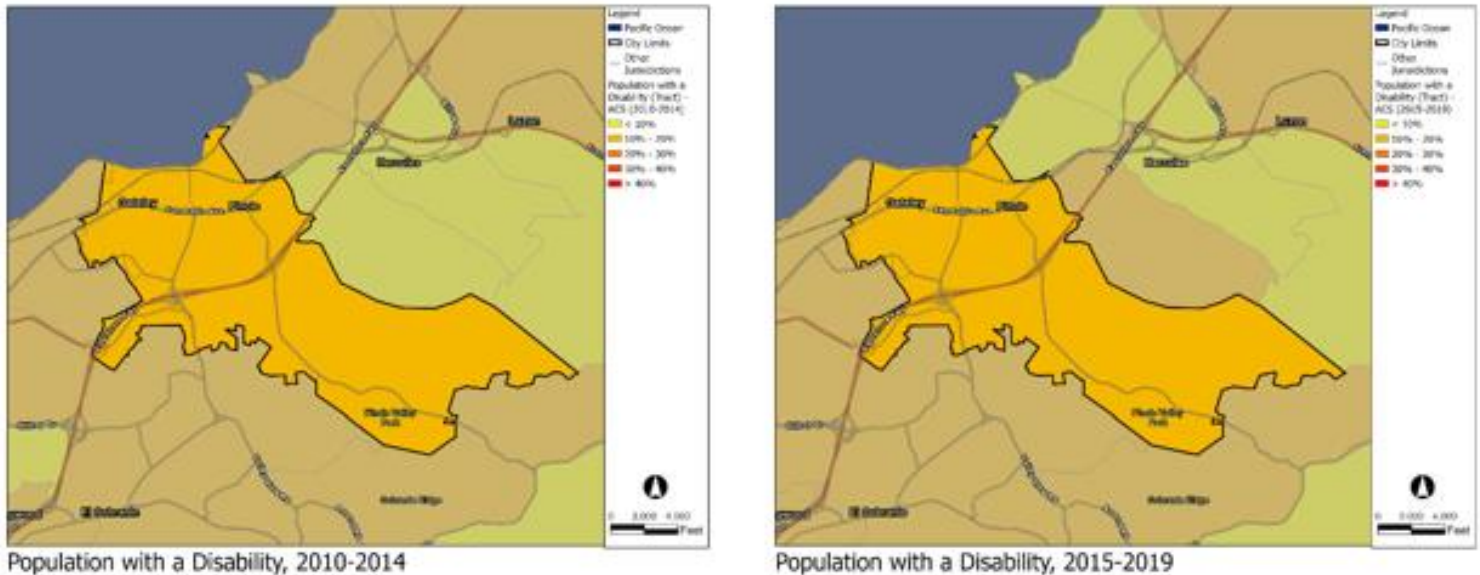


Figure 28 shows that the disabled population is evenly distributed throughout Pinole. There are no significant changes in location or concentration of those with a disability between 2010-2014 and 2015-2019. There is no area of the City with an extreme concentration of

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persons with disabilities. The sites are not expected to cause fair housing concerns as they relate to residents with a disability.

Figure 28: Population with a Disability, 2010-2014 and 2015-2019



Source: HCD AFFH Data Viewer

Findings from Integration and Segregation

Overall, there is a difference in trends in integration and segregation between the eastern and western regions of the City. The City of Pinole has higher concentrations of low- to moderate-income residents in the northwestern areas of the City, which also are areas with larger non-White populations and more children in female-headed households. There are no concentrations of poverty or people with disabilities. The proposed and entitled RHNA sites are relatively distributed throughout the City and are not anticipated to exacerbate any fair housing concerns.

Racially and Ethnically Concentrated Areas of Poverty and Affluence

Racially and Ethnically Concentrated Area of Poverty

HUD defines Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) as areas where the percentage of the population that is non-White is over 50 percent and the percentage of households with incomes below the poverty line is over 40 percent. Alternatively, a neighborhood can be a R/ECAP if it has a poverty rate that exceeds 40 percent or is three or more times the average tract poverty rate for the metropolitan/micropolitan area, whichever threshold is lower.

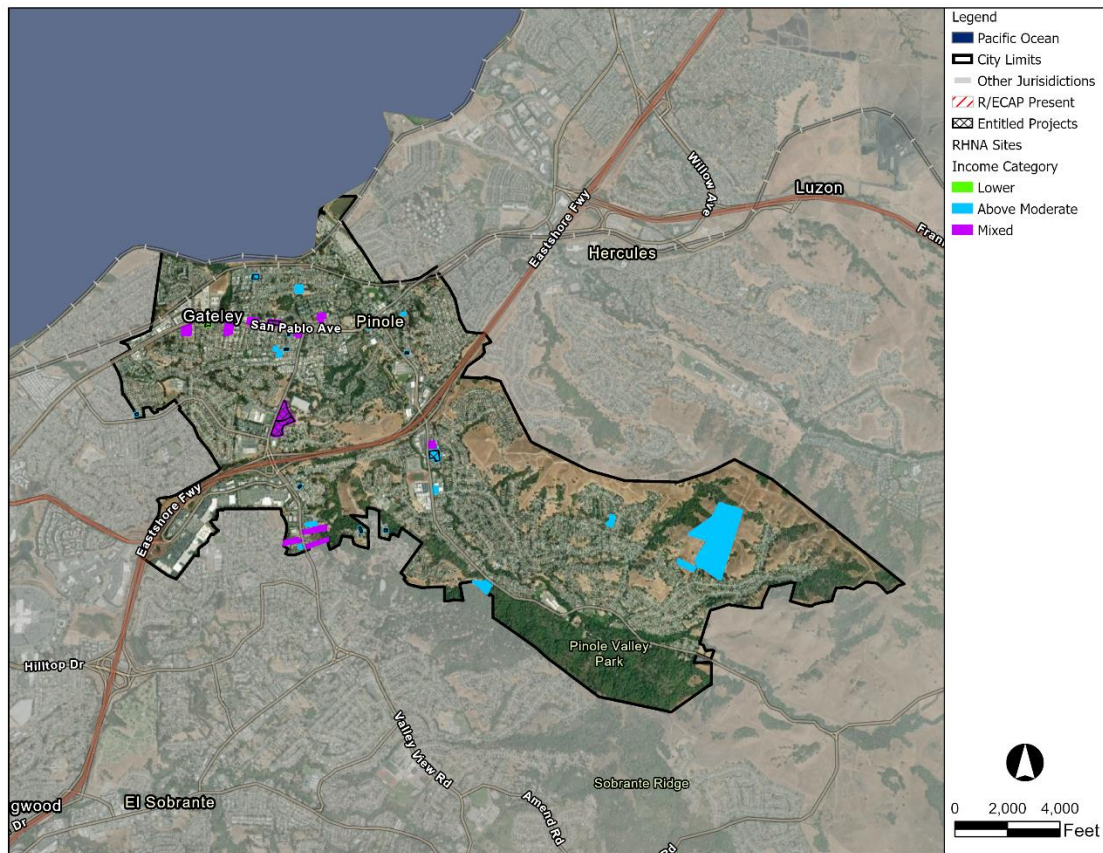
There are no R/ECAPs in Pinole or in the nearby vicinity, as seen in Figure 29. Additionally, there are no areas of high segregation and poverty, as identified by the California Tax Credit

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Allocation Committee (TCAC). The closest R/ECAPs to Pinole are located in Vallejo and Berkeley.

The housing opportunity sites are not expected to cause fair housing concerns related to R/ECAPs, as no sites are located in a R/ECAP and the site distribution is not anticipated to contribute to the creation of a R/ECAP.

Figure 29: RECAPs Vicinity and RHNA Sites, 2021



RECAPs Vicinity and RHNA Sites

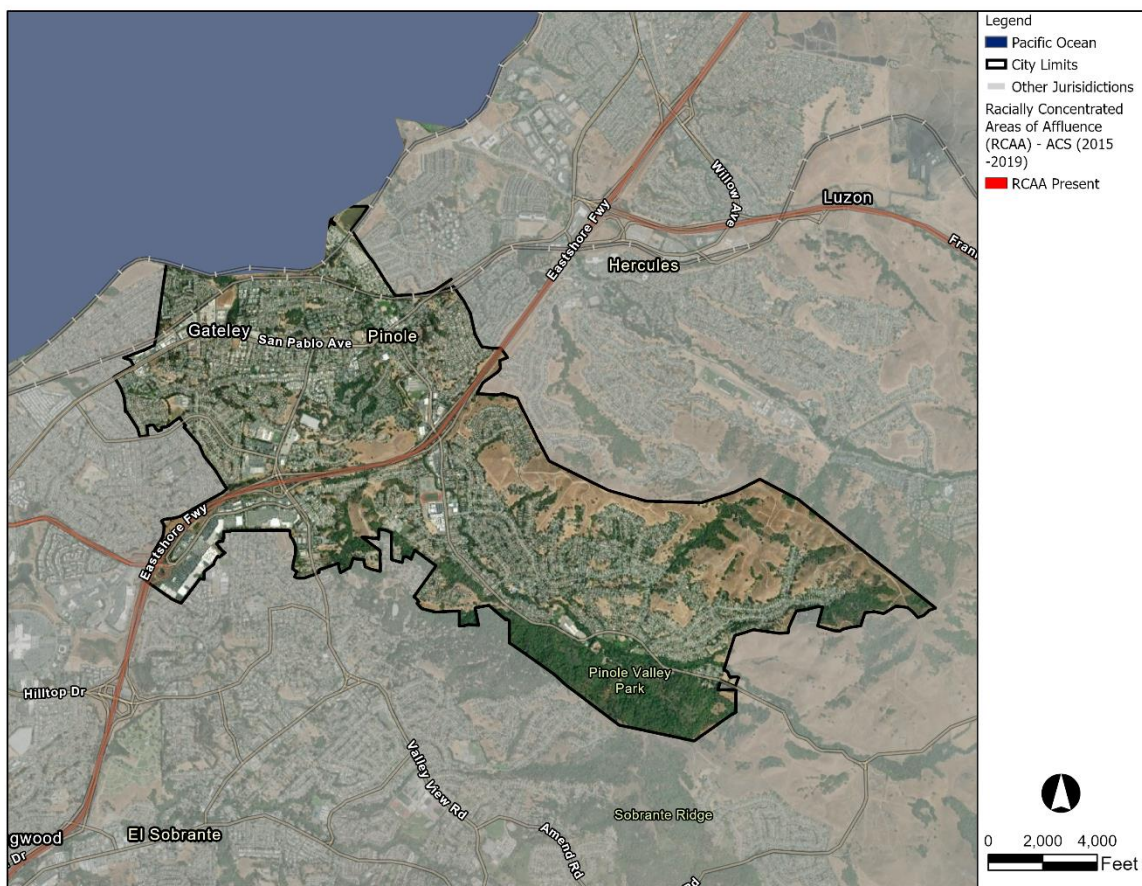
Source: HCD AFFH Data Viewer

Racially Concentrated Area of Affluence

HUD defines Racially Concentrated Areas of Affluence (RCAAs) as areas where the percentage of the White population in a tract is over 1.25 times the average percentage of the White population in the given Council of Government (COG) region and the median income is 1.5 times higher than the COG or state AMI), whichever is lower. At the time of this analysis, there are no RCAAs in Pinole, as seen in Figure 30.

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Figure 30: RCAAs Vicinity, 2015-2019



Racially Concentrated Areas of Affluence

Source: HCD AFFH Data Viewer

Disparities in Access to Opportunities

California Tax Credit Allocation Committee (TCAC)

One tool that can be used to analyze disparities in access to opportunities is the Tax Credit Allocation Committee (TCAC) Opportunity Area resource designations. These were prepared by a task force commissioned by TCAC and HCD to identify areas statewide whose economic, educational, and environmental characteristics support positive outcomes for low-income families. The map is updated annually. Opportunity maps are made for three domains: economic, environmental, and education. Each map uses a number of indicators to determine its individual score. A composite score and resource designation combining all three designations is then assigned to each block group.

To determine final resource designation, the top 20 percent of overall scores in the economic, environmental, and education categories in a county are labeled as highest

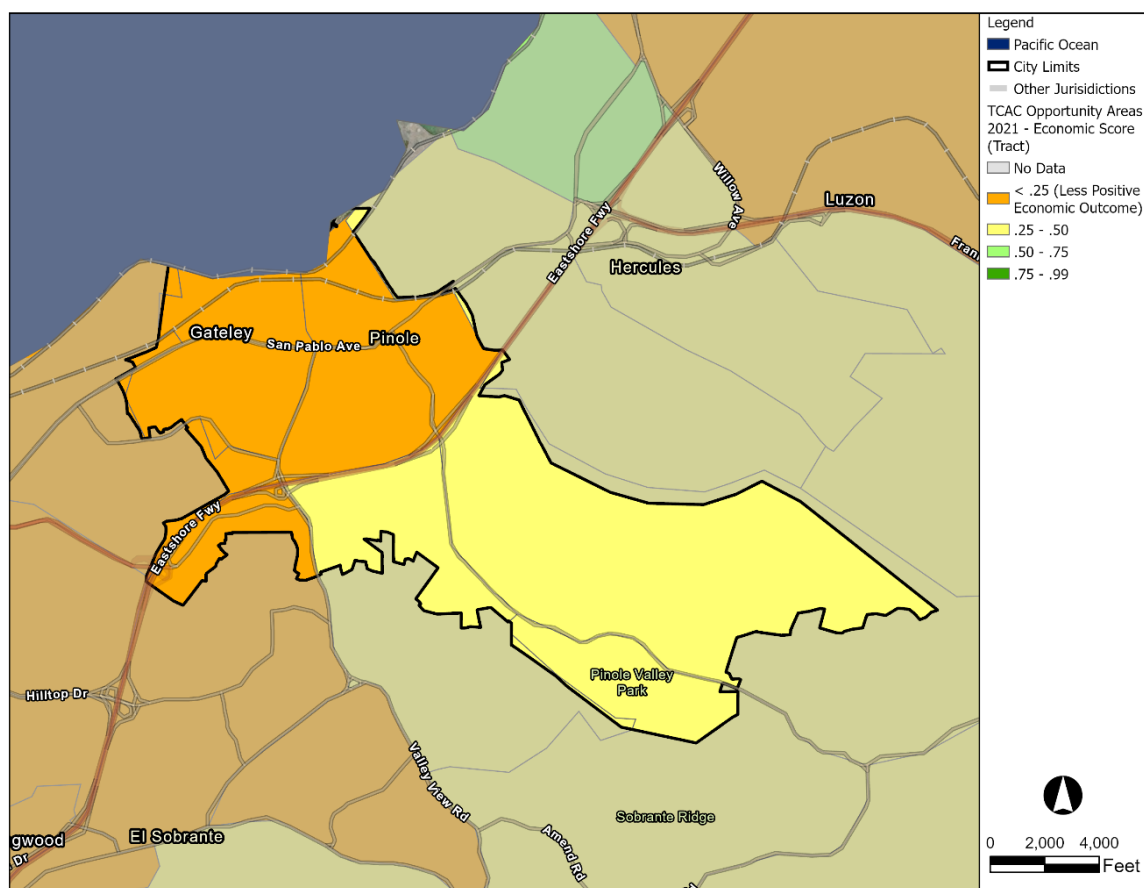
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resource and the next 20 percent of scores are labeled as high resource. Then, any areas that are considered segregated and that have at least 30 percent of the population living below the federal poverty line are labeled as an area of High Segregation and Poverty. Any remaining uncategorized areas in the county are evenly divided between moderate resource and low resource areas.

Economic Indicators

Economic indicators include poverty, adult education, employment, job proximity, and median home value. The scores for Pinole are shown in Figure 31. Pinole has more positive economic scores in the east, and less positive scores in the northwestern part of the City. The more positive scoring area contains single-family homes. The more positive scoring area also contains large areas of open space, which may slightly skew results. The low economic scores in northwestern Pinole may be associated with the lower incomes and home values in this area.

Figure 31: TCAC Economic Score, 2021



TCAC Economic Score, 2021

Source: HCD AFFH Data Viewer

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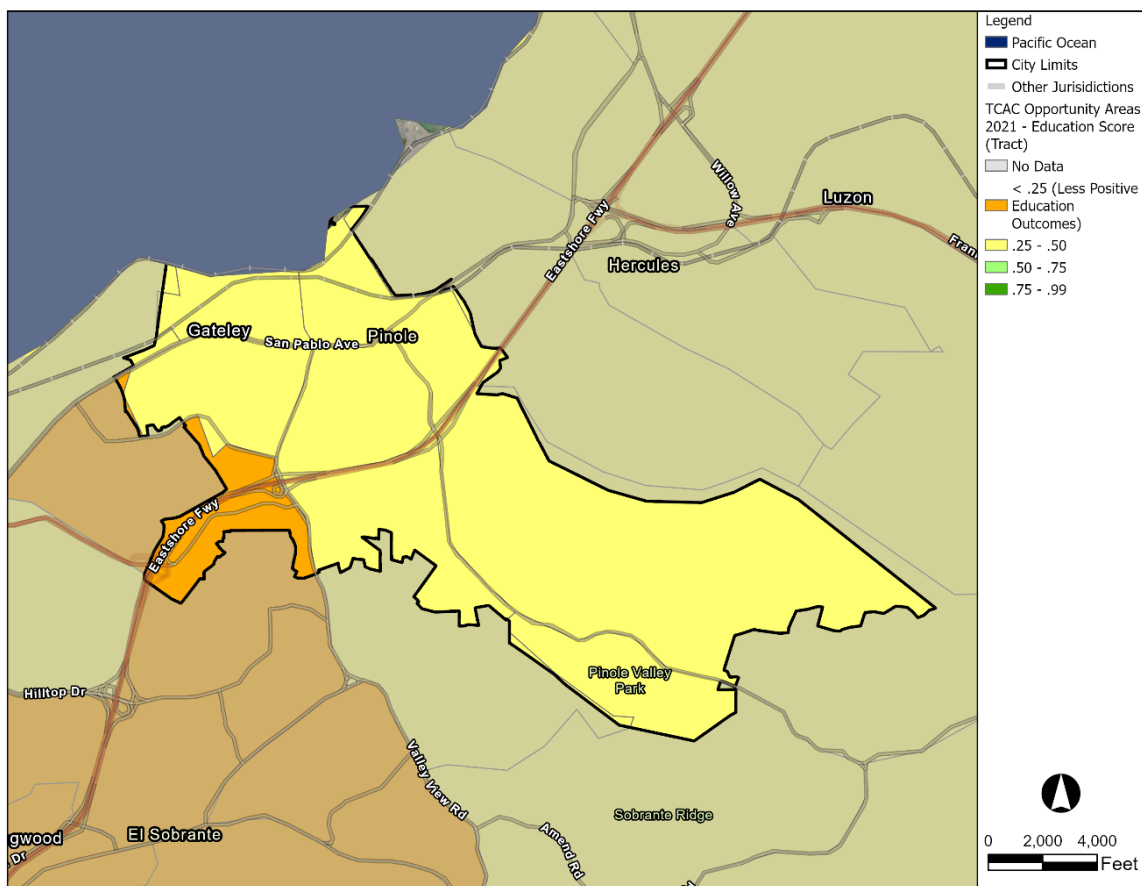
Education Indicators

Education indicators include math and reading proficiencies of fourth graders, high school graduation rates, and the student poverty rate. The entirety of Pinole is served by the West Contra Costa Unified School District, which includes three elementary (grades K-6), one bilingual school (courses in both English and Spanish) covering elementary and middle schools (grades K-8), one middle school (grades 7-8), and one high school (grades 9-12). Currently, there are no Title I schools in Pinole. According to Great Schools, 71 percent of schools in the district are rated below average, 22 percent are rated average, and 8 percent are rated above average¹⁵. As shown in Figure 32, most of the City has lower outcomes. Education scores are less positive in the southwestern area of the City, while the rest of the City is slightly less than average.

¹⁵ Great Schools, West Contra Costa Unified School District Summary. <https://www.greatschools.org/california/richmond/west-contra-costa-unified-school-district/>

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Figure 32: TCAC Education Score, 2021



TCAC Education Score, 2021

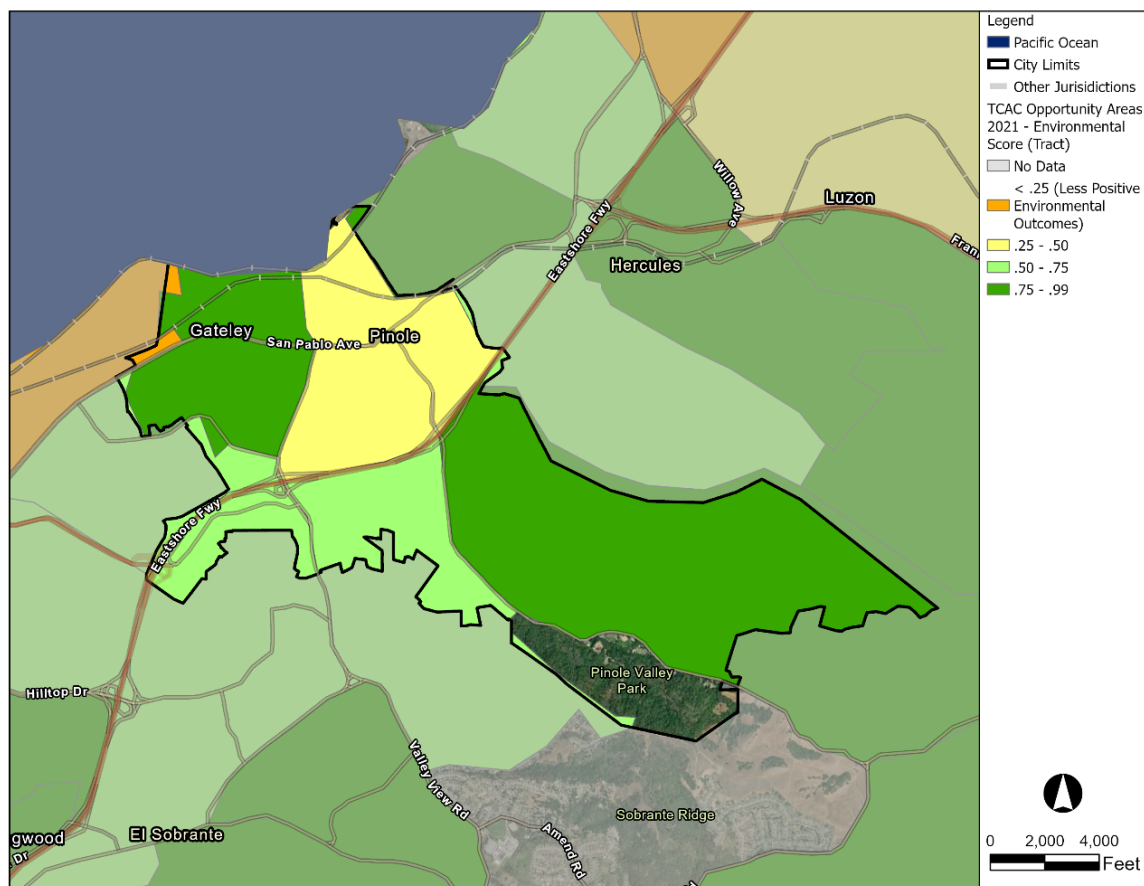
Source: HCD AFFH Data Viewer

Environmental Indicators

The environmental domain utilizes CalEnviroScreen (CES) 4.0 pollution indicators and values (see below for more discussion on CES). As shown in Figure 33, the scores vary throughout the City, with environmental outcomes becoming less positive toward the north. The census tracts are bisected by Interstate 80, which contributes to the air and noise pollution. Additionally, this portion of Pinole is largely built out, and is dominated by automobile dependent infrastructure—notably single-family zoning and subdivisions and ‘big-box’ style commercial developments. Additionally, the lower environmental outcomes in the northwestern areas contain varying intensities of industrial use, from auto mechanic shops to concrete production facilities.

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Figure 33: TCAC Environmental Score, 2021



TCAC Environmental Score, 2021

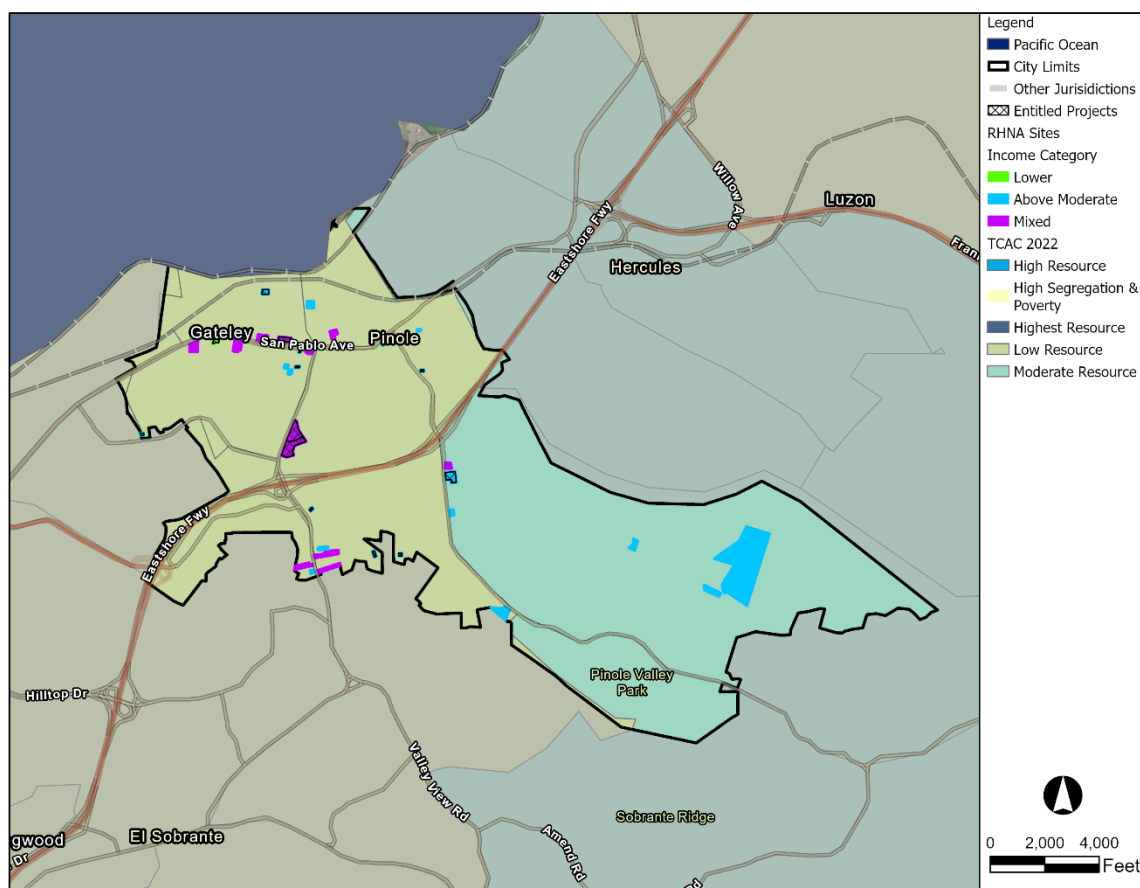
Source: HCD AFFH Data Viewer

TCAC Composite Score

Scores for each domain and the composite score for each census tract are shown in Figure 34. The entirety of the City is in the moderate or low resource area. Tracts that are moderate and low resource are likely due to their lower economic and education scores. The City is focusing growth as infill along the corridors identified in the Three Corridors Specific Plan, which has access to transit, employment opportunities, and community resources. As such, the majority of RHNA sites are located along and in proximity to these corridors that provide access through currently categorized low resource areas. Investment in the Three Corridors Specific Plan area is expected to increase access to opportunity and increase resources in the low resource area of the City. The City is also including programs to encourage development through incentives for mixed-use development, affordable, and senior housing with Program 5, Program 7, and Program 9 respectively. The City will also include Program 14 permit streamlining and Program 16 acquisition/rehabilitation of blighted or distressed properties to further encourage development in low resource areas.

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Figure 34: TCAC Composite Score

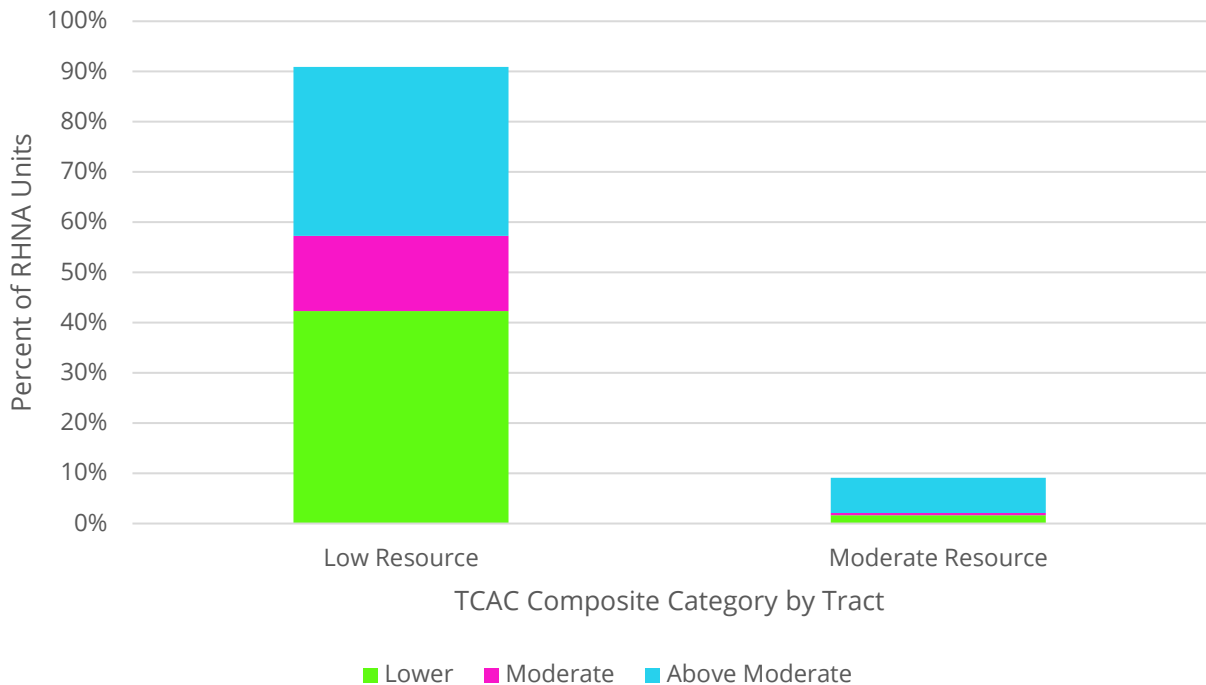


TCAC Composite Score Comparison and RHNA Sites

Source: HCD AFFH Data Viewer

Figure 35 displays the RHNA units down by income level that are in each TCAC composite category. The entirety of the City, and thus all of the units, are located in within the low and moderate resource category. This includes 42 percent of low-income units located in the low resource category while only 1 percent is in the moderate resource category. RHNA sites of various incomes in areas of these categories is unlikely to exacerbate any conditions or make any negative changes to the resource designation.

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Figure 35: TCAC Designation Comparison of RHNA Units

Transportation

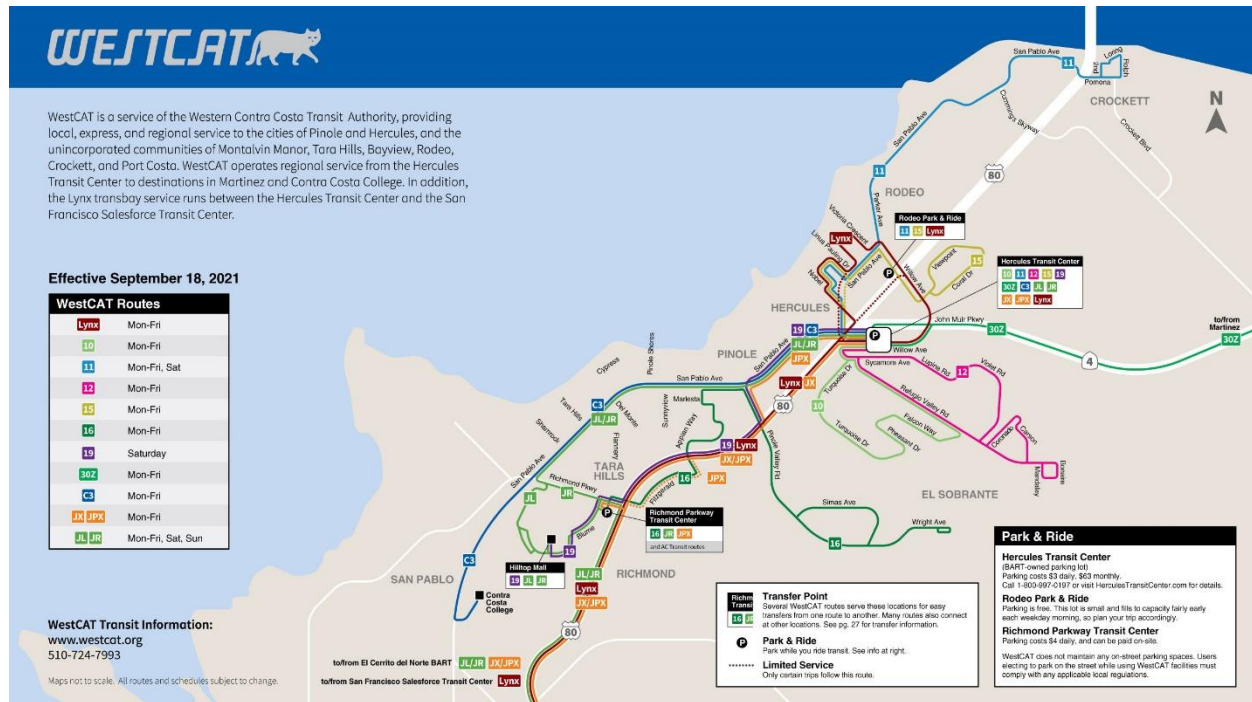
Access to adequate transportation and a variety of transit options can help illustrate disparities in access to opportunities. WestCAT is a transit service of the Western Contra Costa Transit Authority, which provides local transit service coverage in western Contra Costa County. It also provides express services to regional transit hubs and stations such as the Salesforce Transit Center in San Francisco and the El Cerrito Del Norte BART Station. WestCAT also offers free dial-a-ride programs for elderly and disabled residents. Both public transportation and Interstate 80 provide access from Pinole to west Contra Costa County and the rest of the Bay Area.

The City also has a few multiuse bike paths, providing safer, nonmotorized transportation options within the City. There is a bike path along Pinole Creek which bisects San Pablo Avenue, one of the major thoroughfares, but does not extend east of Interstate 80. The trail connects to the regional San Francisco Bay Trail, which contains existing portions within City limits.

The Richmond Parkway Transit Center and the Hercules Transit Center are transit and commuter hubs in surrounding communities. The Richmond Parkway Transit Center is located on the west side of the I-80 and Richmond Parkway interchange, just west of the western City limits. The Hercules Transit Center is located less than one and one half miles east of the eastern City limits from San Pablo Avenue. WestCAT operates bus routes that connect to these centers.

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Figure 36: Transit Map



Source: WestCAT, 2022

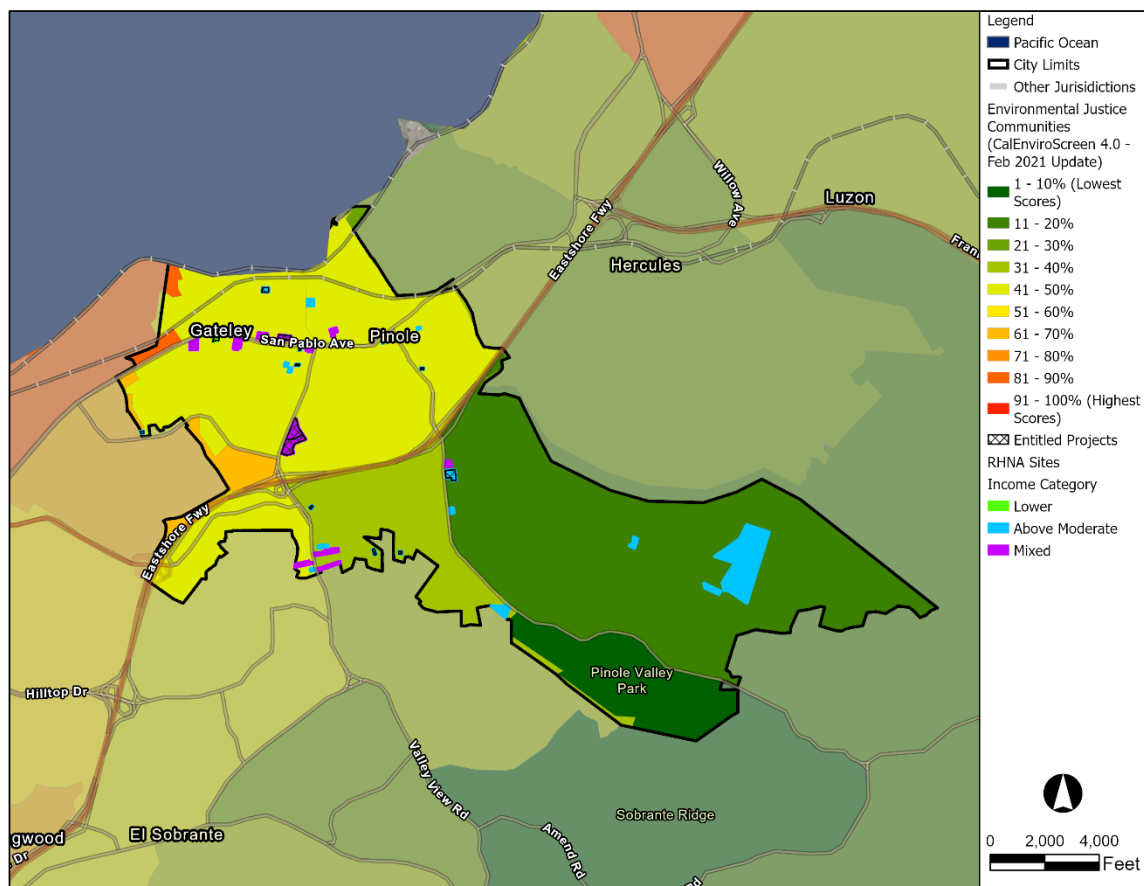
CalEnviroScreen

CES 4.0 is a tool that identifies communities in California that are disproportionately burdened by pollutants. Factors used to identify communities include ozone, particulate matter, drinking water contaminants, pesticide use, lead, diesel particulates, asthma rates, and linguistic isolation. A higher score indicates a higher effect of pollutants for the area.

As shown in Figure 37, CES scores vary across the City. The southeastern areas of the City have the lowest scores, with the higher scores in the northwestern corner of the City. The highest scored census tract in Pinole, but primarily includes Bayview-Montalvin, falls into the 81-90 percent range. The tract scores high in diesel particulate, toxic releases, and lead from housing. The tract is bisected by a railway, which is likely a factor of high scores for this. The lower-density southeastern part of Pinole contains large open spaces that significantly limit development, contributing to the lower CES scores.

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Figure 37: CES Percentile and RHNA Sites

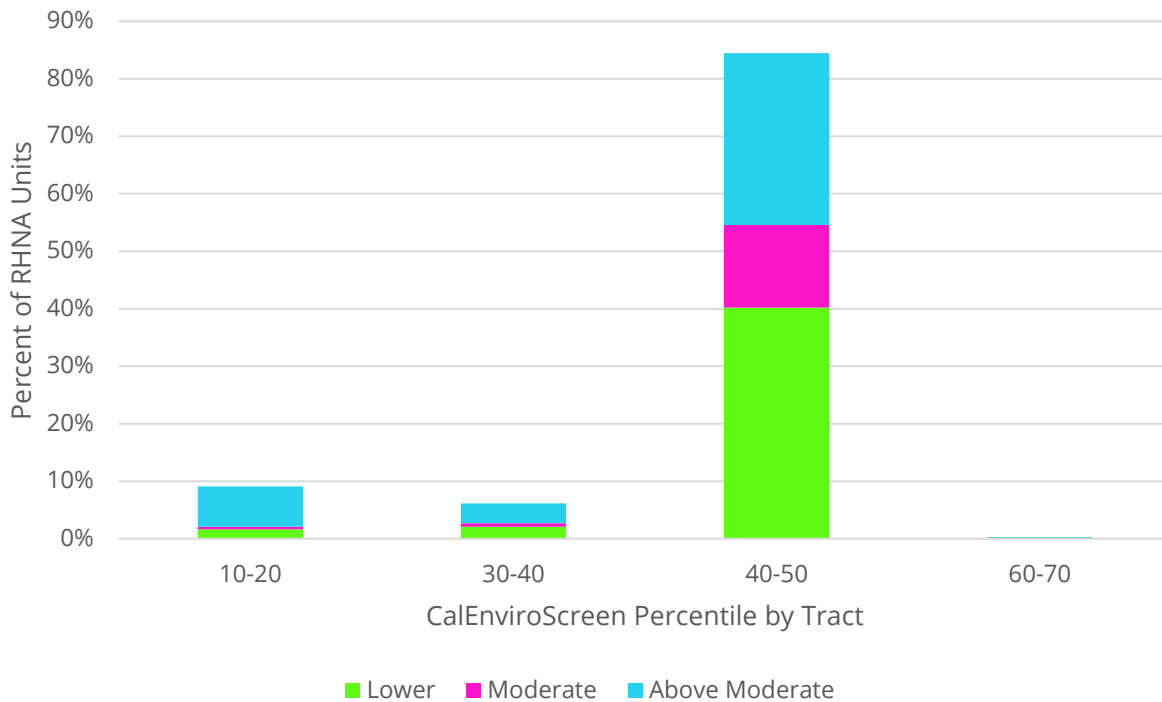


CalEnviroScreen 4.0 Percentile Score and RHNA Sites

Source: HCD AFFH Data Viewer

Figure 38 displays the comparison of RHNA sites and in each CES score group. While they largely follow similar trends, there is a concentration of sites in the 41-50 percentile, especially mixed-income sites. This concentration is in part due to the likelihood of development and availability of vacant and underutilized properties, as well as access to amenities along San Pablo Avenue, a major city thoroughfare.

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Figure 38: CalEnviroScreen Percentile Comparison of RHNA Units

Findings

Trends in the access to opportunities analysis show that the City largely has lower access to opportunities throughout. The City has lower scores in opportunity metrics compared to the County as a whole. As such, many of the RHNA sites are located in the low resource areas, which include the highest rates of low-income households and are where housing choice voucher use primarily occurs.

The City is including programs to ensure that the RHNA site selection will improve access to resources in lower-resource areas. This includes Program 18 place-based improvements, Program 20 displacement prevention, and affordable and senior housing incentives with Program 7 and Program 9 respectively.

Additionally, other programs in the Housing Element are intended to spur housing development in the moderate-resource areas of the City. This includes Program 14 to incentivize mixed-used development, Program 14 streamline the permit process, and target ADU education with Program 22.

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Disproportionate Housing Needs

Substandard Housing

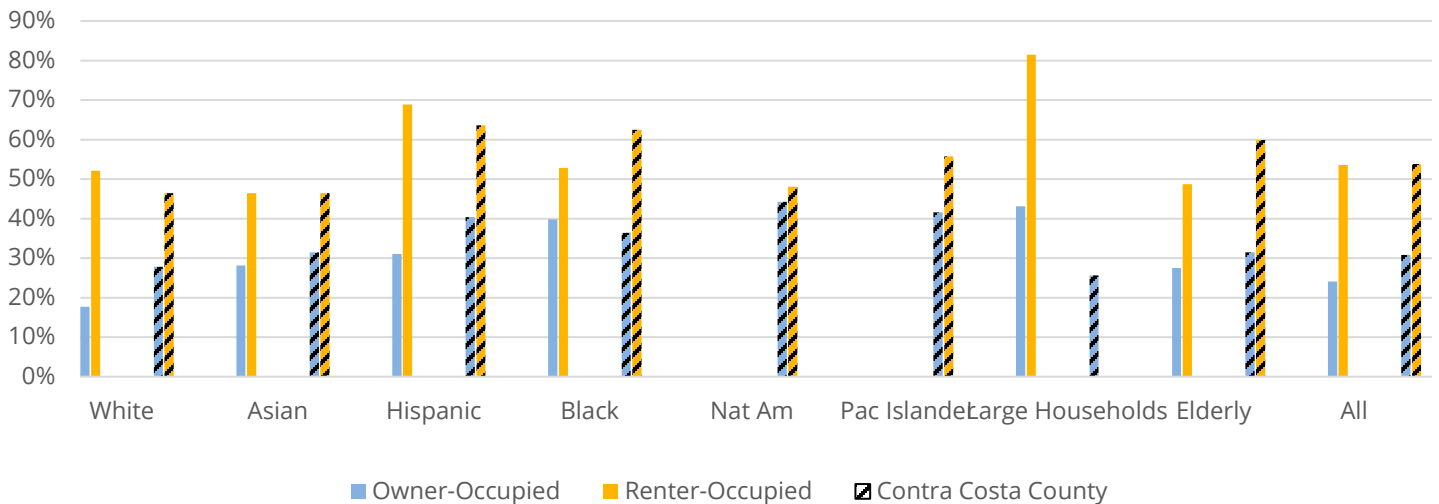
Disproportionate housing needs are determined by comparing substandard housing or housing problems to tenure, race, household size, or household age. A household is considered substandard or to have a housing problem if it has one or more of the four following housing problems:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Housing unit is overcrowded
- Household is cost burdened

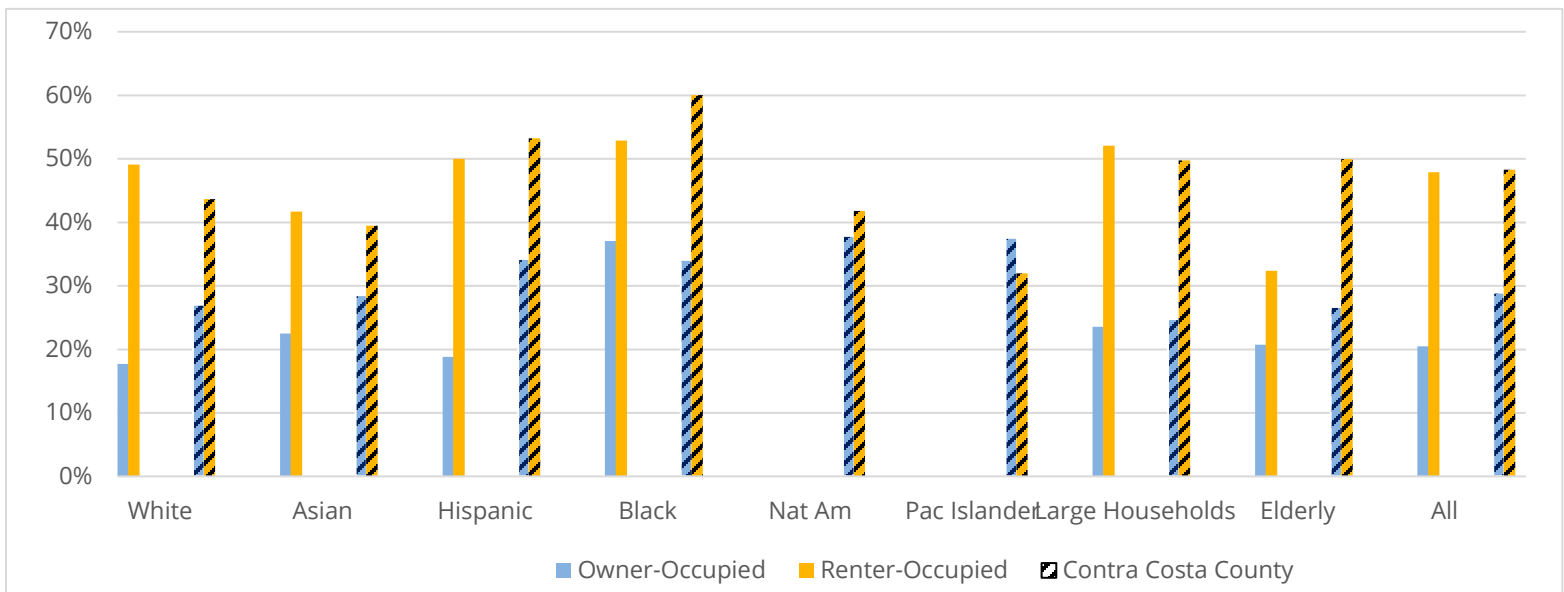
A large household is a household with three or more children, but it is also often calculated as a household with five or more people, as it is for the charts below. An elderly household is calculated as any household with a person over 62 years of age. Large and elderly households are often more likely to experience housing problems.

Renters experience housing problems at a higher rate than owners across all ethnicities. Black owners and large household owners experience housing problems at the highest rate among housing owners. Hispanic renters experience housing problems at the highest rate overall at around 69 percent. Black renters experience housing problems at the next highest rate at 53 percent, followed by 52 percent of White and 46 percent Asian renters. Rates of housing problems for the Hispanic population are relatively comparable between the City and the County, with 31 and 40 percent between the City and County respectively, and 69 and 64 percent of Hispanic renters in the City and County, respectively, experience housing problems. In 2018, there were no Native American or Pacific Islander populations in the City, which indicates why Figure 39 reads that 0 percent of that population experiences housing problems.

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Figure 39: Housing Problems by Tenure and Race/Elderly/Housing Size

Cost burden is when a household spends more than 30 percent of its monthly income on housing costs like rent, mortgage, or utilities. Large households have more costs to support more people and may experience cost burden or a lack of excess funds to amend housing problems. Elderly households may be on a fixed income, which may constrain the ability to pay for maintenance of older homes.

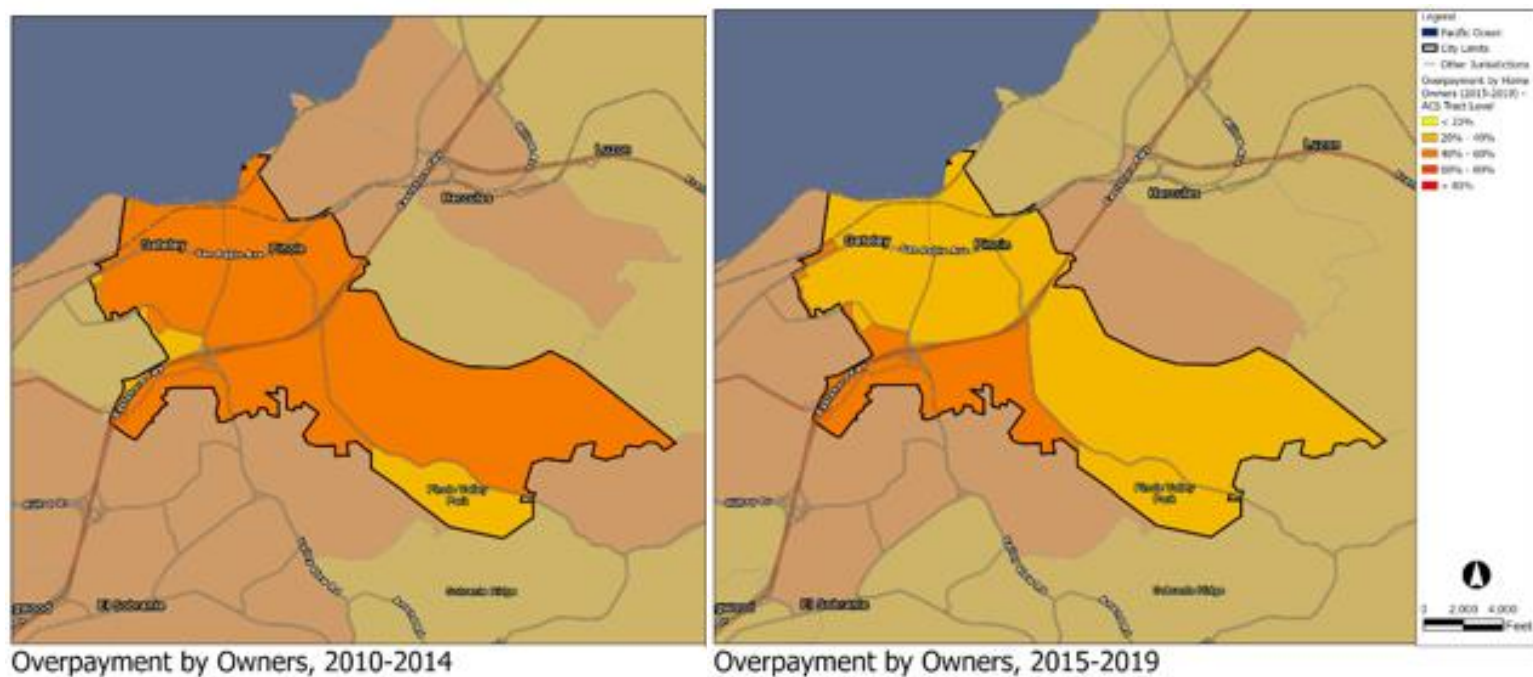
Figure 40: Cost Burden by Tenure and Race/Elderly/Housing Size

Overpayment by both owners and renters has decreased in Pinole over time in most areas of the City. The area with the highest levels of overpayment is the same area that has low environmental scores and higher levels of poverty. Overpayment by renters in the City

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occurs at a comparable level with the County, with both showing approximately 48 percent of these households experiencing cost burden; overpayment by owners occurs at a slightly lower level in the City than in the County. In both cases, renters have higher rates of overpayment than owners.

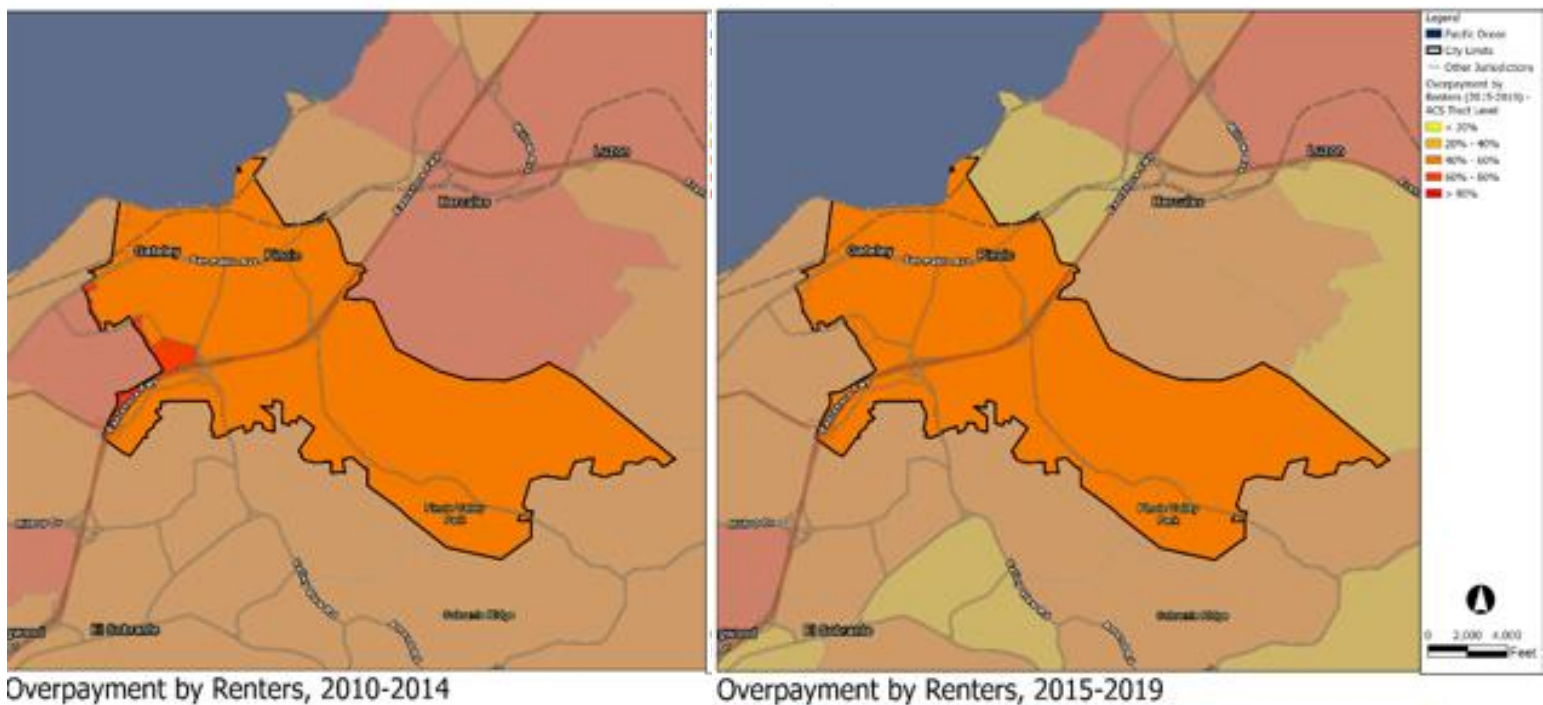
Figure 41: Overpayment by Owners



Source: HCD AFFH Data Viewer

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Figure 42: Overpayment by Renters



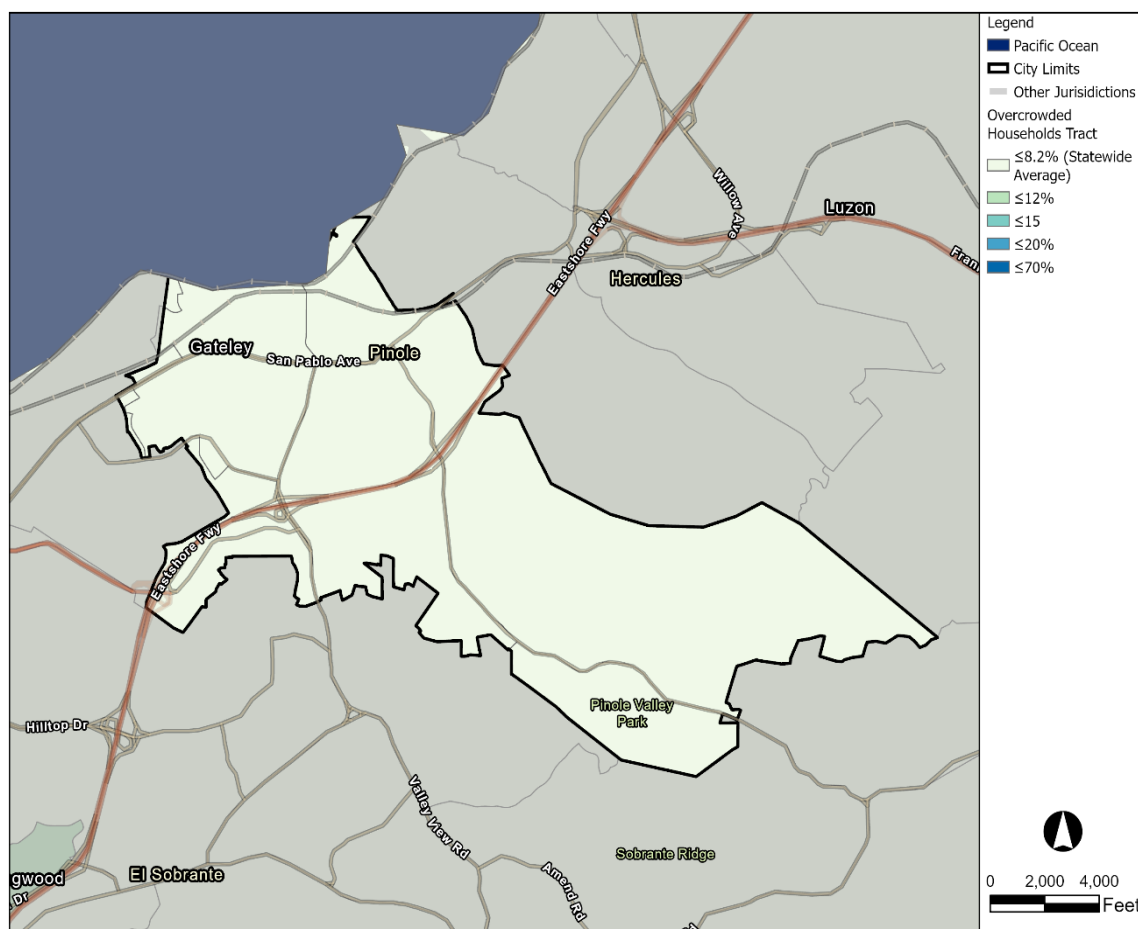
Source: HCD AFFH Data Viewer

Overcrowding

A household is considered overcrowded when there is more than one person per room, including living and dining rooms but excluding bathrooms and kitchens. Overcrowding can affect public facilities and services, reduce the quality of the physical environment, and create conditions that contribute to deterioration of the housing stock. Additionally, overcrowding can indicate that a community does not have an adequate supply of affordable housing and/or variety of suitable housing units to meet the needs of the community.

In Pinole, there are no areas that have more than the statewide average of 8.2 percent of households experiencing overcrowding.

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Figure 43: Overcrowded Households**Overcrowded Households, 2010**

Source: HCD AFFH Data Viewer

Table 68 summarizes overcrowding in Pinole by tenure. Instances of overcrowding vary by tenure, with renters experiencing lower levels of overcrowding than owners. Approximately 247 households, roughly 3.7 percent of all households in Pinole, were experiencing overcrowding in 2019. This included 173 owner-occupied households and 74 renter-occupied households.

In Contra Costa County, cities near Pinole, such as San Pablo and Hercules, have similar rates of overcrowding. Pinole has lower levels of overall overcrowding compared to the County as a whole.

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Table 68: Overcrowding, 2019

Jurisdiction	Persons per Room	Owners		Renters		Total	
		Overcrowded Households	% of Total	Overcrowded Households	% of Total	Overcrowded Households	% of Total
Pinole	1.01 to 1.50	156	2.3%	66	1%	222	3.3%
	>1.50	17	0.3%	8	0.1%	25	0.4%
	Total Overcrowded	173	2.6%	74	1.1%	247	3.7%
Contra Costa County	1.01 to 1.50	4,483	1.1%	9,001	2.3%	13,484	3.4%
	>1.50	1,469	0.3%	4,974	1.3%	6,443	1.6%
	Total Overcrowded	5,952	1.4%	13,975	3.6%	19,927	5.0%

Source: HUD CHAS Data, 2019

Homelessness

The homeless population is a group that has disproportionately higher needs than those who are housed. Pinole currently does not have any shelters, and therefore there are no sheltered members of the homeless population. The Contra Costa Health, Housing & Homeless Services conducted the 2022 Point in Time Count (PITC), which counts the unsheltered homeless population in each city in the County. The PITC identified 3,093 both sheltered and unsheltered homeless persons in Contra Costa County. Table 69 shows the PITC for west Contra Costa County, which includes Pinole and neighboring jurisdictions. There were 7 homeless persons surveyed in Pinole in January 2020, all of which were unsheltered.

Table 69: West Contra Costa County Unsheltered Point in Time Count, 2022

Jurisdiction	Total
Pinole	53
Crockett	35
El Cerrito	24
El Sobrante	9
Hercules	7
North Richmond	22
Richmond	280
Rodeo	62
San Pablo	67

Source: 2020 Contra Costa County: Annual Point in Time Count Report

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Displacement

The Urban Displacement Project at the University of California, Berkeley, developed a map of “sensitive communities” where residents may be particularly vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing cost. Sensitive communities are defined based on the following set of criteria:

The share of very low-income residents is above 20 percent.

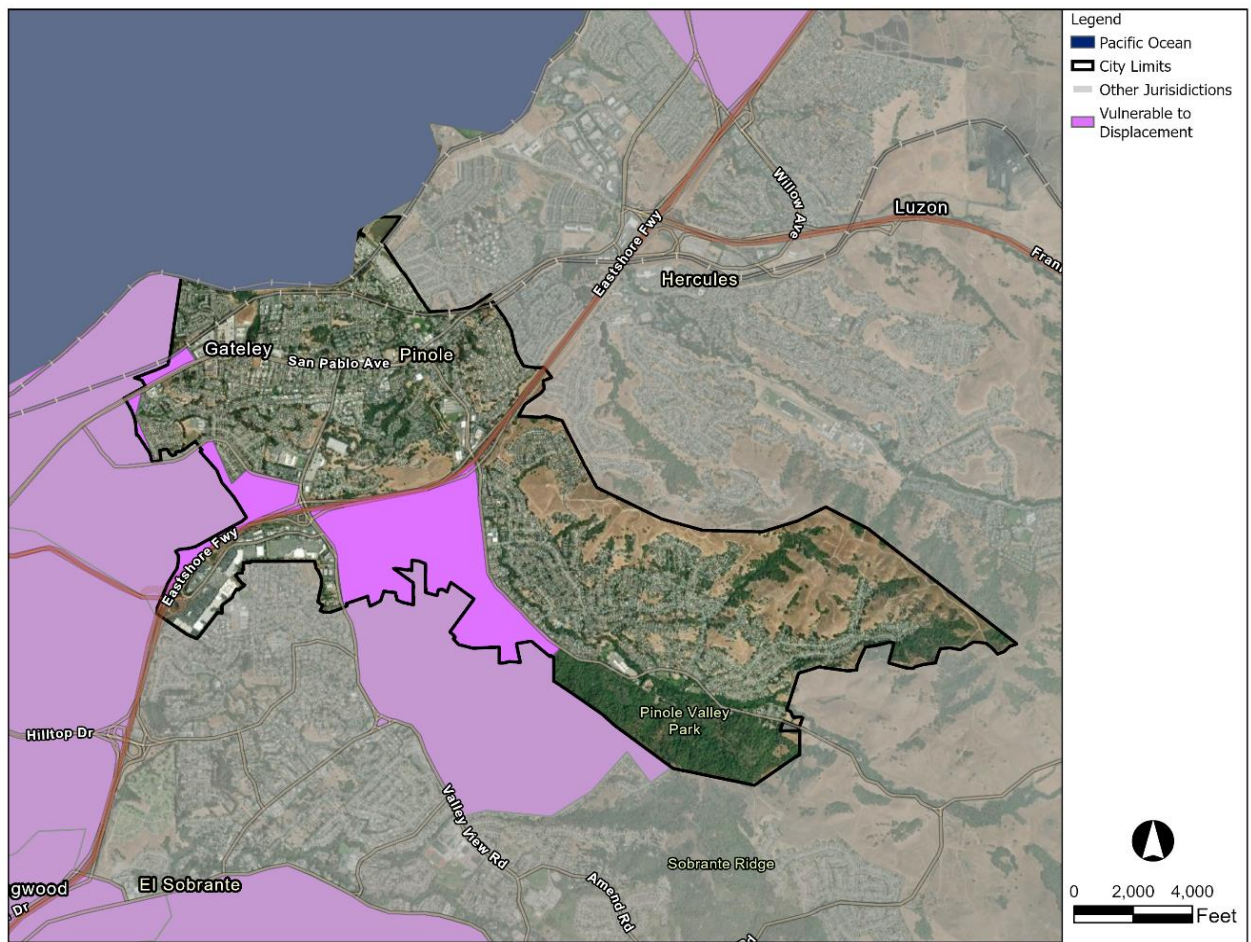
The tract must also meet two of the following criteria:

- The share of renters is above 40 percent.
- The share of people of color is above 50 percent.
- The share of very low-income households (50 percent AMI or below) that are severely rent burdened is above the county median.
- The census tract, or areas in close proximity, have been experiencing displacement pressures. Displacement pressure is defined as:
 - The percentage change in rent above county median for rent increases OR
 - The difference between tract median rent and median rent for surrounding tracts above median for all tracts in county (rent gap).

Figure 44 shows the areas vulnerable to displacement as identified by the Urban Displacement Project. Two census tracts in Pinole are considered vulnerable to displacement, residential tract 3601.01 and commercial tract 3640.02, the largest area being located centrally within the City along Interstate 80. Areas along the western City limits show similar risk.

The City is attempting to meet its RHNA without displacing existing residents by identifying vacant and underutilized sites that do not have existing residential uses. Therefore, the City's RHNA strategy is not anticipated to exacerbate risk of displacement. Instead, it is expected to minimize displacement by providing new housing opportunities for all income levels in areas with greater risk. Additionally, the City is implementing a Displacement Prevention Policy/Housing Mobility (Program 20) and Fair Housing Resources and Services Program (Program 19) to further minimize the risk of displacement.

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Figure 44: Communities Vulnerable to Displacement**Communities Vulnerable to Displacement, 2017**

Source: HCD AFFH Data Viewer

Findings

The analysis of disproportionate housing needs shows similar trends to the access to opportunities and integration and segregation analysis. The western and central portion of the City shows higher needs than the rest of Pinole, including needs and issues related to higher rates of overcrowding and possible displacement risk. Additionally, renters, Hispanic and large households experience the greatest rates of housing problems in the City.

The City is including Program 18, a place-based improvement program to ensure that the RHNA site selection will improve access to resources throughout the City.

RHNA sites are distributed throughout the City and are not concentrated in areas with disproportionate housing needs.

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Other Contributing Factors

Historical Land Use and Investment Patterns

Pinole was incorporated in 1903 and served as a small, regional hub along the San Pablo Bay. Contra Costa County and the City of Pinole experienced a post-World War II population boom, becoming a bedroom community for people working in San Francisco and Oakland. Interstate 80 was constructed in 1958 and bisected the City. This major interstate helped usher in the era of automobile-dominated development in Pinole and the surrounding areas. As a result of this era of development and preferences during this time, single family residential development has been the prevailing form of residential land use covering the City. Pinole has little land left for greenfield development, and a majority of the City is built out.

High Cost of Development

Difficult development areas (DDA) are areas with high land, construction, and utility costs relative to the area median income and are based on fair market rents, income limits, the 2010 Census counts, and 5-year American Community Survey data. HUD has determined that the entire jurisdiction of Pinole falls within a DDA. While being in a DDA can give developers additional tax credits on a project, there are also additional and often substantial barriers to construction in Pinole. Small developers and developments are less likely to be financially able to pursue construction in the area, and suitable sites for development are becoming ever harder to find. In addition to the lack of land, the high costs of construction and land can make building additional housing stock difficult.

Fair Housing Issues, Contributing Factors, and Meaningful Action

The City has drafted goals and actions that specifically address the contributing factors identified in the AFFH analysis. While the City views all contributing factors as important priorities to address, higher priority was given to factors that limit fair housing choice and/or negatively impact fair housing, per Government Code Section 65583(c)(10)(A)(iv).

Table 70 displays the identified fair housing issue, contributing factor, actions taken to address the contributing factor, and priority level for each issue. Relevant programs are referenced in the action column for each contributing factor.

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Table 70: Contributing Factors

Identified Fair Housing Issue	Contributing Factor	Action (Program #)	Priority
Disproportionate Housing Needs	Lack of affordable or multifamily housing/diverse housing stock	- Facilitate ADU Production (Program 4) - Incentives for Mixed-Use Developments (Program 5) - Affordable Housing Incentives (Program 7) - Housing for Extremely Low-Income Households and Persons with Disabilities (Program 8) - Senior Housing Incentives (Program 9) - Displacement Prevention / Housing Mobility (Program 20) - Home Sharing and Tenant Matching (Program 10)	High
Segregation and Integration	- Lack of affordable housing stock - Zoning restrictions	- Outreach and Technical Assistance to Applicants (Program 3) - Facilitate ADU Production (Program 4) - Incentives for Mixed-Use Developments (Program 5) - Affordable Housing Incentives (Program 7) - Zoning Amendments (Program 11) - Place-Based Improvements (Program 18) - ADU Education (Program 22)	Moderate
Access to Opportunities	Lower access to opportunities than Contra Costa County as a whole	- Place-Based Improvements (Program 18) - Fair Housing Resources and Services (Program 19) - Housing Resources Education (Program 21) - Home Sharing and Tenant Matching (Program 10)	Moderate
Outreach and Enforcement Capacity	Lack of widely publicized housing information	- Place-Based Improvements (Program 18) - Fair Housing Resources and Services (Program 19)	Low

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Identified Fair Housing Issue	Contributing Factor	Action (Program #)	Priority
		- Housing Resources Education (Program 21) - ADU Education (Program 22)	

Table 71 provides a detailed overview of actions included in Housing Element programs that are aimed at affirmatively furthering fair housing. The table separates the actions by their identified fair housing issue and priority level. It summarizes the specific commitment, timeline, geographic targeting, and metric for each program.

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Table 71: AFFH Actions Matrix

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
Disproportionate Housing Needs				
Program 4	To encourage and increase ADU production in the City, a number of efforts are included. The programs are intended to help the City meet its target projection of 3 ADUs per year.	Track ADU permits as they are submitted. Review ADU strategies annually as part of the Annual Progress Report process. Adopted amnesty program and developed fast track program within 2 years of Housing Element adoption.	Targeted promotion of ADUs in east Pinole. Targeted promotion of ADUs in neighborhoods which the geographic review identifies as building fewer ADUs.	Construction of 5 ADUs per year.
Program 5	The City will develop incentives to encourage residential mixed-use development in areas consistent with the Three Corridors Specific Plan Land Use Plans, and in particular along portions of the San Pablo Avenue, Pinole Valley Road, and Appian Way.	Within two years of Housing Element adoption.	Three Corridors Specific Plan areas and mixed-use zones	Amended zoning ordinance with adopted incentives. Entitlement of 3 mixed-use projects using one or more of the available incentives
Program 7	Create and adopt a set of incentives for projects that provide a minimum of 15 percent of total units affordable to low and moderate income households, and provide additional affordable housing beyond the City's 15 percent inclusionary requirement.	Within two years of Housing Element Adoption	Citywide	Completion of initial review of affordable housing developments within prescribed timeline. Expedited review of projects to take 50% less time than the normal review process.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
Program 8	Encourage and facilitate the development of housing for ELI households and housing for persons with disabilities	Annual review of funding opportunities, collaboration with services providers, and contact of developers. Annual developer workshop. Use of one or more incentives for ELI and/or households with persons with disability housing development in one project throughout the planning period. Development of fee waiver program within 18 months of Housing Element adoption. Zoning Ordinance amendments for ELI parking reduction within two years of Housing Element adoption.	Citywide	Annual contact of developers
Program 9	The City will develop a set of incentives to encourage the development of housing for seniors.	Within two years of Housing Element adoption	Citywide	Use of one or more incentives for senior housing development in one project throughout the planning period.
Program 20	Within one year, coordinate with a qualified fair housing service provider to conduct a meeting/workshop to inform residents and landlords of sources of income protection and	Revise zoning ordinance to require affordable unit replacement within two years of Housing	Conduct the source of income protection/tenant's rights workshop in west Pinole.	Conducted workshop within one year of adoption. Provide resources on source of

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	state rent control laws such as AB 1482. This may be done in coordination with the workshop in Program 18. Coordinate outreach efforts to inform landlords and tenants of recent changes to state law that prevent source of income discrimination, including allowance of housing choice vouchers (HCVs) to establish a renter's financial eligibility. Pursuant to SB 330, ensure that when existing housing is demolished, at least an equivalent number of units at the same affordability are created as replacements.	Element adoption; create and distribute informational materials by within 18 - 24 months of Housing Element adoption, with annual outreach to tenants and relevant organizations. Conducted workshop within one year of adoption.		income discrimination and housing choice vouchers to 35 households annually.
Program 11	The Home Sharing and Tenant Matching program will work in tandem with educating residents and facilitating additional ADU and JADU developments across the City. The pamphlets developed in Program 22 will include detailed the Pinole home sharing program, once developed, and references to other educational and financial resources for homeowners incorporating and ADU and/or JADU on their properties, or seeking housemates to live in their JADU	Develop program components, outreach strategies and compile resources within three years of Housing Element adoption.	Citywide	10 tenant matches completed throughout the planning period.
Segregation and Integration				
Program 3	The City will provide technical assistance to developers to encourage provision of affordable housing that are consistent with City goals. The City will engage and coordinate with other public agencies, faith and community-based organizations, and housing developers.	Technical assistance provided as needed. Develop comprehensive coordinated review procedures with all city departments within one year of Housing Element adoption. Create	Faith-based organizations and facilities across Pinole.	Technical assistance to all affordable housing applicants. Make the comprehensive coordinated review with all city departments standard operating procedure for all

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
		developer interest list within 6 months of Housing Element adoption and contact affordable housing builders annually with information about sites to facilitate development of affordable rental housing. Annual outreach to public agencies and community and faith-based organizations for funding and partnership opportunities.		residential developments. Annual review of available funding sources and contact to other agencies and developers.
Program 4	To encourage and increase ADU production in the City, a number of efforts are included. The programs are intended to help the City meet its target projection of 3 ADUs per year.	Track ADU permits as they are submitted. Review ADU strategies annually as part of the Annual Progress Report process. Adopted amnesty program and developed fast track program within 2 years of Housing Element adoption.	Targeted promotion of ADUs in east Pinole. Targeted promotion of ADUs in neighborhoods which the geographic review identifies as building fewer ADUs.	Construction of 5 ADUs per year.
Program 5	The City will develop incentives to encourage residential mixed-use development in areas consistent with the Three Corridors Specific Plan Land Use Plans, and in particular along portions of	Within two years of Housing Element adoption.	Three Corridors Specific Plan areas and mixed-use zones	Amended zoning ordinance with adopted incentives. Entitlement of 3 mixed-use projects

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	the San Pablo Avenue, Pinole Valley Road, and Appian Way.			using one or more of the available incentives
Program 7	Create and adopt a set of incentives for projects that provide a minimum of 15 percent of total units affordable to low and moderate income households, and provide additional affordable housing beyond the City's 15 percent inclusionary requirement.	Within two years of Housing Element Adoption	Citywide	Completion of initial review of affordable housing developments within prescribed timeline. Expedited review of projects to take 50% less time than the normal review process.
Program 11	The City is including a number of zoning amendments as identified in the constraints section to ensure compliance with state law and remove constraints to development.	Within two years of Housing Element adoption.	Citywide	Not Applicable
Program 18	As a part of the EJ Element, the City will pursue programs to increase environmental health and quality of life across Pinole. The City is working with County develop a contractual arrangement to develop an enhanced BayREN Home+ rebate incentive structure for Pinole homeowners and multifamily property owners to undertake needed energy efficiency projects. The City has multiple projects in its Capital Improvements Plan identified to improve mobility and active transportation opportunities in the western part of the City.	As identified in CIP Schedule; Environmental Justice Element adopted by the end of 2023. BayREN rebates in the 2022-23 fiscal year.	Targeted roll out of program to Western Pinole/EJ Element Impacted Community first.	Completed Capital Improvement Projects and Adopted Environmental Justice Element.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
Program 22	The City is developing a comprehensive education program to promote the development of second dwelling units in the City. The program will contain information for residents who may be unaware of the ability to build or incorporate an ADU and/or JADU on their properties, as well as detailed guidance on how to go through the ADU and JADU process and what financial resources are available. The City will provide pamphlets on the City website and at City Hall with detailed information on the ADU and JADU processes. The City will also provide a pamphlet with detailed information on SB 9 opportunities in the City. This will include a FAQ and detailed guidance on how to utilize SB 9 in the City. This program will work in conjunction with Program 10.	Develop outreach strategies and compile resources within two years of Housing Element adoption. Promotion of Home Sharing and Tenant Matching (Program 10) six months after program development.	Increased promotion of ADUs, JADUs, and SB 9 potential in higher opportunity areas of the City as determined by TCAC opportunity area maps.	Increased development of ADUs from 3 to 5 annually. Development of 1 JADU annually.
Access to Opportunities				
Program 18	As a part of the EJ Element, the City will pursue programs to increase environmental health and quality of life across Pinole. The City is working with County develop a contractual arrangement to develop an enhanced BayREN Home+ rebate incentive structure for Pinole homeowners and multifamily property owners to undertake needed energy efficiency projects. The City has multiple projects in its Capital Improvements Plan identified to improve mobility	As identified in CIP Schedule; Environmental Justice Element adopted by the end of 2023. BayREN rebates in the 2022-23 fiscal year.	Targeted roll out of program to Western Pinole/EJ Element Impacted Community first.	Completed Capital Improvement Projects and Adopted Environmental Justice Element.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	and active transportation opportunities in the western part of the City.			
Program 19	The City will advertise the services of and collaborate with the County’s contracted fair housing provider, currently ECHO Housing. ECHO housing holds monthly Regional Fair Housing Trainings for tenants, landlords, service providers, and staff of local governments. The City will hold an annual workshop with the County’s fair housing service provider or another qualified fair housing service provider in the City of Pinole. The City will make educational and training resources available to tenants, landowners, homeowners, and any other residents who may be affected by fair housing policy. The City will continue to encourage improved community participation and representation in all official city business, events, and communications. The City will contract with a translation service as needed for meetings, putting a standard note on all hearing notices and communications in Tagalog, Spanish and Chinese indicating that interpretation and translation services are available upon request. The City will contract with a translation service for direct on the spot translation/interpretation needs at the front counter. The City will review demographic changes in the City to determine if translation should be provided for new or additional languages every four years. Translation to additional languages added as determined by demographic analysis.	Biennial fair housing workshops. Ongoing provision of resources and referrals to fair housing service providers. Review of demographics to determine appropriate translation and interpretation languages every 4 years.	Hold at least 50% of in person workshops for fair housing in west Pinole, or other areas with low access to opportunities per the most recent TCAC opportunity area map.	Provide annual workshops or information fairs with the County fair housing provider or another qualified fair housing provider. Provide fair housing resources or referrals to 50 households annually.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every five years. The City will work with the County to publicize the outreach program for the update.			
Program 21	The City will promote and advertise available housing resources to residents through a variety of mediums. The City will continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's down payment assistance programs.	Provision of information within 18 months of Housing Element adoption. Presence at community events at least once per year.	Citywide	Provision of housing information to approximately 75 residents annually.
Program 11	The Home Sharing and Tenant Matching program will work in tandem with educating residents and facilitating additional ADU and JADU developments across the City. The pamphlets developed in Program 22 will include detailed the Pinole home sharing program, once developed, and references to other educational and financial resources for homeowners incorporating and ADU and/or JADU on their properties, or seeking housemates to live in their JADU	Develop program components, outreach strategies and compile resources within three years of Housing Element adoption.	Citywide	10 tenant matches completed throughout the planning period.
Outreach and Enforcement Capacity				
Program 18	As a part of the EJ Element, the City will pursue programs to increase environmental health and quality of life across Pinole. The City is working with County develop a contractual arrangement to develop an enhanced BayREN Home+ rebate incentive structure for Pinole homeowners and multifamily property	As identified in CIP Schedule; Environmental Justice Element adopted by the end of 2023. BayREN rebates in the 2022-23 fiscal year.	Targeted roll out of program to Western Pinole/EJ Element Impacted Community first.	Completed Capital Improvement Projects and Adopted Environmental Justice Element.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	owners to undertake needed energy efficiency projects. The City has multiple projects in its Capital Improvements Plan identified to improve mobility and active transportation opportunities in the western part of the City.			
Program 19	The City will advertise the services of and collaborate with the County’s contracted fair housing provider, currently ECHO Housing. ECHO housing holds monthly Regional Fair Housing Trainings for tenants, landlords, service providers, and staff of local governments. The City will hold an annual workshop with the County’s fair housing service provider or another qualified fair housing service provider in the City of Pinole. The City will make educational and training resources available to tenants, landowners, homeowners, and any other residents who may be affected by fair housing policy. The City will continue to encourage improved community participation and representation in all official city business, events, and communications. The City will contract with a translation service as needed for meetings, putting a standard note on all hearing notices and communications in Tagalog, Spanish and Chinese indicating that interpretation and translation services are available upon request. The City will contract with a translation service for direct on	Biennial fair housing workshops. Ongoing provision of resources and referrals to fair housing service providers. Review of demographics to determine appropriate translation and interpretation languages every 4 years.	Hold at least 50% of in person workshops for fair housing in west Pinole, or other areas with low access to opportunities per the most recent TCAC opportunity area map.	Provide annual workshops or information fairs with the County fair housing provider or another qualified fair housing provider. Provide fair housing resources or referrals to 50 households annually.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	the spot translation/interpretation needs at the front counter. The City will review demographic changes in the City to determine if translation should be provided for new or additional languages every four years. Translation to additional languages added as determined by demographic analysis. The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every five years. The City will work with the County to publicize the outreach program for the update.			
Program 21	The City will promote and advertise available housing resources to residents through a variety of mediums. The City will continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's down payment assistance programs.	Provision of information within 18 months of Housing Element adoption. Presence at community events at least once per year.	Citywide	Provision of housing information to approximately 75 residents annually.
Program 22	The City is developing a comprehensive education program to promote the development of second dwelling units in the City. The program will contain information for residents who may be unaware of the ability to build or incorporate an ADU and/or JADU on their properties, as well as detailed guidance on how to go through the ADU an JADU process and what financial resources are available. The City will provide pamphlets on the City website and at City Hall with detailed information on the ADU and JADU processes.	Develop outreach strategies and compile resources within two years of Housing Element adoption. Promotion of Home Sharing and Tenant Matching (Program 10) six months after program development.	Increased promotion of ADUs, JADUs, and SB 9 potential in higher opportunity areas of the City as determined by TCAC opportunity area maps.	Increased development of ADUs from 3 to 5 annually. Development of 1 JADU annually.

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HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	The City will also provide a pamphlet with detailed information on SB 9 opportunities in the City. This will include a FAQ and detailed guidance on how to utilize SB 9 in the City. This program will work in conjunction with Program 10.			

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Sites and Resources

Land Inventory

The sites and resources section of the Housing Element provides an overview of available land resources and residential sites for future housing development, evaluates how these resources can satisfy future housing needs, reviews financial and administrative resources available to support affordable housing, and discusses resources available for the development, rehabilitation, and preservation of housing in Pinole.

Housing Allocation

California General Plan law requires that a community provide a fair share of sites to allow for and facilitate production of the regional share of housing. To determine whether a jurisdiction has sufficient land to accommodate its share of regional housing needs for all income groups, that jurisdiction must identify “adequate sites.” As defined under California Government Code Section 65583(c)(1), adequate sites are those with appropriate zoning and development standards, with services and facilities to encourage and provide for the development of a variety of housing for all income levels.

The California Department of Housing and Community Development (HCD) and the California Department of Finance (DOF) are responsible for assessing the housing needs for different regions across the state. Pinole is in the Association of Bay Area Governments (ABAG) region, which received a regional allocation of 441,176 housing units. ABAG then distributed these housing units between all jurisdictions, a process known as the Regional Housing Needs Allocation (RHNA). ABAG adopted its final allocations on December 16, 2021. The City of Pinole’s RHNA for the 2023-2031 planning period (6th Cycle) is 500 total units, spread among different income categories, as shown in Table 72.

Table 72: 2023–2031 RHNA

Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
121	69	87	223	500

Source: Regional Housing Needs Allocation, ABAG, 2023-2031.

*Note: Pursuant to AB 2634, local jurisdictions are also required to project the needs of extremely low income households (0–30% of area median income). The projected extremely low-income need can be assumed as 50 percent (60) of the total need for the very low-income households.

No Net Loss Buffer

Recent changes to state law (Senate Bill 166 – 2017) require cities to continually maintain adequate capacity in their sites inventories to meet their RHNA for all income levels. In the event that a site is developed below the density projected in the Housing Element, or at a different income than projected, the City must have adequate sites available to

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accommodate the remaining balance of the RHNA. If the City does not have any additional capacity within the existing zoning, it must identify and rezone new sites that can accommodate the remaining need within six months. For these reasons, the City is including an additional buffer of 20 percent above the RHNA in each category. Therefore, the City will provide adequate capacity for a total of 600 units. Table 73 illustrates the RHNA breakdown by income category with the 20 percent buffer.

Table 73: 2023–2031 RHNA with Buffer

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	121	69	87	223	500
20% Buffer	24	14	17	45	100
Total with Buffer	145	83	104	268	600

Realistic Capacity

State law requires that a city project realistic estimates for housing capacity on its RHNA sites. Realistic capacity may be estimated by utilizing recent project history, using a minimum density, or through other methods. As the majority of the City's new housing growth is expected to take the form of multifamily housing, the City reviewed multifamily projects constructed during the 5th Cycle to understand historical trends for multifamily housing production.

Multifamily developments in the City have had success in meeting the densities required by the Zoning Ordinance. Table 74 lists the recent multifamily projects built, approved, or proposed in the City. The table shows the project, land use, zoning, density, number of units, maximum density of the zone, and yield percentage of the project. Seven recent projects have density yields ranging from 55 percent to 183 percent, with an average of 109 percent of the maximum permitted density. The project with the 55 percent yield, the BCRE project, was designed around keeping the existing commercial/office building that is to remain, lowering the yield. For Appian Village, there were site-specific considerations such as steeply sloped areas around the western property line and Specific Plan height limitations when adjacent to single family residential that the applicant chose to design around, lowering the yield of the project to 63 percent.

Three of the seven projects used density bonuses to achieve densities greater than allowed by the underlying zoning. This greatly increased the individual and the average project yield.

To project future development yields a very conservative approach was taken. Rather than use the actual average yield (109%), the City deducted all additional units derived from density bonuses. In this manner, the yields from the recent projects were limited to a maximum of 100% of the maximum density instead of using the actual yields of up to 183% on 43% of the sites, as shown in Table 74. This lowered the average yield from 109% to 83%,

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as shown in Table 74. The assumed yield used in the calculations was further reduced to 70% to provide a combined 36% reduction and buffer from the actual average yields to provide a conservative and achievable estimate of project yield based on past trends. This will effectively result in a 36% buffer and safety factor over and above the 20% buffer in excess of the required RHNA.

Table 74: Recently Built, Approved, or Proposed Multifamily Projects

Project	Land Use	Zoning	Project Density (du/acre)	Number of Units	Max Density	Yield Percentage	Calculated Percentage (100% max)
Vista Woods	MUSA	R4	89	179	50	178%	100%
Appian Village	SSA, Appian Way Corridor	RMU/CMU	20.9	154	32.7**	63%	63%
BCRE Mixed-Use Office and Residential	SSA, Pinole Valley Road Corridor	OPMU	16.6	29	30	55%	55%
SAHA Veteran's Housing	MUSA	CMU	55	334	30	183%	100%
Pinole Vista*	SSA, Appian Way Corridor	CMU	37.6	223	30	125%	100%
1479 San Pablo Ave	MUSA	RMU	29.7	3	35	85%	85%
810 E Meadow	Suburban Residential	R2	15.2	5	20	76%	76%
Average						109%	82.7%

* Proposed project, not included in the RHNA

** Density calculated proportional to acreage between two zones

Du/acre = dwelling units per acre

The City has substantial evidence that demonstrate average project yields in excess 100% for its multi-family zones. However, to be highly conservative and meet all requirements in state law, the City is further reducing the anticipated yield to 70%. This assumption accounts for and anticipates that some properties may develop with mixed-use projects, or that some portions of existing uses may remain on site. For example, the actual average and proposed yields include the BCRE project which adds new office and residential to an existing office development.

The recent projects also demonstrate that the mixed-use zones have been developed with 100% residential projects, showing application of flexible development standards in the City. While there is a commercial component required in mixed-us zones it was waived in two

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recent projects. In one case it was waived due to the density bonus and in another case it was waived as the applicant provided community benefits.

Yields were determined based on recent projects shown above and zoning standards. This serves as a conservative estimate which is lower than the average of recent development projects in these zones. In mixed-use zones alone, recent projects have averaged 74 percent of the yield, using 100 percent as the maximum for density bonus projects. Using 70 percent ensures a realistic estimate for sites in these zones. Table 75 displays the assumed yields for multifamily zones, by zone and provides an estimated yield density for each. Based on higher recent trends in development, a 70 percent yield is a conservative estimate that is highly likely to be achieved and exceeded as the proposed RHNA sites are developed.

For single-family zones, one unit per lot, graded pad, or subdivision capacity was assumed on each parcel.

Table 75: Assumed Yields for Multifamily Zones

Zone	Maximum Density (du/acre)	Yield	Estimated Yield Density (du/acre)
R2	20	70%	14
Residential Mixed Use (RMU)	35	70%	24.5
Commercial Mixed Use (CMU)	30	70%	21
Very High Density Residential (R4)	50	70%	35

Du/acre = dwelling units per acre

Assumed Affordability

Density

The California Government Code states that if a local government has adopted density standards consistent with the population-based criteria set by state law (at least 20 dwelling units per acre (du/ac) for Pinole), HCD is obligated to accept sites with those density standards (20 du/ac or higher) as appropriate for accommodating the jurisdiction's share of regional housing need for lower-income households. Per Government Code Section 65583.2(c)(3)(B), the City's R2, R3, R4, RMU, CMU, and OPMU zones are consistent with the default density standard (20 du/ac) for Pinole, and therefore considered appropriate to accommodate housing for lower-income households. For parcels that were split-zoned, the density was assumed proportional to the acreage of each zone.

Moderate-income housing can be accommodated through medium- and higher-density zones, with densities ranging from 15 du/ac and above. Above moderate-income housing needs may be met through lower-density, single-family typologies, typically in the 0 to 15

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du/ac range. Many of the higher-density sites in the inventory are assumed at a mix of very low-, moderate-, and above-moderate incomes.

Size

Pursuant to state law, sites accommodating lower-income units must have areas between 0.5 and 10 acres, regardless of allowed density. The City identified sites that meet these criteria for the lower-income units. Sites that may otherwise meet the 20 du/ac default density but are smaller than 0.5 acres are presumed to be affordable to moderate- or above moderate-income households.

There is one cluster of three contiguous vacant parcels with a combined acreage of 0.58 that is included with projections to accommodate mixed income, including lower-income units. Parcels 15, 16, and 17 have the same owner and it is assumed that they will be consolidated and developed as one parcel. As such, the three parcels effectively serve as one 0.58-acre lot for the purposes of RHNA projection. The City has received interest in developing all three parcels together and met with interested buyers regarding the properties in April 2022. The fact that these are three separate legal parcels will not create any constraints that would prevent lot consolidation or affordable housing development.

Environmental and Infrastructure Constraints

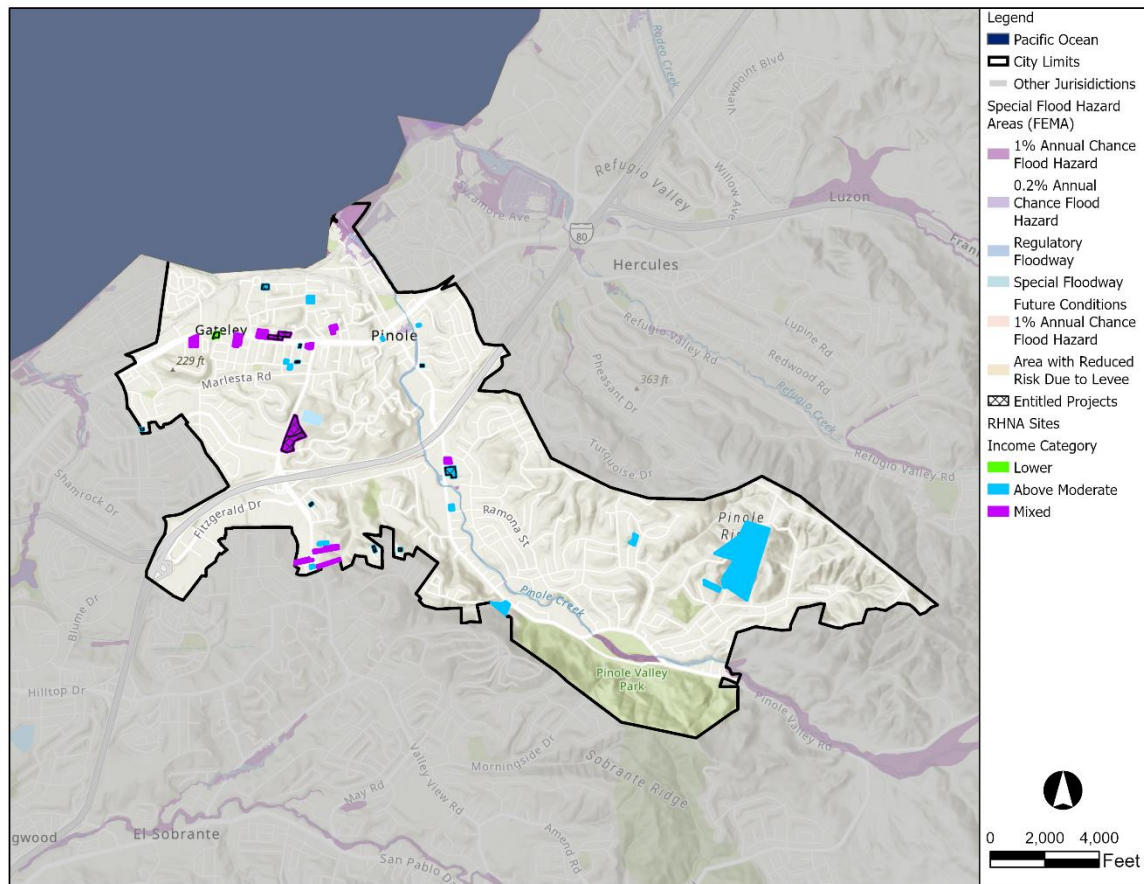
The site inventory analysis takes into consideration any environmental constraints such as habitat, flood, noise hazards, and steep slopes. Any environmental constraints that would lower the potential yield have already been accounted for in the site/unit capacity analysis through a reduction of the developable acreage of the site. In general, the deductions in the yield from the maximum will cover and accommodate any reductions in site capacity due to environmental constraints.

Flooding

Figure 45 displays the flood hazard zones as identified by the Federal Emergency Management Agency (FEMA). The vast majority of Pinole falls into an area with no identified flood risk. A regulatory floodway running through the city creates minimal spots of areas with identified flood risk along the regulatory floodway. None of the RHNA sites are in any areas with an identified flood risk.

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Figure 45: Flood Hazard Zones



Flood Hazard Areas and RHNA Sites

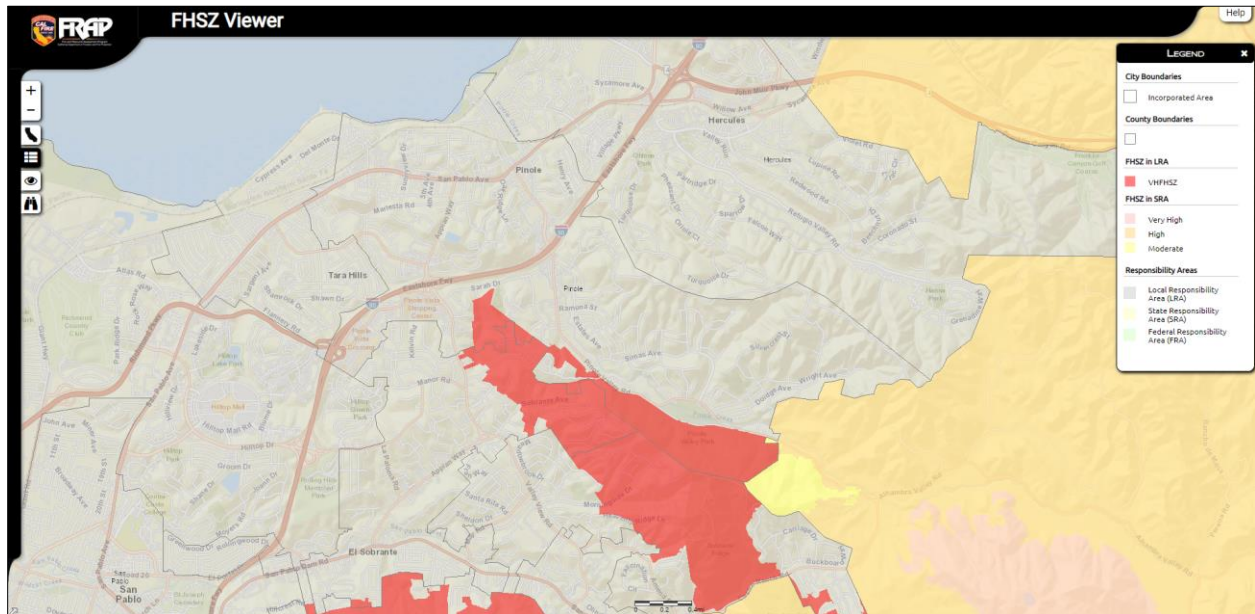
Source: Federal Emergency Management Agency.

Fire

There are few areas in the City that fall into a Very High Fire Hazard Severity Zone (VHFHSZ), as shown in Figure 46. Areas in the VHFHSZ are along the southeastern edge of the City, along the City boundary. None of the lower-income RHNA sites fall into the VHFHSZ. Only one identified above-moderate site is located in a VHFHSZ.

The City of Pinole Fire Department provides service to the City. There is currently one operating fire station, fire station No. 73. The City is currently in discussions with ConFire to negotiate a contractual arrangement for ConFire to take over all fire protection services (fire prevention, suppression, and emergency medical response). This would include reopening Fire Station No. 74 that has been closed since 2011. This would allow for shortened response times throughout the City and increased services.

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Figure 46: Very High Fire Hazard Severity Zones

Source: California Department of Forestry and Fire Protection. Fire Hazard Severity Zone Viewer.

Infrastructure

Most vacant or underutilized land currently available for development in the City of Pinole can be served by the infrastructure necessary for development. Parcels that do not have all utilities are large, single-family parcels that projected to be above moderate, and the lack of utilities is not anticipated to prevent their development.

The East Bay Municipal Utility District (EBMUD) provides water service to the City. The City of Pinole and West County Wastewater District (WCWD) are the wastewater service providers to the City. Currently there is adequate capacity available within EBMUD and both wastewater service providers sewer districts to handle development anticipated in the Pinole General Plan. The installed utilities that provide gas distribution, electric circuit, and service are also adequate to handle future development in Pinole.

The City complies with requirements regarding water and sewer priority allocation to affordable housing. As needed, the City will coordinate with EBMUD, WCWD, and the Pinole/Hercules Water Pollution Control Plant (WPCP) Joint Powers Authority to facilitate adoption of similar policies or to ensure adherence to California Public Utilities Commission policies on water/sewer priority for affordable housing. In 2016, the City adopted a policy for water and sewer services to provide priority allocation to affordable housing in the event a rationing system is implement.

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Entitled and Pending Projects

A total of 412 entitled units are counted toward meeting the RHNA, as listed in Table 76. There are enough entitled, deed-restricted low-income units to fully meet the low-income RHNA of 69. There are 151 low-income pending units, which yields a surplus of 82 units beyond the RHNA. In addition, there are 36 very low units, 61 moderate units, and 164 above moderate units pending.

Projects with affordable units are deed-restricted for a length of 55 years. The Vista Woods, Appian Village, SAHA, and BCRE projects all have a restrictive covenant for a length of 55 years from the certificate of occupancy, which have not yet been issued.

Table 76: Entitled and Pending Projects

Entitled and Pending Projects	Very Low	Low	Moderate	Above Moderate	Total
Single Family Homes, ADUs, triplex, and lot subdivisions	-	-	1	16	17
Appian Village	-	8	23	123	154
SAHA Affordable Veteran's Housing	27	6		-	33
BCRE Mixed-Use Office and Residential	2	2	-	25	29
Vista Woods Affordable Senior Housing	7	135	37	-	179
Total	36	151	61	164	412

Source: City of Pinole.

Accessory Dwelling Units

Recent changes to state law have spurred accessory dwelling unit (ADU) production across the state, and Pinole has seen an increase in ADUs permitted since 2017. Based on recent growth and interest in ADU production, the City anticipates that ADUs will accommodate some of the RHNA requirement. ADUs included in the RHNA are calculated based on recent trends seen in the City.

The City is including Program 4 to incentivize and encourage ADU development. This includes measures to specifically facilitate ADU construction for lower-income households per California Government Code Section 65583(c)(7).

ADU Production Trends

Table 77 illustrates trends in ADU production since 2018. ADU production has grown and is expected to continue expanding throughout the 6th Cycle. The City has permitted four ADUs, through September 2022, with 6 additional applications currently undergoing review. The

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average number of ADU permits issued since 2018 is three per year, for a prospective total of 24 during the 6th Cycle. The City is not relying heavily on ADUs to meet the RHNA.

Table 77: ADUs Building Permits Issued

Year	# of ADUs
2018	1
2019	2
2020	5
2021	3
2022	4*
Average	3

Source: City of Pinole.

* Through August 2022

Affordability Trends

To best predict future affordability levels, the City relies on the ABAG “Using ADUs to Satisfy RHNA” Technical Memo,¹⁶ which contains the affordability assumptions for ADUs as shown in Table 78. The City predicts that this trend will continue and that future ADU production will also be affordable to low- and very low-income households. Many ADU applicants from 2018 to 2020 indicated intent for the unit to remain affordable at no or negligible cost for immediate family members, such as adult parents or children.

Table 78: ADU Affordability Assumptions

Percent	Income Category	# of ADUs
30%	Very Low	7
30%	Low	7
30%	Moderate	7
10%	Above Moderate	3

Ability to Meet the RHNA

The City has enough existing residentially zoned land with near-term development potential to meet its RHNA and 20 percent buffer. The existing zoning has capacity to meet the RHNA without rezoning, as shown in Table 79, through pending projects, ADUs, and both vacant and non-vacant sites. The development considered in this table takes development

¹⁶ ABAG. “Using ADUs to Satisfy the RHNA.” https://abag.ca.gov/sites/default/files/documents/2022-06/ADUs-Projections-Memo_final.pdf

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constraints into consideration when evaluating each site's development potential, such as environmental constraints and split-zoning.

To meet the RHNA for lower- and moderate-income households, the Housing Element Sites Inventory relies on sites with densities that allow for at least 20 du/acre. The higher-density sites are projected with a mix of very low-, moderate-, and above-moderate incomes. Housing for the above moderate-income group is also accommodated through vacant single-family zones lots.

California Government Code Section 65583.2 (h) states that cities must have a program to facilitate by-right approval for projects that include at least 20 percent of the units for lower-income housing on rezoned low-income sites. The City of Pinole is not rezoning any sites to meet the RHNA. Thus, this provision is not applicable to the sites inventory for Pinole.

California Government Code Section 65583.2 (c) states that cities must have a program to facilitate by-right approval for projects that include at least 20 percent of the units for lower-income housing on vacant sites that were included in the previous cycle and non-vacant sites included in the previous two cycles. The sites inventory includes three vacant sites that were included in the last cycle subject to these provisions. The City will include Program 14 to ensure by-right approval on sites that meet these criteria.

Table 79: Housing Capacity

Category	Very Low	Low	Moderate	Above Moderate	Total
RHNA Requirement	121	69	87	223	500
Total Requirements (RHNA + 20% Buffer)	145	83	104	268	600
Pending Projects	36	151	61	164	412
ADUs	7	7	7	3	24
Vacant Site Capacity	39	-	15	68	122
Non-Vacant Site Capacity	68	-	27	34	129
Total	150	158	110	269	687
Surplus/(Deficit) of 20% buffer	5	75	6	1	-

Lower Income Capacity

Government Code Section 65583.2 (g) (2) states that housing elements relying on non-vacant sites for greater than 50 percent of its lower-income households need to demonstrate that the existing use does not constitute an impediment to additional residential development. This section does not apply to Pinole, as the City exceeds the 50 percent threshold through vacant sites, pending projects, and ADUs, as shown in Table 80. Over 80 percent (154 units) of the 190 lower-income RHNA units will be met by the pending entitlement sites, projected

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ADUs, and vacant RHNA sites. The remaining 19 percent (36 units) will be met on non-vacant sites.

The City has low-income capacity through ADUs, pending projects, and vacant sites. Fifty percent of the lower-income RHNA is 95 units. The City has over twice its low-income RHNA (69 units) fulfilled in pending sites (152 units). In addition to meeting the low-income RHNA already, the City has 36 pending very low-income units and 7 projected very-low income ADUs. This sums to a total of 112 pending units and ADUs (69 pending low-income units, 36 pending very-low income units, 7 projected very low ADUs).

Beyond this, the City also has capacity on vacant sites for additional 42 lower-income units. This totals to 152 units on vacant, pending sites, or ADUs, resulting in an excess capacity of 58 units beyond the 50 percent that is needed per Government Code Section 65583.2 (g) (2).

Table 80: Lower-Income Capacity

Category	Units	% of Lower-Income Requirement
Lower Income RHNA	190	100%
50% of Lower Income RHNA	95	50%
Lower Income Capacity: ADU & Pending Entitlements	112	59%
Lower Income Capacity: Vacant Sites	42	22%
Total Lower-Income Capacity on ADU, Pending, and Vacant Sites	154	81%
Excess Capacity beyond 50% (total capacity – 50% of Lower Income RHNA)	59	-

Site Details

The site selection process examined zoned capacity, existing uses, vacancy, and recent development trends to determine which parcels to include to meet the RHNA. Both vacant and non-vacant sites are included in the RHNA.

For a detailed analysis of the sites as they relate to affirmatively further fair housing, see the Affirmatively Furthering Fair Housing chapter.

Vacant Sites

A portion of the RHNA will be met on vacant land that is zoned for residential use. Per HCD's Housing Element Sites Inventory Guidebook, a vacant site is one "without any houses, offices, buildings, or other significant improvements [...] or structures on a property that are

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permanent and add significantly to the value of the property.”¹⁷ The vacant site capacity is shown by zone in Table 81.

Table 81: Vacant Site Capacity

Zone	Capacity
CMU	44
LDR	2
R	3
R-1	16
R-2	2
RMU	94
RMU/R	23
VHDR	29

Non-Vacant Sites

There are four non-vacant sites included in the site inventory. Sites were selected based on their existing uses, capacity for residential redevelopment, and their high potential for short-term redevelopment. Sites that are included have similar locations and zoning (CMU, RMU, VHDR) as sites that have been recently developed. Existing uses include closed or vacant businesses, abandoned structures, older commercial buildings, and one single-family home on a large mixed-use parcel. Non-vacant sites are underutilized parcels with buildings that take up a small percentage of the site. The sites selected all have adequate infrastructure capacity. The non-vacant sites are each described below. Table 82 summarizes the capacity of non-vacant sites included to meet the RHNA broken down by their existing General Plan use. The realistic capacity of non-vacant sites is 75 very low-income units, 27 moderate-income units, and 27 above-moderate income units, for a total capacity of 129 units.

As shown in Table 80, 154 units (80.5 percent) of the 190 lower-income RHNA units will be met by the pending entitlement sites, projected ADUs, and vacant RHNA sites. The remaining 36 units (19.5 percent) will be met on non-vacant sites.

Sites were also selected based on trends of similar existing uses converting to residential or residential mixed-uses. There are limited but recent examples of non-vacant sites converting to residential uses in the City. This includes a proposed project not included in the RHNA for redevelopment of a former Kmart into a mixed-use development with 223 units. Another recent project consists of the demolition of the existing vacant Doctors Medical Center Pinole

¹⁷ HCD. Housing Element Sites Inventory Guidebook. https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf.

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Campus and a subsequent development of 154 units. One recent project in the OPMU zone consists of additions to the existing office commercial building and the development of 29 new units, providing the basis for retaining and expanding the existing use on a site while adding residential uses. Two former redevelopment properties have seen recent inquiries in converting existing commercial space into additional residential units, one adding four units into an existing mixed-use building and one adding two units into existing commercial space.

Land-improvement ratios were also calculated and considered in site selection. The comparison of assessed values for land and improvements (land-improvement ratios) is a reliable indicator of whether and to what extent sites are utilized. Typically, a newly improved site will have a ratio of well under 0.2, or where the improvements are valued at five times the value of the land. The greater the ratio, the greater the value of the land and greater likelihood that it will be redeveloped. All of the non-vacant sites included in the inventory have a land-improvement ratio that is greater than one.

Table 82: Non-Vacant Site Capacity

Site	Zone	Capacity
360010031	CMU	14
402022001	VHDR/CMU	43
402155009	CMU	34
403051012	RMU	38
Total:	-	129

*901 San Pablo Avenue (CMU)***APN 402155009**

This 1.68-acre lot at 901 San Pablo Avenue is currently occupied by a one-story single-family home built in the 1920s which occupies approximately 2 percent of the parcel. Most of the space is unutilized empty lot, and the site could be redeveloped without affecting the existing unit. The site is adjacent to existing residential development to the south and southwest. The site is located within a half mile of a grocery store, several restaurants, and local businesses and is located within one mile of Shannon Elementary School, West County Mandarin School and Pinole Middle School. The land-improvement ratio for this site is 6.5. The realistic capacity for this site is 25 units.



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*725 San Pablo Avenue (RMU)***APN 403051012**

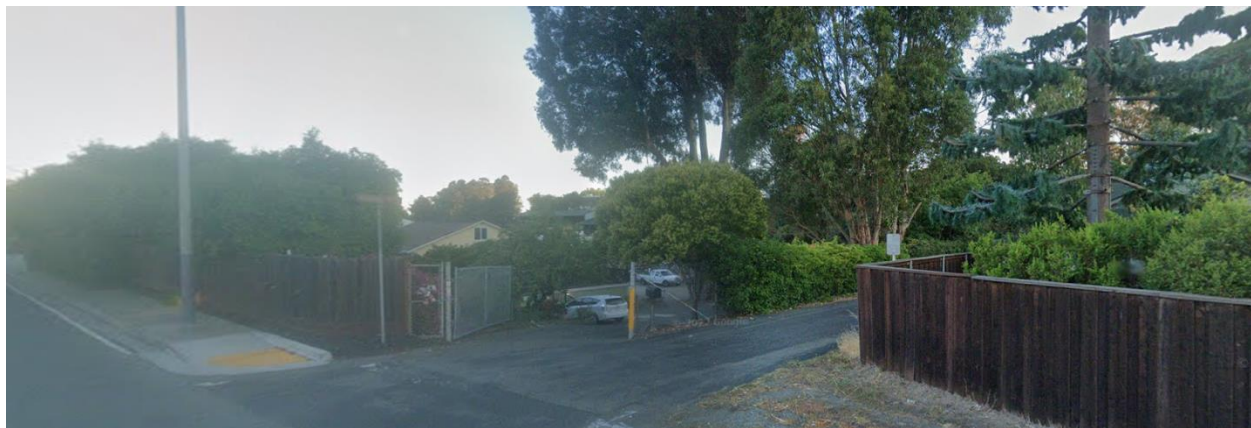
The 1.56-acre site at 725 San Pablo Avenue is currently occupied by a passport printing business. The building was built in the 1960s. This building makes up less than 6 percent of the site. The remaining lot is partially an underutilized surface parking lot, and partially vacant lot. It is adjacent to existing residential to the east, west, and south, making this site optimal for further residential development. The site could be redeveloped with the existing use maintained or with additional commercial uses. The site is located within a half mile of several restaurants, a grocery store, and a daycare center, which provide necessary resources for residents. The land-improvement ratio for the site is 1.2. The realistic capacity for this site is 33 units.



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*1072 San Pablo Avenue (VHDR/CMU)***APN 402022001**

The site at 1072 San Pablo Avenue is currently half occupied by a lumberyard. The remaining half of the lot is primarily vacant, with the exception of an office built in the 1970s currently housing a landscape and maintenance business. Existing residential development is located north of the site and the Vista Woods senior housing development would be located to the east, making this site optimal for further residential development. The site is located within a half mile of several restaurants, a grocery store, and local businesses and is located within one mile of Shannon Elementary School, West County Mandarin School and Pinole Middle School, which can serve residents. There is a land-improvement ratio of 11.3 for the site. The realistic capacity for this site is 43 units. The 1.45-acre site is split-zoned for VHDR and CMU. Projections for this site are at an average of the two densities based on their size for a density of 41.4 du/acre.



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2727 PINOLE VALLEY ROAD (CMU)**APN 360010031**

This 0.63-acre site at 2727 Pinole Valley Road is currently about 12 percent occupied by a paint store. The remaining land is covered by an underutilized surface parking lot and landscaping. It is located in a mix of residential and residential-serving uses, making this site optimal for further residential development. It is located within walking distance of several grocery stores, restaurants, personal services, a library, tennis court, transit stop, and a high school, which provide necessary resources for residents. The land-improvement ratio for the site is 10. The realistic capacity is 14 units.

**Financial Resources****Administrative Resources**

The City of Pinole's Community Development Department consists of multiple divisions including the Planning Division, Building Division, Code Enforcement, Affordable Housing Division, Redevelopment Successor Agency Division and Economic Development Division. The Planning Division reviews land use entitlement applications and is responsible for the implementation of the General Plan, Three Corridors Specific Plan, and Zoning Ordinance. The Building Division is responsible for processing building permit applications, issuing building permits, and conducts building inspections. The Code Enforcement Division resolves land use-related violations on private property. The Affordable Housing Division ensures that facilities that have received City financial assistance to create affordable

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housing units comply with affordability agreements, investing limited City affordable housing resources to provide affordable housing units and support to the homeless, and developing or disposing of the City's remaining real property assets inherited from the former Pinole Redevelopment Agency affordable housing program. The Redevelopment Successor Agency Division is responsible for effectively winding down the activities of the Redevelopment Successor Agency by administering the remaining enforceable obligations. The Economic Development Division is a new division, instituted in FY 2021/22. It coordinates with the City Manager department to create economic development strategies for the City and is responsible for carrying out those strategies.

As a part of Program 6, the City is developing a Housing Successor's Low and Moderate Income Housing Asset Fund Policy. The policy will set priorities and goals for the use of affordable housing funds in the City as well as investigate the creation of an in-lieu fee as an additional alternative to the inclusionary housing requirement.

Countywide Programs

BayREN

The Bay Area Regional Energy Network (BayREN) is a coalition of the Bay Area's nine counties that partners to promote resource efficiency at the regional level, focusing on energy, water and greenhouse gas reduction. BayREN offers rebates, funding and technical assistance to help residents, property owners, business owners and local governments improve the resource-efficiency and carbon footprint of their buildings. They include additional programs and incentives for lower income households.

The City is partnering with BayREN in the 2022-23 fiscal year to provide \$250k in funding for weatherization and energy efficiency projects in Pinole. The program will offer additional discounts to eligible households to make it more financially feasible to make improvements to their homes to save energy and money. A component of the program will target projects in lower resourced areas of the City, including western Pinole (Program 18).

Weatherization Program

The Weatherization Program is a Federal and State-funded program intended to aid low – and/or fixed - income persons in adapting their home to become more energy-efficient. The program is available to any individuals renting or owning regardless of housing type.

The Program will test the gas appliances of the home as well as whole home evaluation to determine what energy-saving measures can be taken. Evaluations can determine several improvements which may include:

- Installation of ceiling insulation
- Gas furnace repair or replacement
- Weather-stripping of exterior doors

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- Gas stove repair or replacement
- Replacement of exterior doors if necessary
- Gas water heater repair or replacement
- Installation of carbon monoxide alarm
- Plug gaskets
- Installation of programmable thermostats
- Installation of water saving devices
- Replacement of broken windows
- Other minor home repairs

MCE

MCE is a not-for-profit clean energy public agency and provides electrify service to more than one million residents and businesses in 37 member communities across four Bay Area counties including Contra Costa County.

MCE provides a program for single-family homeowners and renters to receive home energy upgrades, home energy assessments, and a gift box with energy-saving products at no cost, but must meet the qualifying gross annual household income requirements. The home assessment determines the eligibility for the free energy upgrades, qualifying homes can receive the following upgrades:

- Heat pump
- Water heater
- Attic insulation
- Gas furnace
- Duct sealing
- Pipe insulation

The energy -saving gift box includes:

- Smart thermostat
- Water-saving shower head
- Water-saving kitchen faucet aerator
- Two bathroom faucet aerators

MCE customers who are single family homeowners are also eligible to receive a \$1,000 rebate for installing a heat pump water heater. BayREN Home+ also offers cash rebates for

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weatherization, efficient heating and cooling, and other electrification measures, as well as bonus rebates for combining measures.

Emergency Housing Voucher

Through the American Rescue Plan (ARP), the Housing Authority of the County of Contra Costa received 201 vouchers appropriated for the Emergency Housing Voucher (EHV) program. Families participating in the EHV program benefit from a subsidy each month to help pay their rent and utilities. The subsidy varies for each family depending upon the family's size and income. The Housing Authority has established payment standards for the EHV program set at 110 percent of the fair market rents (FMRs) established by the US Department of Housing and Urban Development (HUD). The payment standards are the maximum amount of assistance a family can receive based on HUD funding.

Table 83: EHV Program Payment Standards

	0-BR	1-BR	2-BR	3-BR	4-BR	5-BR	6-BR	7-BR
Payment Standards	\$1,691	\$2,038	\$2,501	\$3,306	\$3,935	\$4,525	\$5,116	\$5,706

EHV eligibility is limited to households (individuals and families) who are homeless; at risk of homelessness; fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; and recently homeless, and for whom providing rental assistance will prevent homelessness or risk of housing instability.

Permanent Local Housing Allocation

The Permanent Local Housing Allocation (PLHA) program is a state program with entitlement and competitive components. The state designated Contra Costa County as the administrator of the entitlement grant award for the Contra Costa "Urban County," which includes unincorporated communities and the cities in the county with the exception of Antioch, Concord, Pittsburg, and Walnut Creek. PLHA funds are used for the following:

- Increase the supply of housing for households at or below 80 percent area median income;
- Facilitate housing affordability, particularly for lower- and moderate-income households; and
- Promote projects and programs to meet the local government's unmet share of the RHNA.

Neighborhood Preservation Program

The Neighborhood Preservation Program (NPP) provides low-interest loans to low-income homeowners for the purposes of rehabilitation. Eligible repairs include accessibility improvements, plumbing, HVAC, and electrical repairs, reroofing, dry rot repair, foundation

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stabilization, lead-based paint abatement, and window and door replacement. The program is in partnership with Habitat for Humanity East Bay/Silicon Valley. All residents who meet the program criteria in all cities and the unincorporated area of the county with the exception of Antioch, Concord, Pittsburg, and Walnut Creek are eligible.

Statewide Resources

There are a variety of statewide programs and resources available. The City receives regular notification regarding state and federal funding and grant opportunities. Additionally, the City pursues grants on a programmatic and project basis for active programs and projects.

Affordable Housing & Sustainable Communities Program (AHSC)

The AHSC Program builds healthier communities and protects the environment through prioritizing the creation of affordable housing near jobs, transit, and other important resources. The program funds land-use, housing, transportation, and land preservation projects that support infill and compact development in proximity to transit to reduce greenhouse gas ("GHG") emissions.

Funding for the AHSC Program is provided from the Greenhouse Gas Reduction Fund (GGRF), an account established to receive Cap-and-Trade auction proceeds.

Cal Housing Finance Agency's ADU Grant Program

The ADU grant program provides up to \$40,000 of reimbursement for low- or moderate-income homeowners building an ADU on their property. The property must be owner-occupied. The grant goes towards pre-development and non-reoccurring closing costs associated with the construction of an ADU. Predevelopment costs include site prep, architectural designs, permitting, soil tests, impact fees, property survey, and energy reports.

CalHome

The purpose of the CalHome program is to support existing homeownership programs aimed at low-, very low-income, and moderate-income households. The goal is to increase homeownership, encourage neighborhood revitalization and sustainable development, and maximize the use of existing housing stock.

CalHome provides grants to local public agencies and nonprofit corporations to assist:

1. First-time homebuyer mortgage assistance through deferred-payment loans for down payment,
2. Owner-occupied home rehabilitation,
3. Homebuyer counseling,
4. Technical Assistance for self-help housing projects
5. Technical assistance for shared housing programs, or

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6. (Junior) Accessory dwelling unit assistance.

All funds to individual homeowners will be in the form of loans not directly given to individuals.

Golden State Acquisition Fund (GSAF)

The GSAF is a \$93 million financing program aimed at supporting affordable housing developers with capital for the development and/or preservation of affordable housing in California. Financing is available for rental housing and homeownership opportunities in urban and rural communities with loans up to five years and a maximum of \$13,950,000.

Local Early Action Planning Grant

The Local Early Action Planning (LEAP) grant provides one-time grant funding to cities and counties to update their planning documents and implement process improvements that will facilitate the acceleration of housing production and help local governments prepare for their 6th Cycle RHNA, much like the SB 2 planning grants.

The 2019-20 Budget Act provides a spectrum of support, incentives, resources, and accountability to meet California's housing goals. Some specific elements include:

- Local and regional planning grants (LEAP and REAP)
- Pro-housing preference points on competitive funding applications
- Additional funding resources
- Accountability (penalties for noncompliant housing plans)
- Reform (collaborative processes to reform regional housing needs)

The City of Pinole was awarded \$65,000 in LEAP funding to help fund the Housing Element Update, prepare California Environmental Quality Act documentation relating to the Housing Element Update, and fund activities to facilitate housing.

Local Housing Trust Fund Program (LHTF)

The purpose of this program is to provide funds to cities and counties, Native American Tribes, and nonprofit organizations to increase the supply of housing to households with incomes of 80 percent or less of area median income. To do this the LHTF program provides matching grants to local and regional housing trust funds that are funded on an ongoing basis and dedicated to the construction, rehabilitation, or preservation of affordable housing, transitional housing, and emergency shelters.

Regional Early Action Planning Grant

Regional Early Action Planning (REAP) 2.0 is a flexible program that seeks to accelerate progress toward the state housing goals and climate commitments through a strengthened

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partnership between the state, its regions, and local entities. REAP 2.0 seeks to accelerate infill housing development, reduce vehicle miles traveled (VMT), increase housing supply at all affordability levels, affirmatively further fair housing, and facilitate the implementation of adopted regional and local plans to achieve these goals.

REAP 2.0 will be administered by HCD in collaboration with the Governor's Office of Planning and Research, the Strategic Growth Council, and the California Air Resources Board.

REAP 2.0 provides a \$600 million investment to advance implementation of adopted regional plans by funding planning and implementation activities that accelerate infill housing and reductions in per capita VMT.

The City of Pinole was awarded \$20,000 in REAP funding to help fund the Housing Element Update, prepare California Environmental Quality Act documentation relating to the Housing Element Update, and fund activities to facilitate housing.

Senate Bill (SB) 2 Grant

In 2017, a 15-bill housing package was signed into law aimed to address the state's housing issues; the package included the Building Homes and Jobs Act. This established a \$75 recording fee on real estate documents to increase the supply of affordable homes in California.

This funding was designed to help cities and counties accomplish the following:

- Accelerate housing production;
- Streamline the approval of housing development affordable to owner and renter households at all income levels;
- Facilitate housing affordability, particularly for lower- and moderate-income households;
- Promote development consistent with the State Planning Priorities (Government Code Section 65041.1); and
- Ensure geographic equity in the distribution and expenditure of the funds.

The City of Pinole maximum grant amount that could be awarded in 2019 was \$160,000. The City is anticipating using this funding to develop objective design and development standards and preparing, updating or revising the environmental documentation supporting the Specific Plan/General Plan to provide CEQA clearances for projects that comply with existing zoning (Program 5).

The No Place Like Home Program

The No Place Like Home Program provides loans to eligible counties to acquire, design, construct, rehabilitate, and/or preserve permanent supportive housing for persons who are experiencing homelessness or chronic homelessness, or who are at risk of chronic

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homelessness, and who need mental health services. Projects funded through this must be apartment complexes of five or more units.

Department of Housing and Urban Development Grants

Home Investment Partnerships Program

The HOME Program is federally funded by HUD to provide decent affordable housing to lower-income households. The HOME Program is administered on behalf of the Urban County cities, which includes Pinole.

Housing Choice Voucher Program

The Housing Choice Voucher (HCV) program is a rental assistance program that helps very low-income families to live in market-rate housing units rather than public housing. Households are provided with vouchers that are paid to private market-rate landlords, who are then reimbursed by HUD.

Project-Based Voucher Program

The Project-Based Voucher Program provides rental assistance to households living in specific housing sites. Because the rental assistance is tied to a particular unit, a family who moves (voluntarily or through eviction) no longer qualifies to receive housing assistance. The Housing Authority administers different waiting lists by bedroom size for each project-based housing site. These housing sites are either multifamily or senior housing developments.

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Housing Goals, Policies, and Programs

The section of the Housing Element outlines the City of Pinole's goals, policies, and implementation programs for the preservation, conservation, improvement, and production of housing for the 2023 – 2031 planning period. The goals, policies, programs, and quantified objectives are designed to help ensure housing opportunities for all existing and future residents of the community. As appropriate, programs also include a geographic targeting.

Housing Goals and Policies

Housing Production and Adequate Sites to Meet Regional Housing Needs

Goal 1

Provide adequate residential sites to accommodate projected housing needs and encourage the production of a variety of housing types

Policy 1.1: Encourage the provision of a variety of housing options for Pinole residents.

Policy 1.2: Strive to ensure adequate land is available at a range of densities to meet Pinole's existing and projected housing needs.

Policy 1.3: Pursue partnerships between non-profit and for-profit housing developers to encourage affordable housing production.

Policy 1.4: Provide an active leadership role in helping attain the objectives of the City's Housing Element by following through on the actions prescribed in the Housing Element in a timely manner and monitoring progress annually.

Policy 1.5: Work cooperatively with west county jurisdictions to plan for the satisfaction of regional housing needs, including the development of affordable housing units for all economic segments of the region.

Policy 1.6: Encourage the development of ADUs.

Housing to Meet the Needs of All Income Levels and Special Needs Groups

Goal 2

Provide a broad range of housing opportunities to meet the needs of all income levels, with emphasis on providing housing that meets the special needs of the community.

Policy 2.1: Maintain appropriate land use regulations and other development tools to encourage development of affordable housing opportunities throughout the City.

Policy 2.2: Develop programs to assist lower income seniors and individuals with disabilities to live independently, age in place, and maintain their homes.

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Policy 2.3: Continue the use of the inclusionary housing ordinance to facilitate the development of below market-rate units.

Policy 2.4: Encourage the development of new affordable housing. Facilitate housing development that is affordable to extremely low-, very low-, low-, and moderate-income households by providing technical assistance, regulatory incentives and concessions, expedited development review, and financial resources as funding allows.

Policy 2.5: Encourage and incentivize mixed-use development to allow for increased housing opportunities.

Removal of Governmental Constraints

Goal 3

Reduce or remove governmental constraints to the development, improvement, and maintenance of housing where feasible and legally permissible.

Policy 3.1: Periodically review City regulations, ordinances, permitting processes, and residential fees to ensure that they do not constrain housing development and are consistent with State law.

Policy 3.2: Support housing for individuals with disabilities through the use of reasonable accommodations procedures, including flexibility in the application of land use or zoning regulations, when necessary to eliminate barriers to housing opportunities.

Policy 3.3: Accommodate housing needs for extremely low-income households and special needs persons through modification of the City's development regulations.

Conserve, Preserve, and Improve the Housing Stock

Goal 4

Maintain and conserve the existing housing stock in a sound, safe, and sanitary condition.

Policy 4.1: Monitor and maintain the supply of existing affordable housing to ensure that it remains affordable.

Policy 4.2: Promote the maintenance and rehabilitation of structures in poor condition and take action to prevent poorly maintained properties from further deterioration.

Affirmatively Further Fair Housing

Goal 5

Ensure the provision of adequate housing for all persons regardless of income, age, sex, race, or ethnic background, consistent with the Fair Housing Act.

Policy 5.1: Increase housing opportunity and mobility so that all residents of Pinole have choice of adequate housing options.

Policy 5.2: Refer discrimination complaints to a fair housing service provider that addresses housing discrimination.

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Policy 5.3: Promote fair housing standards and ensure compliance with State and federal fair housing laws.

Housing Education and Community Outreach

Goal 6

Increase awareness, availability of information, and participation in housing programs.

Policy 6.1: Consolidate and disseminate housing-related resources to provide better access to information on available housing programs and affordable housing units.

Policy 6.2: Encourage the production of ADUs in all residential areas of the City through outreach and educational materials.

Policy 6.3: Encourage and support early public participation in the development and review of City housing policy from all economic segments of the community, including encouraging neighborhood level planning and working with community group and other interest groups. Encourage developers of any major project to have neighborhood meetings with residents early in the process to undertake early problem solving and facilitate more informed, faster and constructive development review.

Quantified Objectives

Housing Element law requires that quantified objectives be developed with regard to new construction, rehabilitation, conservation, and preservation activities that will occur during the eight-year Housing Element cycle. These objectives are shown in Table 84.

- The Construction Objective represents the City's RHNA of 60 units for extremely low-income households, 61 units for very low-income households, 69 units for low-income households, and 87 units for moderate-income households, and 223 units for above moderate-income households.
- The Rehabilitation objective represents rehabilitation assistance to 20 households through the City's rehabilitation and acquisition programs.
- The Conservation/Preservation objective represents the conservation of the existing 301 affordable units in the City during the planning period (2023-2031).

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Table 84: Quantified Objectives

Target	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
New Construction	60	61	69	87	223	500
Rehabilitation	5	5	5	5	-	20
Conservation/Preservation	-	75*	42**	184***	-	301
Total						821

* Units at 50% AMI

** Units at 60% AMI

*** 37 units and 90% AMI and 147 units at 120% AMI

Housing Programs

The programs in this section of the Housing Element describe specific actions the City will carry out over the eight-year Housing Element cycle to satisfy the community's housing needs and meet the requirements of State law. Each program identifies the actions to be taken to implement the program, timeline to complete the action, funding source, implementing agency, supporting agency or agencies as appropriate, and a quantified objective and/or geographic target for the program, where applicable.

Housing programs define the specific actions the City will undertake to achieve the stated goals and policies with the eight-year (2023-2031) planning period. The City's housing programs for addressing community housing needs are described according to the City's housing goals.

Adequate Sites and Housing Production to Meet Regional Housing Needs

Program 1. Provision of Adequate Sites and Site Inventory Monitoring

The City will ensure that adequate sites to meet the RHNA are provided throughout the 6th Cycle. To ensure that the City monitors its compliance with SB 166 (No Net Loss), the City will track:

- Unit count and income/affordability assumed on parcels included in the sites inventory.
- Actual units constructed and income/affordability when parcels are developed.
- Net change in capacity and summary of remaining capacity in meeting remaining RHNA.

Pursuant to the statutory requirements of Government Code sections 65583.2(h) and (i), the City will amend the Zoning Ordinance to require by-right approval of housing development that includes 20 percent of the units as housing affordable to lower-income households on

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sites being used to meet the 6th Cycle RHNA that are “reuse sites” previously identified in the 4th and 5th cycles Housing Element.

The City will implement the Surplus Lands Act to annually review city-owned parcels and provide affordable housing developers the first priority for designated surplus lands as applicable per Government Code section 54227.

Implementing Agency: Community Development Department

Supporting Agency: Public Works Department

Timeline: Review RHNA site status annually and as development proposals are submitted. Annual review of City-owned land in conjunction with the review of Surplus Lands. Zoning ordinance amendments for “reuse sites” within one year of Housing Element adoption.

Funding Source: General Fund

Quantified Objective: Provide adequate sites to accommodate the City's entire RHNA allocation of 500 units. No net loss of capacity below the RHNA requirement during the planning period.

Program 2. Publicize and Promote Residential Sites Inventory

The City will publicize and promote the RHNA site inventory through a multitude of ways during the planning period. This includes publicizing the RHNA site inventory and contacting site owners and developers. Specific actions include the following.

- The City shall make the residential sites inventory available to developers by creating a City website specifically for RHNA sites and publicizing it on the City website. The City shall update the list of sites annually, or as projects are approved on the sites.
- The City shall contact affordable housing builders annually and provide information about sites to facilitate development of affordable housing.
- The City will conduct informational sessions and directly contact RHNA site owners to inform them about development opportunities on their property.

Implementing Agency: Community Development Department

Supporting Agencies: City Manager's Department, IT Department

Timeline: Create City webpage for RHNA sites and post sites within 6 months of adoption; update annually, or as needed. Conduct annual outreach to affordable housing builders. Contact RHNA site owners twice during the planning period, including once during the first 18 months post Housing element adoption.

Funding Source: General Fund

Quantified Objective: Maintain accurate and publicly available residential site inventory throughout the planning period. Outreach with 100 percent of RHNA site owners twice during the planning period.

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Program 3. Outreach and Technical Assistance to Applicants

The City will provide technical assistance to developers to encourage provision of affordable housing that are consistent with City goals. Methods of technical assistance may include, but are not limited to:

- Provision of information about available funding sources.
- Pre-application planning meetings.
- Expedited development review and processing.
- Facilitation of neighborhood meetings.
- Coordination of all other required City departments to provide technical assistance and collaborative problem solving to applicants during development review and can include development review meetings. This includes a continuity of support from pre-application meetings through entitlement and construction.

To encourage housing production and development, the City will engage and coordinate with other public agencies, faith and community-based organizations, and housing developers. Specifically, the City will:

- Seek out opportunities to work with other public agencies by identifying housing grant funding opportunities to encourage and implement improvements and expansion of housing supply, for example participation in a continuation of the Contra Costa County Collaborative (C4).
- Work with developers by creating a developer interest list and periodically assessing development needs to encourage new residential development to provide affordable housing. The City shall contact affordable housing builders annually and provide information about sites to facilitate development of affordable rental housing.
- Notify developers of interest in including some options for larger (3+ bedroom) units in residential development projects.
- Contact other public agencies such as the Contra Costa County Housing Authority or Contra Costa County Department of Conservation and Development at least once a year for funding and partnering opportunities.
- Contact faith-based organizations in Pinole to discuss opportunities for housing at their facilities and provide information regarding recent legislation regarding religious-institution affiliated housing projects.

Implementing Agency: Community Development Department

Supporting Agency: Contra Costa Housing Agency

Timeline: Technical assistance provided as needed. Develop comprehensive coordinated review procedures with all city departments within one year of Housing Element adoption. Create developer interest list within 6 months of Housing Element adoption and contact

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affordable housing builders annually with information about sites to facilitate development of affordable rental housing. Annual outreach to public agencies and community and faith-based organizations for funding and partnership opportunities.

Funding Source: General Fund

Quantified Objective: Technical assistance to all affordable housing applicants. Make the comprehensive coordinated review with all city departments standard operating procedure for all residential developments. Annual review of available funding sources and contact to other agencies and developers.

Geographic Targeting: Faith-based organizations and facilities across Pinole

Program 4. Facilitate ADU Production

To encourage and increase ADU production in the City, a number of efforts are included. The programs are intended to help the City meet its target projection of three ADUs per year. This program works in conjunction with Program 22, ADU, JADU, and SB 9 Education. If annual production and affordability rates do not match the estimates included in the Housing Resources Section, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program within six months to facilitate additional ADU production.

- **Updated ADU Ordinance.** The City has submitted its ADU ordinance to the State and the State acknowledge that the ordinance was received. Should the State require revisions to the ordinance, it will be modified to reflect the requested revisions within one year upon receipt of the comments.
- **ADU Tracking.** The City will track and monitor its ADU production to ensure that annual production matches the RHNA assumptions (3 ADUs/year). The City will begin to request information about ADU rents from applicants to better track the affordability of proposed ADUs. As a part of ADU tracking, the City will analyze geographic distribution of ADUs biennially to understand which neighborhoods are building ADUs.
- **ADU Fast Track Program.** The City will develop a process to fast track ADU applications through plan check by moving them to the top of the queue and reducing plan check turnaround times.
- **ADU Amnesty Program.** To ensure safe and adequate housing, the City will develop an ADU amnesty program for existing, unpermitted ADUs to receive inspections and bring units into compliance with code and permits without risk of code enforcement action, significant fee reductions and assistance in determining necessary improvements.

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- **Fee Waivers for Affordable ADUs.** Current successor funds require an affordability covenant length of 55 years. The City will modify Zoning Ordinance Section 17.70.060 to shorten the required ADU covenant length (for example, for 10 – 15 years) pending alternate funding to offset the fee waivers for ADUs over 750 square feet that are made available to lower or moderate income households for a shorter period of time. The City will pursue funding sources, such as PLHA funds for this effort.

Implementing Agency: Community Development Department

Supporting Agency: Finance Department

Timeline: Track ADU permits as they are submitted. Review ADU strategies annually as part of the Annual Progress Report process. Adopted amnesty program and developed fast track program within 2 years of Housing Element adoption. Review geographic distributions of ADUs biennially.

Funding Source: General Fund, Housing Successor Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Increased production of ADUs from 3 to 5 per year.

Geographic Targeting: Targeted promotion of ADUs in east Pinole. Targeted promotion of ADUs in neighborhoods where geographic review identifies fewer ADUs were built.

Program 5. Incentives for Mixed-Use Developments

The City will develop incentives to encourage residential mixed-use development in areas consistent with the Three Corridors Specific Plan Land Use Plans, and in particular along portions of the San Pablo Avenue, Pinole Valley Road, and Appian Way. Specific incentives for mixed-used development include:

- A waiver of park development impact fees for deed-restricted affordable units beyond the inclusionary requirement in a development in coordination with the development of a Housing Successor's Low and Moderate Income Housing Asset Fund Policy (Program 6).
- Prepare, update, or revise EIR as appropriate to provide CEQA clearances for projects that comply with existing zoning.
- Priority development project review and processing.

Additional incentives the City shall explore include but are not limited to:

- Increased densities.
- Providing flexibility in parking requirements.

Implementing Agency: Community Development Department

Supporting Agencies: Community Services Department, Finance Department

Timeline: Adopted incentives within three years of Housing Element adoption.

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Funding Source: General Fund, Housing Successor Low and Moderate Income Housing Asset Fund, SB 2 Grant, Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Amended zoning ordinance with adopted incentives. Entitlement of three mixed-use projects using one or more of the available incentives.

Geographic Targeting: Mixed-use zones allowing for residential in the Three Corridors Specific Plan.

Housing to Meet the Needs of All Income Levels and Special Needs Groups

Program 6. Development of Housing Successor's Low and Moderate Income Housing Asset Fund Policy

The City will develop a Housing Successor's Low and Moderate Income Housing Asset Fund Policy. The policy will set priorities and goals for the use of affordable housing funds in the City as well as investigate the creation of an in-lieu fee as an alternative to the inclusionary housing requirement. The policy guide will ensure efficient and productive use of the resources. The policy guide will consider RHNA requirements, local housing needs and demographics, and fair housing objectives, among other factors. To encourage housing mobility and choice across Pinole, the City will prioritize use of limited affordable funding to create affordable housing developments in higher opportunity areas of the City, including those with healthy environment, access to transportation and resources, and higher education scores, more common in eastern Pinole. The City is also including a waiver of park impact fees for affordable units beyond the inclusionary housing requirement (per Program 7).

The City will continue to require 15 percent of the units located in new residential developments of four or more to be affordable, and of those units, 40 percent must be affordable to very low income households with the construction of units off-site as an alternative. The City will pursue creation of an in-lieu fee alternative for the inclusionary housing requirement to provide flexibility for smaller projects and to create a new funding source for affordable housing projects.

Implementing Agency: Community Development Department

Supporting Agency: Finance Department

Timeline: Three years after Housing Element adoption

Funding Source: Housing Successor Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Create a housing fund policy guide, create in-lieu fee alternative and funding source. For applicable development projects, maintain a minimum requirement of 15 percent inclusionary units, and of those 40 percent of units affordable to very low income households.

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Geographic Targeting: Target 50 percent of affordable housing funding towards development of affordable housing in higher opportunity areas.

Program 7. Affordable Housing Incentives

Create and adopt a set of incentives for projects that provide a minimum of 15 percent of total units affordable to low and moderate income households, and provide additional affordable housing beyond the City's 15 percent inclusionary requirement. Specific incentives include:

- Priority and expedited review for affordable housing developments. The City will create and adopt a process for expedited and priority review which may include, for example, completion of initial review within 20 days following the intake of a new application and providing subsequent review comments back to applicants at a targeted expedited review rate 50 percent faster than the regular review process. The expedited review process would apply to projects that include affordable housing beyond the City's inclusionary requirement and would include factors such as affordability level, location in City, and developments targeting special needs population.
- Waiver of park impact fees for all deed-restricted affordable units in above the 15 percent inclusionary units required

The City will continue to provide incentives for lot consolidation requests made to facilitate low-income housing through strategies that may include, but are not limited to:

- Flexibility in development standards.
- Ministerial approval of lot consolidation requests made in order to facilitate development of affordable housing.

Additional incentives the City shall investigate include but are not limited to:

- Standard planning application fee waivers based on the affordability level proposed.

Implementing Agency: Community Development Department

Supporting Agencies: Community Services and Finance Departments

Timeline: Adopt expedited review process and incentives for affordable housing within two years of Housing Element adoption.

Funding Source: General Fund; Housing Successor's Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Adoption of priority review process. Completion of initial review of affordable housing developments within prescribed timeline. Expedited review of projects to take 50% less time than the normal City review process.

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Program 8. Housing for Extremely Low Income Households and Persons with Disabilities

To encourage and facilitate the development of housing for ELI households and housing for persons with disabilities, the City will:

- Develop a Housing Successor's Low and Moderate Income Housing Asset Fund Policy that prioritizes affordable housing developments for extremely-low income households and households with persons with disabilities (see Program 6).
- Develop a fee waiver program that would provide low or no-cost building permits to age-qualified, ELI households, and disabled households to make improvements to their home for universal design.
- Reduce parking standards for ELI household developments.
- Contact housing service providers within Contra Costa County to determine the best way to facilitate development of housing for extremely low-income households and persons with disabilities.
- Based on funding availability, explore, at least once a year, development assistance for multifamily and supportive housing to meet the needs of extremely low-income households and persons with disabilities (including persons with developmental disabilities).
- Annually contact developers to assist in development where feasible by:
 - Assisting and supporting new applications.
 - Providing priority processing, in coordination with Program 7.
 - Evaluate fee deferrals or subsidies and design modifications.
 - Facilitating site acquisition.
 - Hosting an annual workshop for developers to provide information on the City's regulations regarding housing development, opportunities and sites available for development, and the City's development incentives.

Implementing Agency: Community Development Department

Supporting Agencies: Community Services Department, Finance Department

Timeline: Annual review of funding opportunities, collaboration with services providers, and contact of developers. Annual developer workshop. Use of one or more incentives for ELI and/or households with persons with disability housing development in one project throughout the planning period. Development of fee waiver program within 18 months of Housing Element adoption. Zoning Ordinance amendments for ELI parking reduction within two years of Housing Element adoption.

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Funding Source: General Fund, Housing Successor's Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Annual contact of developers.

Program 9. Senior Housing Incentives

The needs analysis identified a special need for the development of housing for seniors in Pinole. In response to this need, the City will develop a set of incentives to encourage the development of housing for seniors. Specific incentives include:

- Reducing parking requirements for senior housing development.
- Permit fee waivers for elderly residents for adaptation and modifications of households to accommodate universal design and aging in place (per Program 8).
- Enhanced rebate incentives for homeowners to make it financially feasible to undertake energy efficient and weatherization projects (per Program 18).
- Promote home match shared housing programs (per Program 10), such as Front Porch's Home Match, for homeowners to turn an available room into an opportunity to earn income, save money, age-in place, provide affordable housing and create new social connections.
- Participation in regional programs to provide assistance to seniors.

Additional incentives the City shall investigate include but are not limited to:

- Investigate Density Bonus beyond state law.
- Allow smaller senior units via an equivalent density unit factor that would count one senior unit as a fraction of a regular dwelling unit.

Implementing Agency: Community Development Department

Supporting Agency: Public Works Department

Timeline: Within two years of Housing Element adoption.

Funding Source: General Fund

Quantified Objective: Use of one or more incentives for senior housing development in one project throughout the planning period.

Program 10. Home Sharing and Tenant Matching

The increasing number of elderly persons in the population is creating more demand for affordable, accessible, and low-maintenance housing. As residents age, they may desire alternatives to single-family units, opting for smaller multifamily units or assisted care living, or home sharing options. Home-sharing programs match lower income home seekers with homeowners with excess space who are interested in sharing their homes. Sharing a home promotes independent living, provides additional income for the provider, an affordable rent

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for the seeker, and the potential for deeper relationships for both. Shared housing promotes the efficient use of the housing stock, and can help address the housing needs of seniors in the community.

The Home Sharing and Tenant Matching program will work in tandem with educating residents and facilitating additional ADU and JADU developments across the City. The pamphlets developed in Program 22 will include detailed the Pinole home sharing program, once developed, and references to other educational and financial resources for homeowners incorporating an ADU and/or JADU on their properties, or seeking housemates to live in their JADU.

Specific program components include:

- Partnership with support organizations that facilitate house sharing, such as Front Porch's Home Match, to turn an available room into an opportunity to earn income, save money, age-in place, provide affordable housing, and create new social connections.
- Work with the Community Services Commission to explore establishing a local shared housing program, which may include a process for matching home seekers and home providers.
- Develop detailed how-to guides that promote development ADUs and JADUs and the shared housing program to be displayed at City Hall, the Senior Center and the City's website (in coordination with Program 22).
- Active promotion of the shared housing program through senior citizen organizations, such as the Pinole Senior Center.

Implementing Agency: Community Development Department

Supporting Agencies: Community Services Department, Non-Profit Home Sharing Organizations

Timeline: Develop program components, outreach strategies and compile resources within three years of Housing Element adoption.

Funding Source: General Fund

Quantified Objective: 10 tenant matches completed throughout the planning period.

Removal of Governmental Constraints

Program 11. Zoning Amendments

The City is including a number of zoning amendments as identified in the constraints section to ensure compliance with state law and remove constraints to development. Amendments to the zoning ordinance are as follows.

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- Amend the Emergency Shelter ordinance to comply with AB 139 and to ensure that standards for emergency shelters are subject to the same standards as other uses in the same zone and parking requirements are based on staffing levels only.
- Amend the zoning ordinance pursuant to Government Code Section 65583 to allow for Low Barrier Navigation Centers by right in areas zoned for mixed uses and nonresidential zones that permit multifamily uses.
- Amend the zoning ordinance in RMU to permit manufactured homes on permanent foundations as if they were single-family homes.
- Amend the zoning ordinance to comply with SB 9 standards (California Government Code section 65852.21).
- Amend the zoning ordinance to comply with state density bonus law (California Government Code section 65915).

Implementing Agency: Community Development Department

Supporting Agency: N/A

Timeline: Within two years of Housing Element adoption.

Funding Source: General Fund

Quantified Objective: Not Applicable

Program 12. Objective Design Standards and SB 35 Streamlining

Pursuant to SB 330, the City will review and amend the Zoning Ordinance and Design Review Guidelines to ensure development standards, design guidelines, and findings are objective, and promote certainty in the planning and approval process. The City has begun the process and is currently cataloging existing objective and subjective standards.

The City will review its approval processes to accommodate SB 35 streamlined applications and by-right applications for permanent supportive housing and navigation centers. The City will provide information regarding the SB 35 process on its website.

Implementing Agency: Community Development Department

Supporting Agency: Public Works Department

Timeline: Within two years of Housing Element adoption.

Funding Source: General Fund, SB 2 Grant

Quantified Objective: Adopted zoning amendments.

Program 13. Fee Evaluation and Publicization

The City updated its fee schedule based on the results of a completed fee review on September 1, 2022. Fees were adjusted to be more equitable and comparable to

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surrounding jurisdictions. To monitor the new fee schedule, the City will periodically review development impact fees to ensure that new development contributes its fair share of the costs for the provision of services and facilities. The first review of the adopted fee schedule will occur within one year of Housing Element adoption. The City will also review its Development Impact Fees (last updated in 2008) by the end of 2023.

Pursuant to AB 1483, the City will compile all development standards, plans, fees, and nexus studies in an easily accessible online location. The City will continue to provide a high-quality, parcel-specific zoning map and general plan map online.

Implementing Agency: Community Development Department

Supporting Agencies: Finance Department, City Manager Department

Timeline: Complete review of updated fees within one year of Housing Element adoption. Subsequent fee evaluations and modifications not less than every 5 years. Review of Development Impact Fees by the end of 2023.

Funding Source: General Fund

Quantified Objective: Reviewed and amended fee schedule as appropriate.

Program 14. Permit Streamlining

The City is including multiple efforts to expedite the permitting and review process through reducing the necessary levels of approval. This is a response to public outreach, constraints, and needs analyses.

Specifically, the City will:

- Lower the approval authority of entitlements for all Density Bonus projects from City Council to Planning Commission.
- Process lot consolidations ministerially.
- Adopt a priority permitting process for developments with affordable units beyond the inclusionary requirement (Program 7)

Implementing Agency: Community Development Department

Supporting Agency: Public Works Department

Timeline: Within two years of Housing Element adoption.

Funding Source: General Fund

Quantified Objective: Amended zoning ordinance.

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Conserve, Preserve, and Improve the Housing Stock

Program 15. Rehabilitation Assistance

The City will improve public awareness of rehabilitation loan subsidy programs and energy efficiency rebate and financing programs offered by the County and other agencies. Specific actions include:

- Pamphlets on the programs available at City Hall, the Senior Center and the Library.
- Providing public information through articles in the local newspaper, social media, the City's biweekly Administrative Report, postings on the City website, and cable TV public service announcements.

In addition, the City will annually explore funding availability at the local, State, and federal levels and pursue funding programs as appropriate with the goal of reinstating the City's Rehabilitation Program.

Implementing Agency: Community Development Department

Supporting Agency: Contra Costa County Housing Agency

Timeline: Ongoing, with annual assessment of funding opportunities to reinstate the City's Rehabilitation Program.

Funding Source: Housing Successor Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Provide information about County and other rehabilitation programs to 40 households, landlords, or developers annually. Rehabilitation of 20 units throughout the planning period, 5 extremely low, 5 very low, 5 low, and 5 moderate).

Geographic Targeting: Rehabilitation of 5 units (25% of the quantified objective above) in lower opportunity areas of the City per the most recent TCAC opportunity area maps (west Pinole).

Program 16. Acquisition/Rehabilitation of Properties

The City will continue to pursue opportunities to partner with nonprofit housing developers to acquire and rehabilitate blighted or distressed properties, with the objective of making these units available to low-income households as affordable housing.

The City will continue to use its Successor Housing Funds to partner with organizations to provide support for low-income developments as applicable. The City has currently reserved \$2 million in funding for development of the 33-unit SAHA affordable housing project, which includes 27 very low and 6 low-income units.

Implementing Agency: Community Development Department

Supporting Agencies: Finance Department and City Manager Department

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Timeline: Ongoing, as funding is available.

Funding Source: Housing Successor Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Provide information about County and other rehabilitation programs to 40 households annually. Development of 50 units, including the 33-unit SAHA project, during the planning period.

Program 17. Below Market Rate Regulations and Conversions

The City will take appropriate steps to ensure that the units with covenants for below-market rate units that are close to expiration are conserved or replaced and will remain affordable to moderate and lower income households.

Specifically, the City will:

- Contact the property owners to assess their interest in extending the affordability covenant for the at-risk units.
- Work with property owners to notify tenants of potential conversion to market rate, pursuant to State law.
- Contact affordable housing developers/providers to solicit their interest and financial capacity in acquiring the at-risk units.

Additionally, the City will continue to, either by itself or through a third-party contractor, implement and monitor rental and resale restrictions for low- and moderate-income units assisted or constructed by the former Redevelopment Agency to assure that these units remain at an affordable price level as they are occupied and transferred. The City conducts annual compliance monitoring on over 300 affordable units to ensure property owners and management are complying with affordable income and rent restrictions required by City agreements. The City expects to monitor over 400 affordable units as new affordable units are constructed over the next five years. The majority of affordable units are at rental properties. The City monitors two ownership units to ensure the property owners continue living at their properties as their primary residence or sell their units to income qualified buyers.

Implementing Agency: Community Development Department

Supporting Agency: N/A

Timeline: Notification processes as covenants for below-market rate units are set to expire. Contact of property owners and affordable housing developers/providers at least twice throughout the planning period. Monitor rental and resale restrictions annually.

Funding Source: Housing Successor Low and Moderate Income Housing Asset Fund; Contra Costa County, State and Federal funding programs as available.

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Quantified Objective: Contact of property owners and affordable housing developers/providers at least twice throughout the planning period to pursue preservation or extension of at-risk units that are set to expire in the next 10 years. Ensure that 100% of housing for low- and moderate-income units assisted or constructed by the former Redevelopment Agency remains in compliance with rental and resale restrictions. Annual compliance monitoring of all affordable units (anticipated over 400).

Affirmatively Further Fair Housing

Program 18. Place-Based Improvements

The City is currently drafting and will adopt an Environmental Justice (EJ) Element. As a part of the EJ Element, the City will pursue programs to increase environmental health and quality of life across Pinole.

The City is working with County develop a contractual arrangement to develop an enhanced BayREN Home+ rebate incentive structure for Pinole homeowners and multifamily property owners to undertake needed energy efficiency projects. The City is partnering with BayREN in the 2022-23 fiscal year to provide \$250k in funding for weatherization and energy efficiency projects in Pinole and to reduce the barrier to home electrification. The program will assist with achieving financially feasible for energy efficient and weatherization projects to move forward in Pinole. As a part of the program, lower resource areas in west Pinole will be targeted first.

Additionally, the City has multiple projects in its Capital Improvements Plan identified to improve mobility and active transportation opportunities in the western part of the City. Projects in the west side of Pinole include:

- **Appian Way Complete Streets.** This project includes preliminary engineering and design to provide continuous sidewalks and bike lanes along Appian Way, from unincorporated El Sobrante to about 1500 feet north of the City limit.
- **Pedestrian Improvements at Tennent Ave.** Improvements to Tennent Avenue at the Railroad Crossing will facilitate safe movement of bicycles and pedestrians and connect the gap from Bayfront Park to Railroad Avenue that exists on the trail.
- **Safety Improvements at Appian Way and Marlesta Road:** Safety improvements to improve crossing conditions for pedestrians and bicyclists.
- **Active Transportation Plan:** Development of an Active Transportation Plan will act as a guide for active mobility within and around Pinole. The plan will identify an integrated network of walkways and bikeways that connect Pinole neighborhoods and communities to employment, education, commercial, recreational, and tourist destinations. The plan will prioritize a set of connected projects, that when fully implemented, will increase active transportation opportunities and make it safe and more convenient for people to walk, bike, and use non-auto forms of travel.

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Implementing Agency: Community Development Department

Supporting Agencies: Public Works Department and Finance Department

Timeline: As identified in CIP Schedule; Environmental Justice Element adopted by the end of 2023. BayREN rebates in the 2022-23 fiscal year.

Funding Source: Capital Improvement Fund; General Fund; Contra Costa County, State and Federal funding programs as available.

Quantified Objective: Completed Capital Improvement Projects and Adopted Environmental Justice Element

Geographic Targeting: Targeted roll out of program to Western Pinole/EJ Element Impacted Community first

Program 19. Fair Housing Resources and Services

The City will advertise the services of and collaborate with the County's contracted fair housing provider, currently ECHO Housing. ECHO housing holds monthly Regional Fair Housing Trainings for tenants, landlords, service providers, and staff of local governments. The City will hold an annual workshop with the County's fair housing service provider or another qualified fair housing service provider in the City of Pinole.

To assist in the enforcement of fair housing laws, the City will make educational and training resources available to tenants, landowners, homeowners, and any other residents who may be affected by fair housing policy. These materials will include information on fair housing testing, arbitration, reporting health risks and discrimination, best rental practices, and more. The services will include fair housing presentations, mass media communications, and multilingual literature distribution. The programs will use alternative formats for fair housing education workshops such as pre-taped videos and/ or recordings. Staff will distribute fair housing pamphlets provided by fair housing organizations at the public information counter at City Hall, Pinole Library, and at the Pinole Senior Center, as well as on the City's website. Staff will continue to refer all fair housing complaints to ECHO Housing, a local fair housing advocacy firm, or other groups that provide comparable service.

The City will continue to encourage improved community participation and representation in all official city business, events, and communications. The City will contract with a translation service as needed for meetings, putting a standard note on all hearing notices and communications in Tagalog, Spanish and Chinese indicating that interpretation and translation services are available upon request. The City will contract with a translation service for direct on the spot translation/interpretation needs at the front counter.

The City will review demographic changes in the City to determine if translation should be provided for new or additional languages every four years. Translation to additional languages added as determined by demographic analysis.

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The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every five years. The City will work with the County to publicize the outreach program for the update.

Implementing Agency: Community Development Department

Supporting Agency: ECHO Housing

Timeline: Biennial fair housing workshops. Ongoing provision of resources and referrals to fair housing service providers. Review of demographics to determine appropriate translation and interpretation languages every 4 years.

Funding Source: General Fund

Quantified Objective: Provide annual workshops or information fairs with the County fair housing provider or another qualified fair housing provider. Provide fair housing resources or referrals to 50 households annually.

Geographic Targeting: Hold at least 50% of in person workshops for fair housing in west Pinole, or other areas with low access to opportunities per the most recent TCAC opportunity area map.

Program 20. Displacement Prevention/Housing Mobility

Within one year, coordinate with a qualified fair housing service provider to conduct a meeting/workshop to inform residents and landlords of sources of income protection and state rent control laws such as AB 1482. This may be done in coordination with the workshop in Program 19.

Coordinate outreach efforts to inform landlords and tenants of recent changes to state law that prevent source of income discrimination, including allowance of housing choice vouchers (HCVs) to establish a renter's financial eligibility.

Pursuant to SB 330, ensure that when existing housing is demolished, at least an equivalent number of units at the same affordability are created as replacements.

Implementing Agency: Community Development Department

Supporting Agency: ECHO Housing

Timeline: Revise zoning ordinance to require affordable unit replacement within two years of Housing Element adoption; create and distribute informational materials by within 18 - 24 months of Housing Element adoption, with annual outreach to tenants and relevant organizations. Conducted workshop within one year of adoption.

Funding Source: General Fund

Quantified Objective: Conducted workshop within one year of adoption. Provide resources on source of income discrimination and housing choice vouchers to 35 households annually.

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Geographic Targeting: Conduct the source of income protection/tenant's rights workshop in west Pinole.

Housing Education and Community Outreach

Program 21. Housing Resources Education

The City will promote and advertise available housing resources to residents through a variety of mediums. The City will continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's down payment assistance programs.

Specific actions shall include:

- Providing information regarding housing resources on the City website.
- Pamphlets on the programs available at City Hall and other community locations such as the Senior Center and Library.
- Providing public information through articles in the local newspaper and with cable TV public service announcements.
- Advertising housing resources through social media.
- Presence at a booth in community events at least once per year.
- Provision of materials in multiple languages, in coordination with Program 19.

Implementing Agency: Community Development Department

Supporting Agencies: Community Services Department, City Manager's Department, Pinole Community Television

Timeline: Provision of information within 18 months of Housing Element adoption. Presence at community events at least once per year.

Funding Source: General Fund

Quantified Objective: Provision of housing information to approximately 75 residents annually.

Program 22. ADU, JADU, and SB 9 Education and Promotion

To encourage development of second dwelling units including ADUs, JADUs, and SB 9 opportunities, the City is developing a comprehensive education program to promote the development of second dwelling units in the City. The program will contain information for residents who may be unaware of the ability to build or incorporate an ADU and/or JADU on their properties, as well as detailed guidance on how to go through the ADU and JADU process and what financial resources are available. The City will provide pamphlets on the City website and at City Hall with detailed information on the ADU and JADU processes.

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The City will also provide a pamphlet with detailed information on SB 9 opportunities in the City. This will include a FAQ and detailed guidance on how to utilize SB 9 in the City.

Educating residents and providing new guidance are expected to work in tandem and facilitate additional ADU developments across the City. The pamphlets will be provided in both English and Spanish, and other languages as determined necessary by Program 19. The pamphlets will include detailed information on the ADU process, basic responsibilities and legal requirements of being a landlord, a “fair housing fact sheet,” and references to other educational and financial resources for homeowners building or incorporating ADUs on their

This program will work in conjunction with Program 10. Pamphlets created for both ADUs and JADUs will include detailed information on the Pinole home sharing program and references to other educational and financial resources for homeowners seeking housemates to live in their ADU or JADU. Pamphlets will be provided at the Pinole senior center.

Implementing Agency: Community Development Department

Supporting Agencies: Public Works Department, Community Services Department, City Manager’s Department, Pinole Community Television

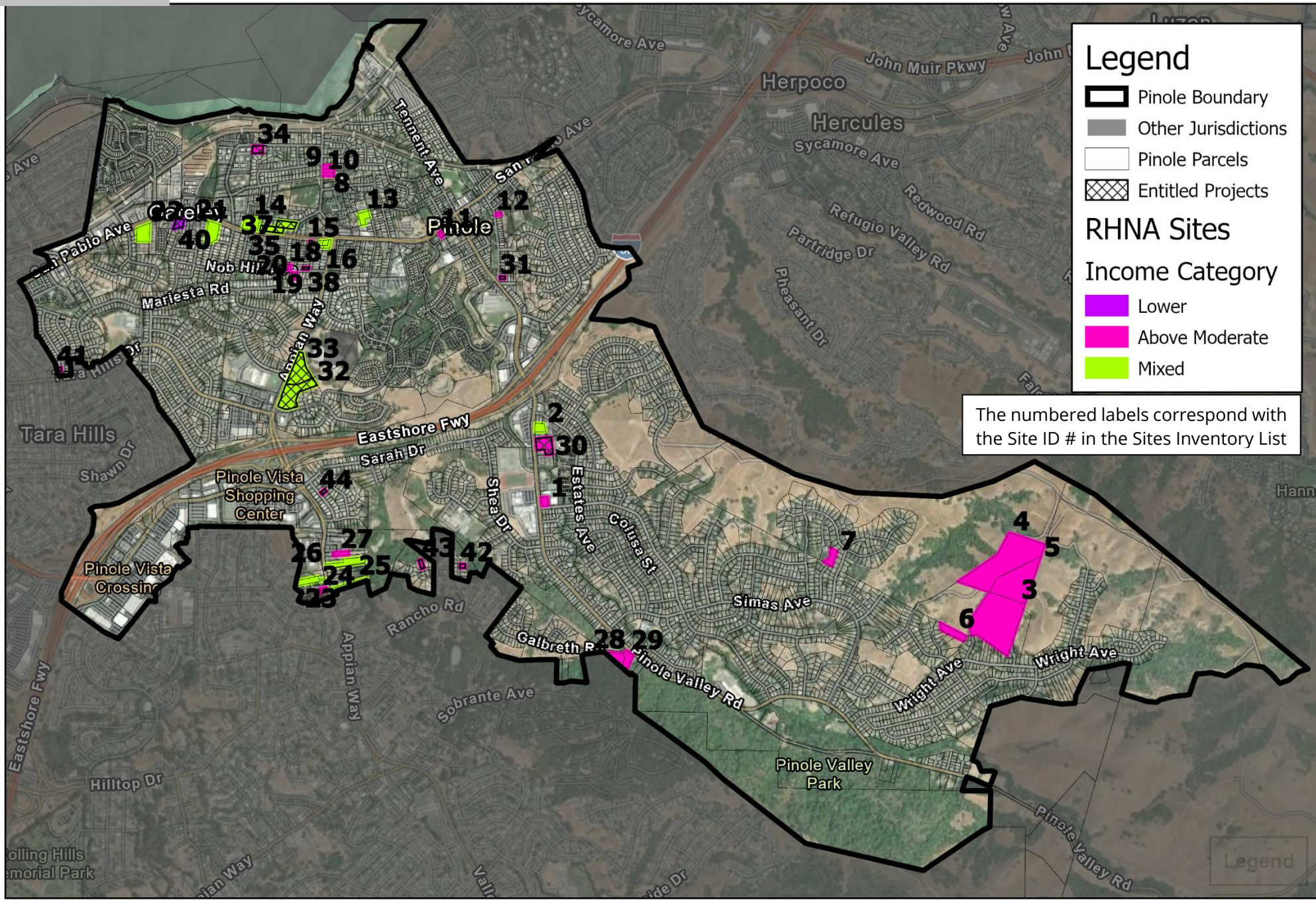
Timeline: Develop outreach strategies and compile resources within two years of Housing Element adoption. Promotion of Home Sharing and Tenant Matching (Program 10) six months after program development.

Funding Source: General Fund

Quantified Objective: Increased development of ADUs from 3 to 5 annually. Development of 1 JADU annually.

Geographic Targeting: Increased promotion of ADUs, JADUs, and SB 9 potential in higher opportunity areas of the City as determined by TCAC opportunity area maps.

APPENDIX A: SITES INVENTORY MAP



APPENDIX B: SITES INVENTORY LIST

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Site ID # (on map)	Address	Zip Code	Assessor Parcel Number	Existing General Plan	Existing Zone	Maximum Density	Size (Acres)	Lower Income Capacity	Moderate Income Capacity	Above Moderate	Total Capacity	Infrastructure	City Owned	Existing Use	4 th Cycle	5 th Cycle
1	2995 PINOLE VALLEY RD	94564	360010004	Service Sub-Area	CMU	30	0.45	-	-	7	7	Yes	-	Vacant	-	-
2	2727 PINOLE VALLEY RD	94564	360010031	Service Sub-Area	CMU	30	0.67	6	2	2	10	Yes	-	Commercial	-	-
3	3700 block of BRAZIL CT*	94564	360240021	Rural	R	0.2	16.14	-	-	1	1	Yes	-	Vacant	-	-
4	SILVERCREST ST, north parcel*	94564	360240023	Rural	R	0.2	15.08	-	-	1	1	No	-	Vacant	-	-
5	SILVERCREST ST, south parcel*	94564	360240024	Rural	R	0.2	9.04	-	-	1	1	No	-	Vacant	-	-
6	West of the end of BRAZIL CT*	94564	360382030	Suburban Residential	R-1	10	1.30	-	-	5	5	Yes	-	Vacant	-	-
7	End of LASSEN WAY*	94564	360663030	Suburban Residential	R-1	10	0.79	-	-	1	1	Yes	-	Vacant	-	-
8	PINON AVE, west of 229 Pinon Ave*	94564	401080055	Suburban Residential	R-1	10	0.29	-	-	2	2	Yes	-	Vacant	-	-
9	PINON AVE, southwest of 229 Pinon Ave*	94564	401080056	Suburban Residential	R-1	10	0.29	-	-	2	2	Yes	-	Vacant	-	-
10	PINON AVE, across from 1342 Bay View Farm RD*	94564	401080057	Suburban Residential	R-1	10	0.29	-	-	2	2	Yes	-	Vacant	-	-
11	PEAR ST, west of 2131 San Pablo Ave*	94564	401161009	Old Town Sub-Area	CMU	30	0.12	-	-	2	2	Yes	-	Vacant	-	-
12	801 PINOLE VALLEY RD	94564	401186033	Suburban Residential	R-1	10	0.11	-	-	1	1	Yes	-	Vacant	-	-

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Site ID # (on map)	Address	Zip Code	Assessor Parcel Number	Existing General Plan	Existing Zone	Maximum Density	Size (Acres)	Lower Income Capacity	Moderate Income Capacity	Above Moderate	Total Capacity	Infrastructure	City Owned	Existing Use	4 th Cycle	5 th Cycle
13	LAUREL AVE, north of 580 Laurel Ave*	94564	401350015	Medium Density Residential	R2	20	0.78	7	2	2	11	Yes	-	Vacant	-	-
14	1072 SAN PABLO AVE	94564	402022001	Mixed Use Sub Area	-VHDR /CMU	50	1.48	17	6	6	29	Yes	-	Office/ Lumberyard	-	-
15	SAN PABLO AVE, east of 715 San Pablo Ave*	94564	402040029	Mixed Use Sub Area	RMU	35	0.11	-	1	2	3	Yes	-	Vacant	-	Yes
16	SAN PABLO AVE, northeast of 737 2 nd Ave*	94564	402040044	Mixed Use Sub Area	RMU	35	0.22	3	1	1	5	Yes	-	Vacant	Yes	Yes
17	SAN PABLO AVE, north of 734 Appian Way*	94564	402040045	Mixed Use Sub Area	RMU	35	0.25	4	1	1	6	Yes	-	Vacant	-	Yes
18	996 NOB HILL AVE*	94564	402060018	Suburban Residential	R-1	10	0.10	-	-	1	1	Yes	-	Vacant	-	-
19	985 NOB HILL AVE*	94564	402060019	Suburban Residential	R-1	10	0.11	-	-	1	1	Yes	-	Vacant	-	-
20	1353 NOB HILL AVE*	94564	402090001	Suburban Residential	R-1	10	0.28	-	-	1	1	Yes	-	Vacant	-	-
21	901 SAN PABLO AVE	94564	402155009	Mixed Use Sub Area	CMU	30	1.69	14	5	6	25	Yes	-	SFH	-	-
22	725 SAN PABLO AVE	94564	403051012	Mixed Use Sub Area	RMU	35	1.56	22	8	8	38	Yes	-	Commercial	-	-
23	APPIAN WAY, south of 2672 Appian Way*	94564	426020027	Mixed Use Sub Area	RMU	35	1.03	14	5	6	25	Yes	-	Vacant	-	-
24	2700 APPIAN WAY	94564	426402001	Mixed Use Sub Area	RMU	35	0.22	-	-	5	5	Yes	-	Vacant	-	-
25	2693 APPIAN WAY	94564	430290006	Mixed Use Sub Area/Rural	RMU	35	1.04	7	2	3	12	Yes	-	Vacant	-	-

HOUSING ELEMENT UPDATE

Site ID # (on map)	Address	Zip Code	Assessor Parcel Number	Existing General Plan	Existing Zone	Maximum Density	Size (Acres)	Lower Income Capacity	Moderate Income Capacity	Above Moderate	Total Capacity	Infrastructure	City Owned	Existing Use	4 th Cycle	5 th Cycle
26	APPIAN WAY, south of 2655 Appian Way*	94564	430290026	Mixed Use Sub Area/Rural	RMU/R	35	1.63	7	2	3	12	Yes	-	Vacant	-	-
27	2641 APPIAN WAY, east of 2649 Appian Way existing building*	94564	430290034	Mixed Use Sub Area/ Rural	RMU/R	35	0.45	-	-	11	11	Yes	-	Vacant	-	-
28	2500 GALBRETH RD	94564	430412007	Low Density Residential	LDR	1	1.10	-	-	1	1	Yes	-	Vacant	-	-
29	3300 PINOLE VALLEY RD	94564	430412008	Low Density Residential	LDR	1	1.01	-	-	1	1	Yes	-	Vacant	-	-

* Several vacant parcels noted with an asterisk (*) in the address column do not have a current street address. For these sites, a description or the closest Google street address was provided. Google street addresses may not provide the exact location of the parcel. Using the APN is the most accurate way to identify the parcel.

APPENDIX C: PUBLIC PARTICIPATION

HOUSING ELEMENT UPDATE

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HOUSING ELEMENT UPDATE

PUBLIC PARTICIPATION

California Government Code Section 65583 requires that each local government shall make diligent efforts to solicit public participation from all economic segments of the community in the development of the General Plan Housing Element. During the preparation of the City of Pinole's 6th Cycle Housing Element Update, public input was sought in a variety of ways. It should be noted that public meeting summaries, including questions and staff responses, have been summarized and edited for clarity.

EFFORTS TO ACHIEVE CITIZEN PARTICIPATION

Public participation efforts during the 6th Cycle Housing Element Update included:

- Publication and maintenance of a dedicated Housing Element Update webpage at LandUsePlanningForPinole.com
- Online public outreach survey (provided in English, Tagalog, Cantonese, and Spanish)
- Two virtual Community Workshops (recordings translated into Tagalog, Cantonese and Spanish and posted to City website)
- Two stakeholder interviews and surveys
- Three focus group interviews and surveys
- Public updates to the Planning Commission and City Council:
 - City Council Study Session, March 22, 2022
 - Planning Commission and City Council Study Session, July 13, 2022
 - City Council Study Session, November 15, 2022
- Social media postings on the City of Pinole's Facebook and Instagram pages
- Email notifications to interested parties contact list
- Notifications in the City's biweekly administrative report
- Postcard mailed to postal customers citywide
- Flyers printed and distributed around the City
- 12 banners of various sizes, ranging from 58 square feet to eight square feet hung at key locations in the City, including community facilities (such as the senior center, swim center, tennis court, and the library), neighborhood parks, over major throughfares and key pedestrian pathways
- QR codes were printed on all postcards and flyers linking the recipient to the project website, which contained an option to participate in the survey, meeting dates, and notification that translation services are available printed in four languages (English, Tagalog, Cantonese, and Spanish)

Due to office/business closures related to the COVID-19 pandemic, the City of Pinole took a new approach to hosting public meetings and elected to host two Community Workshops (public outreach meetings) online using the Zoom platform.

HOUSING ELEMENT UPDATE

Notices for the Community Workshops were printed on postcards and mailed to addressees in the City of Pinole. Flyers were distributed for posting at community locations and local businesses, and 12 banners were hung at community facilities and in Pinole's Old Town area. Refer to **Photo 1 – Project Notification Banner**.

The City contacted business groups, service providers, community groups, religious organizations, affordable housing developers, and major employers (53 in all) by either phone or email to participate in the focus groups or to elicit feedback. A full list of the groups that were contacted by the City of Pinole is shown in the table below.

Meeting links and announcements were regularly updated on the City's Housing Element website and social media accounts, including Instagram and Facebook.

An online survey was conducted to obtain "local knowledge" about housing, health and safety, and environmental justice. A total of 149 people participated in the online survey, which was offered in English, Spanish, Cantonese, and Tagalog. The results of the housing portion of the survey are reported below in Section 0. Some survey questions presented the option to select "other" and include written responses. Those write-in responses are reported following the original survey question.

Photo 1 – Project Notification Banner



HOUSING ELEMENT UPDATE

	Name
Business Groups	Bayfront Chamber of Commerce
	Contra Costa College Economic & Workforce Development Department
	San Pablo Economic Development Corporation
Real Estate and Construction Groups	Coldwell Banker Real Estate (Pinole Branch)
	Security Pacific Real Estate Brokerage (Richmond Branch)
	DeNova Homes
	BGAM - Property Management
	Sequoia Real Estate
	Contra Costa Association of Realtors
Service Providers	Eden Council for Hope and Opportunity
	ECHO Housing (Fair Housing)
	Disabled People's Recreation Center
	Cole Vocational Services
	Pinole Senior Center
	EAH Housing
	Housing Authority of Contra Costa County
	Bay Area Rescue Mission
	Contra Costa Health Services
	The Salvation Army
	Meals on Wheels Contra Costa County
	Pinole Rotary Club
	Contra Costa County Aging & Adult Services
	HOPE Solutions
	Pathway to Choices
	East Bay Housing Organizations
	Pinole Library
Community and Environmental Justice Groups	Communities for a Better Environment
	Environmental Justice League
	Friends of the Library
	Richmond Pinole Lions Club
	Friends of Pinole Creek Watershed
	Pinole Garden Club
	Pinole Seals Swim Club

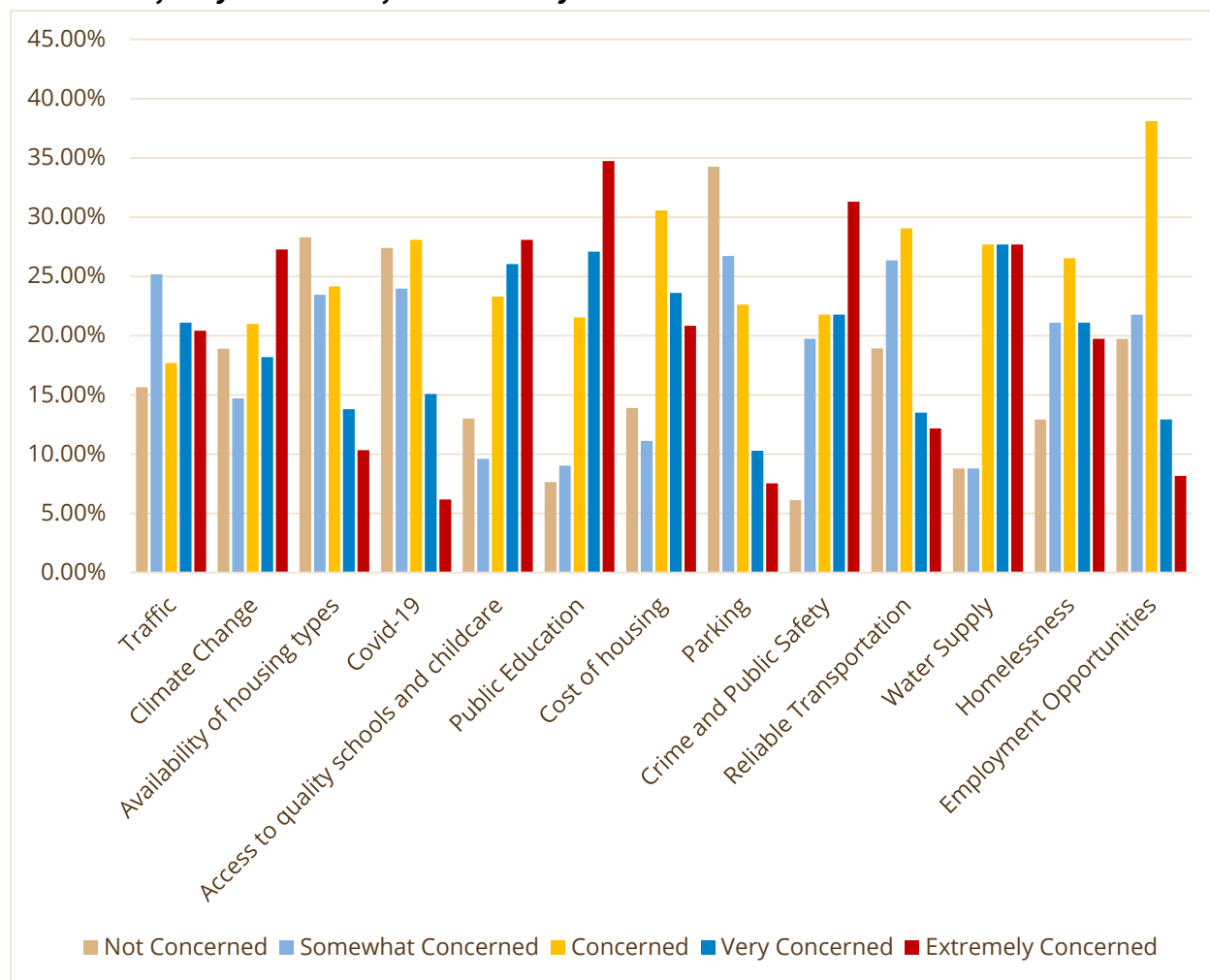
HOUSING ELEMENT UPDATE

	Pinole for Fair Government
	West County League of Women Voters
	Contra Costa Builders Exchange (CCBE)
	Building Industry Association of the Bay Area
	Pinole Historical Society
	Their Club (youth group)
	The Quinan Street Project
Religious Organizations	Church of Christ
	Church of Jesus Christ of Latter-day Saints
	Nichiren Shoshu Myoshinji Temple
	Our Savior Lutheran Church
	Pinole United Methodist Church
	Pinole Valley Community Church
	St. Joseph's Church
	Valley Bible Church
	Christ the Lord Church
	Sunset Evangelistic Center
Affordable Housing Developers	SAHA (Satellite Affordable Housing Associates)
	MRK
	BRIDGE Housing
	Community Housing Development Corporation
Major Employers	Kaiser Permanente
	Target
	West Contra Costa Unified School District

HOUSING ELEMENT UPDATE

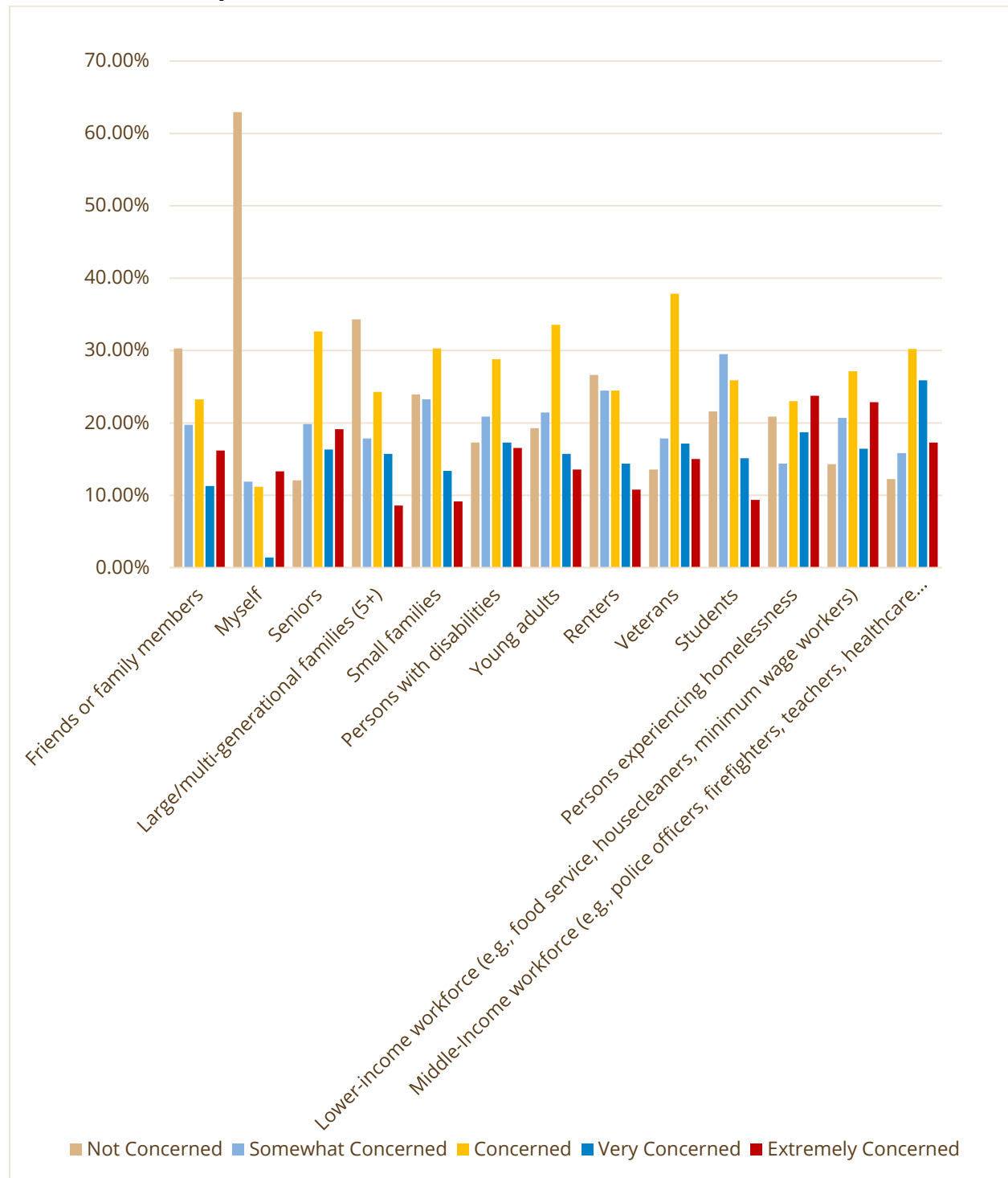
ONLINE SURVEY RESULTS

Q1. The following is a list of issues facing Pinole. Please indicate how concerned you are about each of the following items using a scale of not concerned, somewhat concerned, concerned, very concerned, or extremely concerned.

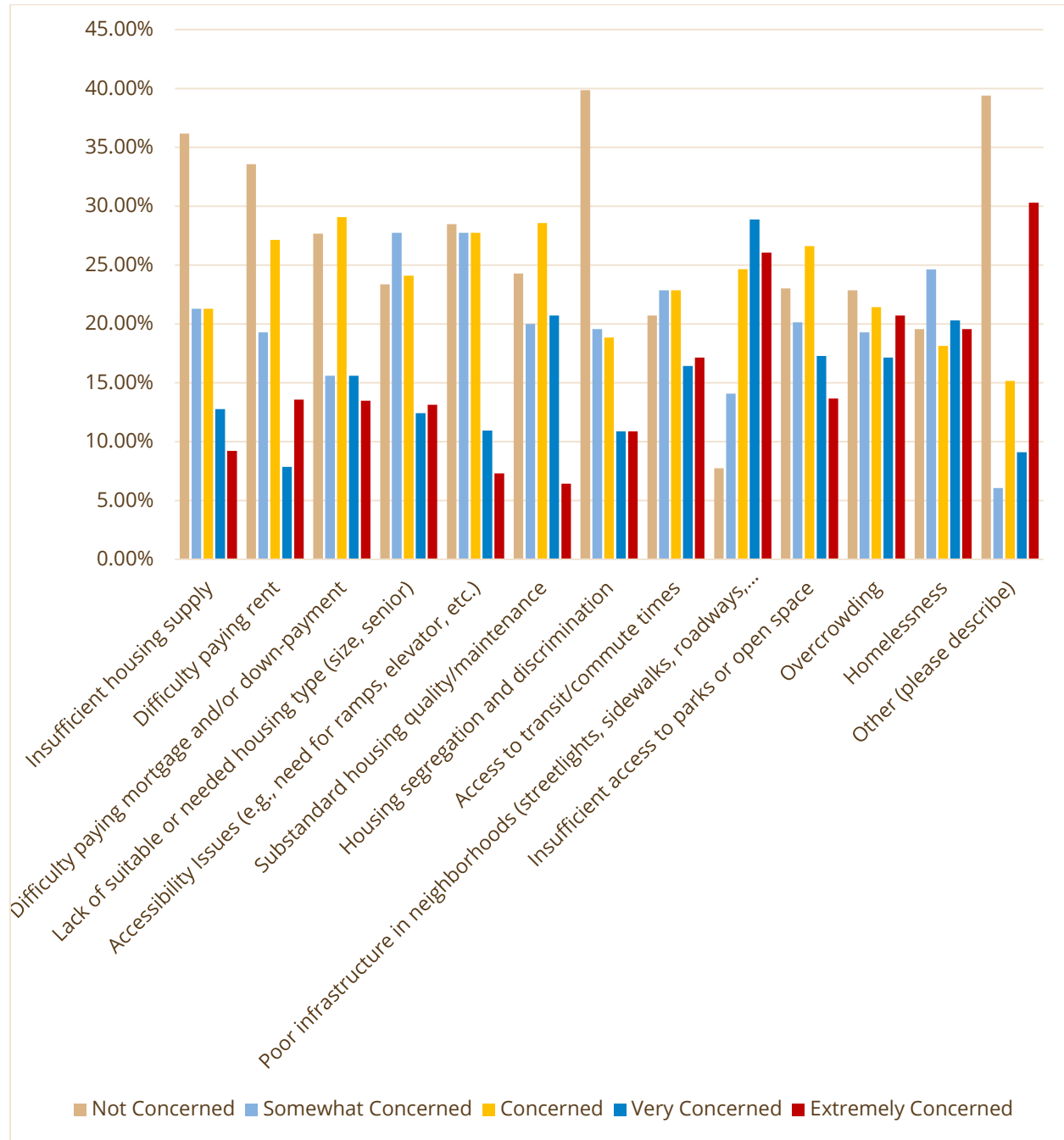


HOUSING ELEMENT UPDATE

Q2. Please indicate your level of concern about the following groups and their ability to find an affordable place to live in Pinole:



HOUSING ELEMENT UPDATE

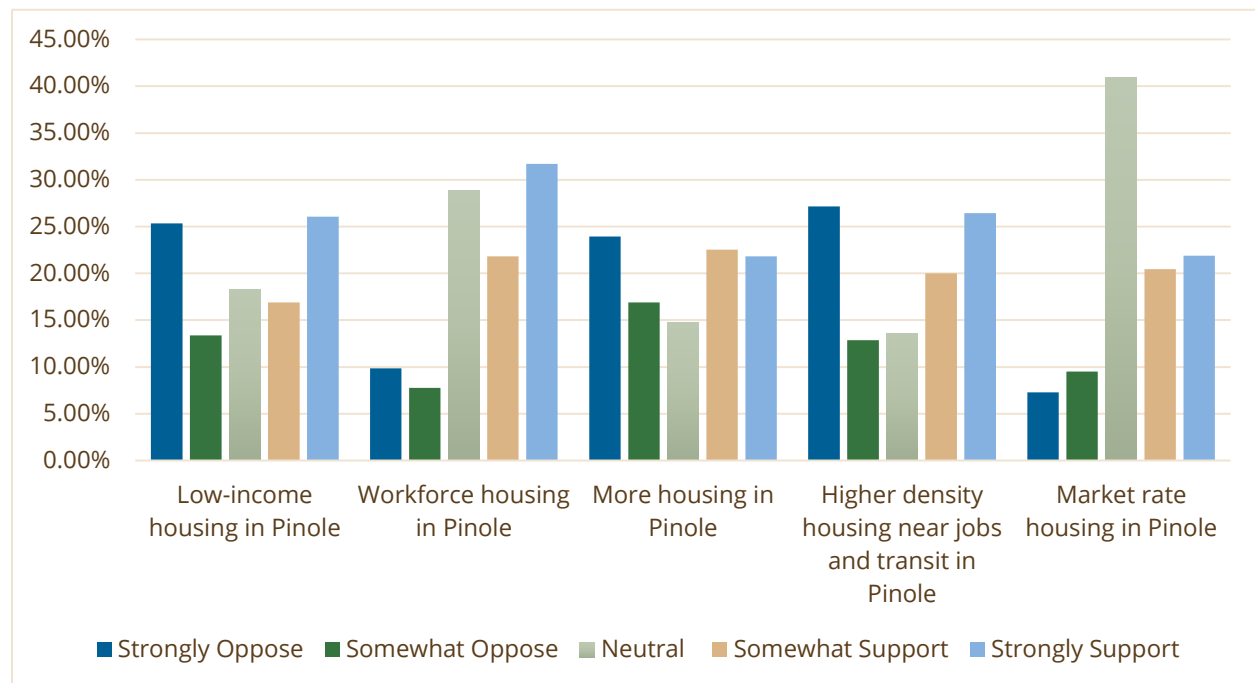
Q3. Indicate your level of concern about the following housing issues in Pinole.

HOUSING ELEMENT UPDATE

Q3. “Other” responses.

#	OTHER (PLEASE SPECIFY)	DATE
1	maintenance of existing facilities	8/2/2022 8:00 AM
2	I'm not sure how I feel about ADU's there are pros and cons. Predesigned plans will make Pinole look like a cookie cutter community (it already is to some degree) Rent control only for multiple units if that.	8/2/2022 12:37 AM
3	Roads and Infrastructure	7/26/2022 5:53 PM
4	housing sustainability - zoning should encourage smaller units and lots, solar/efficiency incentives	7/23/2022 11:52 AM
5	Roads need maintenance - poor condition	7/13/2022 6:25 PM
6	Our streets need turnabouts to stop all of the people doing donuts in the intersections; especially on Tara Hills Drive	7/10/2022 11:27 AM
7	Code enforcement lacking	7/7/2022 1:28 PM
8	City tearing down green spaces to make way for commercial/ housing properties: very concerned	6/18/2022 6:48 AM
9	Destroying open space (nature) for commercial development	6/17/2022 9:02 AM
10	Crime	6/15/2022 7:47 PM
11	Pedestrian safety, especially on Pinole Valley Road by Ellerhorst Elementary.	6/14/2022 11:25 AM
12	Crime, shootings, vandalism, speeders, traffic backups on Pinole valley road; poor deplorable condition of dog park n lack of walking n hiking trail in Pinole valley	6/9/2022 7:23 PM

Q4. Using the scale of 1 = Strongly Oppose and 5 = Strongly Support, please indicate your level of support for each of the following in Pinole:



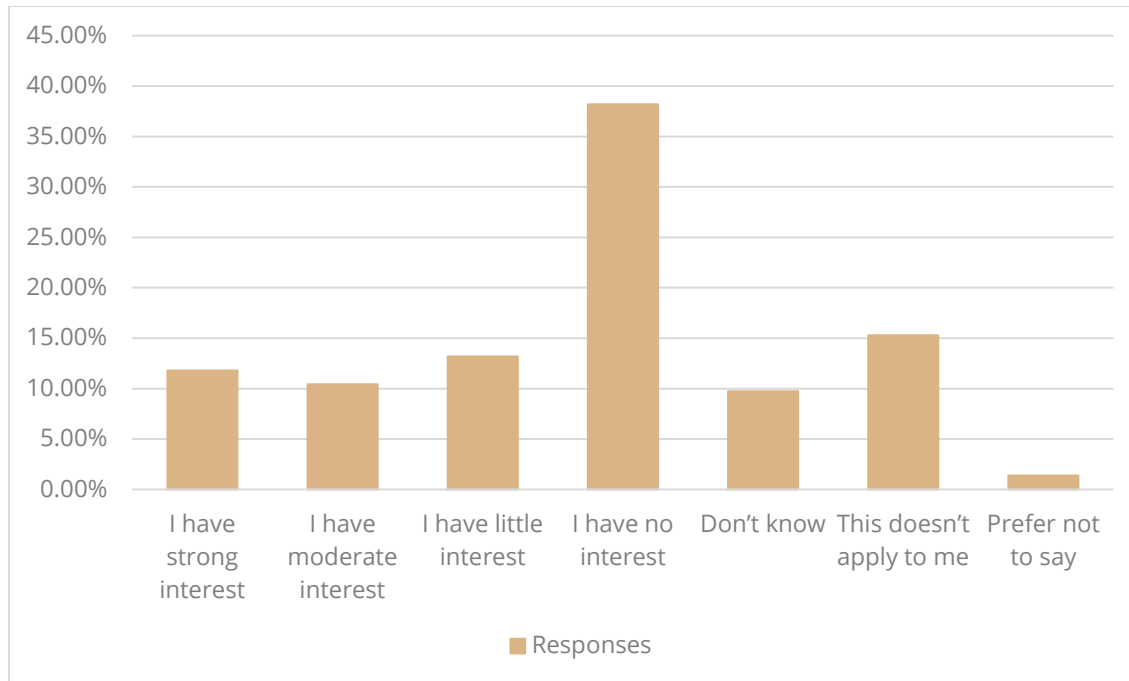
HOUSING ELEMENT UPDATE

Q5. Next you will read a list of potential proposals around housing policy in Pinole. Using the scale of 1 = Strongly Oppose and 5 = Strongly Support, please indicate your level of support.

	STRONGLY OPPOSE	SOMEWHAT OPPOSE	NEUTRAL	SOMEWHAT SUPPORT	STRONGLY SUPPORT	TOTAL	WEIGHTED AVERAGE
Changing the zoning in single family home neighborhoods to allow duplexes, triplexes, and fourplexes	42.36% 61	19.44% 28	9.72% 14	11.81% 17	16.67% 24	144	2.41
Making sure that current affordable housing continues to stay affordable to those who need it	9.79% 14	9.79% 14	16.78% 24	23.08% 33	40.56% 58	143	3.75
Building housing in areas that are already zoned for commercial office development	18.88% 27	16.78% 24	23.08% 33	16.78% 24	24.48% 35	143	3.11
Building housing in areas that are already zoned for retail development	23.57% 33	15.71% 22	21.43% 30	15.00% 21	24.29% 34	140	3.01
Protecting tenants and low-income communities from unjust evictions and limiting annual rent increases	16.78% 24	11.89% 17	19.58% 28	19.58% 28	32.17% 46	143	3.38
Creating more housing by streamlining the approval process, making it faster and easier to build more housing at all income levels	18.44% 26	14.89% 21	13.48% 19	22.70% 32	30.50% 43	141	3.32
Requiring a greater percentage of affordable housing units in new market-rate developments	21.99% 31	14.18% 20	17.02% 24	18.44% 26	28.37% 40	141	3.17
Providing access to low-cost pre-designed plans for Accessory Dwelling Units	19.72% 28	10.56% 15	23.94% 34	19.72% 28	26.06% 37	142	3.22
Helping existing residents find housing that better fits their needs so they can stay in Pinole	7.80% 11	4.26% 6	24.11% 34	33.33% 47	30.50% 43	141	3.74
Support the expansion of transitional, supportive, or other emergency housing types for people experiencing homelessness	15.49% 22	16.90% 24	20.42% 29	23.24% 33	23.94% 34	142	3.23
Require community amenities in new housing developments (e.g., on-site child-care, community meeting rooms, open space)	12.06% 17	9.93% 14	19.86% 28	26.24% 37	31.91% 45	141	3.56

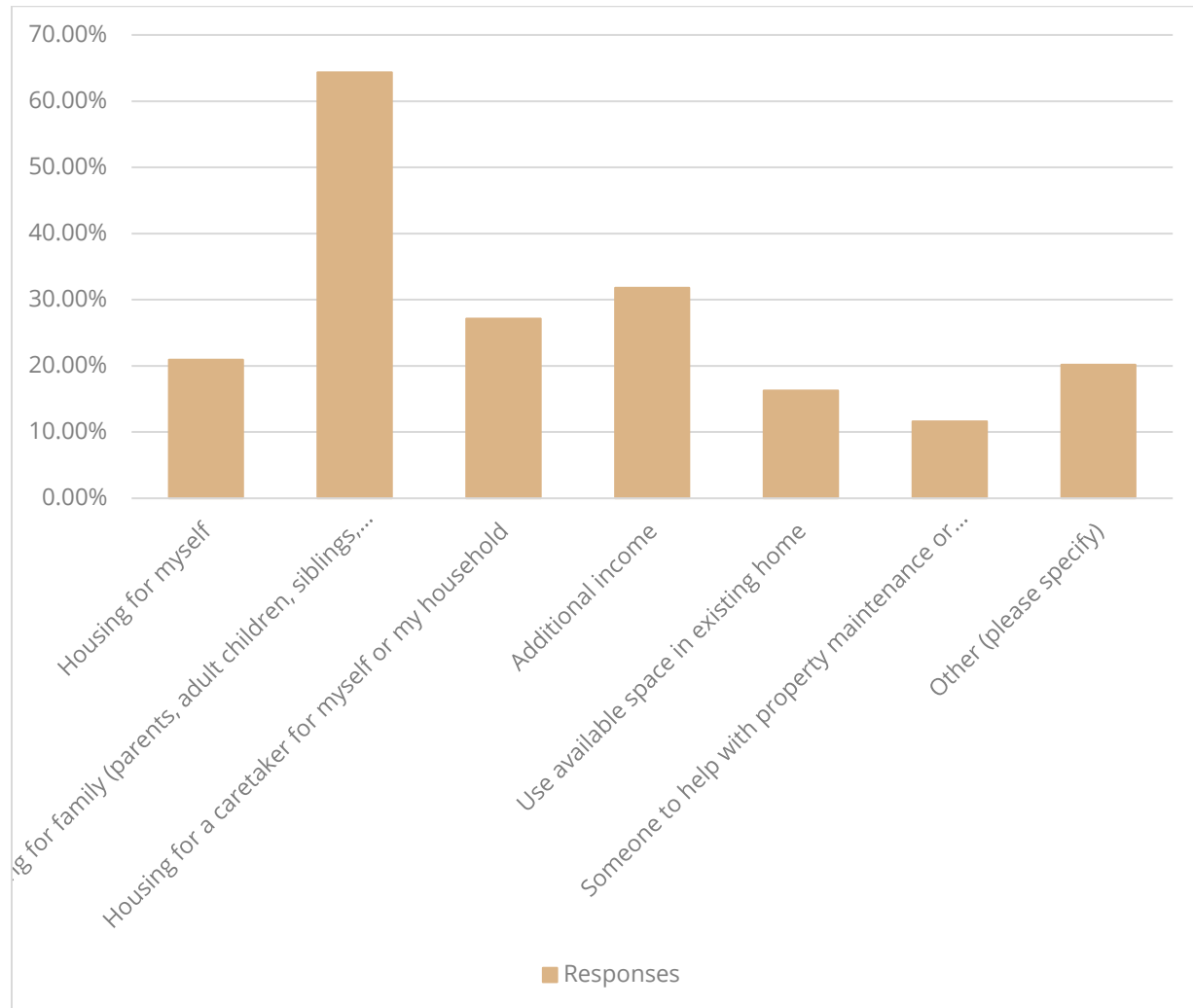
HOUSING ELEMENT UPDATE

Q6. New California State Law (Senate Bill 9) requires cities to permit a lot split and/or the addition of a second primary dwelling unit on a lot via an over-the-counter approval. How likely or interested are you to add a primary or secondary dwelling unit on your property within the next 8 years?



HOUSING ELEMENT UPDATE

Q7. Accessory dwelling units (ADUs) are small living spaces on single-family home lots that can be rented. They can be a room in or a new addition to an existing home, or separate building on the same lot. They can provide additional income to homeowners, housing for parents, adult children, single persons and small families. Please select all the reasons you would consider owning or constructing an ADU:



Q7. “Other” responses.

#	OTHER (PLEASE SPECIFY)	DATE
1	I live in a condo and this does not apply to me	8/2/2022 8:00 AM
2	I can see these turning into urban blight (I date myself w certain terms I refer to); pre approved	8/2/2022 12:37 AM

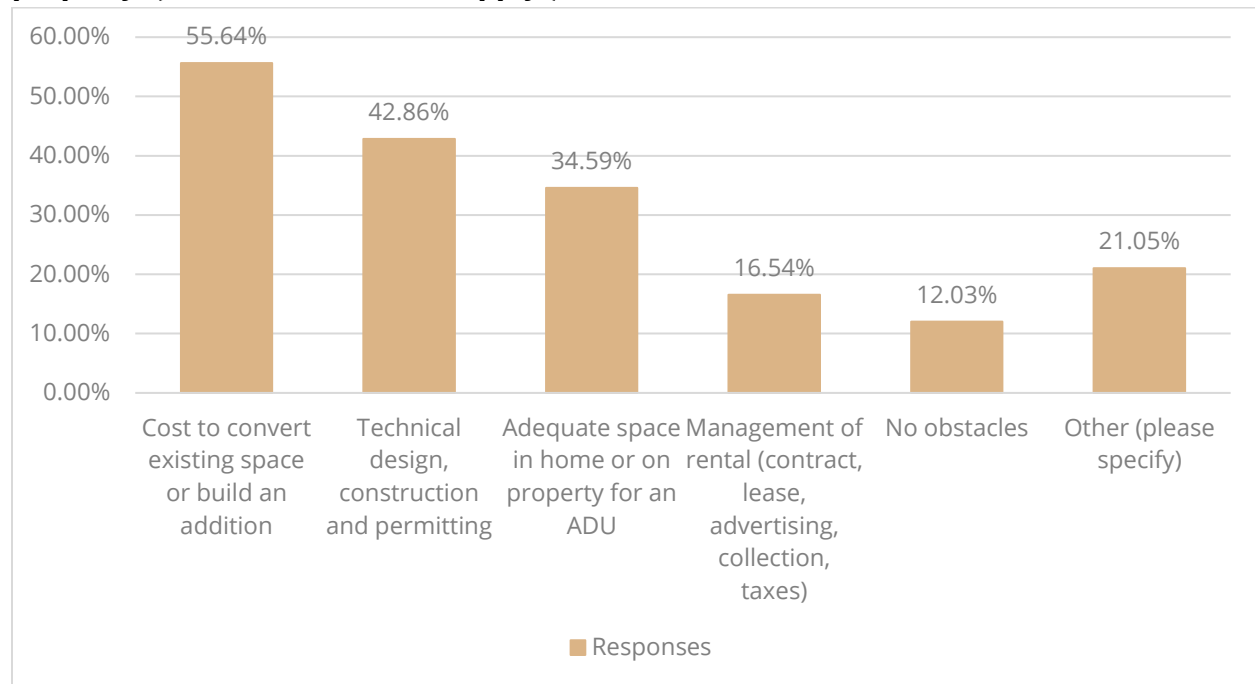
HOUSING ELEMENT UPDATE

low cost plans means owners will be forced to use someone else's idea of an ADU but not be afforded the low cost option if they have a different plan/idea.

3	n/a	7/26/2022 5:53 PM
4	None	7/22/2022 2:28 PM
5	Not a consideration	7/22/2022 2:13 PM
6	No interest	7/13/2022 6:25 PM
7	Not interested	6/26/2022 10:52 AM
8	Guest room	6/18/2022 6:48 AM
9	Don't want this in my neighborhood	6/15/2022 7:47 PM
10	None, it's too crowded here already.	6/15/2022 3:20 AM
11	None	6/14/2022 11:25 AM
12	Not interested	6/13/2022 11:35 AM
13	Not interested	6/10/2022 2:49 PM
14	Xxc	6/9/2022 8:48 PM
15	I would not consider constructing an ADU	6/8/2022 12:13 PM
16	not interested	6/4/2022 10:00 AM
17	None	5/31/2022 2:26 PM
18	No interest	5/20/2022 4:19 PM
19	I strongly oppose ADUs	5/20/2022 1:58 PM
20	I do not support ADU units on property zone for single family home lots.	5/17/2022 5:24 PM
21	None of the above	5/16/2022 9:46 AM
22	Not interested in this, PERIOD!	5/16/2022 7:30 AM
23	N/a	5/11/2022 12:57 PM
24	N/A	5/9/2022 9:59 AM
25	not interested in an ADU at this time	5/7/2022 11:42 AM
26	Wouldn't consider it.	5/6/2022 2:19 PM

HOUSING ELEMENT UPDATE

Q8. Please choose what obstacles may prevent you from building an ADU on your property. (Please select all that apply.)



HOUSING ELEMENT UPDATE

Q8. "Other" responses.

#	OTHER (PLEASE SPECIFY)	DATE
1	memeber of an HOA and don't have the authority to build	8/2/2022 8:00 AM
2	ADU's most likely will be rentals; It will cost the city a lot of money to keep an oversight of these rental units; who gets and ADU and who does not if on a block there are 10 people owners wanting to put on in? How easily could Pinole become predominantlly rental population.	8/2/2022 12:37 AM
3	No interest	7/13/2022 6:25 PM
4	I own a Townhouse, no room for such a unit	7/10/2022 11:27 AM
5	Not interested	6/26/2022 10:52 AM
6	Concerned renters will stop paying rent and I woun't be allowed to evict them	6/19/2022 9:27 AM
7	Don't want this in my neighborhood	6/15/2022 7:47 PM
8	Not interested	6/13/2022 11:35 AM
9	No need	6/13/2022 7:48 AM
10	Not interested	6/10/2022 2:49 PM
11	PG&E easement	5/31/2022 3:09 PM
12	Existing Association's Board of Directors Make-up	5/23/2022 12:32 PM
13	It's the cost and the process I can't afford to build a unit that costs 200,000 dollars	5/20/2022 5:59 PM
14	No interest	5/20/2022 4:19 PM
15	I strongly oppose ADUs	5/20/2022 1:58 PM
16	I do not support ADU units on property zone for single family home lots.	5/17/2022 5:24 PM
17	Working with the city of Pinole is time-consuming and aggravating. Plus, it's very expensive.	5/16/2022 5:46 PM
18	Do not want to	5/16/2022 9:46 AM
19	I don't own a home	5/11/2022 7:38 PM
20	NA	5/11/2022 12:57 PM
21	the permit is outrageous!	5/10/2022 7:16 PM
22	In a townhome association	5/9/2022 9:59 AM
23	Time it takes to receive a permit	5/7/2022 2:57 PM
24	Building permit costs	5/7/2022 1:49 PM
25	HOA restrictions	5/7/2022 7:09 AM
26	Not allowed by HOA	5/6/2022 5:07 PM
27	Would never do this.	5/6/2022 2:19 PM
28	Do not own	5/6/2022 12:32 PM

HOUSING ELEMENT UPDATE

Q9. Please describe any other considerations, policies, or programs the City should consider here:

#	RESPONSES	DATE
1	With the growth of housing the city should keep a budget that allows for the support of all the services the growth requires: water, parking, sewer, traffic, etc.	8/2/2022 8:00 AM
2	I am concerned about the use of eminent domain and closing up of open areas with the rush to build, build, build. I would like to see some control over corporations (Zillow, Chase, Summer, etc. buying up land and housing in Pinole.	8/2/2022 12:37 AM
3	Traffic enforcement for speeders, stop sign runners in residential neighborhoods, where certain intersections are regularly affected. Helping us to get a regular(non-Kaiser) hospital back which is desperately needed since Doctors Medical Center closed	8/1/2022 8:05 PM
4	I would like to see the city have more events for local small business gatherings and marketplaces.	7/27/2022 5:39 PM
5	Improve our infrastructure and roads.	7/26/2022 5:53 PM
6	Park maintenance and improvements; increased funding for more police; improve schools; graffiti removal and weed abatement - this City looks awful especially near freeways	7/22/2022 2:28 PM
7	Park maintenance, city beautification (e.g., graffiti removal and weed abatement), increase in Police funding for more officers, pothole/road repair.	7/22/2022 2:13 PM
8	I underscore the need for a higher percentage of affordable units in new developments, i.e. a higher inclusionary housing policy	7/22/2022 11:29 AM
9	N/a	7/13/2022 6:25 PM
10	Safe places/shelter for women with children and LBTQIA, better open green spaces, better access (walkable) to wholesome food	7/12/2022 4:20 PM
11	City needs to appoint a daily cleaning crew to drive around Pinole streets and clean the debris. Pinole once was a clean and beautiful small city, it's not so much now	7/10/2022 11:27 AM
12	Docks open for boats	7/10/2022 6:19 AM
13	Stricter code enforcement on existing, or new, homes/residences to maintain quality community	7/7/2022 1:28 PM
14	Rent control!	7/1/2022 1:28 AM
15	Please incorporate solar panels on any new housing built in Pinole, especially if public funds are somehow used for such housing.	6/30/2022 4:09 PM
16	We need a hospital more than any more housing.	6/26/2022 11:31 AM
17	Make sure pinole is not only area to accommodate affordable housing. Would like to see it in affluent zip codes, too	6/19/2022 9:27 AM
18	Avoid reducing green space near Pinole Park	6/18/2022 6:48 AM
19	Expand the parks and open spaces/nature/hills that surround Pinole. This is the best of our little city, supports and nourishes our environment, addresses climate change and makes Pinole a very special place to live.	6/17/2022 9:02 AM
20	Crime crime crime. More police. More firefighters.	6/15/2022 7:47 PM
21	Pinole is too crowded here already, there's constant noise and traffic and a bunch of new apartments are already being planned that will make it much, much worse.	6/15/2022 3:20 AM

HOUSING ELEMENT UPDATE

22	Pinole should prioritize creating a functional self-contained city with employment and plenty of amenities and small businesses instead of building excessive housing to subsidize the workforces of other larger, richer communities that refuse to build their own housing to support their own workers. We don't want to be just a commuter/bedroom community and 80 is already an absolute nightmare during commute times without a huge influx of new residents. The only housing I am in favor of is Senior housing because that would allow older folks to sell their big homes to new families without needing to leave our community.	6/14/2022 11:25 AM
23	Slow down the population growth! The roadways are packed now. We don't need more population to bring in more cars!	6/10/2022 2:49 PM
24	Xxx	6/9/2022 8:48 PM
25	Cleaning up Bay Front Park by removing broken sidewalks and replacing with boulders like most bay towns use.	6/8/2022 8:55 PM
26	I think Pinole is getting crowded and doesn't need anymore people. Also the roads are terrible and the gas taxes too high.	6/8/2022 8:04 AM
27	consider the traffic problems if housing is built on the old Doctor's Hospital site	5/31/2022 6:00 PM
28	There should be fewer obstacles to walking and commuting in Pinole, not more. I really don't like to see developers block off public streets (like Jones Ave. and Alvarez Ave.) without even so much as a gate for pedestrian traffic. It also makes little sense to me to go to the effort and expense of installing and maintaining fences that prevent pedestrians from moving from one public area to another (such as the fence separating the sidewalk along Woodfield from the walking path along the east side of Pinole Creek). We should be making our neighborhoods more walkable and more livable, not less so. I really like the SF Bay Trail and the ways it is overcoming obstacles to walkability like railroads and freeways, and I'd like to see a lot more efforts like that.	5/31/2022 3:09 PM
29	Traffic and street improvements to support the efficient flow of vehicles while protecting bicyclists and walkers.	5/31/2022 2:26 PM
30	Pinole is an above average exceptional place to live. Pinole's elected and assigned government personnel must keep Pinole a uniquely positioned city above all other cities in the Bay Area. Above all else, maintain the credo "Pride in Pinole".	5/31/2022 11:08 AM
31	The city looks dilapidated. The signs are old, there's weeds and trash on the off ramps. Let's get it together and beautify Pinole. Also, no one wants low income residents that bring crime and problems here.	5/27/2022 12:53 PM
32	None	5/23/2022 12:32 PM
33	Keep Pinole the a gem of suburban living, by focusing on safety (not allowing criminals a handhold), services (keep lights, water, sewage, garbage for demand), and do not let the city get greedy and promote doing what ethical (not sell out).	5/20/2022 8:19 PM
34	I would like to see more housing in pinole and more higher paying jobs. I am concerned about what would happen if one of the refineries catches fire.	5/20/2022 8:18 PM
35	1. Walkability -Pinole has no bike lanes, dangerous roads, and sidewalks that are unmanaged. This makes the city hard to walk around in. 2. Lack of local businesses- there is a lack of diverse businesses in Pinole, how many hair salons, insurance companies, and real estate businesses do we need in one town? Also we need support for mom and pop businesses not big box chain stores it gives these kind of businesses would give the town character and also support locals. 3. Beautification -Too many empty lots down town and strange abandoned places. There literally a car/boat storage place that takes up a lot of space down town that could be a park or something for the community.	5/20/2022 5:59 PM
36	Open the valley fire station to provide support to the valley residences to eliminate an Oakland Hills or Loma Preto event. In any major disaster our neighboring cities are gonna be too busy with their own to help us. If the freeway overpasses go down how will the downtown station get to the other side of the freeway to save the residence of the Valley?	5/20/2022 3:45 PM
37	Public safety, street cleanliness, maintenance of road and sidewalks. So far I feel Pinole has done an amazing job in these areas	5/20/2022 1:58 PM
38	Homeless people have to be somewhere. Can't just kick them out of places. Put dumpsters in	5/20/2022 10:35 AM

HOUSING ELEMENT UPDATE

	encampments. Find transitional housing in unused warehouses.	
39	Making the permitting process easier for ADU's and adding extra rooms to an existing house	5/17/2022 1:20 PM
40	We desperately need a hospital in our area!!	5/16/2022 5:46 PM
41	Pinole needs urgent care facilities or a hospital. I have to travel to Berkeley or Concord for a hospital or emergency care.	5/16/2022 4:26 PM
42	Life safety! Fire Department is woefully understaffed, only 1 station & inadequate staffing! Below ISO safety standards!	5/16/2022 7:30 AM
43	More retail stores to increase sales tax revenues	5/14/2022 3:13 PM
44	If housing were to be built, I think aesthetics should be a significant focus as well to cost. we the people know when things are obviously being gentrified, pinole has a small-town aesthetic that feels lively and comfortable and housing should resemble the vibe of our community, we are not city dwellers. Keep a bit of the victorian style in housing, people who always visit Pinole comment how cute our city is so why not embrace it, let's not be a major city but we have a lot of just empty office spaces taking up space that could be apartments. Another concern I have is losing a lot of just plain open space, a healthy balance of just having a small plain of grass with no buildings on it. What I like about pinole is that there are nice hidden spots where you can relax outdoors and not run into anyone, let's also focus on keeping open areas. Sincerely, just a young adult who has lived here and attended school here.	5/11/2022 7:38 PM
45	Reducing crime in shopping areas (car break in)	5/11/2022 12:57 PM
46	A Town Plaza/square to replace the Community Corner.	5/10/2022 5:15 PM
47	Safety from fire. The whole area across from the ellerhorst school is a fire trap waiting to happen.	5/9/2022 7:28 PM
48	Please do not approve more housing near Pinole Valley High School. It's already congested and parking already difficult for homeowners and renters, especially during school hours. Drivers are reckless.	5/9/2022 7:24 PM
49	Parking issues	5/9/2022 4:44 PM
50	Community meetings to discuss the government overreach and how to share individual research/awareness about the lack of mainstream media to give both sides to giant issues. The people deserve learning from those who are open to discuss and offer factual data. I don't mean political, for example; sharing by the very group of scientists/doctors/nurses/activists who are not in it for the money. The American people in every city, state deserve the truth. We also need truth about climate change. I am in favor of taking care of mother earth as much as any person in this country. I am very aware of how a certain agenda is affecting what we hear and limiting what we are able to listen to. You did not include	5/9/2022 2:34 PM
51	There aren't condos/cottages that seniors can move in to. IE Sell our larger home and purchase condo/cottage and stay in the area live in now. Senior apartments are being built but we don't want to rent we want to own.	5/9/2022 9:59 AM
52	Safety and crime rate in our area.	5/8/2022 9:38 PM
53	lack of adequate parking in congested neighborhoods, HOA rules preventing garage conversions	5/8/2022 8:40 PM
54	More retail opportunities would certainly be welcome. Traffic congestion and speeding have both been issues.	5/7/2022 6:16 PM
55	I understand the city wants to build housing where the old Doctors Hospital and the old Kmart use to be and I'm concern with the amount of traffic that's going to come with the hundreds of units that plan to be build there since the traffic affects the same streets and freeway entrances on Appian Way.	5/7/2022 5:43 PM
56	Put a red light runner at Fitzgerald/Appian/Sarah. It's horrible! Mainly people coming from Fitzgerald making a left. It's horrible. And you really need to think about the traffic implications with housing where a hospital to exist.	5/7/2022 2:40 PM
57	Do not change any zoning without providing funds to the current owners to make those changes or re-zone commercial property to something unreasonable that devalues their	5/7/2022 1:49 PM

HOUSING ELEMENT UPDATE

	investment so that they are trapped	
58	No additional apartments on Pinole Valley road or in the valley.	5/6/2022 6:36 PM
59	The City needs to make downtown more inviting to INTERESTING BUSINESSES that are NOT NAIL SALONS!! Let's see some better restaurants/pizzerias/taprooms!! Look to Martinez! They have a "Public Market" (with an oyster bar, tap room, bakery and pasta maker) of sorts that would be very popular here. PLEASE make it more inviting to these kinds of businesses. Pinole is kinda ghetto with it's 25 nail salons and facial places. Also, maybe close off downtown to through traffic and make it a pedestrian zone. Finally, close that ugly eyesore of RV storage park by Bay Front park. Thank you	5/6/2022 6:01 PM
60	Parking of inoperable vehicles on private and public property including streets and yards!	5/6/2022 5:43 PM
61	Access to Hospital Emergency Room is a huge issue for Seniors	5/6/2022 5:07 PM
62	Please cover the sharp metal edges on slabs on the pinole valley road northbound lane between Ellerhorst and Downer streets. One has to risk tire damage or cross into head on traffic every time they pass. Also please extend the no parking red curb at pinole valley road and Rafaela so those turning south on Rafaela don't have to turn into a blind curve and oncoming traffic. This would allow visibility of oncoming traffic.	5/6/2022 4:25 PM
63	Non highway public transit. Let's make Pinole a streetcar suburb	5/6/2022 3:58 PM
64	Crime, Traffic, more police officers, more firefighters, overgrown vegetation that is a fire hazard.	5/6/2022 2:19 PM
65	Pinole needs more locally owned businesses that could be destination points for the surrounding communities (example: pear street bistro + east bay coffee). Less salons (all for locally owned salons but we have a lot of em), real estate and insurance brokers and more restaurants, bar/breweries, and coffee shops. No more strip mall and chain development commercial spaces. New large scale residential projects should include small commercial spaces as well and the city should promote and subsidize local small businesses to create more of a local community feel downtown. Finally the square downtown is a gross mess, we should plant a community California native garden in that space and develop the vacant space next to the bank to help beautify and bring ppl to the historic downtown area.	5/6/2022 12:53 PM

HOUSING ELEMENT UPDATE

Q10. Illegal housing discrimination is when one or more of the following occurs based on a person's race, national origin, color, age, familial status, religion, sex, or if they have children or a disability:

Refusing, discouraging, or charging more to rent an apartment or buy a home.

Discouraging a person from living where he or she wants to live, often by steering him or her to another property, neighborhood, or city.

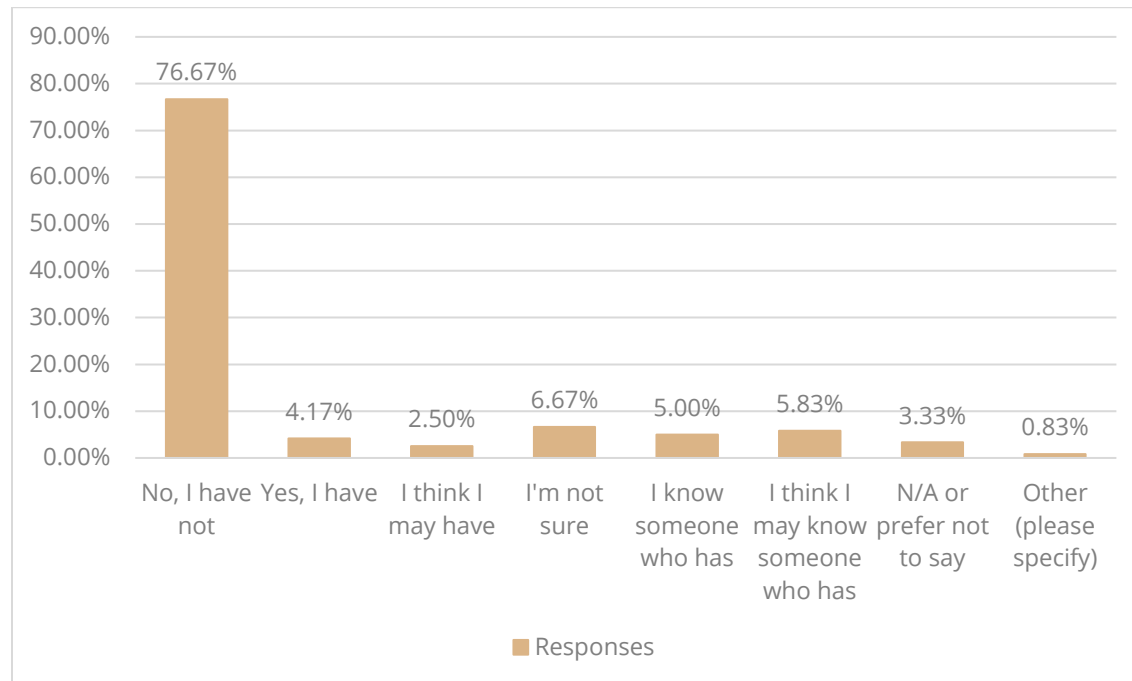
Refusing or discouraging the acquisition of a loan to buy, refinance, or access home equity through tactics that include charging more or providing less favorable terms than the market would otherwise dictate.

Refusing, discouraging, or charging more for home insurance.

Refusing to make a reasonable accommodation or refusing to allow a modification to make an apartment more accessible for a person with a disability.

Predatory lending: unfair, misleading, deceptive, or fraudulent loan practices.

Have you or someone you know ever encountered any of the forms of housing discrimination described above? (Please select all that apply.)

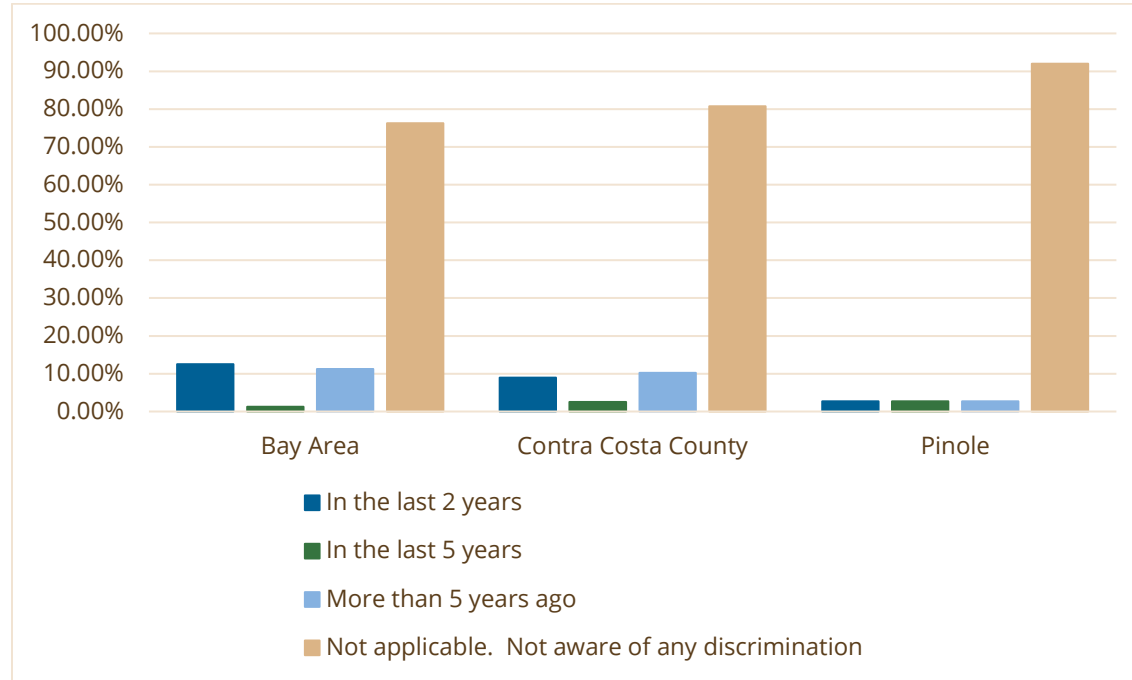


Q10. "Other" responses.

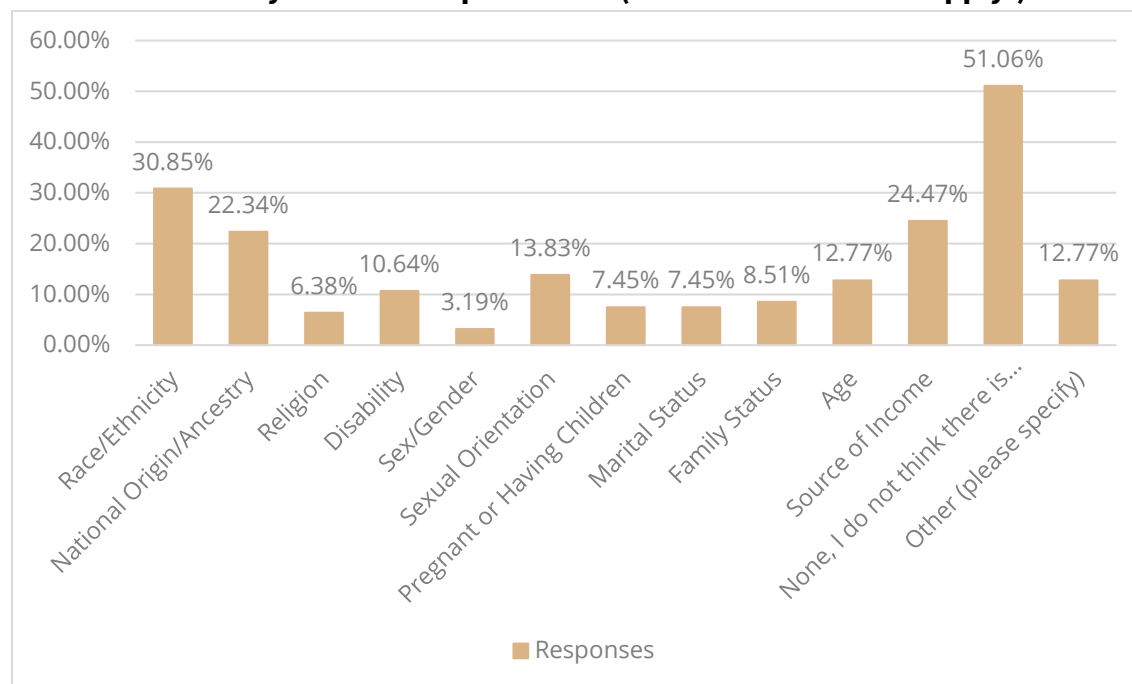
#	OTHER (PLEASE SPECIFY)	DATE
1	Not me personally, but I'm an able, white guy. I'm pretty sure discrimination is happening to others.	5/20/2022 10:39 AM

HOUSING ELEMENT UPDATE

Q11. If you believe that you or someone you know encountered housing discrimination, please identify the location and time period when it occurred. (Please select all that apply.)



Q12. If you think housing discrimination is occurring in Pinole, what types of discrimination do you think are prevalent? (Please select all that apply.)

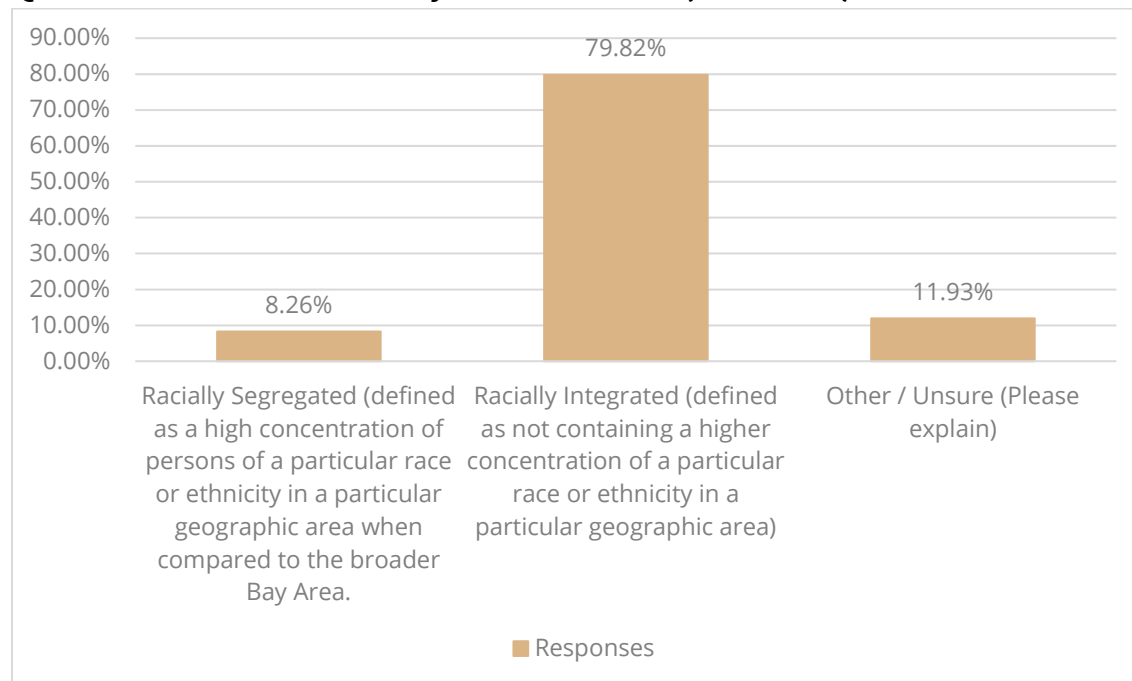


HOUSING ELEMENT UPDATE

Q12. "Other" responses.

#	OTHER (PLEASE SPECIFY)	DATE
1	As long as you have a diverse population there is going to be discrimination of every type. The thing is to be vigilant and apply the law where it is found	8/2/2022 12:44 AM
2	New resident and not aware of any local discrimination	7/22/2022 11:30 AM
3	I have no knowledge whether this statement is true or false	6/15/2022 1:13 PM
4	Dont know any stories of discrimination, but I dont deny the possible existence of housing discrimination	6/9/2022 4:42 PM
5	I believe there may be housing discrimination; I have just been lucky to have not witnessed it myself.	5/31/2022 3:13 PM
6	None that I know of.	5/31/2022 2:27 PM
7	I don't have enough information to answer this question correctly.	5/20/2022 6:04 PM
8	I do not know if this is occurring	5/20/2022 4:22 PM
9	Don't know	5/20/2022 3:48 PM
10	single parent	5/14/2022 6:35 PM
11	Not aware	5/9/2022 10:02 AM
12	not personally aware of it in Pinole	5/8/2022 8:44 PM

Q13. Please indicate whether you feel Pinole is: (Select one)



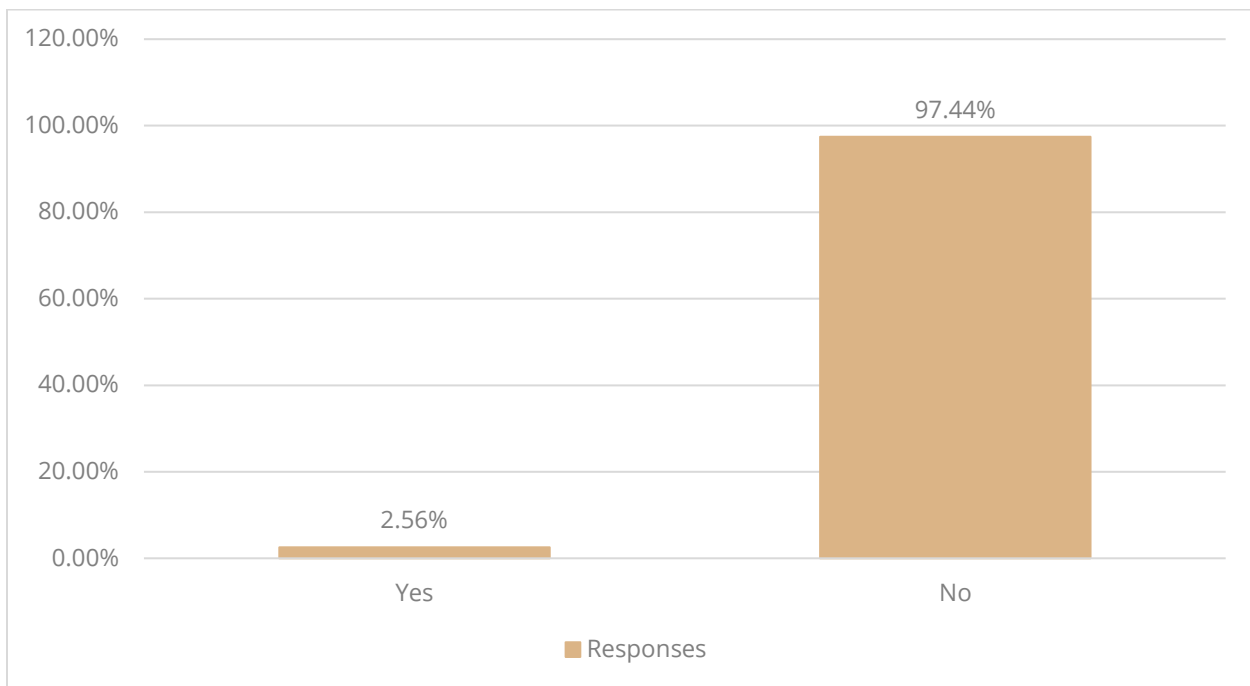
HOUSING ELEMENT UPDATE

Q13. “Other” responses.

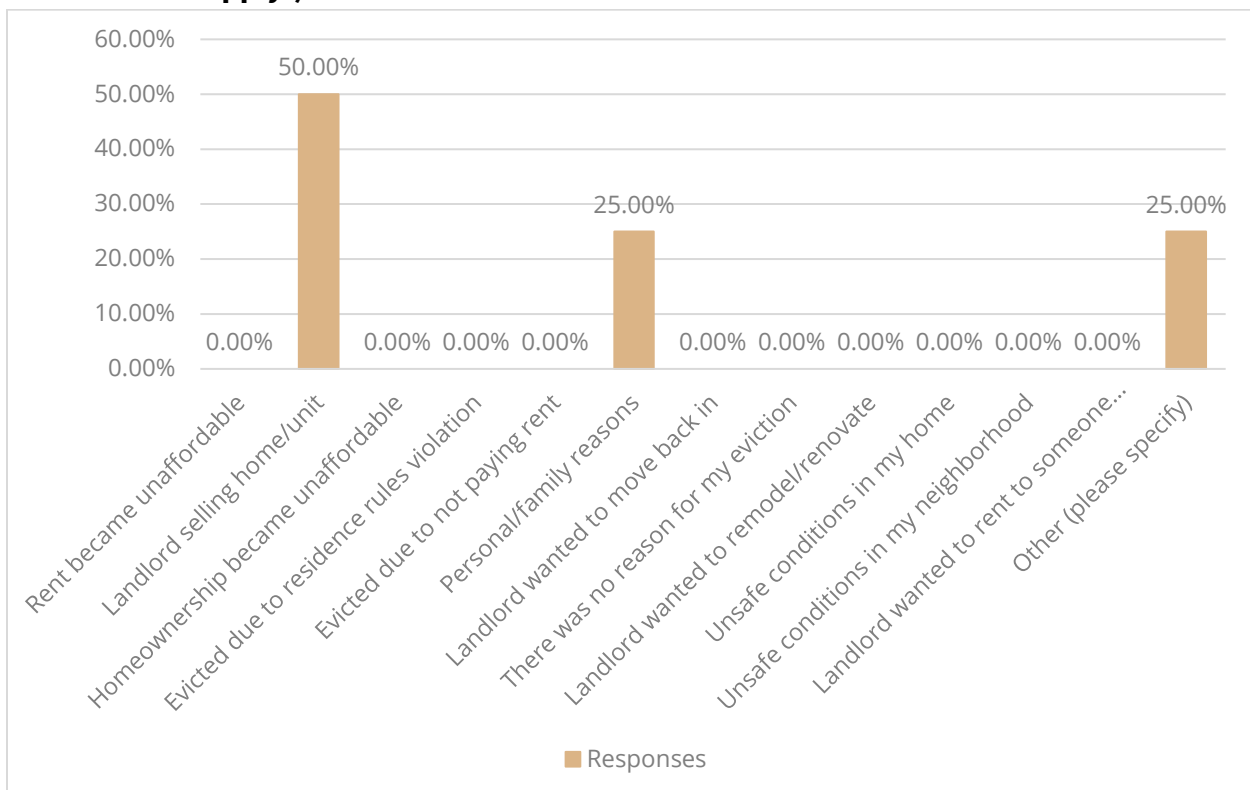
#	OTHER / UNSURE (PLEASE EXPLAIN)	DATE
1	It has been a traditionally middle class white area, but that has changed a lot in the past decade or so	8/1/2022 8:08 PM
2	I don't believe any of your questions apply to Pinole.	7/26/2022 11:59 AM
3	Just moved here	7/22/2022 11:30 AM
4	Predominately white with other races integrated	6/18/2022 6:50 AM
5	I think Pinole is fine just the way it is.	6/8/2022 8:07 AM
6	It feels more diverse than where I moved from (San Francisco) and I feel like it was segregated at some point but now it feels like a new group of people are moving in and they are less segregated.	5/20/2022 6:04 PM
7	New to area	5/16/2022 7:54 AM
8	Unsure	5/14/2022 2:32 PM
9	Lacks diversity. Have encountered racist white people.	5/9/2022 7:27 PM
10	it is becoming more diverse with each passing year from where it was decades ago	5/8/2022 8:44 PM
11	There are more white people in Pinole, but my neighborhood has a variety of colors,	5/7/2022 3:18 PM
12	Socioeconomically homogeneous.	5/6/2022 4:01 PM
13	The newer residents appear to be much more racially integrated than the older residents. Areas that once were an all white neighborhood the newer home buyers appear much more mixed racially and ethnically. Thus overall Pinole feels more integrated than most other place in the Bay Area, opinion of a long time SF resident.	5/6/2022 1:00 PM

HOUSING ELEMENT UPDATE

Q14. Since 2015, have you had to move out of your residence in Pinole when you did not want to move?

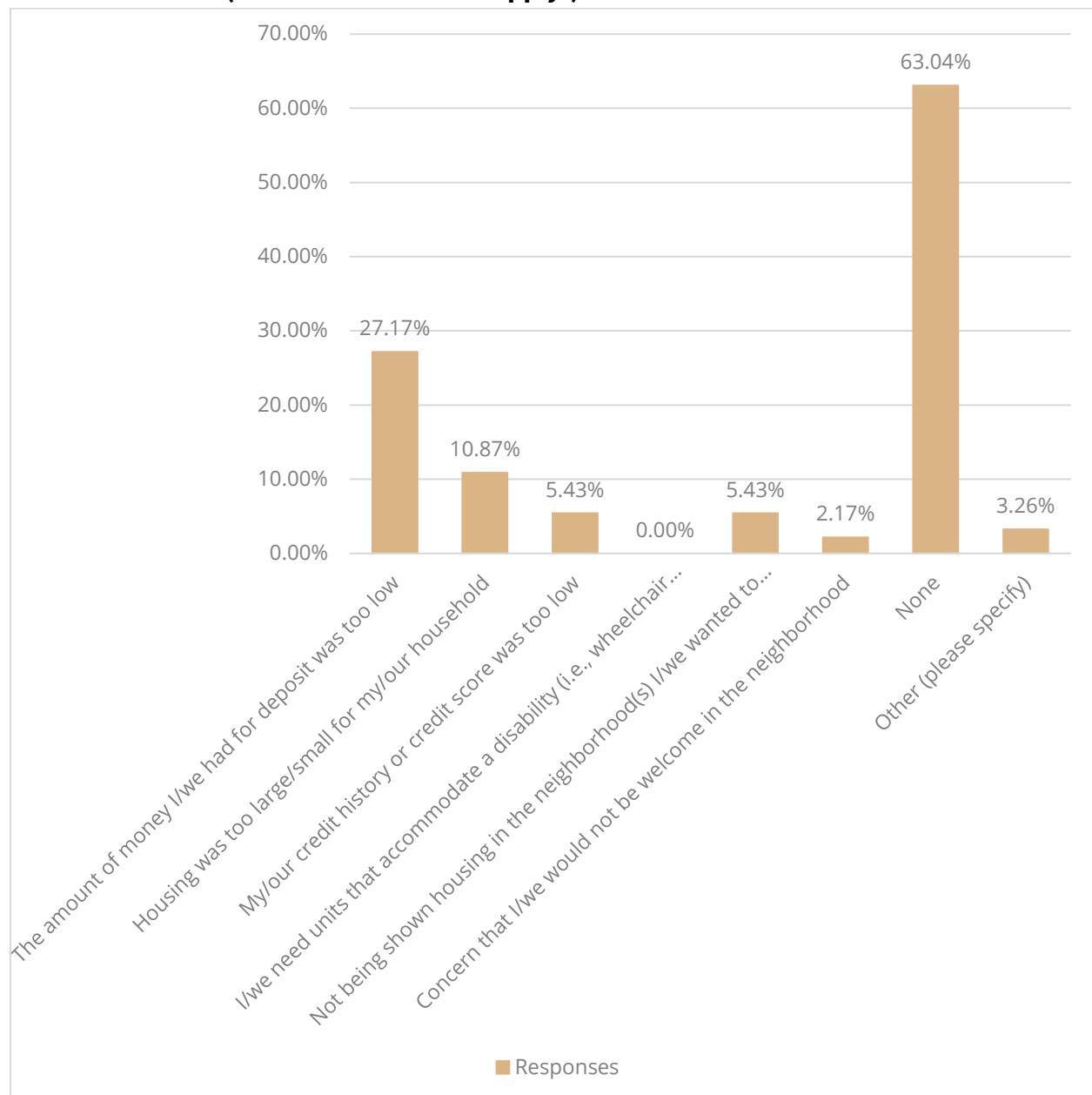


Q15. If you answered yes to the previous question, why did you have to move? (Please select all that apply.)



HOUSING ELEMENT UPDATE

Q16. Which of the following issues, if any, have restricted the housing options you were able to consider? (Please select all that apply.)

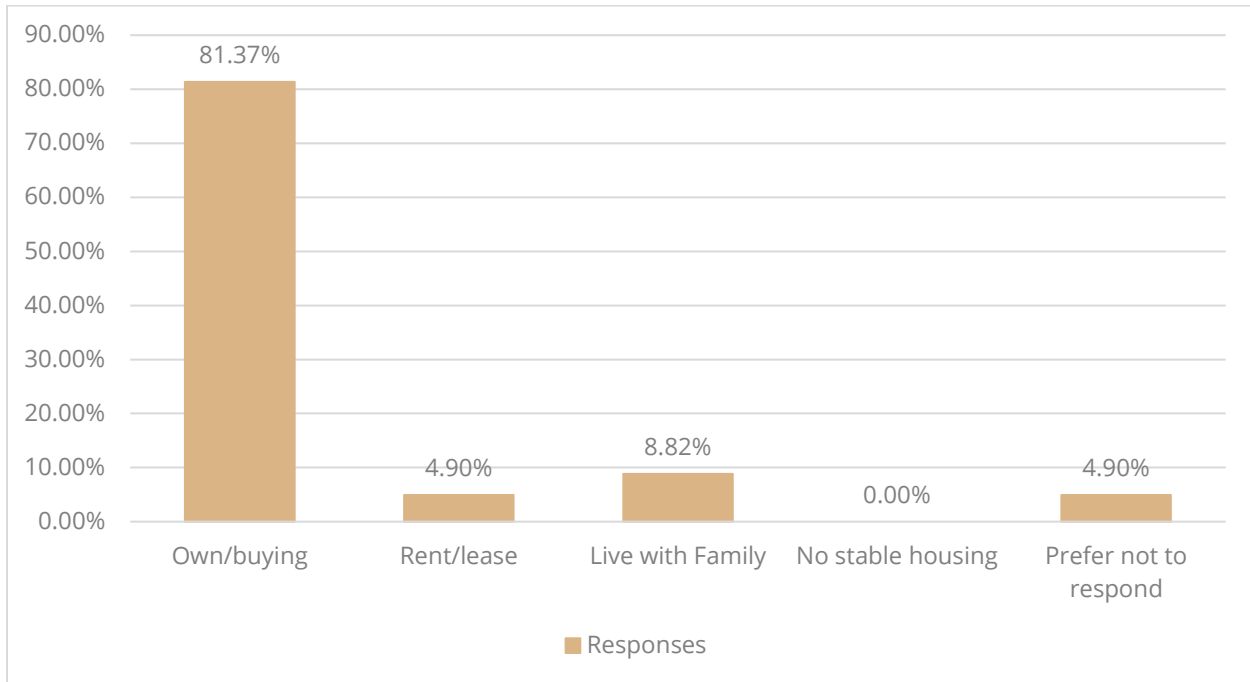


Q16. "Other" responses.

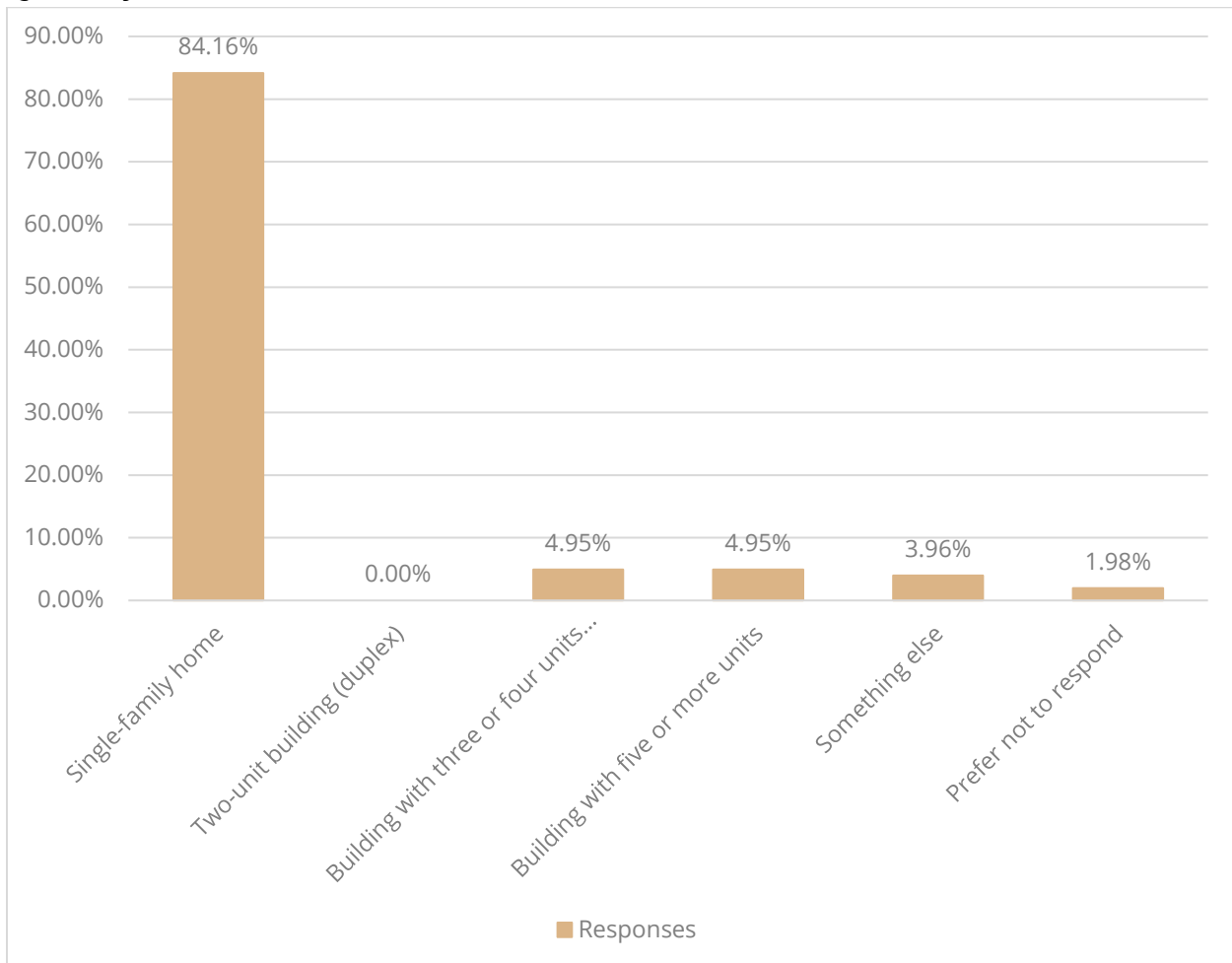
#	OTHER (PLEASE SPECIFY)	DATE
1	The overall cost/the size of a mortgage loan required was not feasible	6/2/2022 9:19 AM
2	I couldn't afford a house anywhere else in the Bay Area, Pinole is affordable	5/20/2022 6:04 PM
3	No small senior condos to buy	5/9/2022 10:02 AM

HOUSING ELEMENT UPDATE

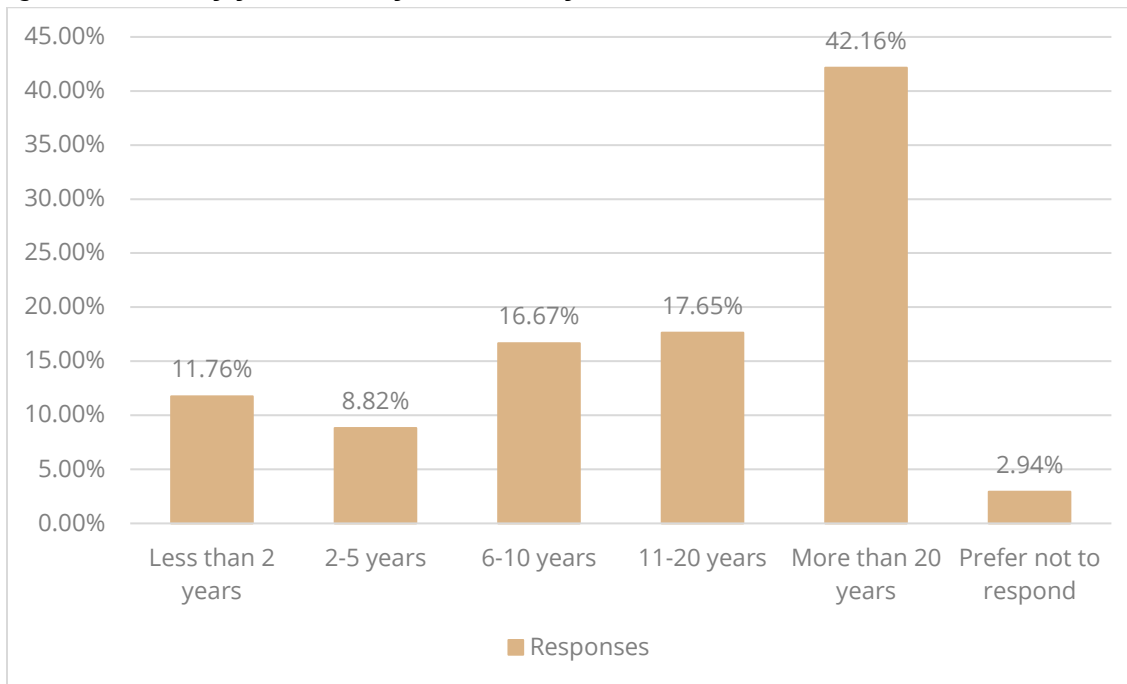
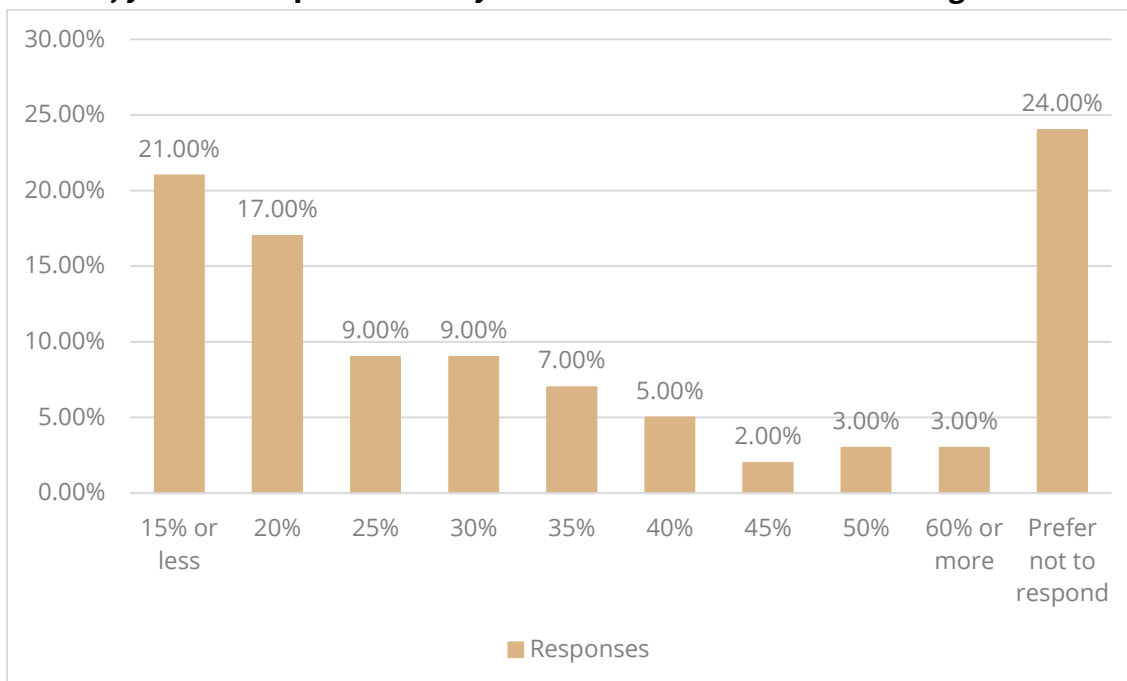
Q17. Do you currently own the home or apartment where you live, do you rent, do you live with family, or do you not have stable housing?



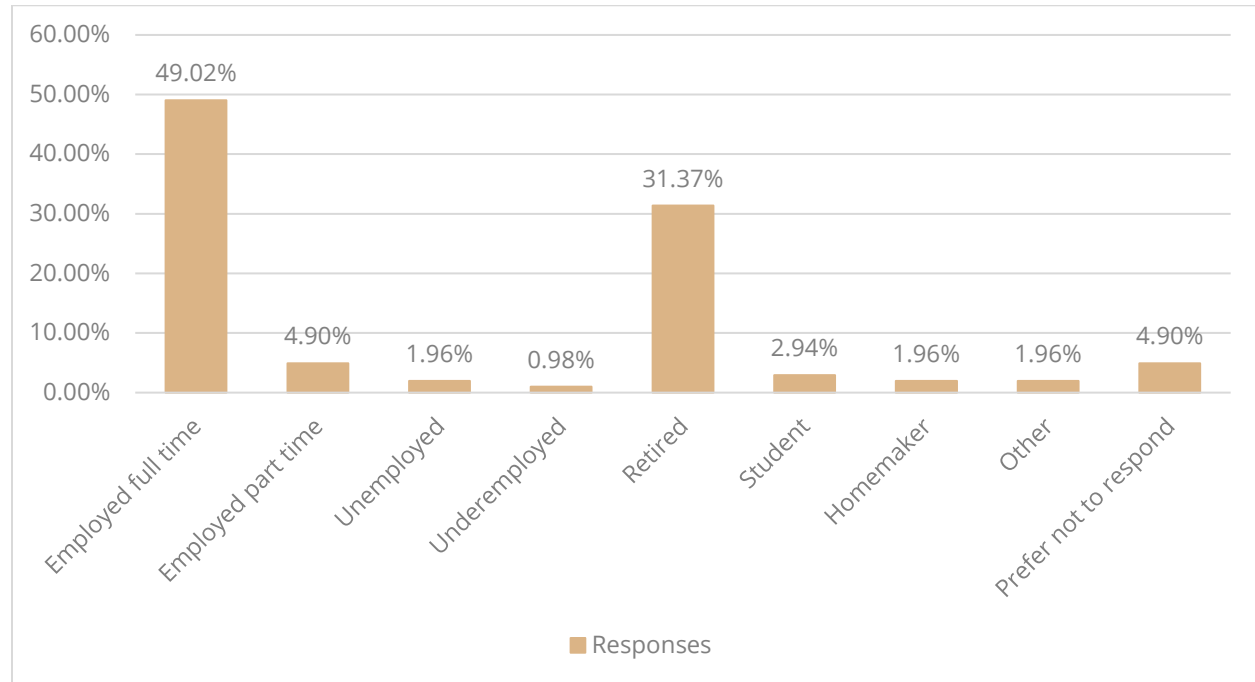
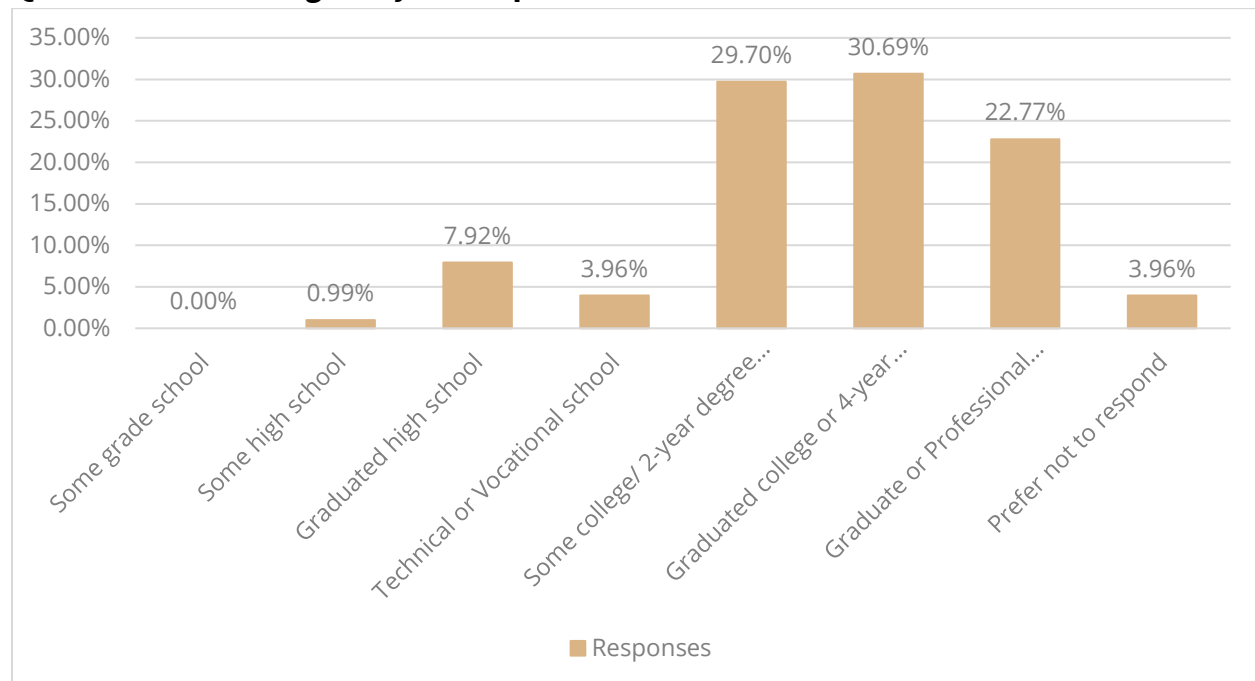
HOUSING ELEMENT UPDATE

Q18. Do you live in a:

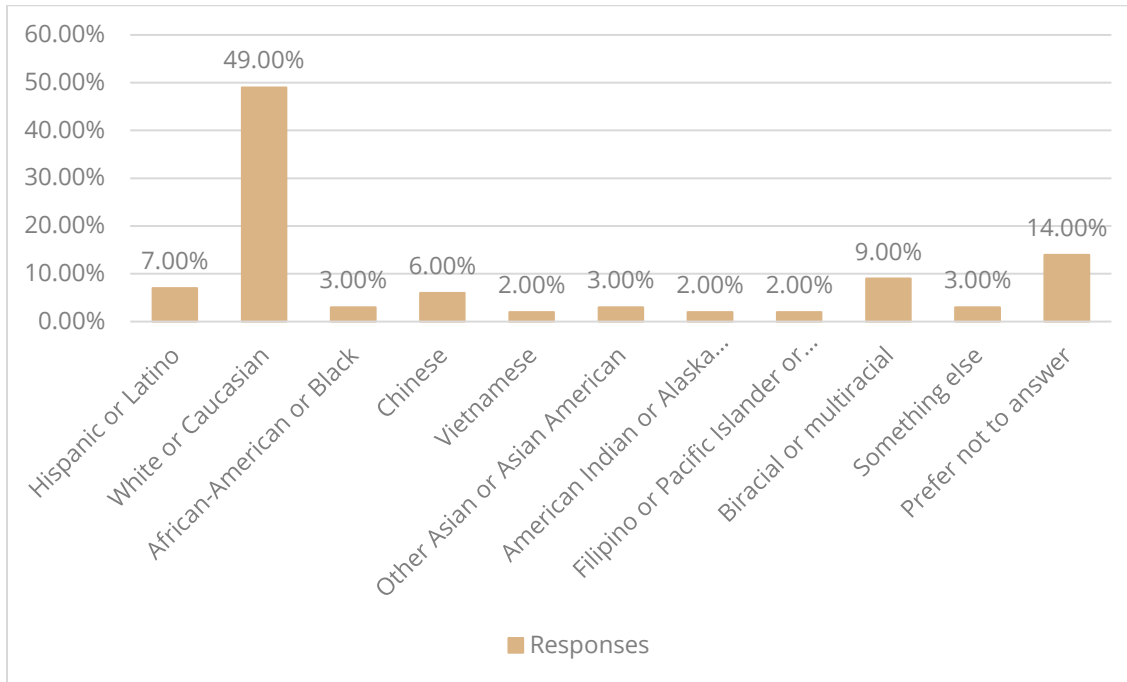
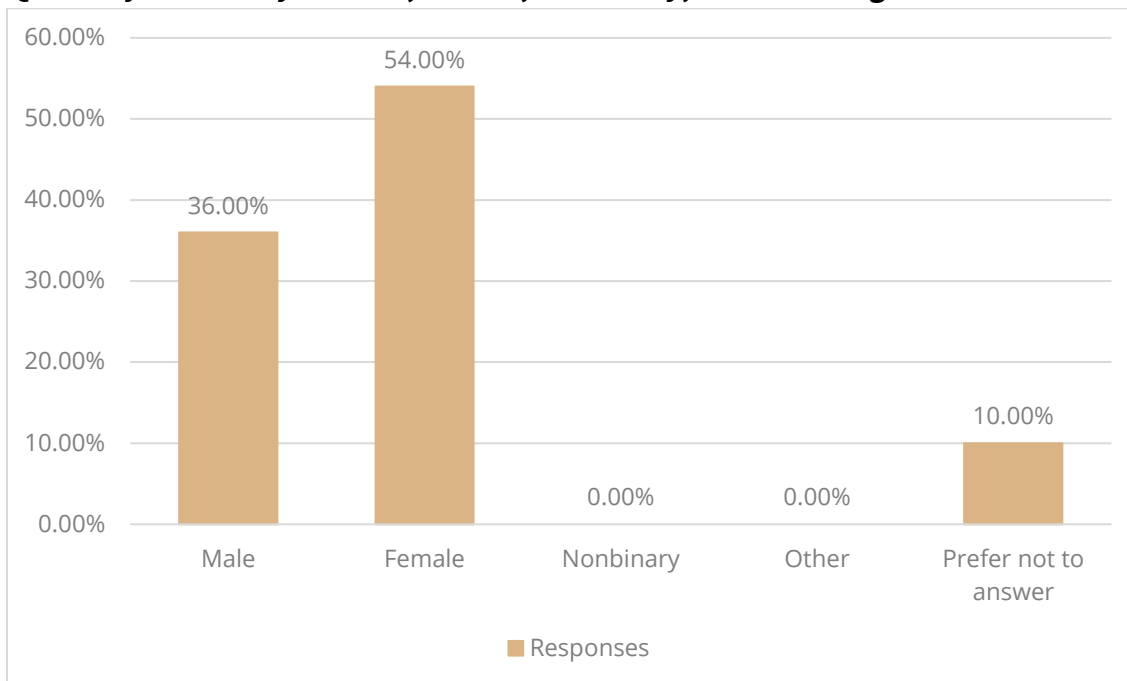
HOUSING ELEMENT UPDATE

Q19. How many years have you lived at your current address?**Q20. Approximately what percentage of your gross household income do you spend on housing? Example: If your monthly gross income is \$4,000 and you spend \$1,500/month on rent, you would spend 37% of your household income on housing.**

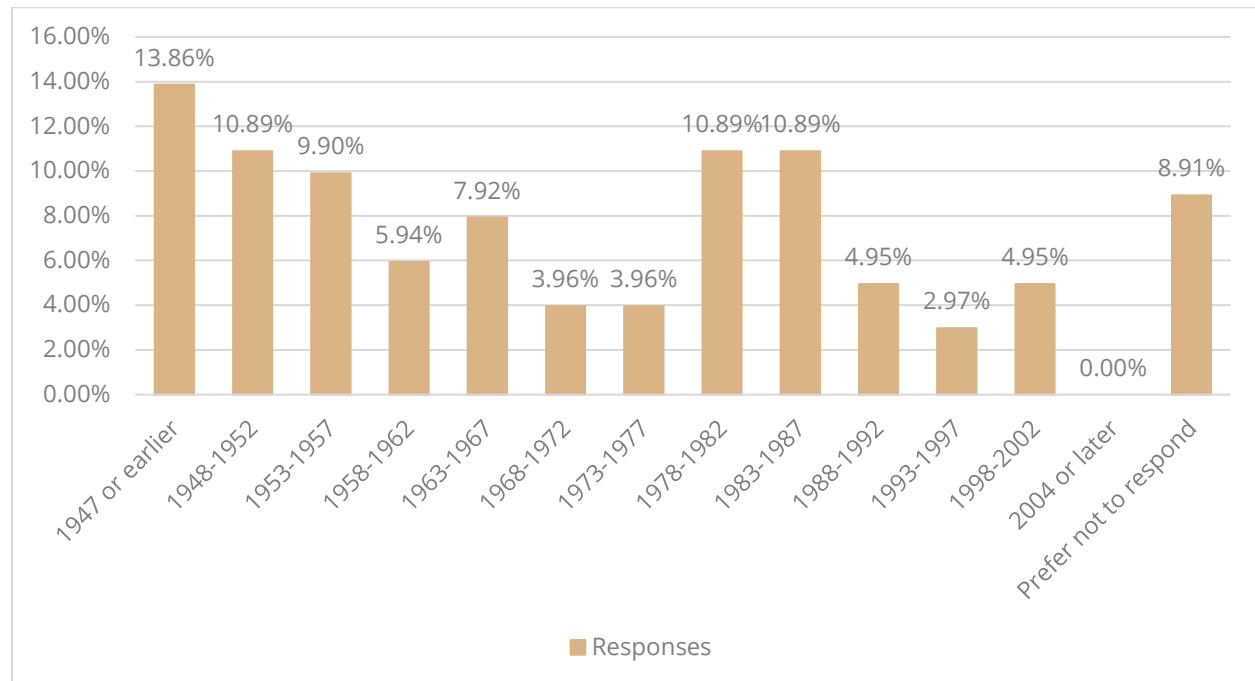
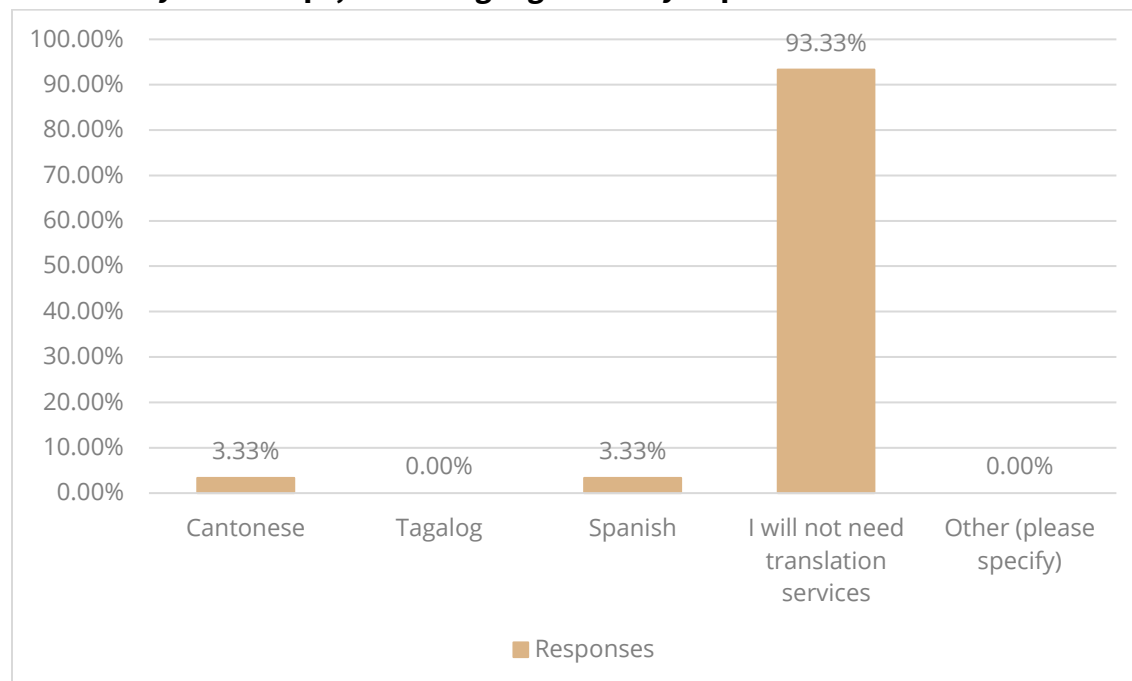
HOUSING ELEMENT UPDATE

Q21. In terms of your job status, are you:**Q22. What is the last grade you completed in school?**

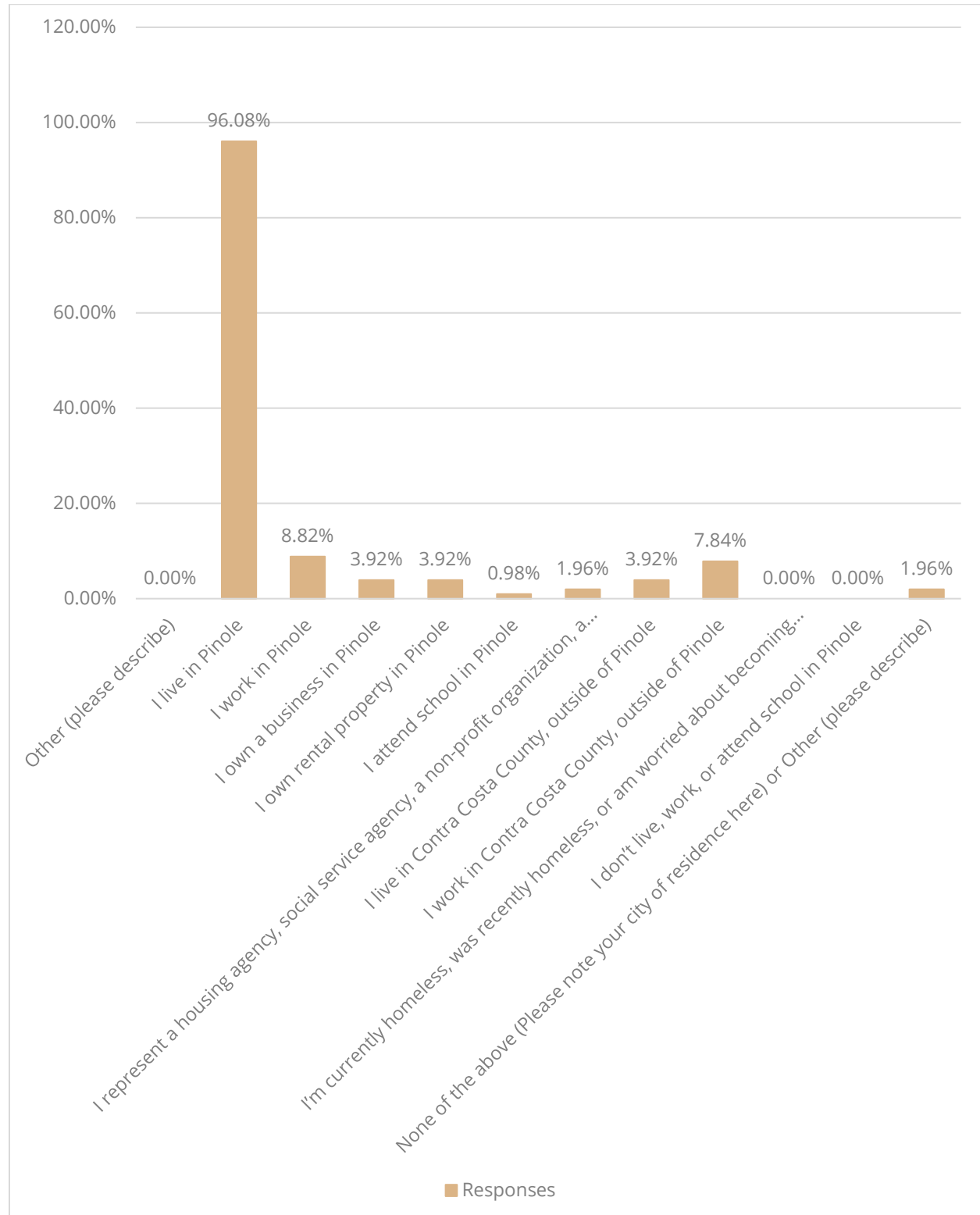
HOUSING ELEMENT UPDATE

Q23. Do you consider yourself to be:**Q24. Do you identify as male, female, nonbinary, or something else?**

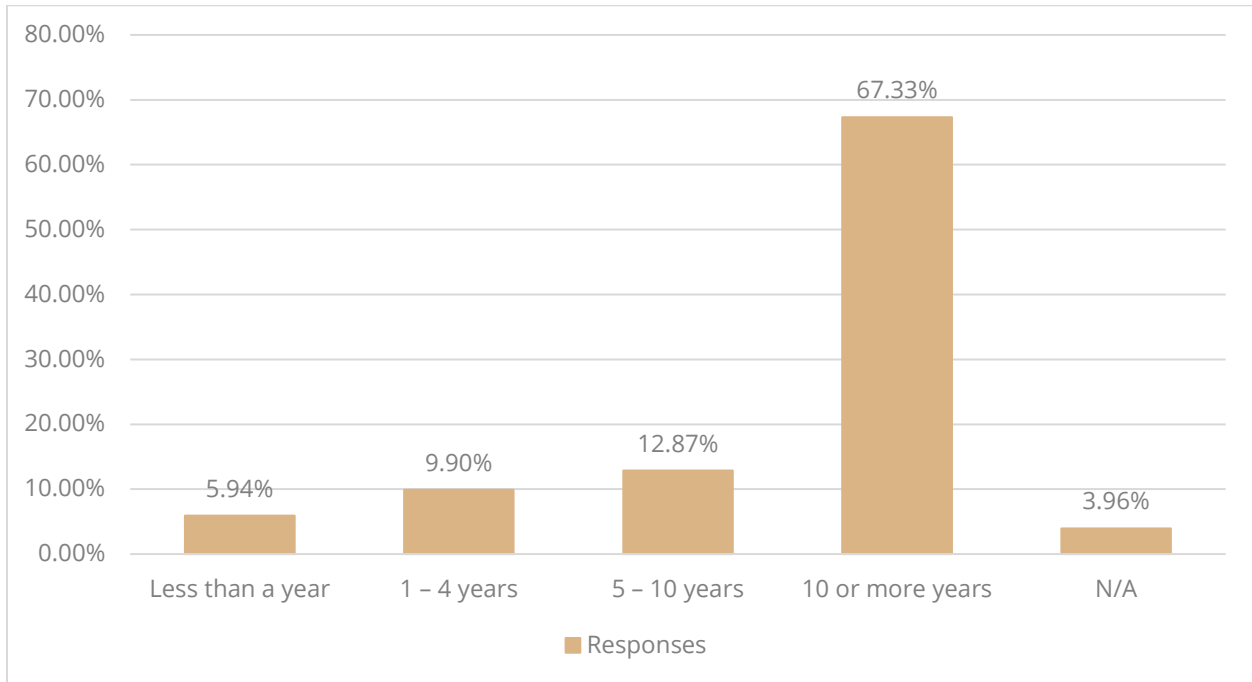
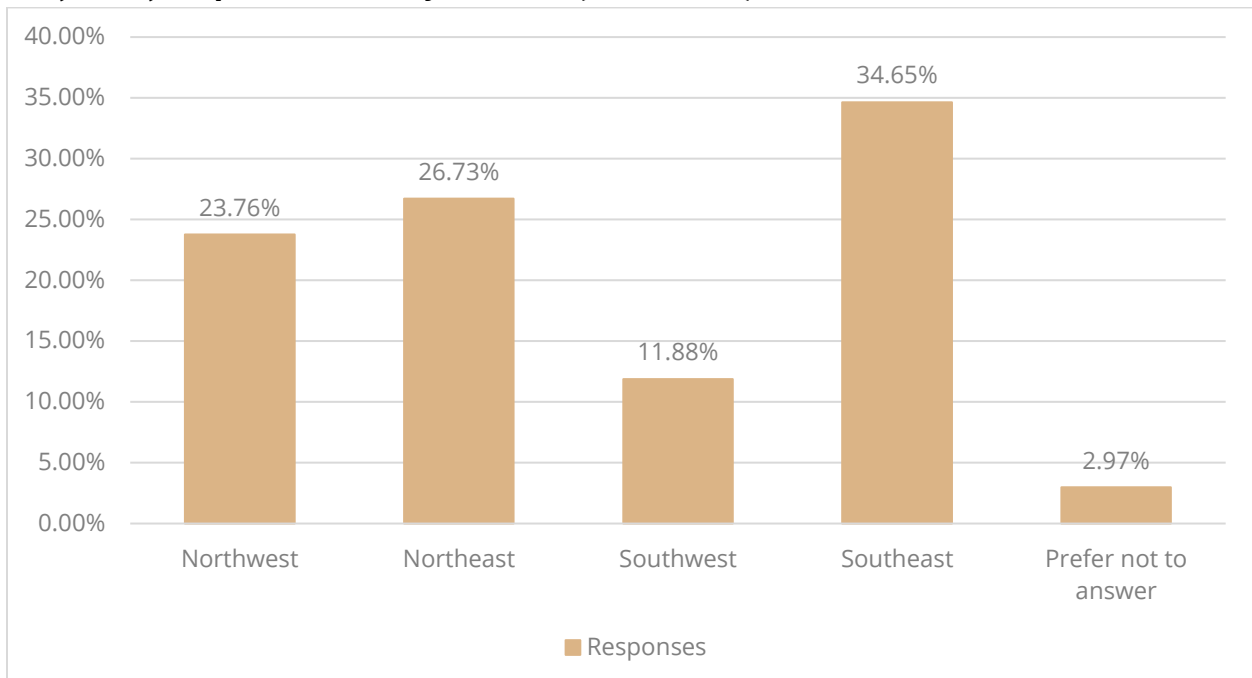
HOUSING ELEMENT UPDATE

Q25. In what year were you born?**Q26. We want to ensure everyone can participate in this process. Community workshops will be held in English. If a live translator would be helpful for you to participate in community workshops, what language would you prefer?**

HOUSING ELEMENT UPDATE

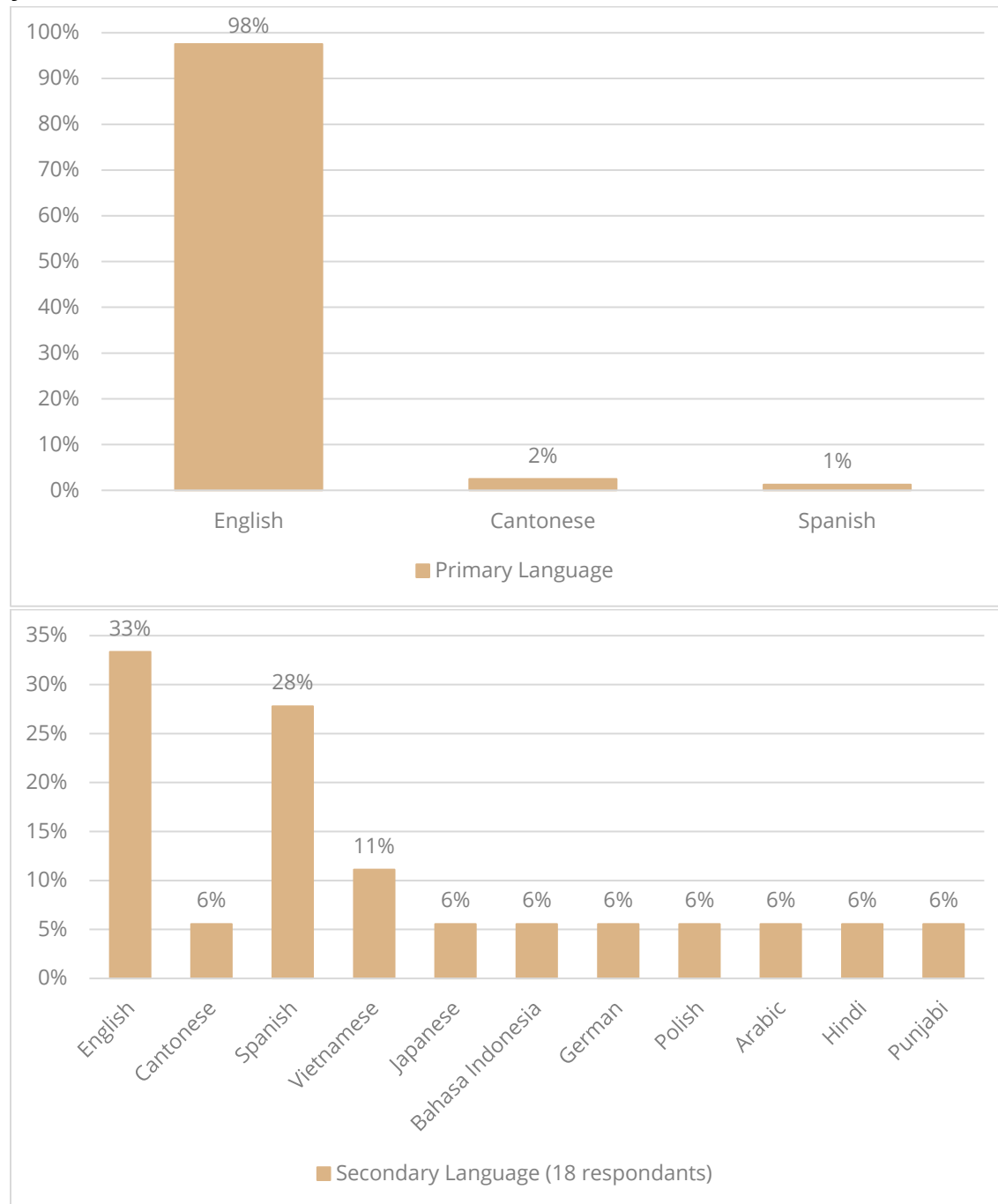
Q27. Please note your connection to the City of Pinole. (Please select all that apply.)

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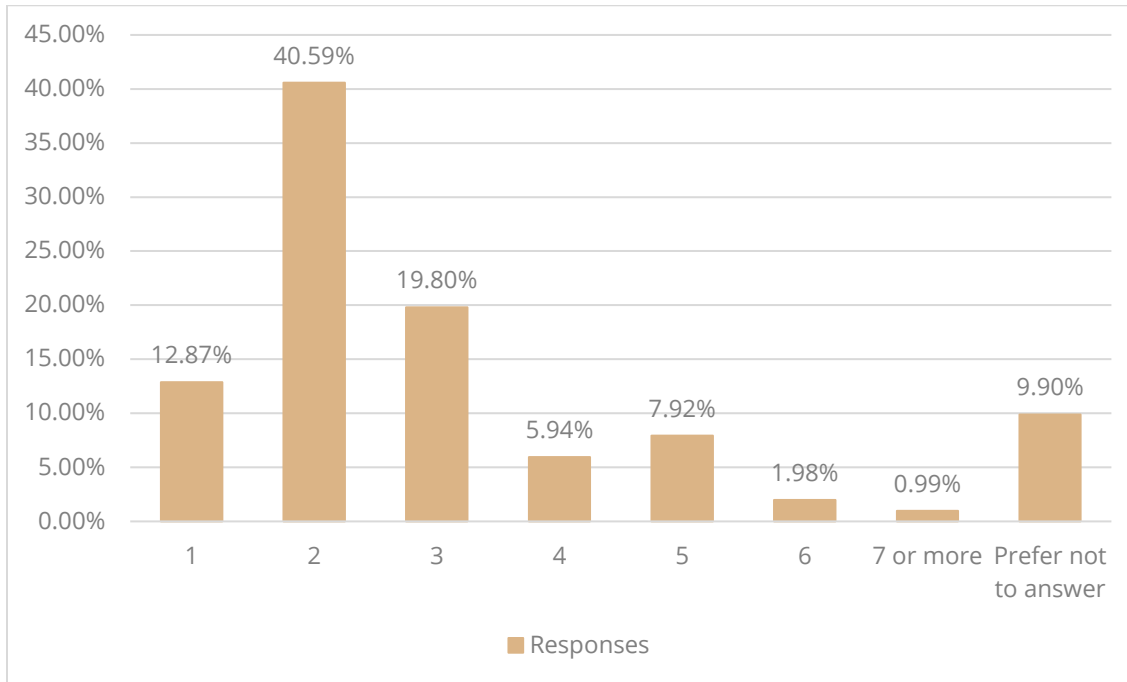
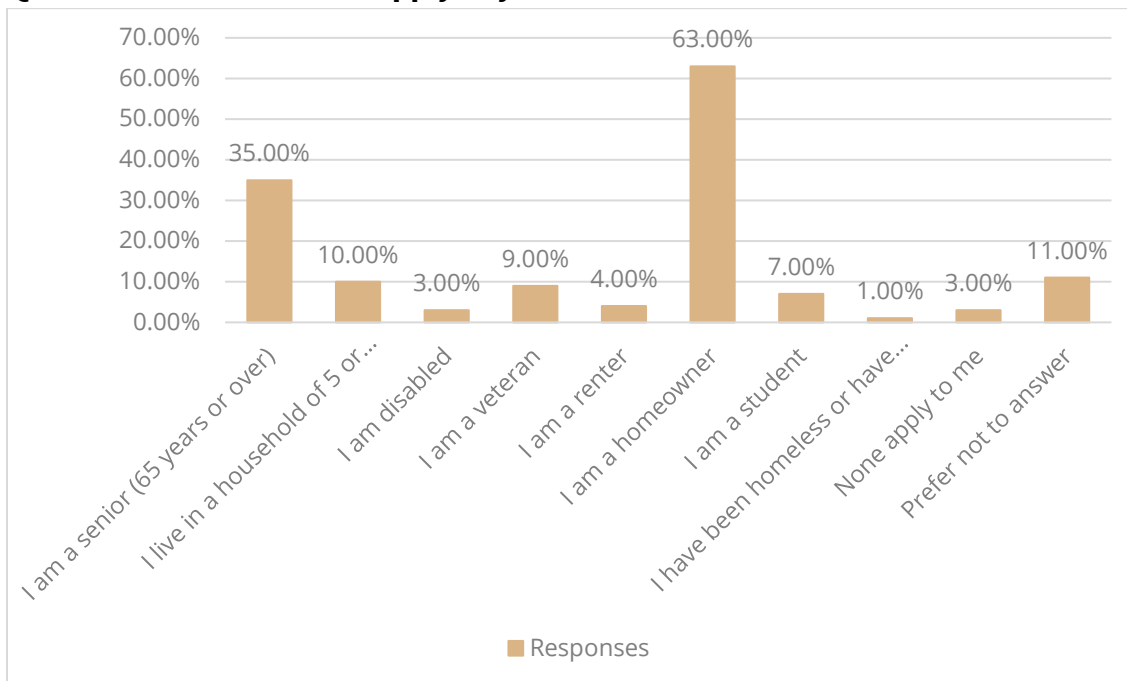
Q28. How long have you had this connection in Pinole?**Q29. Using the map of Pinole's census tracts, please indicate in which part of Pinole you live, work, or spend the most your time. (Select one.)**

HOUSING ELEMENT UPDATE

Q30. Please specify the primary language and any other secondary languages spoken in your household:

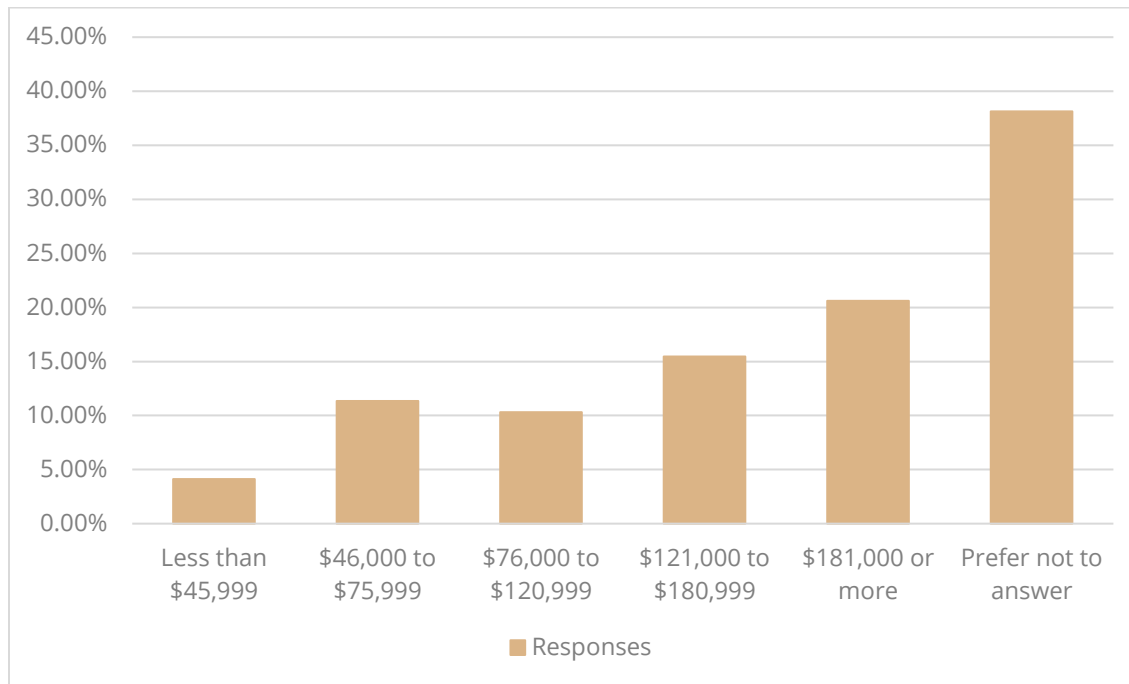


HOUSING ELEMENT UPDATE

Q31. How many people including yourself live in your household?**Q32. Please select all that apply to you:**

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Q33. Please share the total (gross) annual household income for all adults in your household.



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STAKEHOLDER INPUT

To gain additional insight from stakeholders, the City held consultations with a number of stakeholder groups. Two virtual stakeholder focus groups were held via Zoom. They were held at different times and days of the week to accommodate different schedules. The first was held on Monday, June 27, 2022, at 12:00 p.m. and the second was on Thursday, June 30, 2022, at 4:00 p.m.

The first focus group experienced technical difficulties, so registered attendees were invited to participate in one-on-one interviews at a time of their choosing. Neither of the two registered participants chose to participate at a later date.

The second focus group had five attendees representing three different organizations: the Friends of Pinole Creek Watershed, Pinole Valley Community Church, and BGAM Property Management. A summary of the focus group feedback is provided below.

In addition to the two focus groups, stakeholders were offered an opportunity to provide their individual responses to the stakeholder interview questions in writing or via a one-on-one scheduled phone call or video conference. Two individuals provided one-on-one input.

In the focus groups and interviews, the stakeholders were asked the following questions:

1. Please describe your agency or role in the City.
2. What would you say are your agency's top priorities in the next 2-3 years?
3. What do you think is the best strategy to build more housing to meet the City of Pinole's Regional Housing Needs Allocation (RHNA) goals?
4. What segment of the City's population do you think is most vulnerable in terms of having affordable housing?
5. How do you think the City can assist that population segment?
6. What do you think the greatest challenge may be in terms of housing needs for the City?
7. Do you have any other thoughts or comments that you would like to share?

The following stakeholder groups were represented at the second focus group:

- Friends of Pinole Creek Watershed (June 30, 2022)
- Pinole Valley Community Church (June 30, 2022)
- BGAM Property Management (June 30, 2022)

The following stakeholders were interviewed in a one-on-one format:

- Pinole Rotary Club (July 25, 2022)
- Contra Costa Association of Realtors (July 26, 2022)

Below is a summary of stakeholder feedback:

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A. Stakeholder Focus Group #2 (June 30, 2022)

The key themes that were important to Pinole stakeholders were as follows:

- Grow awareness of the specialness of Pinole
- Educate people to “do their part” and not litter
- Habitat restoration and protection needs to be considered when locating housing sites
- Housing is too expensive
- There is not enough housing located within a reasonable distance to parks and open spaces
- Commercial retail has suffered due to COVID-19 – can we reuse this land for housing?
- Incentivize developers to including housing in their nonresidential retail projects
- Concern for low income and the young and old – populations on low or fixed incomes, people living on the fringes
- Impact fees are a constraint on development
- Place new housing near transportation
- Schools in Pinole do not have a strong reputation
- Pinole is a commercial “black hole”
- Running out of real estate
- Pinole needs to meet housing objectives while keeping it a nice place to live – enforcing standards
- Put an emphasis on community events for community building

B. Pinole Rotary Club (July 25, 2022)

In the stakeholder interviews, participants were asked to describe their agency’s role in the City and what their top priorities are in the next few years. The Pinole Rotary Club is a community service organization that is currently prioritizing developing new events to revive in-person community engagement post-pandemic and increasing growth of the organization. Opportunities for community engagement include a crab feed, community cleanup, and creek cleanup.

The Pinole Rotary Club believes that there is evidence of effort being made to increase housing in the community, but it’s taking a long time. The City hasn’t had a lot of housing development. One suggested strategy to develop more affordable housing would be to consider such development on vacant land along San Pablo Avenue, which is currently mostly industrial. There is misinformation about what affordable housing represents. More

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education is needed about what affordable housing means. There is a lack of housing for first-time homebuyers and lower-income earners (retail clerks, public service employees such as police and teachers, etc.)

The two most vulnerable segments of the population are seniors who want to downsize to a small apartment because they don't want to take care of large property and want to stay in the City and lower-income earners as mentioned above.

The Rotary Club stated that the City could assist these segments of the population by analyzing the area's needs and prioritizing the needs of those individuals. Some seniors want to move but are not able to move anywhere else in the City. The City should also incentivize accessible dwelling units, make sure fees are studied, and reduce restrictions to make this type of housing more available.

The greatest challenge the City faces with regard to housing needs is a lack of information and clarification about what affordable housing projects are and how they benefit the community. The Rotary Club believes that education on this topic will allow citizens to take a more active role in supporting affordable housing efforts in the City. There is a lot of misinformation being circulated on social media by individuals in the community. More town hall events where residents can hear from experts in the field and get factual information would be helpful. The pandemic has led to disconnection in the community, and efforts should be taken to rebuild that in-person sense of community. Town hall events would also help with that.

C. Contra Costa Association of Realtors (July 26, 2022)

When asked about their agency's role in the City and their top priorities over the next few years, the Contra Costa Association of Realtors (CCAR) stated they are a trade organization representing over 4,000 members, including 500 in West County of Contra Costa County. The organization's primary role is to work to protect homeowners' property rights and protect members' ability to conduct business.

Strategies recommended for building more housing in Pinole include incentivizing accessory dwelling units and looking at case studies to see what others are doing outside California to come up with creative housing solutions. Some examples include conversion of abandoned industrial buildings and shopping malls and construction of apartments using shipping containers.

CCAR sees the middle class as the most vulnerable in terms of having affordable housing. The low-income population is always a concern, but there are also not enough options for middle-income earners who don't qualify for low-income income limits (both rental and homeownership).

CCAR recommends that the City advocate for housing solutions that specifically use the term "work-force housing." There is too much stigma with the term "affordable housing," and many people associate affordable housing only with Section 8 rentals. More education is

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needed about what work-force housing is. The City should encourage new development and programs that help the middle class get into homes. Work-force housing should be included in low-income properties, so there are move-up opportunities when residents no longer qualify for the low-income units.

CCAR recommended a couple programs for those with limited incomes. [Richmond Community Foundation Connects has a program called the Black Wealth Builder's Fund](#)¹⁸, which helps Black potential homebuyers with down payment assistance through a zero-percent-interest loan, to be paid back only when the home is refinanced or sold. [California Association of Realtors Housing Affordability Fund](#)¹⁹ is another similar program, which is a closing cost assistance grant program that helps first-time homebuyers who are members of an "underserved community" (especially black and Latino individuals).

The greatest challenges CCAR sees with housing needs in the City is cost and timing of housing development. There is limited housing supply and availability of land. Costs of real estate, land, labor, and construction are all high in this area and make building new housing difficult.

CCAR has observed that there is a misconception that younger generations want apartments; many still want the opportunity for small, traditional single-family homes in which they can start families.

¹⁸ <https://give.richmondcf.org/campaigns/17536-black-wealth-builder-s-fund>

¹⁹ <https://www.car.org/difference/haf/hafclosingcostgrantprogram>

HOUSING ELEMENT UPDATE

COMMUNITY WORKSHOPS (PUBLIC OUTREACH MEETINGS)

Due to office/business closures related to the COVID-19 pandemic, the City of Pinole hosted two Community Workshops (public outreach meetings) online using the Zoom platform.

- The first Community Workshop was held via Zoom on Wednesday, May 11, 2022, and had seven community member attendees. This meeting provided an overview of the three major components of the project: Update the Housing Element, Update the Health and Safety Element, and Creation of a new Environmental Justice Element.
- The second Community Workshop was held via Zoom on Thursday, June 9, 2022, and had 18 community members attendees. The meeting provided an overview of key housing policies that could be incorporated into the updated Housing Element.

A question-and-answer period was held during both Community Workshops. During this time, questions/comments received were answered verbally and written in the text box on the Zoom meeting platform. An electronic poll was also conducted during each Community Workshop. The results of each Community Workshop are provided below.

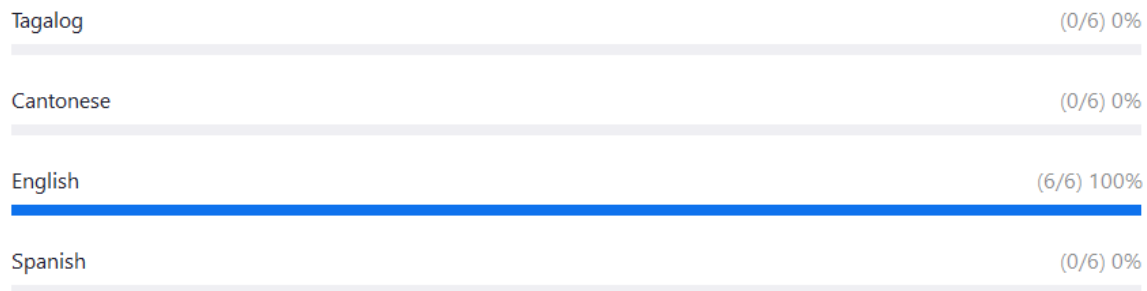
HOUSING ELEMENT UPDATE

COMMUNITY WORKSHOP #1 (MAY 11, 2022)**Live Poll Results****Question 1**

Poll | 1 question | 6 of 7 (85%) participated

1. Are you listening in Tagalog, Cantonese, English, or Spanish? (Single Choice) *

6/6 (100%) answered

**Question 2**

Poll | 1 question | 8 of 8 (100%) participated

1. How long have you lived/worked in the City? (Single Choice) *

8/8 (100%) answered



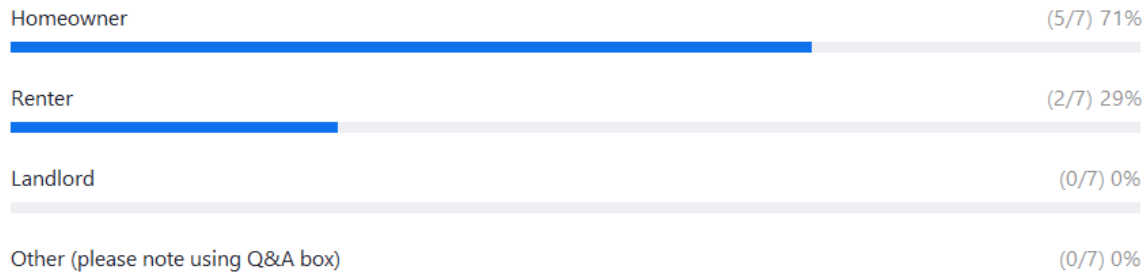
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Question 3

Poll | 1 question | 7 of 9 (77%) participated

1. Please select those that apply to you: (Multiple Choice) *

7/7 (100%) answered



Question 4

Poll | 1 question | 11 of 11 (100%) participated

1. What type of housing do you live in? (Single Choice) *

11/11 (100%) answered



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Question 5

Poll | 1 question | 8 of 11 (72%) participated

1. Please choose the appropriate area where you live/work (Single Choice) *

8/8 (100%) answered

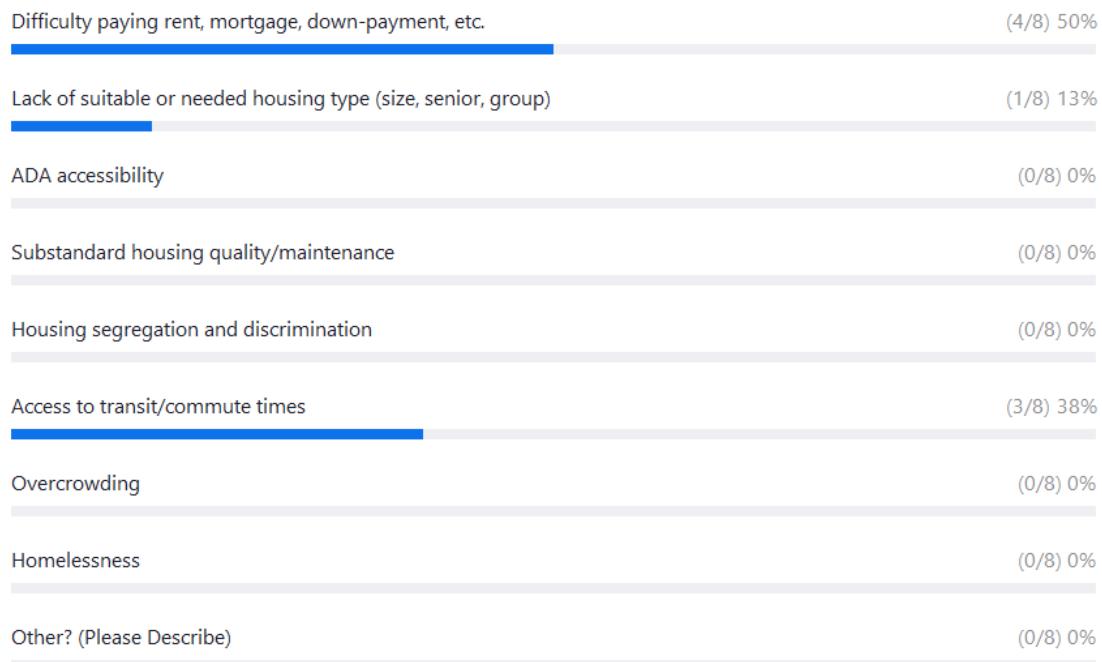


Question 6

Poll | 1 question | 8 of 12 (66%) participated

1. What are the top housing issues facing people in Pinole? (Single Choice) *

8/8 (100%) answered



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Question 7

Poll | 1 question | 7 of 12 (58%) participated

1. Please provide your top three (3) programs to improve housing access in Pinole? (Multiple Choice) *

7/7 (100%) answered

Extend price control period on existing affordable units	(3/7) 43%
Provide incentives to developers that restrict a portion of units to be affordable	(3/7) 43%
Require affordable units in new developments	(4/7) 57%
Allow more higher-density (multi-family) housing	(3/7) 43%
Simplify the process to approve projects	(0/7) 0%
Provide access to low-cost pre-designed plans for Accessory Dwelling Units (ADU)	(4/7) 57%
Other (please specify)	(0/7) 0%

Question 8

Poll | 1 question | 7 of 10 (70%) participated

1. Which of the following areas would you like the EJ Element to focus on? (Multiple Choice) *

7/7 (100%) answered

Access to healthy food, facilities, nature, transit, etc.	(5/7) 71%
Access to medical care	(3/7) 43%
Access to healthy air quality, water quality, reduced pollution	(3/7) 43%
Preserving future generation's right to live, work, and enjoy Pinole	(2/7) 29%

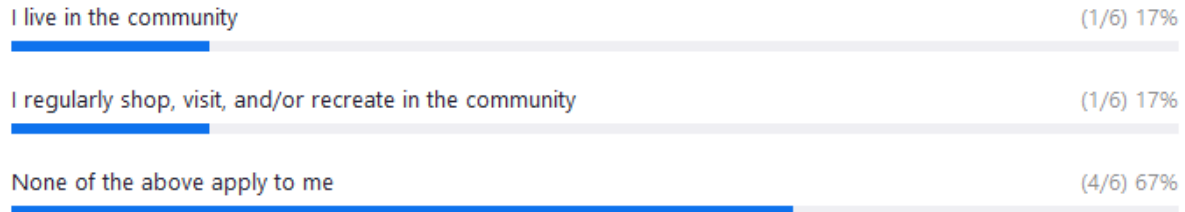
HOUSING ELEMENT UPDATE

Question 9

Poll | 1 question | 6 of 10 (60%) participated

1. What is your relationship with the identified Impact Community for the EJ Element? (select all that apply)
(Multiple Choice) *

6/6 (100%) answered



QUESTION-AND-ANSWER SESSION

Question 1: We have mostly watershed land left and traffic is horrible. A RHNA of 500 is a lot for a 5-square-mile town. We should appeal for less because we only have bus transportation. We don't have a ferry terminal or Amtrak station.

Answer 1: Thank you, Annmarie. The RHNA allocations are firmly set by the State and ABAG [Association of Bay Area Governments]. Pinole has a relatively smaller increase than many other cities.

Question 2: ADUs are gross and smelly.

Answer 2: The condition of ADUs are not inherently different than any other form of housing. Maintenance is up to the owner. Many cities are preparing preapproved designs to encourage attractive and affordable ADU construction.

Question 3: Too fast on survey please.

Answer 3: Thank you. We will have time for Q&A. You can type any time and we will address at the end.

Question 4: Covid/pandemic precautions

Answer 4: Thank you. Yes, we have included Health Crises as a topic in the Safety Element.

Question 5: Reduction of flammable vegetation needs to be addressed in the city, many property owners do not comply.

Answer 5: Thank you. We will include fuel modification and fire safe design policies as well as enforcement in the Health and Safety Element.

HOUSING ELEMENT UPDATE

Question 6: I would like to see the City of Pinole address code enforcement better. Many property owners do not take care of their front yards. Junk stacked up, weeds. We need to take pride in our neighborhoods.

Answer 6: Thank you for your comment. Enforcement is often one of the programs of the Housing Element.

Question 7: Hospitals are gone. We have to go to John Muir or the county hospital or Kaiser if you have it.

Answer 7: Thank you. We understand the concern and will address distance to quality medical care in the Environmental Justice Element.

Question 8: Was civic engagement supposed to be an option on that poll?

Answer 8: Feel free to use the Q&A tool to comment if we missed your poll answer.

Question 9: I was able to select an option for question 8, but it seems as though it only had 4 out of the 5 options to choose from. I was curious if Civic Engagement was supposed to be part of question 8 or the question was meant to emphasize the other options?

Answer 9: Apologies - we can note your preference to highlight civic engagement in our response. Thank you!

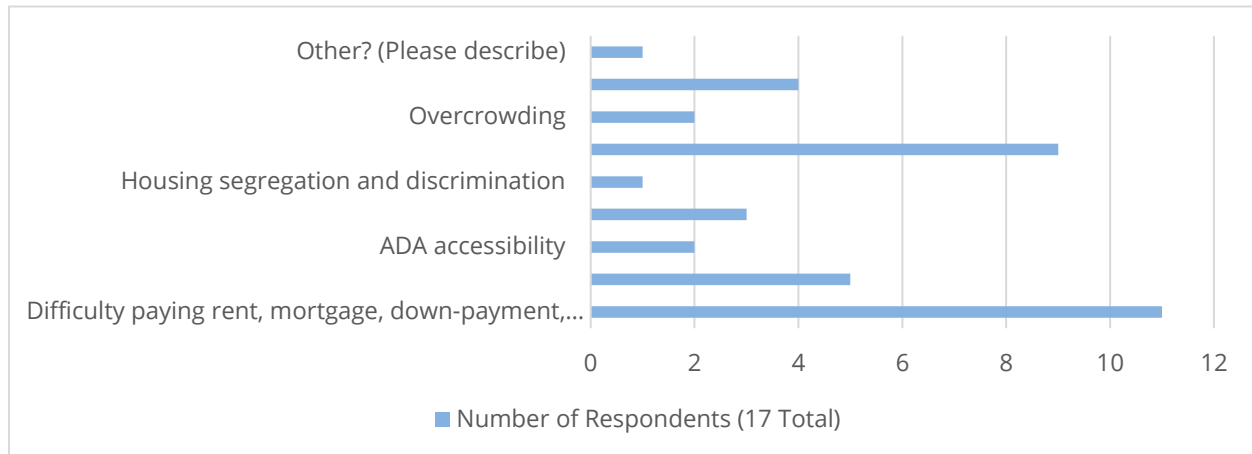
Question 10: I noticed that all the respondents (at least at the start of the meeting) were using the English room. Is there a way the city could do more targeted outreach to Spanish/Cantonese/Tagalog-speaking communities in Pinole?

Answer 10: Great question! We are recording this session in all three languages, and these will be available on the project website. The surveys are also available in all four languages. The project team and City sent postcards to all households in Pinole with QR codes to the survey and Zoom meeting. The postcards included information in the four selected languages that translation services are available. The team is also contacting stakeholders, including religious institutions and service organizations, who can help us reach their constituents.

HOUSING ELEMENT UPDATE

COMMUNITY WORKSHOP #2 (JUNE 9, 2022)**Live Poll Results**

Poll Question 1: What are the top housing issues facing people in Pinole?

**Question-and-Answer Session****Question 1: Can you define climate health risks?**

Answer 1: From the CDC: "Climate change, together with other natural and human-made health stressors, influences human health and disease in numerous ways. Some existing health threats will intensify, and new health threats will emerge. Not everyone is equally at risk. Important considerations include age, economic resources, and location.

In the U.S., public health can be affected by disruptions of physical, biological, and ecological systems, including disturbances originating here and elsewhere. The health effects of these disruptions include increased respiratory and cardiovascular disease, injuries and premature deaths related to extreme weather events, changes in the prevalence and geographical distribution of food- and water-borne illnesses and other infectious diseases, and threats to mental health."

Question 2: May I please get a copy for this and the previous slide deck?

Answer 2: Yes. Recordings will be uploaded on the website: LandUsePlanningForPinole.com. Also, if you send an email to contactus@landuseplanningforpinole.com, we can reply with a PDF copy.

Question 3: What is the median income for the area?

Answer 3: The California Department of Housing and Community Development has a 2021 median income for Contra Costa County of \$125,600 for a family of four. The 2021 values have served as the basis of our data assessment.

HOUSING ELEMENT UPDATE

Question 4: Clarification of blue on previous slide?

Answer 4: The blue indicates projects in the pipeline that are counted toward the City's RHNA (Regional Housing Needs Allocation).

Question 5: Are you sure about the income levels in the earlier slide? Looking at the 2021 Contra Costa CDBG, it looks like low income for a household of four is capped at \$109,600 which you have as the floor of above moderate, when it should be floor of moderate.

Answer 5: Noted. Low income is between \$68,500 and \$109,600. Moderate income is between \$109,500 and \$150,700, with the median income of \$125,600.

Question 6: Does senior housing fall under low-income housing?

Answer 6: Senior housing can fall under multiple income levels. For a senior housing development to be considered low-income housing, an affordability covenant would need to be included for those units that would count toward low-income housing.

Question 7: For the Affirmatively Furthering Fair Housing, how is a commitment to meaningful actions measured? Is there a metric that will be reported or any other reporting requirement?

Answer 7: The City will need to determine metrics unique to each specific program/action. For instance, for neighborhood connectivity improvements, the metric could be a number of specific sidewalk segments. Or for housing preservation, the City could commit to issuing X number of grants, or a certain service for a specific period of time, to maintain homes.

The City reports its progress on Housing Element implementation to the State annually in the Housing Element Annual Progress Report. This report is also filed with the City Council.

Question 8: What is the demographic breakdown of Pinole compared to Contra Costa County?

Answer 8: The Housing Element includes an assessment on the demographics of Pinole and Contra Costa County, including age, race, ethnicity, employment, household trends, tenure, income, vacancy, and housing costs, among other factors. This analysis will be released with the Draft Element.

Question 9: In the poll, is suitable housing the same as affordable housing?

Answer 9: For the Housing Element, suitable housing refers to housing that is safe, accessible, and habitable.

HOUSING ELEMENT UPDATE

Question 10: Require affordable housing in developments.

Answer 10: Noted. This would fall under an Inclusionary Housing Ordinance.

Question 11: How can we require developers to mitigate transportation impacts?

Answer 11: Transportation impacts are addressed by the California Environmental Quality Act (CEQA). Projects subject to CEQA are required to assess transportation impacts and mitigate any impacts that exceed the City's thresholds.

Question 12: Greener buildings. White roads, plants on the roof, grey water, more solar panels, plant more trees and CA Native pollinator plants.

Answer 12: This is great feedback! Especially for the Environmental Justice and Housing Elements.

Land Use Planning for Pinole



**City Council Meeting
November 15, 2022**



Team

City of Pinole

Lilly Whalen

Community Development Director

David Hanham

Planning Manager

Justin Shiu

Senior Planner

Michael Baker International & Veronica Tam & Associates

Surabhi Barbhaya

Project Manager, Health & Safety Element Specialist

Dan Wery

Housing Element Specialist

Noelle Steele

Health and Environmental Justice Specialist

Emily Elliott

Community Outreach Specialist

Veronica Tam

Housing Element Strategic Advisor

Housing Element Update



Housing Element Purpose

- **Ensures the availability and fair distribution of housing throughout the City**
 - o All income levels and life stages, e.g.:
 - o Small and large multifamily homes, and
 - o Single-family homes
 - o Special needs (seniors, veterans, disabilities, homelessness)
- **Plan to accommodate Regional Housing Needs Assessment (RHNA)**



Housing Element Contents

Review of Accomplishments:
Evaluation of previous housing element

Needs Assessment:
Analysis of existing and projected housing needs

Housing Resources:
Inventory of available land for housing

Constraints:
Analysis of potential constraints on housing (e.g., permit processing procedures, fees)

Affirmatively Furthering Fair Housing:
Assessment of fair housing conditions, commitment to “meaningful actions” that improve fair housing

Implementation Plan:
Goals, policies, and implementation programs to meet unmet housing needs



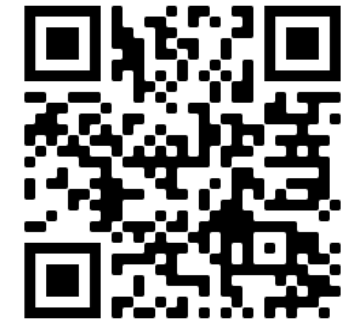
City RHNA Obligations

- The City's obligation is to **provide sufficient land**, zoned appropriately, to accommodate the RHNA.
- The City is **not obligated** to construct housing.
- New requirement – City must **demonstrate how will meet the 500-unit RHNA** within the next 8-year period.
- **RHNA site designations add value and options** (no change to existing owner rights or requirements)



Public Outreach

- **City Website:** LandUsePlanningForPinole.com
 - **Public Review Draft Available on website from October 17th to November 17th**
- **Community Survey**
- **Stakeholder Focus Groups**
- **Community Workshops:**
 - *May 11, 2022 – recorded, see website*
 - *June 9, 2022 – recorded, see website*
- **Study Sessions:**
 - *March 22, 2022- City Council*
 - *July 13, 2022 – Planning Commission and City Council*
- **Banners and Social Media posts**
- **Pinole Community Television advertisements**
- **Articles in the City's biweekly Administrative report**
- **Email List**



**Land Use
Planning for
Pinole Website**



Planning Commission Workshop Recommendations

October 24, 2022 Workshop Recommendations:

- Adjust the sites inventory to include the recently approved redevelopment of the Kmart site for 223 units (including 27 lower-income units)
- Allow and encourage single and small unit room rentals
- Promote and incentivize affordable housing on religious facility sites
- Promote and incentivize affordable housing for teachers
- Consider more protections for renters to prevent and minimize displacement
- Encourage additional efforts to obtain more input from Pinole's diverse population



Planning Commission Workshop Recommendations

Planning Commission Recommendations	Housing Element Update Response / Opportunities
Add / adjust for Kmart site (223 units, 27 lower-income units)	Update sites maps, inventory, and sites chapter to reflect addition of Kmart site
Allow and encourage single and small unit room rentals	- ADUs and JADUs promotion programs - Tenant - Owner Matching Program - Implement recently adopted state laws (AB 352 Efficiency Units) - SROs allowed in 5 zones
Promote and incentivize affordable housing on religious facility sites	- Implement recently adopted state laws (AB 1851, AB 2244 - parking) Consider: <i>Allowing MF housing on religious institution sites (where not currently allowed)</i>



Planning Commission Workshop Recommendations

Planning Commission Recommendations	Housing Element Update Response / Opportunities
Promote and incentivize affordable housing for teachers	Consider: • <i>Adding teachers to funding priority policy with ELI and Disabled (P-8)</i> • <i>Adding teachers to the Owner - Tenant Matching program for seniors (P-10)</i> • <i>Adding allowing employee, faculty housing on school sites</i>
Consider more protections for renters to prevent and minimize displacement	Consider: • <i>Adding 1st right of refusal/option to purchase</i> • <i>Advance notification, relocation assistance</i> • <i>Just cause eviction ordinance</i>
Encourage additional efforts to obtain more input from Pinole's diverse population	• Pinole recently adopted its new Communication & Engagement Plan Consider: • <i>Specifically include CBOs with all HEU program education and engagement efforts, goals for increased participation among diverse communities, monitoring & adjustment</i>



RHNA Allocations

Income Category	2022 Annual Income 4-person household	Maximum Rent	Maximum Purchase Price	RHNA City of Pinole
Extremely Low Income < 30% of Median Income	< \$42,850	\$1,071	\$133,383	60 units
Very Low Income 30 - 50% of Median Income	\$42,850 to \$71,400	\$1,785	\$222,254	61 units
Low Income 50-80% of Median Income	\$71,400 to \$109,600	\$2,740	\$341,163	69 units
Moderate Income 80-120% of Median Income	\$109,600 to \$171,350	\$4,284	\$533,378	87 units
Above Moderate Income >120% of Median Income	> \$171,350	-	-	223 units
TOTAL				500 units

Source:

1. HCD 2021 Income Limits
2. Final ABAG RHNA Allocation Report



Draft RHNA Strategy

Type	Very Low	Low	Moderate	Above Moderate	Total
RHNA	121	69	87	223	500
Target: RHNA + 20% Buffer	145	83	104	268	600
Pending Projects (Pending ADUs included in AM)	36	151	62	163	412
Projected ADUs	7	7	7	3	24
RHNA Sites	107	-	42	102	251
TOTAL CAPACITY	150	158	111	268	687
<i>Surplus/(Deficit) - RHNA + 20% buffer</i>	5	75	7	0	87

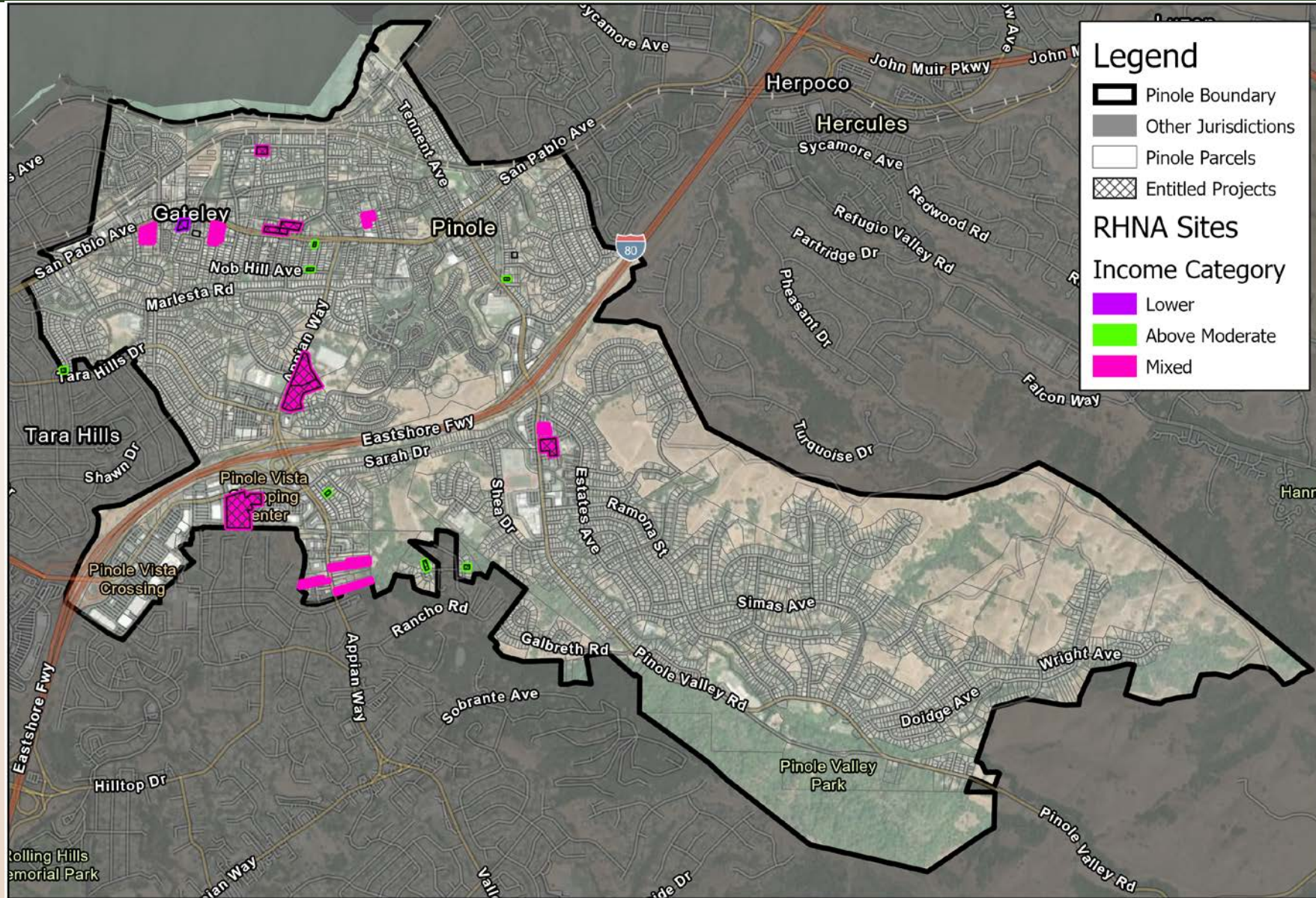


Draft RHNA Strategy Revisions

Type	Very Low	Low	Moderate	Above Moderate	Total
RHNA	121	69	87	223	500
Target: RHNA + 20% Buffer	145	83	104	268	600
Pending Projects (Pending ADUs included in AM)	49	165	62	359	635
Projected ADUs	7	7	7	3	24
RHNA Sites	107	-	44	54	202
TOTAL CAPACITY	158	172	113	362	805
<i>Surplus/(Deficit) - RHNA + 20% buffer</i>	<i>13</i>	<i>89</i>	<i>9</i>	<i>94</i>	<i>205</i>



Draft Housing Sites Inventory Revisions



Housing Plan & Programs



Housing Element Plan

The Housing Plan is comprised of 3 main components:

- 1. Goals** – broad objectives and desires and outcomes
- 2. Policies** – general commitments, strategies, approaches
- 3. Actions** – measurable outcomes, metrics, timelines, responsible parties, and funding



Draft Housing Element Goals

1. Housing Production and Adequate Sites to Meet Regional Housing Needs
2. Housing to Meet the Needs of All Income Levels and Special Needs Groups
3. Removal of Governmental Constraints
4. Conserve, Preserve, and Improve the Housing Stock
5. Affirmatively Furthering Fair Housing
6. Housing Education and Community Outreach



Housing Production Programs



1. Provision of Adequate Sites and Site Inventory Monitoring
2. Publicize and Promote Residential Sites Inventory
3. Outreach and Technical Assistance to Applicants
4. Facilitate ADU Production



Program Highlights: ADU Production

Program 4: Facilitate ADU Production

- Updated ADU Ordinance
- ADU Tracking
- ADU Fast Track Program
- ADU Amnesty Program
- Fee Waivers for Affordable ADUs (upon securing funding)

Quantified Objective: Increased ADU production from 3 to 5 annually

Geographic Targeting: Promotion in east Pinole or areas where fewer ADUs are being built

Housing to Meet the Needs of All Income Levels and All Special Needs Groups Programs



5. Incentives for Mixed-Use Developments
6. Development of Housing Successor's Low- and Moderate-Income Housing Asset Fund Policy
7. Affordable Housing Incentives
8. Housing for Extremely Low-Income Households and Persons with Disabilities
9. Senior Housing Incentives
10. Home Sharing and Tenant Matching



Program Highlights: Housing for ELI Households and Persons with Disabilities

Program 8: Housing for Extremely Low-Income Households and Persons with Disabilities

- Housing Successor's Low- and Moderate-Income Housing Asset Fund Policy (per Program 6)
- Fee waiver for building permits to qualified households assist in improvements for universal designs
- Reduce parking standards for ELI development
- Contact with developers and service providers, including annual housing workshop for developers



Program Highlights: Senior Housing Incentives

Program 9. Senior Housing Incentives

- Reduced parking for senior developments
- Permit fee waivers for elderly residents to assist aging in place
- Enhanced rebate incentives to make it feasible to undertake energy efficient weatherization projects (per Program 18)
- Promote the home matching and shared housing program for homeowners (Program 10)

Constraint Removal Programs



- 11. Zoning Amendments
- 12. Objective Design Standards and SB 35 Streamlining
- 13. Fee Evaluation and Publicization
- 14. Permit Streamlining



Program Highlights: Zoning Amendments

Program 11. Zoning Amendments

- Amend the Emergency Shelter ordinance to comply with AB 139
- Amend zoning ordinance to allow for Low Barrier Navigation Centers by right in mixed-use and nonresidential zones that allow multi-family uses
- Update zoning ordinance to permit manufactured homes on permanent foundations in RMU
- Amend zoning ordinance to comply with SB 9 standards
- Update zoning ordinance to comply with state density bonus law



Conserve, Preserve, and Improve the Housing Stock

15. Rehabilitation Assistance

16. Acquisition/Rehabilitation of Properties

17. Below Market Rate Regulations and Conversions



Affirmatively Furthering Fair Housing

18. Place-Based Improvements

19. Fair Housing Resources and Services

20. Displacement Prevention/Housing Mobility





Program Highlights: Fair Housing Resources and Services

Program 19. Fair Housing Resources and Services

- Advertise services and collaborate with County's fair housing provider
- Provide education resources to tenants, landlords, and homeowners
- Make fair housing resources available online, at the public information counter, at the library and Senior Center
- Refer fair housing complaints to a qualified fair housing provider
- Provide translation services as needed at City events and at the front counter



Housing Education and Community Outreach



21. Housing Resources Education

22. ADU, JADU, and SB 9 Education and Promotion



Program Highlights: Resources and Education

Program 21. Housing Resources and Education

- Information regarding housing resources on City website
- Pamphlets at City Hall and other community locations such as the Senior Center and Library
- Information through articles in local newspaper and with cable TV public service announcement
- Advertising housing resources through social media
- Presence at a booth in community events at least once a year
- Provision of materials in multiple languages, in coordination with Program 19

Safety Element Update



Safety Element Update

- New topics include climate resiliency, evacuation, drought, dam inundation, impact of tsunami, and emergency preparedness
- Vulnerability Assessment Study conducted (SB 379)
- Evacuation Routes Study conducted (AB 747)

Anticipated Timeline:

- Public review in February
- City Council adoption in May

Health and EJ Element Update



Health and EJ Element Update

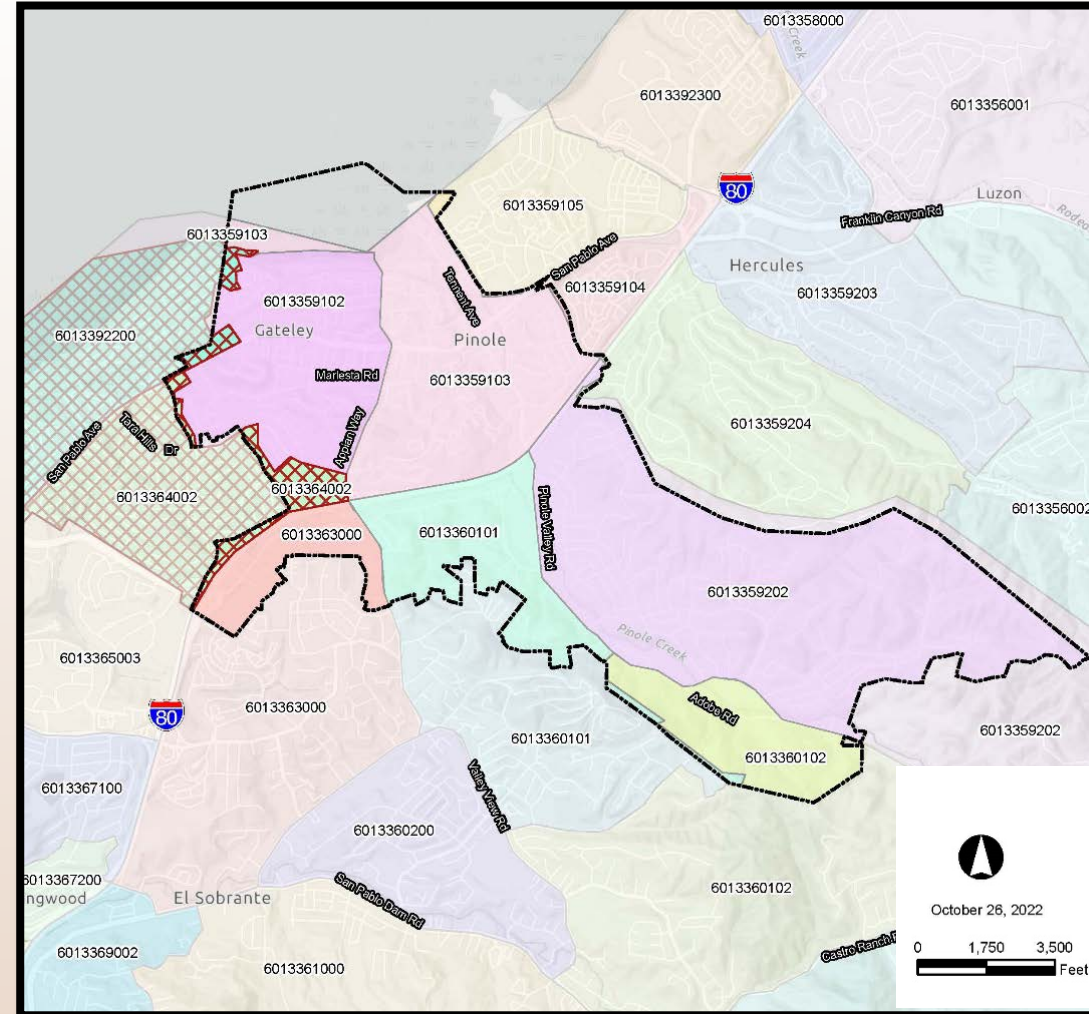
Actions address equity in the following areas:

- Access
- Environment
- Civic Engagement
- Generations

Anticipated Timeline:

- Currently under internal staff review
- Public review in February
- City Council adoption in May

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Next Steps



Project Schedule

Date(s)	Activity
October 17 th – November 17 th	Public Review of Housing Element
November 15th	<i>City Council Meeting on Housing Element Draft (virtual and in person)</i>
November – February	Consideration of Public Comments (10 days), HCD Review (90-day review max.)
December -January	Adoption and Certification
March-April	Revised HEU and Re-adoption per HCD comments, if necessary.



**Public Review
Draft of Housing
Element**



Project Schedule

Date(s)	Activity
October 17 th – November 17 th	Public Review of Housing Element
November 15th	<i>City Council Meeting on Housing Element Draft (virtual and in person)</i>
November – February	Consideration of Public Comments (10 days), HCD Review (90-day review)
February – March 2023	Review of HCD Comments, Revisions, Recirculation of Drafts (7 days), Resubmittal to HCD (60-day review)
April 2023	Planning Commission Review and Recommendation; City Council Review and Adoption
May 2023	Submit adopted Housing Element to HCD

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**Public Review
Draft of Housing
Element**



CITY COUNCIL REPORT

12A

DATE: NOVEMBER 15, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: JEREMY ROGERS, COMMUNITY SERVICES DIRECTOR
ANDREW MURRAY, CITY MANAGER

SUBJECT: RECEIVE INFORMATION REGARDING POTENTIAL SISTER CITY
ARRANGEMENTS AND PROVIDE DIRECTION

RECOMMENDATION

City staff recommends that the City Council receive information on potential “sister city” arrangements and provide direction.

BACKGROUND

At its meeting on October 18, 2022, the City Council approved a future agenda item on establishing “sister city” arrangements with cities in Ukraine and France.

A “sister city” arrangement is one in which two cities, usually located in different countries, establish a formalized relationship to exchange ideas and collaborate for mutual cultural, and possibly economic, advancement. President Dwight D. Eisenhower promoted sister city arrangements beginning in 1956 because he believed that people from different cultures could understand, appreciate, and celebrate their differences while building partnerships, which would decrease the likelihood of new conflicts.

The City of Pinole has recently expressed its interest in and connection with Ukraine and France. Earlier this year, the City Council issued proclamations in support of Ukraine and recognizing Bastille Day.

Sister city relationships are usually created between two cities that feel a strong sense of kinship or that would like to collaborate on an ongoing basis on cultural and economic development. Sister city relationships can develop from a number of sources, including historic and ethnic connections, preexisting relationships between elected officials, trade relationships, and shared geographic/sector challenges.

These arrangements can be established in a number of ways. There are some organizations, such as Sister City International, that provide a standard framework for establishing and maintaining sister city arrangements. In some cases, a city

organically becomes aware of the desire to become a sister city and identifies an appropriate counterpart. In other cases, a city first determines that it would like to become a sister city because it has identified cultural and/or economic development goals, then identifies an appropriate counterpart.

The term “friendship city” generally refers to an arrangement that is less formal than a sister city arrangement. Friendship city arrangements are sometimes used as a first stage in a relationship to test the interest and viability in becoming a sister city.

Sister city relationships can include a range of obligations and commitments among the two parties. They commonly include arts and cultural exchange; humanitarian assistance; youth exchanges and education programs; and economic development exchanges.

Sister city arrangements are usually housed in the office of the mayor, office of tourism/convention and visitors bureau, office of international affairs, office of protocol, or office of economic development. In some cases, a nongovernmental organization, such as a community nonprofit or economic development organization performs or coordinates a city’s work required of a sister city arrangement.

Pinole has never had a foreign sister city. In 1993, the City of Pinole became the first city in the United States to enter into a sister city agreement with an Indian Tribe when it partnered with the Hoopa Tribe. This relationship has been inactive for some time.

Some other Contra Costa County cities have sister city arrangements, such as Hercules (Tsushima, Japan); Antioch (Chichibu, Japan); Concord (Kitakami, Japan); Martinez (five cities throughout the world (three in Italy)); and Richmond (cities in Cuba, Japan, and China).

As a result of Pinole’s proclamation in support of Ukraine, the Ukrainian government has identified a recently liberated Ukrainian city as a potential sister city for Pinole. The city, Borodianka, has a population of approximately 12,000 and is in the Kiev region. The Ukrainian government has expressed that Borodianka has an immediate need for generators; used ambulances; school buses; HazMat suits; temporary shelters; and personal protective equipment (PPE).

REVIEW & ANALYSIS

The City has numerous options for establishing sister city arrangements. As noted above, sister city relationships are usually created between two cities that feel a strong sense of kinship or that would like to collaborate on an ongoing basis on cultural and economic development. Prior to establishing a sister city arrangement, the City should determine whether it has a strong sense of kinship with another city or would benefit culturally and/or economically from an arrangement with another city, and confirm that it would be worth the required time and resources to establish and maintain a sister

city arrangement. An alternative to a sister city arrangement, which is normally an ongoing relationship, the City could undertake a one-time effort to support or collaborate with another city.

FISCAL IMPACT

There is no fiscal impact due to Council considering establishing a sister city arrangement.

ATTACHMENT(S)

None