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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  
SPECIAL MEETING AGENDA**

**TUESDAY  
May 31, 2022**

**VIA ZOOM TELECONFERENCE ONLY**

**6:00 P.M.**

**How to Submit Public Comments:**

**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](mailto:comment@ci.pinole.ca.us)**

Please indicate which item on the agenda you are commenting on in the subject line of your email.

**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.**

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## 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](http://www.ci.pinole.ca.us).

**VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE,** [www.ci.pinole.ca.us](http://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 [hbelle@ci.pinole.ca.us](mailto:hbelle@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](http://www.ci.pinole.ca.us). You may also contact the City Clerk via e-mail at [hbelle@ci.pinole.ca.us](mailto:hbelle@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. CITIZENS TO BE HEARD (Public Comments)**

***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.*

**5. WORKSHOP ITEMS**

**A. Charter City Ballot Measure Polling Results [Action: Receive Report (Murray)]**

**6. ADJOURNMENT** to the Regular City Council Meeting of June 7, 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: May 26, 2022 at 5:00 P.M.**

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**Heather Bell, CMC**  
**City Clerk**



## **CITY COUNCIL REPORT**

**5A**

**DATE**            **MAY 31, 2022**

**TO:**              **MAYOR AND COUNCIL MEMBERS**

**FROM:**        **ANDREW MURRAY, CITY MANAGER**

**SUBJECT: PRESENTATION OF RESULTS OF LIKELY VOTER SURVEY  
REGARDING POTENTIAL NOVEMBER 2022 BALLOT MEASURE TO  
BECOME A CHARTER CITY AND ENACT A REAL PROPERTY  
TRANSFER TAX AND ASSESSMENT OF THE VIABILITY OF A  
POTENTIAL MEASURE**

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### **RECOMMENDATION**

Staff recommends that the City Council receive a presentation by the Lew Edwards Group (LEG) and Fairbank, Maslin, Maullin, Metz & Associates, Inc. (FM3) of the results of a likely voter survey conducted regarding a potential November 2022 ballot measure and LEG and FM3's assessment of the viability of a potential November 2022 ballot measure.

### **BACKGROUND**

At its meeting on March 1, 2022, the City Council directed staff to hire consultants to conduct research and communication regarding a potential November 2022 ballot measure to become a charter city and enact an increased real property transfer tax (RPTT). Following a competitive selection process, the City executed agreements with LEG and FM3 to conduct the survey and communication tasks.

To orient themselves to civic affairs in Pinole, LEG and FM3 reviewed the City's history of ballot measures, recent media coverage, and financial and other strategic City documents and communications. LEG and FM3 also met with City staff and Council Members to learn about current issues.

Based on this research and their extensive experience with municipal ballot measures, LEG and FM3 created a survey instrument (questionnaire) to gather representative input regarding a potential November 2022 ballot measure and other key civic matters. FM3 assembled a sample of likely November 2022 voters and collected responses through a dual-mode methodology (online and telephone surveys).

The survey instrument used a traditional three-part design to assess potential measure viability, in which participants 1) were asked to react to a potential ballot measure based solely on a hypothetical 75-word ballot question (written with legal reviews) and unprompted by any background information; 2) were asked to react again to the potential ballot measure after hearing a series of educational statements providing supportive

rationales; and 3) were asked to react one final time to the potential ballot measure after hearing a series of critical statements arguing for opposition to the measure.

### **REVIEW & ANALYSIS**

LEG and FM3 will present the results of the survey as well as their assessment of the viability of a potential November 2022 ballot measure to become a charter city and enact an increased RPTT at a special City Council meeting on May 31, 2022. In order for the City Council to place a measure on the November 2022 ballot to become a charter city and enact an increased RPTT, the City Council must hold two public hearings on the matter and subsequently adopt a resolution by 4/5s vote placing the measure. The City Council will hold the first public hearing on the matter during its regular City Council meeting on June 7, 2022.

### **FISCAL IMPACT**

There is no fiscal impact from receiving a presentation of the survey results and an assessment of the viability of a potential measure.

### **ATTACHMENTS**

None