

**CITY COUNCIL MEETING
MINUTES
December 5, 2023**

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 Murphy called the Regular Meeting of the City Council to order at 5:03 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

Devin Murphy, Mayor
Maureen Toms, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Cameron Sasai, Council Member
Anthony Tave*, Council Member
*Arrived After Roll Call

B. STAFF PRESENT

Neil Gang, Interim City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Sanjay Mishra, Public Works Director
Markisha Guillory, Finance Director
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Thursday, December 1, 2023 at 3:00 p.m. with all legally required written notices. Written comments received in advance of the meeting had been posted online, distributed to staff and the City Council and made available in the Council Chambers for the public.

Following an inquiry, the Council reported there were no conflicts with any items on the agenda.

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: Interim City Manager, Neil Gang; City Attorney, Eric Casher; Human Resources Director, Stacy Shell and Greg Ramirez, IEDA

Employee organization: Pinole Police Employees Association (PPEA) and AFSCME, Local 1

B. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code § 54957.6

Agency designated representatives: Greg Ramirez, IEDA

Employee organization: Management Compensation Plan (MCP)

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 6:19 p.m., Mayor Murphy 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.

Ann Moriarty, Friends of Pinole Creek Watershed, Pinole, expressed her appreciation to Council members Martinez-Rubin, Mayor Pro Tem Toms, and Mayor Murphy for their work on various projects in support of Pinole Creek and for their commitment to green infrastructure and parks. In highlighting the three Council members, she also highlighted mutual priorities everyone could agree upon, including the value of Pinole Creek and its watershed to the community. She looked forward to working with the entire City Council to work towards shared values and priorities.

Rafael Menis, Pinole, reminded everyone that vaccinations were available for the flu, Coronavirus and RSV, and depending on the age group, two or all three vaccinations had been recommended. He also commented that during the November 7, 2023 City Council meeting and the discussion of the Mayoral rotation, there had been several statements made by Council members and members of the public that he suggested did not fit the level of decorum the City Council should strive to achieve.

Through the Mayor to Council member Martinez-Rubin, Mr. Menis requested that Council member Martinez-Rubin withdraw her statement that she was of the opinion that some people voted for Mayor Murphy because he was of Irish descent and there was no valid basis to assume he was not, which reflected poorly on Council member Martinez-Rubin and the City Council, and while she may have been acting in good intent and meant no maliciousness by the statement, he stated it would benefit the City Council and the community to have that statement be formally withdrawn. He urged all Council members to work together in the spirit of good will and in the spirit of the holidays. He otherwise wished everyone a Happy Holiday.

Chris Palomo, Pinole, Field Representative for Norcal Carpenter's Union, Local 152, spoke to labor standards and suggested it was crucial to elevate labor standards and ensure fairness for all workers involved in building in the City of Pinole, to include livable wages, access to health care and the implementation of joint apprenticeship programs. By elevating those standards, it would lead to a more equitable and prosperous City, workers would thrive, the entire community would reap the benefits and prioritizing fairness and accountability would provide a stronger foundation for future growth and success in Pinole.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Murphy reported on the work of Marin Clean Energy (MCE) and its aggressive outreach and activities to bring in more funding for residents and customers of MCE, with \$7.5 million in grants and research activities coming in from the state and federal government. He reported that MCE had recently received a grant in the amount of \$168 million from the California Public Utilities Commission (PUC) to ensure residents had access to funding for all electric upgrades and home retrofitting; \$1 million would come from the U.S. Department of Energy to the community, and over 30 community-based organizations had been invited to provide input on the location of electric vehicle charging (EV) stations and micro-mobility options. Everyone was encouraged to review MCE's activities. In addition, the City of Hercules had been voted in to become a member of MCE and would be fully on-board in 2025.

Mayor Murphy also reported on his attendance at the National League of Cities Conference and highlighted the Mayors' Task Force for Education. He would be meeting with the Superintendent of the West Contra Costa Unified School District (WCCUSD) soon on how to support the program, and he invited the City Council and staff to the first Annual City Schools Tour scheduled for Friday, December 8, 2023, which would involve a tour of all schools in the WCCUSD. He also briefed the City Council on discussions of a local infrastructure hub.

Mayor Murphy further reported that he attended the Holiday Tree Lighting ceremony and he thanked all staff, the City Council and the community for the successful event. He also thanked the St. Joseph School community and the Parent Teacher Association (PTA) for hosting the great start to the holiday period with its first Sunday of the month of December event.

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Mayor Pro Tem Toms reported she had attended a meeting of the WestCAT Board of Directors and highlighted the discussions including changes in the way payment for parking would be done, the formal agreement between WestCAT drivers and maintenance staff, budget reserves, and with a change in the Board meeting start time to 6:00 p.m. in 2024. She had participated in the Ruby Bridges Walk to School Day with Ellerhorst Elementary School when the principal had encouraged the City Council and staff to participate in 2024. She had also attended the Association of Bay Area Governments (ABAG) Executive Board meeting and briefed the City Council on the approval of Priority Development Areas (PDAs) throughout the Bay Area. In addition, she had attended an MCE Board meeting and briefed the City Council on the approval of the City of Hercules to join MCE and a presentation on assistance available to MCE customers experiencing trouble with the payment of their bills. She expressed her appreciation to staff and all community participants in putting together the Holiday Tree Lighting activities.

Council member Tave reported he had attended the Holiday Tree Lighting ceremony and he too thanked City staff, particularly the Public Works Department.

Council member Martinez-Rubin reported she had been part of the National Association of Latino Elected Officials Conference in Newport Beach with a focus on health and briefed the City Council on the discussions. She otherwise wished everyone a happy and healthy holiday season.

Council member Sasai reported he had attended the WestCAT Board of Directors meeting and briefed the City Council on a presentation from the California v. Hate Initiative, which had also been presented to the City Council at its prior meeting. He thanked the City Council and the WestCAT Board of Directors for taking action and for allocating resources to expand resources to combat and report hate crimes. He had also attended the MAC Permanent Beauty Grand Opening, a local Filipino owned business, the Board of Supervisors Luncheon hosted by the Industrial Association of Contra Costa County, and the Holiday Tree Lighting ceremony.

PUBLIC COMMENTS OPENED (Items 7A through 7C)

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

PUBLIC COMMENTS CLOSED

D. Council Requests for Future Agenda Items

Mayor Pro Tem Toms requested a report, not necessarily as a future agenda item, to the City Council on the projection of the quarterly reports from different City Departments and an outlook calendar of those meetings.

ACTION: Motion by Council member Sasai/ Mayor Murphy for a staff level presentation on the City's ability to place restrictions on the size and weight of vehicles traveling on the San Pablo Avenue Corridor in the City of Pinole.

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

ACTION: Motion by Council members Sasai/Tave for a discussion to initiate a regional feasibility study in partnership with the Contra Costa Transportation Authority and neighboring cities for a dynamic personal micro-transit project in the City of Pinole and other areas in West Contra Costa County.

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

ACTION: Motion by Mayor Murphy/Council member Sasai for a proclamation to recognize the 50th Anniversary of Fiat Music Company.

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

ACTION: Motion by Mayor Murphy/Mayor Pro Tem Toms for a discussion to consider membership confirmation and budget appropriation for the National League of Cities.

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

Mayor Murphy offered a motion, seconded by Council member Sasai for a discussion to create an Ad-Hoc Committee for Interdepartmental Grant Research, Writing and Management.

On the motion, Council member Martinez-Rubin clarified with the Mayor the composition of the potential Ad-Hoc Committee would be discussed as part of the future agenda item.

ACTION: Motion by Mayor Murphy/Council member Sasai for a discussion to create an Ad-Hoc Committee for Interdepartmental Grant Research, Writing and Management.

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

ACTION: Motion by Council member Martinez-Rubin/Mayor Pro Tem Toms for a proclamation to recognize the 50th Anniversary of the Pinole Historical Society.

Vote: Passed 5-0

Ayes: **Murphy, Toms, Martinez-Rubin, Sasai, Tave**
Noes: **None**
Abstain: **None**
Absent: **None**

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

E. City Manager Report / Department Staff

Interim City Manager Neil Gang provided an update on the City's Emergency Operations Plan (EOP). The City had contracted with a consultant to begin the review and development process to update the City's EOP and would work with the City's Departments in coordination with the Police Department to revise and finalize the EOP with anticipated completion in March 2024. Once complete, the consultant would facilitate an orientation workshop, training and tabletop exercise.

Interim City Manager Gang also provided an update of Public Works Department activities including tree lighting in the downtown; the filling of ten potholes and work with the electrical vendor to resolve lighting issues in the areas of Pinole Valley Road, Sprouts, Kaiser, near the MOD Pizza area and I-880/San Pablo Avenue; and the seal and rehabilitation of the intersection at Marlesta Road and Appian Way prior to the contractor slurry sealing and the entire parking lot at Bayfront Park.

Interim City Manager Gang also reminded everyone that City Hall would be closed to the public for the holiday on December 26 through December 30 and reopen on Tuesday, January 2, 2024. He too commented on the success of the Holiday Tree Lighting ceremony and he thanked all staff involved.

F. City Attorney Report

City Attorney Eric Casher wished everyone a safe and happy holiday.

PUBLIC COMMENTS OPENED (Items 7E through 7F)

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

PUBLIC COMMENTS CLOSED

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Transgender Day of Remembrance

Mayor Murphy read into the record a proclamation recognizing November 20, 2023 as Transgender Day of Remembrance.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, reported it was traditional on the Transgender Day of Remembrance to list the names of those individuals who had been killed for their identity in the past year, and he read into the record 33 names of those who had died in 2023. He asked that those individuals be remembered as part of the Transgender Day of Remembrance and that everyone dedicate their lives to ensure others' lives were not cut short for fully being themselves.

PUBLIC COMMENTS CLOSED

B. Presentations

1. Reading from "Imaginative Short Stories, Volume 2" by Isabella Tucker, Writing Contest Winner

Isabella Tucker read "Imaginative Short Stories, Volume 2" into the record, and urged the City Council to remember to buy Girl Scout cookies in January.

Mayor Murphy thanked Ms. Tucker for reading her story into the record and looked forward to hearing more of her stories.

2. Recognizing Roxane Stone for achieving her Certified Municipal Clerk designation

The City Council recognized Deputy City Clerk Stone for achieving her Certified Municipal Clerk designation along with her other achievements during her six-year tenure with the City of Pinole.

PUBLIC COMMENTS OPENED

Roxane Stone thanked the City Council for the recognition, the City Clerk for her mentorship and friendship and other City staff and her family and friends present in the Council Chambers.

Dr. Marcie Hodge congratulated Mrs. Stone for achieving this milestone. She commended her dedication and recognized her family and friends and emphasized she had made everyone proud. She wished her continued success.

PUBLIC COMMENTS CLOSED

9. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Council member(s) wishes to comment on an item, they may do so before action is taken on the Consent Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

- A. Approve the Minutes of the Regular City Council Meeting on 11/07/23
- B. Receive the November 4, 2023 – December 1, 2023 List of Warrants in the Amount of \$970,320.07, the November 10, 2023 Payroll Amount of \$490,550.76, and the November 24, 2023 2023 Payroll Amount of \$498,231.14
- C. Receive Update on Status of Parklet/Outdoor Dining in Pinole and Approve Extension of Existing Temporary Use Permits until June 30, 2024 **[Action: Receive Report and Approve Staff Recommendation (David Hanham)]**
- D. Approve the Development Impact Fee Report for the Fiscal Year Ended June 30, 2023 and Related Findings **[Action: Adopt Resolution per Staff Recommendation (Markisha Guillory)]**
- E. Adopt a Resolution to Increase Minimum Wage Pay Rates and Approve Master Salary Schedule Updates **[Action: Adopt Resolution per Staff Recommendation (Charlene Davis, Stacy Shell)]**
- F. Authorize the City Manager to Execute the Purchase of Vehicles for Public Works **[Action: Adopt Resolution per Staff Recommendation (Joseph Bingaman, Sanjay Mishra)]**
- G. Award Construction Contract for Sanitary Sewer Rehabilitation Project – Phase 1 (CIP Project #SS2201) **[Action: Adopt Resolution per Staff Recommendation (Sanjay Mishra)]**
- H. Adopt City Council Procedures **[Action: Adopt Resolution per Staff Recommendation (Heather Bell)]**
- I. Approve and Authorize the Mayor to Execute the Employment Agreement for Neil Gang to Become the Interim City Manager **[Action: Adopt Resolution per Staff Recommendation (Stacy Shell)]**

Speaking to Item 9I, Mayor Murphy reported pursuant to Government Code Section 54953 (c)(3), the item was to approve and authorize the Mayor to execute the Employment Agreement for Neil Gang to become the Interim City Manager. On September 19, 2023, the City Council had appointed Police Chief Neil Gang as Interim City Manager effective October 1, 2023. During the Interim City Manager appointment, Pinole Police Chief Gang would also continue to serve as the Police Chief fulfilling the full scope of duties of both positions. The fiscal impact of this Employment Agreement would be \$43,783. to be offset with salary and benefits by the attrition of the current City Manager vacancy and Interim City Manager Gang's continuation of service as Pinole's Police Chief.

Council member Sasai requested that Item 9F be removed from the Consent Calendar.

Council member Martinez-Rubin requested that Items 9A, 9D and 9I be removed from the Consent Calendar.

City Clerk Bell requested that Item 9A be removed from the Consent Calendar and be continued to the January 16, 2024 City Council meeting to allow for additional review.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, spoke to Item 9A and since he understood the item would be deferred to a future meeting, he would defer his comments to that meeting. For Item 9D, he commented the staff report stated there were no overdue funds being spent but he understood around \$18,000 would be allocated as of June 30, 2024. He noted there appeared to be a discrepancy between the report and the June 20, 2023 staff report. For Item 9F, he had submitted an email to the Public Works Director who had stated it was staff's opinion a hybrid vehicle would be beneficial due to potential power loss situations, although he disputed that and urged a City Council discussion if the item were to be pulled. He commented that given the speed limits permitted in the City of Pinole, electric vehicles did not use that much power traveling around, and familiar with the different power loads of electric vehicles, unless a catastrophic loss of power was expected with no power access throughout the broader region for a period of time, he did not see the substantial benefit of an electric versus gas vehicle, and a hybrid vehicle was far more expensive than an electric vehicle even including the costs to install an EV charger that would be required to be installed regardless. He asked that Item 9F be pulled and that the City Council require a full EV rather than a plug-in hybrid vehicle.

Maria Alegria, Pinole, spoke to Item 9C and commented that it had been horrific trying to get into the area around Tina's Place to park, particularly for those with disabilities given the parklet/outdoor dining area. She asked that when the item returned for a permanent decision, customers and the businesses in the area be asked to provide their input since in her opinion the parklet/outdoor dining took up a significant amount of parking. There was also a great deal of trash stacked in the back and the Public Health Department may be required to visit the site.

PUBLIC COMMENTS CLOSED

Mayor Murphy advised that Item 9A would be continued to the City Council meeting of January 16, 2024.

Council member Martinez-Rubin spoke to Item 9D, Page 175 of the agenda packet, and commented on the total cost of the Development Impact Fees allocated to projects in the Capital Improvement Plan (CIP). She asked for clarification of the available Development Impact Fees allocated and what funds would remain for future use.

Council member Sasai referenced Item 9F and asked whether the item could be continued to the City Council meeting in January, and Public Works Director Sanjay Mishra explained that there was no deadline for Item 9F and there would be no issue with a continuance.

Council member Sasai offered a motion, seconded by Mayor Pro Tem Toms to continue Item 9F to the City Council meeting of January 16, 2024.

On the motion, Mayor Pro Tem Toms referenced the RAV-4 Hybrid model and suggested moving to a 100 percent EV. She commented that she would be troubled by having a fleet vehicle be a Tesla and suggested being cost wary of the vehicles since there were other options that were more economical.

Council member Tave asked whether the intent was that the vehicles be used for on-call services, which would be a benefit to the City. Having compared costs, he suggested the RAV-4 Hybrid model would be more expensive while he recognized the expensive branding of the Tesla model may be problematic. He recommended that the Tesla model be included as an option but a better description of the use should be provided.

ACTION: Motion by Council member Sasai/Mayor Pro Tem Toms to defer Item 9F to the City Council meeting of January 16, 2024.

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

For Item 9I, Council member Martinez-Rubin requested clarification of the effective start date of the contract for the Interim City Manager and was informed by City Attorney Eric Casher that Police Chief Gang had commenced his position as Interim City Manager on October 1, 2023, and a friendly amendment could be made to the Employment Agreement prior to signature.

For Item 9D, Council member Martinez-Rubin spoke to Page 172 of the staff report and again requested clarification of the sum total of the Development Impact Fees.

Finance Director Markisha Guillory clarified that \$1.9 million was available; however, any project assigned to that funding would have to fall under the same rules of what the Development Impact Fees could be spent on.

Council member Martinez-Rubin added that Page 171 through 175 of the agenda packets included duplicate language and suggested a note be added to make it easier for the public to read the staff report.

Finance Director Guillory confirmed an amendment could be made.

ACTION: Motion by Mayor Pro Tem Toms/Council member Sasai to approve Items 9B, 9C, 9D, 9E, 9G, 9H and 9I (as amended).

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

10. COUNCIL REORGANIZATION

A. Presentations to Mayor Murphy

Interim City Manager Gang thanked Mayor Murphy for his dedication, passion and vibrance and read into the record a verse from Isaiah 6:8. He presented Mayor Murphy with a gift of the City's appreciation.

PUBLIC COMMENTS OPENED

Vincent Salimi, Pinole, highlighted the achievements of Mayor Murphy's tenure as Mayor as the first African-American, openly gay leader of the City of Pinole and he expressed his appreciation for his vibrant and inclusive approach, which had enriched the community. He also welcomed Mayor Pro Tem Toms as the new Mayor, and recognized Council member Sasai as the first Filipino-American Mayor Pro Tem. He found it to be a testament to the City of Pinole that various leaders with different backgrounds sought to serve. He looked forward to economic prosperity, embracing differences, and working collectively together towards a Pinole that thrived on diversity and opportunity.

Rafael Menis, Pinole, thanked Mayor Murphy for his improvement and strengthening of the office of Mayor, work to build up communication from the Mayor's Office to the broader public, creation of routine videos to the public from the Mayor, skill in communication and dedication to the City, and while there had been some occasional disagreement around community engagement and other topics, the Mayor had been willing to listen and hear from all members of the community and engage with the community as a whole. He encouraged all future Mayors to imitate Mayor Murphy's example. He also agreed that Pinole's strength was in its diversity and he cited the examples of Mayor Murphy as the first openly gay African-American Mayor, Mayor Pro Tem Toms' example of her generation of community service and Mayor Pro Tem Sasai as the first Filipino-American Mayor Pro Tem. He found Mayor Murphy had done a good job as Mayor, he had expanded the definition of the role and his actions as Mayor, running City Council meetings, willingness to listen to members of the public and his engagement with the entire community was worthy of praise and he hoped future Mayors would live up to his example.

David Ruport, Pinole, thanked Mayor Murphy for his service to the City of Pinole. He was pleased that he would continue his active participation as a Council member. He suggested Mayor Murphy set a new bar for the position of Mayor and that bar should continue to be raised in the future. He encouraged all other future Mayors to look towards making things better for the City.

Irma Ruport, Pinole, thanked Mayor Murphy who she stated had exceeded his campaign promises, was a role model for others, not a politician but a real person who kept his promises and exceeded what she expected he would do. She supported Mayor Murphy as a people Council member, the real deal and urged him to always be true to himself. She thanked him for all he had done for the City of Pinole.

Oscar Soriano, Pinole, stated Mayor Murphy had been an inspiration and role model for young people who wanted to become involved in politics, had been an important voice as Mayor and for the LGBTQ+ community and he hoped see him in higher office in the future. Mayor Murphy also understood equity and democracy and he wished the best to whomever was chosen as the new Mayor and was happy to see Pinole thrive with its new leaders. He thanked Mayor Murphy for his service and stated he represented democracy and his legacy would serve future generations.

Maria Alegria, Pinole, echoed the comments and she too thanked Mayor Murphy for his service. He had raised the bar, communicated with the community, was present, she was pleased with his leadership and stated he would always have the title as Mayor.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Toms thanked Mayor Murphy for setting the bar high and for his communication style from the City Council to the public.

Council member Tave thanked Mayor Murphy for all of his hard work and he highlighted his many achievements as a result of his leadership. He looked forward to continuing to serve with Council member Murphy on the City Council.

Council member Sasai was pleased to have been elected under Mayor Murphy's leadership. He commended the Mayor on how he had handled difficult situations, stated he had made an incredible impact as the first African-American and LGBTQ+ Mayor, and emphasized it had been an honor to work with him.

Council member Martinez-Rubin thanked Mayor Murphy for his service over the past year, enthusiastically promoting the use of clean energy, multiple ways to mitigate the ill effects of climate change, and she looked forward to continuing to serve as Council members on issues that were dear to each other's hearts so they could do more for the City.

B. Remarks by Mayor Murphy

Mayor Murphy thanked everyone for their kind words, his heart was full of love and gratitude and he was humbled and honored to have served as the Mayor of Pinole marked by triumphs and challenges working with the City Council to build a more vibrant community. Under his leadership many accomplishments had occurred including the reopening and reactivation of Fire Station 74, approval of over 600 units of housing including affordable housing units, host of the first ever Pinole Earth Day in coordination with the ground breaking efforts to develop the City's first Climate Action and Adaptation Plan, LGBTQ+ Pride Month, Juneteenth and the Anniversary of the City of Pinole's Incorporation in one large celebration.

Additionally, there had been critical traffic and safety improvements in the City, funds to allow residents to lower energy bills, a rally and community celebration to recognize Pinole Valley High School athletes' many achievements, improve communications to keep residents informed including the Beat of Pinole video series, Citywide newsletter The Pulse and residents' engagement through the use of the budgeting tool The Balancing Act. There had also been the opening of several new businesses, newly developed evacuation routes in the Pinole Valley, host of Citywide Town Hall with the Contra Costa County Fire Protection District (CCCFPD), maintenance to reduce wildfire risks, traffic and pedestrian safety improvements, filling of potholes and the removal of downed trees.

Mayor Murphy expressed his appreciation to the residents of Pinole for this passion, reliance and commitment to progress and with the City's accomplishments being a testament of the power of unity and collaboration in the community. He also expressed his appreciation to his fellow City Council members, municipal employees and community leaders who made and continued to make public comment and have dedication to community service. He was confident the City Council would continue to propel things forward with the community to continue to flourish. He was eager to work with the dynamic Pinole City constituency to build a better Pinole for everyone and he urged everyone to embrace change, nurture inclusivity and continue the legacy of progress. He was excited to witness the bright future for the City of Pinole.

C. Selection of Mayor and Mayor Pro Tem. **Action: Adopt Resolution per Staff Recommendation (Heather Bell)**

City Clerk Bell presented the staff report dated December 5, 2023, and recommended the City Council approve a resolution appointing Maureen Toms as Mayor and Cameron Sasai as Mayor Pro Tem per the current Mayoral rotation list.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council members Martinez-Rubin/Tave to approve a resolution appointing Maureen Toms as Mayor and Cameron Sasai as Mayor Pro Tem per the current Mayoral rotation list.

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

D. Administer Oaths to Mayor and Mayor Pro Tem

David Sasai, father of Cameron Sasai, presented the Oath of Office to Mayor Pro Tem Cameron Sasai.

Jack Meehan, former Mayor of Pinole during 1964/1965, and the father of Maureen Toms, presented the Oath of Office to Mayor Maureen Toms.

PUBLIC COMMENTS OPENED

Oscar Soriano, Pinole, stated he was proud of Mayor Pro Tem Sasai and commented he was what democracy and being progressive and working in local government was all about. He had met Mayor Pro Tem Sasai at a Contra Costa Young Democrats meeting and had been impressed with what he wanted to do with the City of Pinole and he hoped voters would continue to support his candidacy. Mayor Pro Tem Sasai was also a great person and with more people like him stated that democracy would continue to thrive, move forward and not back down. He again congratulated both the Mayor Pro Tem and Mayor Toms.

PUBLIC COMMENTS CLOSED

E. Transfer of Gavel and Comments by the New Mayor

Mayor Pro Tem Sasai thanked everyone in the Council Chambers, close friends, mentors, and family whose help and the community allowed him to win this Council seat and be appointed to the office of Mayor Pro Tem.

Mayor Pro Tem Sasai was proud of the good work performed over the past year and highlighted some of the accomplishments including the allocation of funds for the first High School City Council Internship Program and regional and environmental justice, which he hoped to continue. He congratulated Mayor Toms and looked forward to continue to present new ideas, push the envelope, serve the people of Pinole and make their lives better. He was proud to be the first Filipino Mayor Pro Tem in the City's history and one of the very few Mayors Pro Tem/Vice Mayors who were Japanese-American in Contra Costa County. He was excited for the future.

Mayor Toms stated she was honored to represent the City of Pinole, and took the opportunity to thank her family present in the Council Chambers, former Mayors Mary Horton, Maria Alegria and Vincent Salimi and City staff.

In preparation for taking on the role of Mayor, Mayor Toms explained that she had reflected on the growth, changes and evolution of the City she had witnessed over the years. As a young child, she had been aware of how special Pinole was, driven by people getting involved to improve the community. Her parents and siblings had been involved in the community and she provided the background of Parks in Pinole (PIP), which had been a ballot initiative in 1966, to fund the acquisition of the grazing land where Pinole Valley Park was currently located. She commented the effort to approve the measure had ultimately not been successful. In later years, the initiative included the ability for the City to develop, program and maintain a large park. The population of the City had doubled between 1960 and 1970, the need for the park had increased and the project had later been completed using state funds. She emphasized that quality of life remained a priority for the existing and future community.

Mayor Toms commented that when moving forward to develop and implement plans such as the General Plan, Strategic Plan, Three Corridors Specific Plan, CIP, Climate Action Plan (CAP), Local Road Safety Plan (LRSP), Active Transportation Plan (ATP), Parks Master Plan, Local Hazard Mitigation Plan (LHMP), Emergency Action Plan (EAP), Community Engagement Plan, Long Term Financial Plan (LTFP) and the Economic Strategy amongst many others, all plans City staff had been working on with community input were not intended to sit on the shelf but improve the quality of life with implementation measures and actions identified on the City Council and staff "to do" lists. The City Council and staff would identify the revenue to implement the plans and move the City forward, and it was likely an equitable and affordable revenue measure would need to be considered for the November 2024 ballot, to be discussed in the coming months. She invited everyone to become involved to be able to get things done.

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, was honored Mayor Toms was the new Mayor of Pinole. He recognized that Mayor Pro Tem Sasai had a lot of potential and would represent the City of Pinole in its finest. He hoped to visit the City Council in person at a later date to offer ideas on how Pinole could be more vibrant.

PUBLIC COMMENTS CLOSED

11. BRIEF RECESS FOR RECEPTION

The City Council took a recess at 8:20 p.m. for a brief reception, and reconvened at 8:52 p.m. with all Council members present.

12. NEW BUSINESS

A. Nominate Council Members to Serve on Boards and Subcommittees Action: Discuss and Provide Direction (Heather Bell)

City Clerk Bell presented the staff report dated December 5, 2023, and recommended the City Council nominate Council members to serve as City representatives on specific boards and subcommittees in 2024. The City Council would have the opportunity to approve the nominations at the next City Council meeting on January 16, 2024.

The following Board and Subcommittee Appointments were offered for 2024:

Joint Powers Authorities and other Interagency Regulatory Bodies of which the City is a Member

	<u>Delegate/Primary</u>	<u>Alternate</u>
Association of Bay Area Governments (ABAG) (General Assembly Meeting Date of June 21, 2024)	Murphy	Martinez-Rubin
Marin Clean Energy (MCE) (Meeting time to be changed to 6:00 p.m.)	Murphy	Toms
Pinole/Hercules Wastewater Subcommittee	Tave/Murphy	Martinez-Rubin
West Contra Costa Integrated Waste Management Authority (WCCIWMA, "RecycleMore")	Tave	Murphy
West Contra Costa Transportation Advisory Committee (WCCTAC)	Tave	Sasai
Western Contra Costa Transit Authority ("WestCAT")	Toms/Sasai	Murphy

Interagency Collaboration Bodies of which the City is a Member

Bayfront Chamber of Commerce	Sasai	
Contra Costa Mayors Conference	Toms	Sasai
East Bay Division League of California Cities	Toms	Sasai
West County Mayors and Supervisors Association	Toms	Sasai

Subcommittees of the Pinole City Council

Finance Subcommittee Committee on Memorials	Mayor, Mayor Pro Tem & City Treasurer Sasai/Martinez-Rubin
Municipal Code Ad-Hoc Subcommittee	Toms/Sasai

Planning Commission Interview Ad-Hoc Subcommittee Toms/Martinez-Rubin

TAPS & Community Services Commission Interview Ad-Hoc Subcommittee Tave/Martinez-Rubin

Participants in Formation Process of East Bay Wildfire Prevention and Vegetation Management Joint Powers Authority Toms/Tave

Technology and Communication Subcommittee Murphy/Tave

City Seal Ad-Hoc Committee Sasai/Martinez-Rubin

ACTION: Motion by Council members Tave/Sasai to appoint Council members Tave and Murphy as the Delegates to the Pinole/Hercules Wastewater Subcommittee and Council member Martinez-Rubin as the Alternate.

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

ACTION: Motion by Council members Murphy/Tave to appoint Council member Tave as the Delegate to the West Contra Costa Integrated Waste Management Authority (WCCIWMA, "RecycleMore") and Council member Murphy as the Alternate.

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

Mayor Toms explained that she had voted no on the motion since she wanted a more equitable distribution of the tasks.

City Clerk Bell reiterated that all of the agreed assignments would be formalized in the document and brought back to the City Council for approval on the Consent Calendar to be considered at the January 16, 2024 City Council meeting.

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, commented on the slate of subcommittees and hoped the assignments would be voted on to be placed on the next City Council agenda.

PUBLIC COMMENTS CLOSED

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.*

Maria Alegria, Pinole, welcomed new Mayor Toms, Mayor Pro Tem Sasai and Council members Martinez-Rubin, Murphy, and Tave to the newly-formed City Council. She also welcomed Interim City Manager Gang to the new leadership team and hoped the Interim City Manager would implement the City's vision. She was confident given his work as the Police Chief that he would do the job. She noted that under former Mayor Murphy's leadership, the City's level of service had been elevated and she looked forward to the new City Council and City leadership.

Cordell Hindler, Richmond, explained that he had been appalled at the behavior of elected officials at the November 7, 2023 City Council meeting and commented that any time Anthony Vossbrink called in his time elapsed. Like other cities in West County, he hoped the City Council would conduct itself with decorum and allow the public to complete their comments. He urged the City Council to listen to its constituents. He requested as future agenda items that the City Council follow-up on items raised by Mr. Vossbrink such as conditions in Fernandez Park and the safety issues along the Trader Joe's Shopping Center at the next City Council meeting. He wished everyone a Merry Christmas, Feliz Navidad and looked forward to seeing everyone in 2024.

Anthony Vossbrink, Pinole, identified public health and safety issues including areas up and down Old Town, Pinole Valley Road and Fitzgerald Drive. He referred to problems with respect to crime and safety evident per the Police Blotter, and he did not want the City of Pinole to experience the same problems occurring in the cities of San Francisco, Oakland and San Jose. For that reason, he requested consideration of a satellite police station in the Fitzgerald Drive retail corridor for a four-to-six-month trial period. He also asked the status of the caretaker's house and the garbage cans that were to be installed in the Adobe Dog Park and Barbeque Grove.

Mayor Toms wished everyone a happy holiday season and Happy New Year.

14. ADJOURNMENT to the Regular City Council Meeting of January 16, 2024 in Remembrance of Amber Swartz.

At 9:20 p.m., Mayor Murphy adjourned the meeting to the Regular City Council Meeting of January 16, 2024 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: January 16, 2024

