CORONAVIRUS ADVISORY INFORMATION:

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CITY COUNCIL

Devin T. Murphy, Mayor
Maureen Toms, Mayor Pro Tem
Cameron Sasai, Council Member
Anthony Tave, Council Member
Norma Martínez-Rubin, Council Member

PINOLE CITY COUNCIL MEETING AGENDA

TUESDAY
April 4, 2023
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

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 thev have created.*

Return to Agenda

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.*

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Gov. Code § 54957.6

Agency designated representatives: City Attorney Eric Casher, Human Resources Director Stacy Shell, Gregory Ramirez, IEDA

Employee Organizations: Pinole Police Employees Association (PPEA), AFSCME, Local 1, Local 512

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

Return to Agenda

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. **Proclamations**

1. National Pet Day

B. **Presentations**

1. Pinole/Con Fire Transfer of Command Recognition Ceremony
2. Easter Egg Hunt Video Presentation

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 February 21, 2023 and March 21, 2023 meetings.

B. Receive the March 18, 2023 – March 31, 2023 – List of Warrants in the Amount of $517,401.96 and the March 31, 2023, Payroll in the Amount of $ 449,788.64.

C. Approve An Amendment to the Employment Agreement for the City Clerk **[Action: Adopt resolution per staff recommendation (Shell)]**

D. Resolution of Support for Senate Bill (SB) 691 Regarding Dyslexia Risk Screening **[Action: Adopt Resolution per Staff Recommendation (Rogers)]**

E. Housing Successor Annual Report for Fiscal Year 2021-22 **[Action: Receive Report (Whalen)]**

F. City Park Maintenance [**Action: Receive Report (Bingaman)]**

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. 2023-2031 Housing Element Adoption **[Action: Adopt Resolution per Staff Recommendation (Whalen)]**

B. A Resolution Confirming the Assessments and Ordering the Levy for the Pinole Valley Road Landscape and Lighting Assessment District for Fiscal Year 2023/2024 **[Action: Conduct public Hearing (Whalen)]**

[Item will be continued to a subsequent meeting]

11. OLD BUSINESS

None

Return to Agenda

12. NEW BUSINESS

A. Framework For New Outdoor Dining Regulations **[Receive Report and Provide Direction (Whalen)]**

B. Options to Celebrate Pride in 2023 **[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 April 18, 2023 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, and on the City's website, not less than 24 hours prior to the meeting date set forth on this agenda.

_____

Heather Bell, CMC
City Clerk

POSTED: March 30, 2023 at 2:00 pm

CITY COUNCIL MEETING
MINUTES
February 21, 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

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Markisha Guillory, Finance Director
Sanjay Mishra, Public Works Director
Lilly Whalen, Community Development Director
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Thursday, February 16, 2023 at 4:00 p.m. with all legally required written notices. No written comments had been received in advance of the meeting, but a correction memorandum and revised attachment for Consent Calendar Item 9K had been distributed to the City Council and made available to the public in the Council Chambers and posted online.

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.

1. CONFERENCE WITH LABOR NEGOTIATORS
Gov. Code § 54957.6
Agency designated representatives: City Manager Andrew Murray, City Attorney Eric Casher, Human Resources Director, Stacy Shell, Gregory Ramirez, IEDA
Employee organizations: Pinole Police Employees Association (PPEA), AFSCME, Local 1, Local 512, and Management Compensation Plan (MCP)

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Gov. Code § 54956.8
Property: 612 Tennent Avenue
Agency negotiator: City Manager Andrew Murray. City Attorney Eric Casher, Community Development Director Lilly Whalen, Suzy Kim (RSG), Sanjay Mishra, Public Works Director
Negotiating Parties: Leonard Williams – LDW Investment Group
Under Negotiation: Price and Terms

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 5:45 p.m., Mayor Murphy reconvened the meeting into open session and announced 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, updated the City Council on the current COVID-19 case rate for the City of Pinole which had decreased and was lower than last reported. He thanked the community for keeping the transmission rate down, a trend he hoped would continue down to zero as the communities of Diablo and Bethel Island currently enjoyed. He also announced upcoming community events that included the Community Services Commission meeting on February 22, 2023 at 5:00 p.m. at City Hall; February 23, 2023 deadline for filling out the Climate Action Survey; Pinole Creek Cleanup scheduled for Saturday, February 25, 2023 at 10:00 a.m. with everyone asked to meet by the library/tennis courts area, and also on February 25, Congresswoman Barbara Lee would be holding an event in the City of Oakland, from 11:00 a.m. to 1:00 p.m.

Mr. Menis stated that Congresswoman Lee had recently announced her campaign to fill Senator Dianne Feinstein's seat, and he encouraged everyone to review her record and support her as they saw fit.

Irma Ruport, Pinole, announced the City of Pinole and the Contra Costa County Fire Protection District (CCCFPD) would be holding a Ribbon Cutting Ceremony for the reopening of Pinole Fire Station 74 on Saturday, March 4, 2023 from 11:00 a.m. to 1:00 p.m. She asked the City Council to consider the use of banners, signage and an announcement on Pinole Community Television (PCTV) to announce the opening of the station to the community.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Murphy thanked PCTV and the City Manager's team for helping with the monthly Mayor's Updates. He congratulated and thanked the African American Student Union for hosting a Black History Month Celebration at Pinole Valley High School; and referred to the Ribbon Cutting Ceremony on March 4, 2023 for the reopening of Fire Station 74. Invitations had been sent out along with postings on the City's social media pages and the community was invited to participate.

Mayor Murphy reported he had been invited to host and join Collins Elementary School Principal Denise Steen and West Contra Costa Unified School District (WCCUSD) Ward Area-1 Trustee Jamila Smith-Folds to serve as a panelist for the Collins Elementary School Town Hall to discuss infrastructure issues and ways to ensure safe school campuses. He welcomed public input on those topics.

Mayor Murphy also reported that Contra Costa County would be investing almost $3 million in various funds and grant opportunities for the Pinole Library to address deferred maintenance projects with the work expected to be completed by mid-2024. He extended an invitation to all interested parties to attend the West County Mayors' and Supervisors Association meeting to be hosted by the City of Pinole on Thursday, February 23, 2023 at 8:30 a.m. in the Council Chambers. Additionally, he looked forward to joining the Pinole Rotary Club, Friends of Pinole Creek Watershed and Pinole Creek allies on Saturday, February 25, 2023 for the Community Creek Cleanup from 10:00 a.m. to 12:00 p.m.

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Mayor Pro Tem Toms reported she had attended a League of California Cities discussion on the new CAL FIRE Maps that would impose impacts on all jurisdictions, and a WestCAT Board meeting where it had been reported that BART had funded the feeder bus system but planned major cuts to that funding which would have major impacts to WestCAT services. She had recently received a communication from the General Manager of WestCAT, who reported that WestCAT and BART had reached an agreement. Through BART and the Metropolitan Transportation Commission (MTC) there would be funding for this service and while there would still be some reductions in funding it would not be as severe.

D. Council Requests for Future Agenda Items: None

E. City Manager Report / Department Staff

City Manager Murray reported on March 1, 2023, the CCCFPD would assume responsibilities for the City of Pinole with a Ribbon Cutting and Grand Re-Opening Ceremony for the reopening of Fire Station 74 scheduled for March 4 at 11:00 a.m., which event had been communicated through the City's normal channels, with all residents to be notified via a letter describing the transition to the CCCFPD. He also provided a preview of the tentative agenda items for the March 7, 2023 City Council meeting.

City Manager Murray added the City Council had previously requested as part of the City Manager's Report a monthly update at the second City Council meeting of each month on street maintenance activities including pothole repair, minor patch paving and the sealing of cracks. There had been little to no street maintenance conducted thus far since the work was typically done during the summer months and there had been some outages in staffing, but a number of potholes created as a result of recent rains had been filled and more street maintenance activities would commence once the weather had improved.

Mayor Murphy asked the locations of pothole repair and City Manager Murray explained that staff was implementing a new asset management software system that would allow for the download of reports that provided such data and which could be included in future monthly updates.

F. City Attorney Report: None

8. RECOGNITIONS / PRESENTATIONS / COMMNUNITY EVENTS

A. Proclamations

1. Day of Remembrance

The City Council read into the record a proclamation recognizing February 19, 2023 as the Day of Remembrance in recognition of the incarceration of Japanese Americans during World War II as part of Executive Order 9066 signed by President Franklin D. Roosevelt on February 19, 1942, which had resulted in the imprisonment of Americans of Japanese ancestry.

PUBLIC COMMENTS OPENED

Jim Oshima, representing the Contra Costa Japanese American Citizens League (JACL), commented on the impacts of Executive Order 9066 and the incarceration of his own family. He explained that JACL had represented Japanese Americans since 1932. He thanked the City Council for the proclamation, recognition of this moment in history and support in preventing such an event from happening to other Americans.

Yoko Olsgaard ,President, Contra Costa JACL, thanked the City for the proclamation, a first from a local jurisdiction. She noted that JACL membership was diverse, the JACL intended a coalition with all minorities to avoid similar atrocities in the future and proclamations helped to send a message to the community, the Bay Area and the nation that such behavior would not be tolerated. She encouraged the City to reach out to the JACL Chapter in the Bay Area.

Council member Sasai explained that this proclamation was close to his heart given his grandparents had been incarcerated in internment camps. He appreciated the proclamation and the importance of recognizing the need to learn from the past and not to repeat the same mistakes in the future, and that elected officials make statements and stand up to inhumane treatment, which was as important then as now. He was pleased the City of Pinole had for the first time provided such a proclamation.

Rafael Menis, Pinole, thanked Council member Sasai for his comments on the direct impacts of Executive Order 9066 on his ancestors and appreciated the fact the government had provided some reparations for the actions of the past as noted in the proclamation. He otherwise spoke to the insidious nature of Executive Order 9066 and commented on the racial biases in the State of California at that time in that there could have been impacts to the Italian American population in the City of Pinole. He pointed out that racial bias did not stop at one community, ethnicity or race, when one decided to deprive someone of their Constitutional rights because of who they were, where they came from and because of their ancestry, which concept undermined all liberty. He urged everyone in the City to understand that this injustice could have impacted anyone and the arbitrary depravation of liberty for any group in the community harmed everyone, not just then but in the future. He also thanked the former City Council for a letter in opposition to internment camps on the southern border in 2018.

Council member Martinez-Rubin reported the City of Pinole had a former Mayor of Japanese ancestry, Virginia Fujita, who had served in 2008 and had passed away in 2016, and whose strength was the moral character she brought to the City Council.

PUBLIC COMMENTS CLOSED

Mayor Murphy returned to Item 6, Citizens to be Heard at this time.

James Harris, Pinole, reported that large pine trees that were dead and on his neighbor's property hung over his property, which trees were a hazard both during the winter and summer months. While he had contacted the Fire Department, he had received no response. He had filled out a request with the Planning Department for someone to come to his property and look at the trees but had recently received a letter from the City stating that he was the problem. He thought this was a mistake but after multiple trips to City Hall and several meetings with the Code Enforcement Officer, he had been given different reasons why the matter could not be resolved. His latest communication with City staff was that ownership of the property was unclear and the matter would have to be addressed legally. Meanwhile, the trees remained a hazard and he asked the City Council to address the matter with the Planning Department.

Mayor Murphy asked the City Manager to follow-up with Mr. Harris.

Michael Dunn, Pinole, stated he was a homeowner who lived behind Sprouts and during the pandemic he had started walking from his home to the park to exercise. He spoke to an incident where he had been approached by someone looking for drugs. While the area appeared to have become a resting zone for people looking for drugs, Pinole Police Officers started walking the park and over the past couple of weeks the area had been cleaned up. He expressed his appreciation to the City and staff for doing a good job and he was proud to be a citizen of Pinole.

Mayor Murphy expressed his appreciation to Police Chief Neil Gang, the Pinole Police Department and all City staff for their hard work for the City of Pinole.

Anthony Vossbrink, Pinole, reported he had been informed by a friend of a major side show that had been conducted under the I-80 underpass by the Kaiser building and the bowling alley, which involved numerous vehicles and multiple gun shots. Although a video was available of the event there had been no information on the local news. He asked the Police Chief and the City Manager to explain how such incidents were addressed and whether any citations had been issued or vehicles impounded. He also asked the status of a number of inoperable lights along Pinole Valley Road and light poles that had been destroyed years ago that had not been replaced.

Mayor Murphy asked that the issues be addressed and included in the next City Manager's monthly report.

B. Presentations: None

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 February 7, 2023 meeting.

B. Receive the February 4, 2023 – February 17, 2023 – List of Warrants in the Amount of $926,552.59 and the February 17, 2023 Payroll in the Amount of $556,826.26.

C. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 **[Action: Adopt Resolution per Staff Recommendation (Casher)]**

D. Receive the Quarterly Investment Report for the Second Quarter (Ending December 31, 2022) **[Action: Receive Report {Guillory)]**

E. Receive the Quarterly Report on Implementation of the Greenhous Gas Inventory and Climate Action and Adaptation Plan for Fiscal Year (FY) 2022/23 Second Quarter **[Action: Receive Report (Whalen)]**

F. Fiscal Year (FFY) 2022/23 Second Quarter Report on Implementation of Capital Improvement Plan (CIP) Projects **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**

G. Receive the Quarterly Report on Implementation of the Strategic Plan for Fiscal Year (FY) 2022/23 Second Quarter **[Action: Receive Report (Murray)]**

H. Development Process and Timeline for the Fiscal Year (FY) 2023/24 Operating and Capital Budget and the Long-Term Financial Plan **[Action: Approve Development Process and Timeline per Staff Recommendation (Guillory)]**

I. Stormwater Utility Area Assessment for Fiscal Year 2023/24 **[Action: Adopt Resolution per Staff Recommendation (Kaur)]**

J. Resolution Authorizing the City Manager to Execute a Consulting Services Agreement for Strategic Financial Planning Support and to Allocate Funds for the Project **[Action: Adopt Resolution per Staff Recommendation (Guillory)]**

K. Adopt a Resolution Approving a First Amendment to Disposition and Development Agreement Between the City of Pinole and Satellite Affordable Housing Associates for Additional $1.2 Million Loan for Affordable Housing Development at 811 San Pablo Avenue and Approving an Appropriation of the Total Loan Amount of $3.2 Million from the Housing Fund's Unrestricted Available Fund Balance **[Action: Adopt Resolution per Staff Recommendation (Whalen)]**

L. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent Between September and December 2022. Considered at an Administrative Hearing on February 2, 2023 **[Action: Adopt Resolution per Staff Recommendation (Stone)]**

Council member Martinez-Rubin requested that Item 9A be removed from the Consent Calendar for modification.

Mayor Murphy requested the removal of Items 9D and 9F.

PUBLIC COMMENTS OPENED

Maria Alegria, Pinole, congratulated Council member Martinez-Rubin on her re-election, Council member Sasai for his election to the City Council, Mayor Murphy for being an exceptional Mayor and Mayor Pro Tem Toms as the Mayor Pro Tem. She referenced Item 9F and asked the City Council to revisit the Capital Improvement Plan (CIP) Projects for 2022/23 and reprioritize the projects funded based on Measure S 2014 funds since the criteria for Measure S 2014 funds stated the City Council had allocated the use of the funds to fund infrastructure projects as their highest priority. Also, the CIP for 2022/23 should include traffic safety improvements for the Tennent Avenue Corridor to the project list, which also meets the criteria for Measure S 2014 funds.

Rafael Menis, Pinole, thanked the City Manager for answering many of his questions prior to the start of the meeting. Referencing Item 9J, he asked the City Attorney to opine on the modifications the consultant had proposed to the standard consulting agreement and whether those amendments were normal and reasonable.

Irma Ruport, Pinole, requested an amendment to the second sentence of the comments attributed to Ivette Rico as shown on Page 3 of the February 7, 2023 City Council minutes for Item 9A, as follows: *She* [Ivette Rico] *thanked Mayor Murphy, Mayor Pro Tem Toms, Council members* <u>*Sasai*</u> *and Tave for their attendance and their generosity of spirit.* As to Item 9F, she agreed the projects in the CIP should be revisited, with the projects brought up to date. She sought more detail on future reports given some of the information was difficult to read and noted that some of the projects were unfunded and should be removed from the CIP list.

Ms. Ruport also commented there was only one proposal for the Consulting Services Agreement under Item 9J, and the City had a series of issues in the past where there should be at least three bids. She understood the consultant had worked for the City in the past but asked whether the work was satisfactory, and she questioned whether the consultant's work had been evaluated.

PUBLIC COMMENTS CLOSED

Mayor Murphy spoke to Item 9A and stated that all references in the February 7, 2023 City Council meeting minutes to African American Study Union should be corrected to read: *African American Student Union.* He also provided the name of the unknown speaker as shown on Page 4, which had been highlighted and which name should be inserted to read: *Troy McConico*. He further asked that the modification requested by Ms. Ruport be included in the meeting minutes.

Council member Martinez-Rubin also spoke to Item 9A and requested an amendment to the second paragraph as shown on Page 14, as follows:

> *Council member Martinez-Rubin reported she had joined the Friends of Pinole Creek Watershed and Ocean Conservation Club from Pinole Valley High School for a monthly cleanup on January 21, and she thanked City staff for the facilitation of cleanup efforts. She highlighted the Thriving Earth Exchange project and indicated there was more information about that on that project's website. She had also attended a League of California Cities Revenue and Taxation Policy Committee and briefed the Council on the discussions.*

Speaking to Item 9D, Mayor Murphy referenced the Medium-Term Corporate Notes for Johnson Johnson, which had a maturity date of March 1, 2023. He asked what was being planned for the asset after March 1.

Finance Director Markisha Guillory explained that typically it would be replaced with a light investment (another medium-term note) for the portfolio but with the changes in interest rates and current market conditions, recent investments had not been made for any of the instruments that had matured in the recent past.

As to item 9F, Mayor Murphy asked what projects in the CIP had been planned to be completed in Fiscal Year 2023.

Public Works Director Sanjay Mishra stated he did not have a list of each item to go over but it could be provided at a later date.

Council member Tave asked the status of the high capacity trash bins and whether the project would be phased in over the course of a few years.

Public Works Director Mishra explained that it was unknown whether the project would work for the City since maintenance staff had indicated the weight of the high capacity trash bins would make them difficult to move for one person but there was a piece of equipment that could pull out the trash once compacted and then if could be disposed of; however, the City did not have that piece of equipment. The program would be a pilot program in two places in the City to see how the project worked and may require staff to return to discuss other viable alternatives.

Council member Tave also commented on the traffic safety improvements for the Tennent Avenue Corridor and asked whether the expectation was that the work would be done within this calendar year, and if so what funds would be allocated.

Public Works Director Mishra suggested Finance Director Guillory provide those details as part of upcoming agenda items.

As to Item 9J, Finance Director Guillory explained the City had received only one proposal after the issuance of the Request for Proposal (RFP). The RFP had been open for three weeks as public purchase and had gone out to a number of vendors, posted on the California Society of Municipal Finance Officers RFP list and made aware to a couple of firms she had worked with in the past; however, only one proposal had been received. This proposal had been evaluated with more than one follow-up interview between City staff and the consultant, Baker Tilly. Staff had been satisfied with the responses and discussions. Since the consultant services were needed for the upcoming budget and Long-Term Financial Plan (LTFP), staff had decided to recommend to the City Council moving forward with this proposal.

City Manager Murray added that for the procurement of professional services as the proposal for Item 9J, the City was not obligated to hire the lowest responsible bidder. As staff had stated, even though only one proposal had been received, staff had followed the regular process of evaluation. He also responded to the public comment and stated he could not speak to the past performance issues with contractors but again staff had conducted a thorough vetting process with Baker Tilly. He welcomed any contact with the member of the public related to any perceived past contracting issues.

City Attorney Eric Casher also responded to the public comment related to proposed changes in the Consulting Services Agreement for Item 9J, and explained that the City had standard language in its RFPs, with the consultant asked to provide any changes they would like made. The City's standard Consulting Services Agreement was not a one-size-fits-all and oftentimes once staff received approval to move forward with a contract, the City Attorney and the City Manager reserved the right to negotiate final terms, which was the action the City Council was being asked to provide as part of Item 9J.

Mayor Murphy offered a motion, seconded by Council member Sasai to direct staff to work with the selected consultant and all relevant consultants to incorporate elements of the participatory budgeting model, as outlined by the Participatory Budgeting Project, and to the City's strategic and financial planning processes in utilizing The Balancing Act's tools and solutions, specifically the budget simulation, prioritize and taxpayer receipt modules and provide a report on this progress in future financial quarterly reports.

On the motion, City Manager Murray commented that he was not aware of all the modules referenced and was uncertain how they would dovetail into the City's existing process. The Balancing Act tool had been used in the past and would be used again as part of the budget process, but in principle, the intent was to engage in a very participatory budgeting process.

City Clerk Bell clarified with the Mayor his motion was intended to be included as part of Item 9J to modify the scope.

Council member Tave clarified with Finance Director Guillory that the City paid an annual subscription fee for The Balancing Act Tool, which included various modules and the modules were already included.

As to the motion as stated, Finance Director Guillory asked for more guidance on the participatory budgeting process since it could mean different things to different people. Currently, the City used an incremental budgeting process and to use another process could mean a long and engaging process. She asked the Mayor to provide some clarification.

Mayor Murphy commented that the elements of the participatory budgeting model had been outlined by the participatory budgeting project, with the intent to work with the consultant as they considered the 10-year forecast and new streams of funding to engage the public in more robust projects. As an example, the prioritize module had been used to give the City Council insight around the use of its American Rescue Plan Act (ARPA) funds. The intent of his motion was not to just direct staff to work on this but to also determine how to utilize the consultant's scope of work to engage in both processes. If the motion passed, there would be an opportunity for the City to reach out to participatory budgeting processes and to allow support in that and execute those strategic and financial planning processes.

Mayor Pro Tem Toms asked whether financial planning would have to be built into the scope for the consulting services agreement with the consultant for Item 9J, and City Manager Murray confirmed that staff would have to go back and confirm the consultant could add that to the scope of work. As to the Participatory Budget Project, and looking online, he commented it was a traditional budgeting process with some additional outreach to brainstorm ideas with the community and a volunteer group of community delegates that developed ideas into proposals. There were also residents who voted on those with a city to fund the winning ideas. There was also a Steering Committee of community representatives and budget delegates and the like, which process steps had not been planned in the current budget process. He would have to work with the Finance Director to determine whether what the Mayor had requested would be feasible.

City Manager Murray explained that the 10-year forecast was an analytical piece of work absent a community engagement component. He referenced Consent Calendar Item 9H, which included the development process and timeline for the Fiscal Year (FY) 2023/24 Operating and Capital Budget and LTFP, and suggested a Community Participatory Budget Committee could be convened to come up with ideas and possibly a subset of that committee could nominate a subset of workable budget proposals on which community members could vote. The City Council could then vote on the top vote getters, which was something staff could incorporate into the current budget process, although that meant the City Council would be committed to funding (while not the amount) the winning proposals that were not known at this time.

Mayor Murphy again clarified his motion, which was not intended to be part of this year's budget, but that would be great if it was. He restated his motion to direct staff to work with the selected consultant and all relevant consultants to incorporate elements of the participatory budgeting model, as outlined by the Participatory Budgeting Project, and to the City's strategic and financial planning processes in utilizing The Balancing Act's tools and solutions, specifically the budget simulation, prioritize and taxpayer receipt modules and provide a report of this progress in future financial quarterly reports. He again stated it would be great if it was part of this year's budget but that was not his motion.

Council member Martinez-Rubin commented that the scope of work for Item 9J had a distinction of timing when the public would be involved, which approach was different than inserting public participation in the initial stages. She favored the consultant recommendations with the City Council to rely on their availability and expertise, not only for issues related to Pinole but with consultants who worked statewide in different situations, some of which had bearing on the matters the City was interested in such as fiscal solvency and availability to carry the City through the short and long term to the extent up to 20-years, and rely on staff's professionalism and expertise, and with the modules to focus on community involvement, not do away with that but to the extent possible focus on the community engagement in the consultant's scope of work.

ACTION: Motion by Mayor Murphy/Council member Sasai to approve Item 9J, subject to direction to staff to work with the selected consultant and all relevant consultants to incorporate elements of the participatory budgeting model, as outlined by the Participatory Budgeting Project, and to the City's strategic and financial planning processes in utilizing The Balancing Act's tools and solutions, specifically the budget simulation, prioritize and taxpayer receipt modules and provide a report of this progress in future financial quarterly reports.

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

ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin to approve Item 9A (as modified), and Items 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9K and 9L, as shown.

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

10. PUBLIC HEARINGS: None

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 parté communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Overview of "Just Cause" Eviction Regulations and Provide Possible Direction to City Staff **[Action: Receive Report and Provide Direction (Whalen)]**

Lilly Whalen, Community Development Director provided a PowerPoint presentation, which included an overview of the "Just Cause" Eviction regulations.

The PowerPoint presentation highlighted the purpose of the Just Cause Eviction regulations, overview of the tenant/landlord relationship in the State of California, background on tenant protections at the state level, review of the eviction process, Pinole's current rental stock and tenant protection programs and the options for City Council consideration including a reliance on existing state law, Assembly Bill (AB) 1482, adoption of AB 1482 into the Pinole Municipal Code (PMC) or to adopt stronger protections than AB 1482.

In terms of the next steps, if the City Council desired to engage further, it may conduct stakeholder outreach/consultation which could include engaging all landlords and tenants in a survey, convene a meeting with the landlord associations such as the East Bay Rental Housing Association and/or others, convene a meeting with local real estate professionals, convene a meeting with tenant associations and return to the City Council with more information to verify and clearly define the identified problem and identify possible actions to address the problem.

Mayor Pro Tem Toms and Council member Tave clarified with the Community Development Director that there had been one eviction filing in the City of Pinole in 2018.

Council member Tave asked for data of the number of people who had been displaced and rental trends for a normal market in the Bay Area. He appreciated the data provided in the City's current rental market which had shown a 70/30 split of owners/renters.

Council member Martinez-Rubin understood what had driven this discussion was the moratoriums that had been in place during the pandemic which were coming to an end and people were being evicted or had to leave their homes, which was different from the circumstances that preceded the pandemic. She asked whether there was data post-2018 and the distinction between filing and eviction rates. She also asked whether the City kept information about penalties against landlords who did not comply with state requirements for those rental units that were licensed.

Community Development Director Whalen stated she would have to look into that information which she currently did not have.

Council member Sasai asked whether there was any data on rent increases imposed on tenants or unfair rent hikes that had resulted in evictions pre- and post-pandemic and Community Development Director Whalen explained that the February 21, 2023 staff report included some information from 2015-2020 on median rental price increases but she did not have updated information and would have to do more research.

In response to Council member Martinez-Rubin, Community Development Director Whalen commented with respect to AB 1482 and the criteria why properties over 15 years of age were exempt would also require more research. AB 1482 was due to sunset in 2030 and she was unaware of any case law that battled the timeframe in the legislation.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, read into the record answers he had received from the City Manager's Office, which were germane to the discussion and were related to multifamily residences in the City of Pinole that would fall under this discussion. He had been informed the City had one triplex, that was undergoing a Final Certificate of Occupancy review but there had been no other multifamily residences built in Pinole since 2008 and the City had no rental price data after 2020.

As the City Council considered protections or considered adopting stronger protections, Mr. Menis asked that consideration also be provided on the practical power dynamic between landlord and tenant. He noted that the average tenant or landlord may be unaware of these protections and a tenant may just evict themselves since they did not have the money to fight the eviction and pay the rent. The balance of power in these situations was tilted towards the landlord, the owner of the property and who in a worst case scenario may be able to take out loans on the property to capitalize on legal actions, whereas a tenant could not since tenants tended to be in a weaker financial position. He suggested that protections that relied on a tenant to file suit to claim the benefits of the protection may not achieve the goals the City wanted to seek given the difficulties for the tenant to find and pay for a lawyer and have the protections enforced. He urged the City Council to adopt protections.

Fattaneh Yassini, California Apartment Association (CAA), explained that CAA had been representing housing providers for more than 80 years and prior to the pandemic her colleagues had played a great role in AB 1482, which had been carefully curated to balance the needs of both tenants and housing providers. AB 1482 had been passed in 2019 and had taken effect in 2020. Months later, the pandemic hit and ensuing ordinances had been adopted. AB 1482 provided realistic protections for tenants when a tenant was not at fault and with a termination of tenancy the landlord had to pay for relocation compensation. Since AB 1482 was already in effect with secure tenant protection regulations, the CAA supported the City staff recommendation to further outreach and CAA could be a resource to the City in any of its efforts to educate tenants and housing providers about their rights via emails, videos, and social workshops.

Tyra Wright, El Cerrito, suggested the City Council support the staff recommendation to adopt AB 1482. A resident of the City of El Cerrito, she represented the Contra Costa Association of Realtors (CCAR) as a Realtor, not the agency itself. She had been involved in a task force in El Cerrito, at the beginning of the pandemic at which time El Cerrito was also considering a Just Cause Eviction Ordinance and which task force recommended AB 1482. El Cerrito created a registry which data supported the need for AB 1482, and which provided for just cause eviction as provided in the staff report. She supported the staff recommendation and expressed the willingness to serve as a resource for the City.

Debi Mackey, Realtor, agreed with the previous speaker and the support for AB 1482. As to why properties over 15 years were exempt, she explained that was to allow builders to recapture some of their costs when building properties, the housing crisis and placing more rules on Mom and Pop landlords, which had resulted in the sale of inventory. She commented that the PowerPoint presentation was very good and she urged the City Council to stick with the current state laws in place which were friendlier for investors to invest in the City of Pinole.

Eric Meyers, Hercules, the owner of a real estate business in the City of Pinole and a practicing Real Estate Lawyer in landlord tenant law, agreed with the great overview contained in the PowerPoint presentation, but offered some practicalities when evictions occurred. He explained when an eviction was filed, a tenant automatically received notice of all of the legal aid that was free to the tenant. An eviction did not have to be filed in the court for a tenant to avail himself or herself of those resources. Based on his personal experience, eviction filings in the City of Pinole were few. Most were from other counties in the Bay Area up to Northern California. He commented that when an eviction filing resulted in a jury trial, it cost the landlord significant legal fees and expenses with no costs incurred by the tenant, and there was incentive to threaten a jury trial regardless of the facts.

Mr. Meyers explained that 90 percent of those cases resulted in a settlement between the lawyers with significant concessions offered to the tenant, and with the cases dismissed with prejudice the landlord would never go back to the tenant for anything that was owed or for damages. He too offered his availability as a resource for the City and emphasized that AB 1482 already did the job at the statewide level.

Leah Simon-Weisberg, Legal Director, Alliance of Californians for Community Empowerment, Institute, who worked throughout Contra Costa County and who had been active in passing protections in other communities in the Bay Area, disagreed with the prior speakers. She looked forward to community engagement and disagreed that AB 1482 had been wholly effective, which was why cities across the state had been passing their own ordinances. She suggested that AB 1482 had not been well curated and left loopholes, such as notice could be served on a tenant that substantial rehabilitation or remodeling would be done with the tenant required to be out for 30-days and then the tenant had to move out permanently and did not have the right to return. This was different from the local protections that tenant advocates had fought for. She urged the City Council not to adopt AB 1482 which she suggested would be a waste of the City's time. She also urged the City to reach out to the courts on the eviction data and noted that information was masked unless the tenant lost at trial and that information was not public. She had worked with policymakers, stated the numbers for the State of California were inaccurate given the way that records were kept, and it was important to reach out to the court to find out those numbers which would be significantly higher. She too offered her services as a resource to the City on this matter.

David Schubb, CCAR President, speaking as an individual, referred to the increasing housing crisis in the Bay Area. He was unaware of a large eviction problem in the City of Pinole and suggested it was a supply problem. Based on his experience, when housing providers found properties too difficult and expensive to maintain they were placed on the market for sale and were purchased by homeowners thereby reducing the rental housing stock. Most of the housing providers were Mom and Pop operators, who worked hard to keep the properties as retirement investments and could not afford to keep them with rising costs without some amount of rental increases. As the President of the CCAR, he too offered to work with the City of Pinole on potential solutions to the lack of rental and affordable housing units.

PUBLIC COMMENT CLOSED

Community Development Director Whalen reported in response to Council member Tave's earlier questions that based on the information from 2018 from the eviction lab, there had been one eviction filing and one eviction judgment in the City of Pinole but she would look into obtaining more accurate information.

Community Development Director Whalen also stated in response to the Mayor that she had not done research around funding for this issue, although there may be opportunities through residential rehab programs on the state level and assistance to cities to disperse funds for different types of programs. She would get back to the City Council with additional information. Also, the City had a Residential Inspection Program and as part of enhancing that program the City's new permit tracking system should provide a more robust database on the City's rental properties.

Mayor Murphy wanted to understand the data for the City to better inform and drive decisions and in this case he suggested there was an opportunity to learn more about renters in the City of Pinole.

Mayor Murphy suggested there was a need to find a way to create a database to better understand the needs of tenants and owner/landlords. He was interested in how that could be set up and consider the options staff had outlined.

Council member Martinez-Rubin was curious to know from Council member Sasai, who had requested this agenda item, what information was not being provided and addressed since she did not understand to what extent there was an urgent problem and a need to address it.

Council member Sasai commented on the tenant protection gaps in AB 1482, as mentioned during the public comment, including tenants who had lived in their homes less than one to two years who were not provided the protections in AB 1482. He noted that most single-family homes and condominiums were exempt, and as mentioned there was a substantial remodel loophole where a tenant was not allowed to return. The information provided by staff had provided data on who was residing in the City's rental units, although that had not factored in future tenants as part of affordable housing to meet the City's Regional Housing Needs Allocation (RHNA). Given the future of the City and its demographics, he sought this agenda item for future planning purposes.

Council member Tave commented that the City's charts for 2010 and 2015 had shown that homeowners were making overpayments as compared to the market, with the overpayment by owners by 2015 to 2019 reduced by 20 percent by volume in Pinole, while for renters it remained consistent from 2010 to 2015. He noted that what renters were paying was more than the market. He wanted to ensure that renters were able to rent in Pinole while also being able to save money and eventually purchase a home to live in Pinole.

Community Development Director Whalen clarified that Council member Tave was referring to Figure 41, Cost Burden by Tenure as shown in the 6th Cycle Draft Housing Element, which had been submitted to the State Department of Housing and Community Development (HCD) and which data had shown overpayment by renters in Pinole had occurred at the same rate as the County at 40 percent with overpayment by owners at a slightly lower percentage.

Council member Tave stated that based on the information, if rents were too high in Pinole people would move which was why it was important to consider a Just Cause Eviction Ordinance, even if there had only been one eviction. He wanted to find a way to make it easier for people to rent and stay in Pinole and not be faced with rents skyrocketing where people would have to move if they could not afford to live in Pinole. While he supported the option of going with AB 1482, he wanted more data to understand how the City could help renters build up to purchase in Pinole and what policies would protect tenant and landlord rights while at the same time create a fair market.

Mayor Pro Tem Toms reported the Ad-Hoc Municipal Code Update Subcommittee had discussed the Just Cause Eviction regulations. As a member of the Subcommittee, during those discussions she had asked what an ordinance would get the City that AB 1482 did not, and what it would cost the City in legal time to address an ordinance and whether there was a strong need to budget legal counsel's time to develop an ordinance to address a problem. She had also asked if the City had adopted an ordinance whether staff time would be required to enforce the ordinance.

Based on the staff report, if the City relied on AB 1482, along with the implementation of the program from the 6th Cycle Draft Housing Element for workshops and meetings to discuss displacement prevention and housing mobility that would be one option, or the City could consider how to address the loopholes in AB 1482.

Mayor Pro Tem Toms did not support adopting stronger protections than those provided by AB 1482. She preferred to consider the do nothing option or identify the loopholes in AB 1482 with the community and the City to avail itself of the resources available to address those loopholes.

City Attorney Casher confirmed in response to the Mayor that the Ad-Hoc Municipal Code Update Subcommittee had discussed the Just Cause Eviction regulations at its last meeting. He explained that state law, as it had currently been constructed, created a cause of action for tenants in civil court through a lawful detainer proceeding. If the City were to adopt an ordinance, it would be crafted in such a way where it would not require code enforcement or direct action from City staff but would place some limitations on the restrictions and regulations. It would be a staff-intensive endeavor if the City were to consider a full program about mediating between landlords and tenants. If there was value, filling in the gaps of AB 1482 could merit an ordinance, as outlined in the staff report, and could extend beyond the sunset date of 2030 for AB 1482.

Council member Sasai agreed there needed to be a community engagement piece. He acknowledged the public comments received during the meeting but none of those comments had been from tenants in Pinole. He suggested the City needed to do a better job hearing the testimony on the experiences from tenants in Pinole as part of the process and as the City moved forward. He asked how staff had envisioned that part of the community engagement piece.

Community Development Director Whalen explained that staff had envisioned community engagement as part of a mail-in survey with input from the different community groups as outlined in the PowerPoint presentation.

City Manager Murray advised the City had collected a fair amount of information from surveys for the Housing Element Update, which had identified issues such as challenges with rent, threats of eviction and the like.

Community Development Director Whalen confirmed there had been housing questions as part of the Housing Element survey and staff could review that data and return to the City Council.

Council member Martinez-Rubin wanted to see where in Pinole the comments from the survey were coming from. She recognized that would require a respondent to identify what areas of Pinole residents had experienced challenges and the nature of those challenges. She also spoke to predatory practices and the unspoken notion of outlier tenants or landlords not abiding by existing laws, which issue had not been discussed. She asked staff to consider some type of proxy measure that could help to identify where people were not complying with existing law.

Mayor Murphy summarized the comments from the City Council for some data collection, particularly around the 30 percent of renters in Pinole and their experiences, with staff to provide the types of questions that would be detailed enough to answer some of the other questions and exploration of funding opportunities in response to the concerns, with the cost of the passage of an ordinance or mandate the City may impose as part of the state mandates to fund enhanced information or protections regardless of the option the City Council may select.

Mayor Murphy stated community engagement remained a consistent challenge for the City and there should be brainstorming ways to engage the public and groups to contact for resources, which should include those groups already identified and the Alliance of Californians for Community Empowerment, Pinole Grove Tenants Association and the East Bluff Apartments along with communication with the Department of Housing and Urban Development (HUD). He also sought consideration of future tenant associations and proactive research with staff to reach out to those associations if possible.

Council member Tave suggested the use of data from HCD would be helpful and the City should lean on that data coupled with the data from the public testimonies and the community to inform the decisions in identifying the gaps.

Mayor Murphy also asked to see a report from the City of El Cerrito on the issues its task force had addressed.

Council member Martinez-Rubin further requested that property management firms or those developments that were townhomes exempt from AB 1482 be asked for input and what they saw their makeup as being rentals versus ownership or landlords not paying dues, which would help to form and give shape to the situation across different types of housing in Pinole.

Council member Sasai offered a motion, seconded by Council member Tave to direct staff to organize and host an informational event and send out invitations to tenants in Pinole for conversations about Just Cause Eviction policies, and include rent stabilization as part of that conversation.

On the motion, Council member Martinez-Rubin continued to struggle with the issue of whether the problem was the lack of communication with the existing public about what was fairly new legislation (AB 1482), and whether that was the basis for what Council member Sasai was suggesting or whether it was more than that.

Assuming the Housing Element was certified by the state in the next month or so, Mayor Pro Tem Toms pointed out there would be implementation measures as part of the Housing Element and she suggested the community outreach could be done at the same time. The Mayor concurred.

ACTION: Motion by Council members Sasai/Tave to direct staff to organize and host an informational event and send out invitations to tenants in Pinole and have conversations about Just Cause Eviction policies and include rent stabilization as part of that conversation.

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

Mayor Murphy moved onto Item 12C at this time.

C. Adoption of City of Pinole Local Roadway Safety Plan (LRSP) **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**

Public Works Director Mishra introduced the project team from TJKM the consultant who developed the Local Road Safety Plan (LRSP).

Ruta Jariwala, Principal, TJKM, provided an extensive PowerPoint presentation on the LRSP, which included an overview of the project status and milestones, collision analysis and findings, emphasis areas, engineering and non-engineering countermeasures, safety projects and implementation. While Viable Safety Projects 1 through 9 had been outlined in the LRSP and in the February 21, 2023 staff report, Project 10: HSIP Applications: Safety on Roadway Segments – Pedestrian Set Aside, had not been included.

Public Works Director Mishra explained that Project 10 involved three locations where the City had requested funding for the installation of a Rectangular Rapid Flashing Beacon (RRFB) at San Pablo Avenue and Third Street, San Pablo Avenue and Quinan Street and Pinole Valley Road and Savage Avenue, which locations had been chosen based on public input about pedestrian use and the speed of traffic.

Mayor Pro Tem Toms commented that AB 43 allowed local jurisdictions to set speed limits in certain conditions. She asked whether that had been considered as an option, to which Ms. Jariwala explained that had not been one of the countermeasures Caltrans had in its toolbox but was a policy discussion for the City Council to consider. She suggested such countermeasures could be considered as part of neighborhood traffic calming measures.

Public Works Director Mishra clarified that AB 43 included a provision to make speeds lower than 25 miles per hour (MPH) in certain conditions, such as the corridor must be defined as a safety corridor and within a certain period of time things must be put in place before the City could take action to reduce the speed limit.

In response to Council member Martinez-Rubin, Public Works Director Mishra reiterated that Project 10 involved three locations where the City had requested funding for the installation of a RRFB at San Pablo and Third Street, San Pablo Avenue and Quinan Street and Pinole Valley Road and Savage Avenue, with the City having requested setaside funds from Caltrans roughly in the amount of $250,000.

Council member Martinez-Rubin asked whether or not the signal at Tara Hills and Appian Way had been taken into account as part of the collision analysis since the equipment had been hit by large trucks several times a year. She asked whether there was a better way to place the signal with the knowledge that large trucks may impact the equipment.

Public Works Director Mishra commented that would be a maintenance item for the City. The existing mounting hardware would have to be modified to accommodate the large truck turning movements.

Council member Martinez-Rubin otherwise appreciated the use of back plates with reflective borders that had been placed at Appian Way, Tara Hills and Fitzgerald Drive, which were noticeable and made a difference during the evening hours.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, thanked the City Council for the consideration of establishing a left-hand turn signal at the already protected lane at the intersection of Pinion and San Pablo Avenues and he detailed his personal experience in navigating the intersection. He referenced Page 347 of the agenda packet, Public Comment 75, which he read into the record and reminded everyone that people making a left turn into the unprotected intersection must yield to vehicles traveling straight, which was another challenge to navigating the intersection. He also appreciated the explicit cost breakdown as shown on Page 330 and the part-by-part breakdown as shown on Page 527. He had raised a question with the City Manager but had not yet received a response whether it would be possible to install a left-hand turn signal at the Tennent and San Pablo Avenues intersection, which was a major injury flagged intersection and he asked of the estimated costs if evaluated.

Maria Alegria, Pinole, commended staff on the preparation of the comprehensive LRSP which would allow for much needed funding to keep City streets safe. Given the building of future homes along San Pablo Avenue with more expected pedestrians, she asked whether or not the Housing Element had been taken into consideration as part of the projections in the LRSP. She also noted the CIP had not addressed the Tennent Avenue Safety Corridor she had advocated be part of the 2022/23 CIP. If the City Council added the Tennent Avenue Safety Corridor to the CIP, she asked whether the LRSP could be amended sooner than later to include that project, which would provide a way to obtain additional funding. She also asked whether there had been any discussion about the second fire station going into the valley and whether any analysis had been included in the LRSP. Since the LRSP was a living document, she asked the City Council to consider her suggestions.

Marilyn Huff, Pinole, found the LRSP handled many of the issues raised by the Pinole Grove Tenants Association and she was grateful since residents were already dealing with the challenges of the Rafaela Street and Pinole Valley Road intersection. She had received a draft copy of the LRSP on February 6, 2023, and at that time had been informed it was too late for residents to provide comments but she had not seen the report prior to its receipt. She emphasized that oftentimes Pinole Grove residents were not informed about projects in the City until it was too late and she hoped that would not happen in the future, citing the desire to be included in the discussions about the Just Cause Eviction regulations and issues related to traffic safety, particularly anything related to the Rafaela Street and Pinole Valley Road intersection. She urged the City to do a better job reaching out to residents.

PUBLIC COMMENTS CLOSED

Responding to the public comment, Public Works Director Mishra advised as part of Item 12B improvement options would be presented for the Tennent Avenue Corridor. He explained that the LRSP followed data from the last five years and the collision data along the Tennent Avenue Corridor had shown few accidents, which was why Pear and Plum Streets had not been included in the LRSP but would be addressed in the CIP.

City Manager Murray further clarified the LRSP was based on a five-year review of collision data. The LRSP and other planning and analyses documents fed into the CIP. The City Council would create a new CIP for the next fiscal year over the next few months where the City Council could

consider a revised set of potential improvements to the Tennent Avenue Corridor as part of the discussion for Item 12B.

Public Works Director Mishra added the Housing Element and activation of Fire Station 74 had not been part of the LRSP. The LRSP had taken into account only the collision data and not how traffic would increase over a period of time or take into account future development. The LRSP was a living document and once future housing was built and more data collected, the City Council could provide new countermeasures in response to any accidents or collisions. The current LRSP covered collision data from 2015 to 2019. He noted Caltrans had not advised taking into account data from 2019 due to the pandemic. New data would likely span from 2022 to 2025, which would be the best time to look at revising the LRSP, if needed.

City Manager Murray further clarified the LRSP should be updated no less than every five years and include more current five-year periods of data to rely upon. The intent was to have the LRSP in place for a period to allow the countermeasures to be in place to inform the analysis for the next version. He would expect the City Council would adopt a new LRSP five years from now.

ACTION: Motion by Council members Tave/Martinez-Rubin to adopt the City of Pinole Local Road Safety Plan (LRSP).

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

The City Council returned to Item 12B.

B. Receive the Fiscal Year (FY) 2022/23 Second Quarter (Mid-Year) Financial Report and Adopt a Resolution Authorizing Budget Amendments **[Action: Adopt Resolution per Staff Recommendation (Guillory)]**

Finance Director Guillory provided an extensive PowerPoint presentation which included an overview of the Fiscal Year (FY) 2022/23 Second Quarter (Mid-Year) Financial Report, which included the budgetary highlights from the current mid-year budget and which had shown the City remained in a relatively strong financial condition. The City's ongoing funding sources were sufficient to fund ongoing expenditures and revenues and expenditures were on track with the proposed mid-year budget. She described the budget as a status quo budget with no major changes to City programs and services but with increases in staffing to respond to key community priorities and organizational needs including additional Police Officers and capital project staff.

One time special projects were highlighted with all details as shown in the February 21, 2023 staff report. The budget also included a vacancy savings factor and the appropriation of the City's remaining ARPA funds to the General Fund to backfill the City's loss of general revenue due to the pandemic. The General Fund Budget Summary; General Fund Revenue – Proposed Adjustments Summary; General Fund Revenues Budget Summary; General Fund Expenditures – Proposed Adjustments Summary; General Fund Expenditure Budget Summary; Gas Tax Fund Budget Summary; Recreation Fund Budget Summary; Building and Planning Fund Budget Summary; Growth Impact Fund Budget Summary; Sewer Enterprise Fund Budget Summary and

Information Systems Fund Budget Summary were highlighted with all information outlined in the staff report.

Additional items staff would like the City Council to consider that had not been included in the proposed adjustments included:

- Traffic safety improvements on the Tennent Avenue Corridor, with two options:
    - Immediate improvements ($110,000), or
    - Longer term improvements
        - Tennent Avenue and Pear Street ($440,000)
        - Tennent Avenue and Plum Street ($520,000)
- Public Safety Building Modernization ($100,000) – Allocate funding to CIP Project #FA2301 in the current fiscal year. It had originally been scheduled to start in FY 2023/24.

Council member Tave clarified with Finance Director Guillory that Other Operating Expenditures which included items such as materials and supplies and was a catch-all for items outside of the other categories also included debt service for the 2006 Pension Obligation Bonds, to be paid at the start of the fiscal year. The ARPA funds and the City's tracking/accounting system for the funds to allow specific expenditures to be tied back to the ARPA funds consistent with federal reporting requirements was also highlighted. Those funds could be broken out in future presentations for purposes of transparency.

In addition, Fund 275, Parkland Fund, was also clarified with some clean up required and with the balance in the fund having been moved to the Growth Impact Fund and with the Parkland Fund to be zeroed out. The Growth Impact Fund was also clarified and included parks, police, wastewater and subsections within that fund for various areas.

City Manager Murray further clarified with respect to Fund 275 that there had been an accounting practice that had been errant with staff having to so some clean up. He also clarified the Growth Impact Fund was all development impact funds together, as described.

Council member Tave asked that the Growth Impact Fund, which appeared as one pot, should be broken down into subcategories and City Manager Murray suggested that could be a discussion as part of the CIP. He explained that impact fees were limited and intended to develop new services and facilities that were directly related to the new developments.

In response to Council member Martinez-Rubin, Public Works Director Mishra further clarified the cost estimates for the proposed adjustments not included in the budget, as described, and City Manager Murray confirmed the City Council may decide whether to appropriate funding for the items identified for additional adjustments not included in the budget, which he again highlighted along with any other adjustments the City Council asked to be included.

Council member Sasai supported the immediate traffic safety improvements for the Tennent Avenue Corridor while the City waited for the long-term improvements. As to the Public Safety Building Modernization project, if the project was funded he asked whether the maintenance costs

and raw operational costs for the facility would decrease. Given the costs for this project, he wanted to be cognizant of the other needs in the City such as needed traffic safety improvements.

Public Works Director Mishra clarified the Public Safety Building Modernization project would include improvements to the flooring and replacement of aged equipment. This was a three-year project and staff was requesting allocation of funding to CIP Project #FA2301 in the current fiscal year to allow some of the improvements to be started given the urgent need.

City Manager Murray stated there had been emergency floor repairs in the Public Safety Building. Making the improvements as part of the unbudgeted item would not reduce ongoing routine maintenance costs. The unbudgeted project was an investment that would help the City from having to conduct small frequent repairs.

Mayor Murphy understood that future reports would include project updates on how the ARPA funds had been used, and Finance Director Guillory explained as part of the fiscal year 2023/24 budget, staff would request direction from the City Council on the use of ARPA funds. She again clarified how ARPA funds would be tracked consistent with federal requirements and highlighted how the ARPA funds could be used.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, stated he had submitted questions to the City Manager prior to the meeting. He referenced the Recreation Department Fund (Fund 209) and end of life maintenance issues related to the HVAC system at the Senior Center and asked the cost and timeline for replacement as shown on Page 241 of the agenda packet. He also referenced Page 248 and the information for the Public Safety Building Modernization and commented that the project cost shift should be considered differently than the recommended Tennent Avenue Corridor traffic safety improvements since the City would conduct the improvements for the Public Safety Building but was just shifting the timeline for the project forward and it would not be a new expenditure as opposed to the Tennent Avenue Corridor traffic safety improvements that had been outlined. He suggested it would be worthwhile to consider the immediate improvements for the Tennent Avenue Corridor to reduce risk of future fatalities that could not be accounted for in the LRSP.

Maria Alegria, Pinole, asked about the secured property tax revenue that included the Redevelopment Property Tax Trust Fund (RPTTF) in the amount of $1,490.51, which was the last payment, and asked whether the funds would go back into property tax revenue for 2023/24 or whether they would disappear.

Finance Director Guillory clarified the last payment of the RPTTF would be made in 2023/24. In subsequent years, the property tax revenue that would have gone to the Successor Agency to pay down the debt would have flown directly into the General Fund, partially offset by some expenditures formally funded by the Successor Agency Fund of about $250,000.

Ms. Alegria also clarified with Finance Director Guillory Airbnb rentals were subject to the Transient Occupancy Tax (TOT). She requested clarification when the 2022/23 CIP projects would be reviewed and prioritized and whether that discussion would be part of a future special City Council workshop. She suggested the funding for the safety improvements in the Tennent Avenue Corridor should not be piecemeal and that the City make a full investment in the total

amount with the project included in the CIP since it was clear there was a need and the community had cried out for attention to be provided to this area.

Anthony Vossbrink, Pinole, referenced the high-capacity trash bins project and asked whether they had been planned for Pinole park areas that were in dire need of full-service recyclable bins that had never been replaced. He disagreed with the prior speaker regarding the Tennent Avenue Corridor traffic safety improvements and rather suggested the City Council consider the improvements listed under immediate improvements. He recommended the City evaluate how the immediate improvements worked in the area of Pear and Plum Streets for six months to a year with those funds earmarked for the longer term improvements used for something else. He expressed concern if the Tennent Avenue, Pear and Plum Streets intersections were made a priority the City would likely have to prioritize other intersections with the same improvements. He also expressed concern the proposed traffic improvements could result in modifications to the traffic circulation into neighboring side streets. He added the City Council should have an immediate priority list rather than a CIP list.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Toms suggested the Public Safety Building Modernization Project in the amount of $100,000 made sense since it was an immediate need. As to the Tennent Avenue Corridor longer term traffic safety improvements, she asked whether it was possible those funds would be spent within this current fiscal year.

Public Works Director Mishra advised that the costs for the longer term improvements were high due to the required road improvements, concrete curb and drainage improvements. For the immediate improvements, it was hoped it would achieve the same goals of restricting the speed of traffic and having a shorter distance for pedestrians to cross the crosswalk due to the bulb-outs. If this option was proven to be effective, the longer term improvements may not be needed. Staff preferred to see the immediate improvements considered first prior to taking the next step.

Mayor Pro Tem Toms suggested there was no way to invest for the longer term improvements before the end of this fiscal year but the immediate improvements in the amount of $110,000 and the $100,000 for the Public Safety Building Modernization Project made sense.

City Manager Murray clarified in response to the Mayor and Mayor Pro Tem that the longer term improvement funds would not be expended for this fiscal year given the need to issue an RFP for design, concrete and drainage work. He also clarified there was no agenda item to consider amending this fiscal year's CIP and the City Council could not act to amend the CIP but could appropriate funding that would be reflected in the next CIP or some other future agenda item changing the CIP. The Tennent Avenue Corridor traffic safety improvements were a prospective project under discussion and had not been included in the CIP. Again, even if the longer term improvements proposed for the Tennant Avenue Corridor were funded today, that project would not be done this year even if funds were appropriated. He was unsure if funded whether the immediate improvements would be done this year but they would be on the "to do" list. It was possible the longer term improvements should be retitled since the immediate improvements may be sufficient.

Some of the capital projects that would not be completed on time had come from other funding sources and to the extent a capital project was funded by the General Fund and was not

completed, in that case, those funds would not be used for fund balance for this year. Some of the capital projects involved gas taxes and other funds.

When asked by Council member Tave, City Manager Murray again tried to explain that the existing CIP was not being amended at this time but the City Council had been asked whether to make budget adjustments and appropriate additional funds for the unbudgeted projects staff had identified.

Council member Martinez-Rubin offered a motion, seconded by Mayor Pro Toms to receive the Fiscal Year (FY) 2022/23 Second Quarter (Mid-Year) Financial Report and adopt a resolution authorizing budget amendments, and appropriate $110,000 for the Tennent Avenue Corridor Immediate Improvements and $100,000 for the Public Safety Building Modernization Project.

On the motion, Council members Sasai and Tave preferred the allocation of funding for each project be considered separately.

Council member Martinez-Rubin called for the question on her motion.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council member Martinez-Rubin/Mayor Pro Tem Toms for the City Council to Receive the Fiscal Year (FY) 2022/23 Second Quarter (Mid-Year) Financial Report and Adopt a Resolution Authorizing Budget Amendments, and Appropriate $110,000 for the Tennent Avenue Corridor Immediate Improvements and $100,000 for the Public Safety Building Modernization Project.

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

Council member Tave offered a motion to reallocate funds from CIP Project #PA 2101, Installation of High-Capacity Trash Bins in the amount of $425,000 and reduce that to $125,000 for Fiscal Year 2022/23 and $100,000 for the next three years.

Given there was some confusion with the motion as stated, Council member Tave restated his motion for CIP Project #PA2101, Installation of High-Capacity Trash Bins, to reduce the $425,000 allocation by $300,000 for this fiscal year.

City Manager Murray understood the intent of the motion was for CIP Project #PA2101, Installation of High-Capacity Trash Bins, which was currently funded for $425,000 in this current fiscal year and Council member Tave proposed a reallocation of the funding with $125,000 for this fiscal year, $100,000 the following year, another $100,000 the following year after that and a final $100,000 the year after that to spread the total amount over four years.

Council member Tave confirmed that was an accurate description of his motion.

Mayor Pro Tem Toms expressed concern the motion was budgeting for future fiscal years, which was not on the agenda and the agenda item related to the current fiscal year. She suggested the second motion should stand.

Council member Tave again restated his motion for CIP Project #PA2101, Installation of High-Capacity Trash Bins, reducing the $425,000 allocation to $125,000 for this fiscal year.

There was no second to the motion at this time.

Council member Sasai offered a motion to allocate funds for the immediate improvements for the Tennent Avenue Corridor in the amount of $110,000. He also seconded Council member Tave's motion for CIP Project #PA 2101, Installation of High-Capacity Trash Bins, reducing the $425,000 allocation to $125,000 for this fiscal year.

Council member Martinez-Rubin asked for clarification of Council member Tave's motion since she did not understand the advantage of the motion given the funding for the project was coming from a source that specifically worked for that specific item and would not affect the General Fund.

Council member Tave suggested the advantage was what could realistically be accomplished for this year.

Council member Martinez-Rubin pointed out the source of funding for the High-Capacity Trash Bins whether for this year or future years, regardless of when the project was implemented, it was an example where the source of funds was most directly connected to the result of the project.

Mayor Pro Tem Toms noted if reducing the project by $300,000 for this fiscal year, the City would not have the $300,000 when it worked on the budget for the next fiscal year to carry over, and if left alone it would be unspent and could be carried over to future fiscal years.

City Manager Murray had a different interpretation and explained if the amount of funding was reduced by $300,000 that amount would return to the available fund balance in that fund but no longer be reserved for the specific line item.

ACTION: Motion by Council members Tave/Sasai for CIP Project #PA2101, Installation of High-Capacity Trash Bins, reducing the $425,000 allocation to $125,000 for this fiscal year.

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

Mayor Pro Tem Toms offered a motion, seconded by Council member Martinez-Rubin, to adopt a resolution authorizing the budget amendments subject to Exhibit A of the staff recommendation.

When asked by the Mayor, Mayor Pro Tem Toms rescinded her motion to allow him to propose an alternative motion.

Mayor Murphy offered a motion to redirect Measure S 2014 funding amount of $420,000 from CIP

Project #FA2201 to fund immediate measures for traffic safety improvements on the Tennent Avenue Corridor Project and the Public Safety Building Modernization Project for this fiscal year and increase funds to $150,000 for the 2022/2023 cycle for the Public Safety Building Modernization Project.
Given confusion with the motion and in response to the City Manager, Mayor Murphy understood the City Council had to move money in order to fund those projects this year and he wanted to use what was available for funding this year and move Measure S 2014 of $420,000 into two of the buckets; traffic safety improvements for the Tennent Avenue Corridor Project as well as the Public Safety Building Modernization Project of $150,000 for this fiscal year.

Mayor Murphy again restated his motion, seconded by Council member Tave to redirect the Measure S 2014 funding amount of $420,000 from CIP Project #FA2201 to fund immediate measures for traffic safety improvements on the Tennent Avenue Corridor Project and the Public Safety Building Modernization Project. In that motion, $150,000 of that $420,000 would go to the Public Safety Building Modernization Project for the year 2022/23, with the rest of the funding for the traffic safety improvements to the Tennent Avenue Corridor project for this year.

On the motion, Council member Martinez-Rubin expressed her concern taking away funding from a project that had been supported by a number of community members, a project that had taken years to be funded when the City had available funds from the General Fund for the kinds of projects staff identified could be funded in 2022/23, for the Public Safety Building Modernization Project and for the immediate improvements to the Tennent Avenue Corridor.

Mayor Murphy commented the City Council, previous Councils and the public had discussed the prioritization of Measure S funds for public safety, roads and pedestrian safety and he suggested the funds would be better used for pertinent issues like the Tennent Avenue Corridor improvements. He suggested the two projects as part of the motion were important and the use of available options in funding was appropriate.

Council member Martinez-Rubin found the Mayor and three members of the Council had priorities other than funding the Faria House and did not see that as an urgent matter, did not listen to the members of the public interested in upgrading the facility, did not see the Faria House as an asset or liability for the City, had not considered that expenses would be greater in future years to do the kind of renovations that had been estimated to cost $420,000, and disregarded the improvements that while yet to be started were in support of improving a City facility that could provide some return to the City.

Council member Martinez-Rubin added that the City Council had compromised to have the types of projects in the CIP that reflected not only immediate urgent needs and addressed things that were essential but allowed projects that enhanced quality of life in Pinole and had the potential to provide economic return.

Mayor Murphy recognized that oftentimes the City did not have the staff capacity to do everything it wanted to do and while he would love to do more the reality was the City needed to address the issues that were more urgent, and today he wanted to focus on the two projects. He suggested it would be more appropriate to create an understanding that the project Council member Martinez-Rubin was encouraged by and invested in was urgent and important to the community and the City Council but today the Tennent Avenue Corridor and the Public Safety Building Modernization projects were urgent and important for the City to build. He stated that the motion

was his decision and he understood that Council member Martinez-Rubin may not support the motion.

Council member Martinez-Rubin clarified it was not difficult to hear a project she had advocated for would not be funded. The difficulty was having a City Council that leaned towards certain projects in the guise of urgency while disregarding a balance of projects that were both urgent and also addressed non-urgent issues. She suggested there was funding in the City's budget to allow for Measure S funds to be used for urgent matters and the upgrades to the Faria House, which was also about infrastructure improvements. She recognized the Faria House had been a point of contention in the City for years with members of the public pushing one way or another and with the City Council pushed to vote one way or another but she objected to having funding taken away from the Faria House because that project wasn't considered to be urgent.

Mayor Murphy suggested Council member Martinez-Rubin could request a future agenda item to discuss what "urgency" meant. He stated he had listened to the public often to learn about what the public cared about. He again called for the question on the motion.

Council member Tave recognized the conversation had been ongoing for years. He noted the need for citywide roof repairs and replacement and the recent rain had impacted occupied City buildings such as the Public Safety Building and the Senior Center, the cost of which was more than $420,000. He understood the concerns and recognized the Faria House had been vacant for some time but there were other occupied buildings in the City used by the community that needed to be addressed. He commented on the projects he had advocated for such as the High-Capacity Trash Bins with the use of Measure S funds in recognition of the need and pointed out that City's roads had been in need of repair for years, and while some improvements like pothole repair were being made more needed to be done.

Mayor Pro Tem Toms pointed out the prior motion had reduced a project by $300,000 and if the City Council wanted to use that $300,000 since it was not needed right away, it could cover the cost of the additional two items that had been proposed.

Finance Director Guillory clarified the High-Capacity Trash Bins would be funded via the Solid Waste Fund and not through Measure S 2014 funds.

Mayor Pro Tem Toms understood there were unfunded revenues that could pay for the two items staff recommended and Finance Director Guillory clarified that could be done with the Measure S 2014 fund.

ACTION: Motion by Mayor Murphy/Council member Tave to redirect Measure S 2014 funding amount of $420,000 from CIP Project #FA2201, to fund immediate measures for traffic safety improvements on the Tennent Avenue Corridor Project and the Public Safety Building Modernization Project. In that motion $150,000 of that $420,000 would go to the Public Safety Building Modernization Project for the year 2022/23 with the rest of the funding for the traffic safety improvements on the Tennent Avenue Corridor Project for this year.

Vote:	**Passed:**	**3-2**
	Ayes:	**Murphy, Sasai, Tave**
	Noes:	**Toms, Martinez-Rubin**

Abstain: **None**
Absent: **None**

ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin to adopt a Resolution Authorizing Budget Amendments subject to the items listed in Exhibit A to the resolution.

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 that the amount previously allotted to #FA2201, Faria House Renovations in the amount of $420,000 be taken from the General Fund to fund the renovations.

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

D. Review City Council Meeting Procedures **[Action: Discuss Report and Provide Direction (Murray)]**

ACTION: Motion by Council members Martinez-Rubin/Tave to defer item 12D to the City Council meeting scheduled for March 7, 2023.

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

ACTION: Motion by Council members Tave/Mayor Murphy to extend the City Council meeting to 11:05 p.m.

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

13. CITIZENS TO BE HEARD (Continued from Item 6) (Public Comments)
Only open to members of the public who did not speak under the first Citizens to be Heard, Agenda Item 6.

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

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

14. **ADJOURNMENT** to the Regular City Council Meeting of March 7, 2023 in Remembrance of Amber Swartz.

At 11:04 p.m., Mayor Murphy adjourned the meeting to the Regular City Council Meeting of March 7, 2023 in Remembrance of Amber Swartz.

Submitted by:

_____

Heather Bell, CMC
City Clerk

Approved by City Council:

CITY COUNCIL MEETING
MINUTES
March 21, 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 5:00 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

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

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Sanjay Mishra, Public Works Director
Lilly Whalen, Community Development Director
Jeremy Rogers, Community Services Director
Fiona Epps, Assistant to the City Manager
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Friday, March 17, 2023 at 1:00 p.m. with all legally required written notices. Written comments had been received in advance of the meeting and had been distributed to the City Council, posted on the City website and made available in the Council Chambers. Supplemental information for Item 12A had also been distributed and made available to 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.

CONFERENCE WITH LABOR NEGOTIATORS
Gov. Code § 54957.6
Agency designated representatives: City Attorney Eric Casher, Human Resources Director Stacy Shell
Unrepresented employee: City Clerk

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 6:00 p.m., Mayor Murphy reconvened the meeting into open session and announced 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.

Danielle Hall, Pinole, stated her residence was near the Pinole Valley eucalyptus groves built nearly 100 years ago, the oldest trees in the City of Pinole that had only been trimmed once in the last five years. Given the current weather conditions with high winds, the trees had become a safety hazard and should be prioritized for routine maintenance. Although she had contacted the Public Works Department and had been informed an arborist had been called, nothing had been done. She recommended the City obtain quotes from contractors outside the area of the cities of Pinole and Hercules and she provided current photographs of the trees for the record which included views of her residence. She recognized the trees were part of the City's history but there was a safety issue with the trees that were more than 100 to 200 feet in height and as they aged they had become diseased and weak. She urged the City to trim the trees immediately.

Rafael Menis, Pinole, updated the City Council on the current COVID-19 case rate for the City of Pinole, which had the 6th highest rate in Contra Costa County. He urged everyone to continue to wear masks indoors and in crowded settings and he also provided the case rate data for some other cities in Contra Costa County, which were lower than Pinole's case rate or which had a zero case rate. He also referenced the just-released Intergovernmental Panel on Climate Change (IPCC) AR6 Synthesis Report: Climate Change 2023, particularly Point B3, which he read into the record.

Mr. Menis explained that the current rain system was from a bomb cyclone from the Pacific Coast and that winds in the mountains had reached 80 mph. These weather events would become more frequent and were an example of the region's future if climate change was not addressed.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Murphy reported on his attendance at the Annual Civic Well Policymaker's Conference, a statewide organization that involved policy development and technical assistance to apply for grants and workshops to support City Council and staff for a myriad of issues, with the main topic of the conference being energy storage for communities impacted by power outages and wildfire mitigation. He looked forward to working with City staff and Civic Well to provide more resources for the City Council and the community on those two issues. He had also joined Congressman John Garamendi in touring two businesses in Contra Costa County that supported homes and businesses and supplying them with energy storage. Work would continue with Congressman Garamendi, Marin Clean Energy (MCE) and City officials to ensure energy storage was prioritized in the next year.

Mayor Murphy also thanked the public for its feedback regarding the monthly video Mayoral Updates and the Mayoral Update for the month of March was provided at this time.

B. Mayoral & Council Appointments

1. Community Services Commission **[Action: Consider Appointment (Bell)]**

City Clerk Bell presented the staff report and recommended the City Council approve the recommendation of the Community Services Commission Interview Subcommittee by minute order to appoint Irma Ruport to the Community Services Commission for a two-year term to expire on March 21, 2025.

Council member Sasai, a member of the Community Services Commission Interview Subcommittee, detailed Ms. Ruport's background and stated she had been highly engaged in City Council activities. He looked forward to her service on the Community Services Commission.

Council member Tave, also a member of the Community Services Commission Interview Subcommittee concurred.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, suggested Irma Ruport would make an excellent Community Services Commissioner based on her past work in the community and based on his personal experience working within the Community Services Commission. Ms. Ruport had the necessary drive, stamina and vision to significantly contribute to the Community Services Commission.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council members Tave/Sasai to Appoint Irma Ruport to the Community Services Commission for a term of two years to expire on March 21, 2025.

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

C. City Council Committee Reports & Communications

Mayor Pro Tem Toms reported she had attended an MCE Board meeting; League of California Cities Housing Policy Committee meeting and briefed the City Council on the discussions and actions taken. She also commented on the series of recent weather events and calls she had received about trees in the community either owned by the City or by private citizens and she was pleased City staff would be considering that information. She had also received a number of complaints about potholes and suggested the City's bi-weekly administrative report include an email or telephone number to identify where significant potholes were located in the community.

Council member Martinez-Rubin reported she had attended the League of California Cities Revenue and Taxation Policy Committee and briefed the City Council on the discussions and actions taken; the monthly creek clean up would be held on Saturday, March 25 with everyone asked to meet at Henry Avenue by the bridge over Pinole Creek from 10:00 a.m. to 12:00 p.m., and from 12:00 to 1:00 p.m. a demonstration on water quality monitoring would be provided.

Council member Tave reported on the status of Senate Bill (SB) 691, Dyslexia risk screening, and noted that 10 percent of the population had dyslexia which was often not detected leading to future learning challenges. SB 691 was important legislation to ensure an early universal screening process.

D. Council Requests for Future Agenda Items

Council member Tave requested a resolution in support of SB 691 as a future agenda item. Consensus given.

Council member Tave requested the parameters for the previously approved Project Labor Agreement (PLA) be brought back to the City Council at a date certain in the next two months to allow City staff to provide a deadline as a future agenda item.

Mayor Pro Tem Toms understood the PLA Ad Hoc Subcommittee had not yet met and that should be done first, although Council member Tave wanted to move on language they had before and suggested a date certain in the next two months.

City Manager Andrew Murray clarified that staff had not prepared draft language to bring back but something could be crafted. There were a couple of models suggested when the topic had last been discussed and City staff could prepare a proposed citywide PLA, but the City Council had already established a PLA Ad Hoc Subcommittee to work on this topic.

Council member Tave recalled that City staff had been instructed to contact the Building and Construction Trades Council to develop some draft language with the PLA Ad Hoc Subcommittee to meet and bring that information back to the City Council. He wanted some language to come back so that a discussion and possible action could be taken by the end of May.

Mayor Pro Tem Toms, a member of the PLA Ad Hoc Subcommittee as was Council member Tave preferred the subcommittee meet first given the difficulty to negotiate an agreement at the dais without having gone through the subcommittee first.

Council member Tave reiterated his request and suggested having a date certain to get the "gears turning." He clarified the timeline he envisioned was for staff to reach out to the Building and Construction Trades Council to develop some language for a PLA, which the subcommittee was to discuss, and if the City Manager reached out and obtained that language, the subcommittee could convene and hash out the language and bring it back to the City Council.

Council member Sasai seconded Council member Tave's request for a future agenda item.

Council member Tave offered a motion seconded by Council member Sasai to bring back the Project Labor Agreement (PLA) discussion and action, with a date certain towards the end of May 2023.

On the motion, Mayor Pro Tem Toms explained she would vote no on the motion since they were already in the process, the City Council had voted to approve a PLA Ad Hoc Subcommittee and it would go to the City Council when ready.

City Manager Murray commented the direction was unclear. The request was to bring the item to the City Council absent input from the PLA Ad Hoc Subcommittee versus work through the PLA Ad Hoc Subcommittee process, which would not change the date certain. He clarified the Building and Construction Trades Council had a model, although during a prior conversation other examples of models had been mentioned, such as those from the cities of El Cerrito and Martinez, and West County Wastewater, and he was uncertain whether those models were all the same. He recalled there had been no discussion about using just those examples but the PLA Ad Hoc Subcommittee was to review all examples mentioned and come back to the City Council with a specific recommendation. He asked for clarification if Council member Tave was recommending not working through the PLA Ad Hoc Subcommittee process.

Council member Tave suggested working through the PLA Ad Hoc Subcommittee process would be great but a date certain and timeline was needed to go to the City Council and having that date would drive the conversation.

ACTION: Motion by Council members Tave/Sasai to bring back the Project Labor Agreement (PLA) discussion and action, with a date certain towards the end of May 2023.

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

ACTION: Motion by Council member Martinez-Rubin/Mayor Murphy for the month of May to be proclaimed as Mental Health Awareness Month as a future agenda item.

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

ACTION: Motion by Council member Sasai/Mayor Murphy for a presentation from the California Department of Housing and Community Development (HCD) on the HCD Pro-Housing Designation Program as a future agenda item.

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

ACTION: Motion by Mayor Murphy/Council member Tave for a resolution in support and partnership of the 2023 Contra Costa County Inflation Reduction Act Conference hosted by Diablo Valley College (DVC) and Contra Costa College on May 18, 2023 from 8:30 a.m. to 3:30 p.m., to be added at a City Council meeting in April as a future agenda item.

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 resolution and addendum to a letter to State Legislators on transportation equity and funding as a future agenda item.

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

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

E. City Manager Report / Department Staff

City Manager Murray reported the City Council had previously approved a future agenda item for a presentation from Vision Zero Network. City staff had reached out but Vision Zero had declined the invitation. He reported the annual Easter Egg-Stravaganza celebration would be held on Saturday, March 25, 2023; a Special Joint City Council and Planning Commission meeting had been scheduled for March 28, 2023 and he provided an overview of the topics of discussion; with the next regular City Council meeting scheduled for April 4, 2023 and he provided a preview of the tentative agenda items.

City Manager Murray also provided a status report on road repair work and reported there had been no crack sealing or asphalt striping/patching done in the past month due to weather but 80 potholes had been filled and he identified the street locations involved. He also confirmed the next bi-weekly administrative report would include additional information on contact information for the public to notify the City about any potholes as the Mayor Pro Tem had requested.

City Manager Murray further reported on the two unmaintained City spaces populated with eucalyptus trees, one behind Pinole Valley Road and Samuel Street and the other off of Primrose Lane behind Pinon Park. The City had contracted with an arborist to assess the risk of the trees near Pinole Grove Senior Housing and there was to be trimming and cutting work done, although that work could not be done during inclement weather. Once the weather improved the work should commence on or around April 4, 2023. The same firm would also do an assessment of the eucalyptus trees in the area behind Primrose Lane in the next week and once the work near Pinole Grove Senior Housing was compete work would commence on the trees off of Primrose Lane. He added that City staff had requested multiple bids from various contractors to do the work although all firms were backlogged as a result of the severe storms in the Bay Area, with the exception of the firm from Hercules which would do the work. Updates of the work would be shared with those groups that had contacted the City including the member of the public who had spoken under Citizens to be Heard.

City Manager Murray also clarified, when asked by Council member Martinez-Rubin that the City did not have an entirely consistent system for categorizing its various parks and public spaces, which would be defined as part of the Parks Master Plan process currently under development. He clarified public open spaces that were not developed, which the City did not actively maintain related to some liability issues, with the two properties earlier described as two examples of unmaintained City properties where the City did not routinely cut brush or trim trees unless there was a safety issue. Those areas would be evaluated as part of the Parks Master Plan process to determine whether or not there was a desire to further develop those properties and make them actively maintained and installed amenities.

PUBLIC COMMENTS OPENED

Irma Ruport, Pinole, stated she had missed the opportunity to provide comments on Items 7B and 7D. She thanked the City Council for her appointment to the Community Services Commission and she looked forward to being positive and making changes in the community. She suggested the City was in need of a grant writer and she asked that a grant writer be brought on board, which had been done in the City of San Pablo, and suggested the City was losing out on potential grants.

PUBLIC COMMENTS CLOSED

F. City Attorney Report: None

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Nowruz

(15 minute recess for reception in City Hall Lobby)

The City Council read into the record a proclamation recognizing Nowruz, the Iranian/Persian New Year observed on the first day of spring, which was presented to former Mayor Vincent Salimi.

PUBLIC COMMENTS OPENED

Vincent Salimi, Pinole, thanked the City Council for the proclamation and wished everyone a Happy Nowruz. He reported he had been newly appointed as Airport Commissioner by the Contra Costa County Board of Supervisors representing the City of Pinole and had been recognized by the French government to work on international sanctions against Russia and Iran. On behalf of the Iranian-American community in Pinole, Contra Costa County, and the State of California he thanked the City Council, the City Clerk and Deputy City Clerk for recognizing Nowruz. He also thanked those individuals who had helped set up the table for refreshments for the reception in the City Hall Lobby. He described the background of Nowruz, one of the oldest holidays and celebrations of life that marked the beginning of spring and which was celebrated worldwide. He was pleased the City of Pinole had recognized Nowruz as a tradition.

Ushain Pakpour, performed a violin musical piece for the benefit of the City Council and members of the audience.

Mahsa Garakani. thanked the City Council for the opportunity to celebrate Nowruz. She too described the background of Nowruz, explained that the items on the table as part of the reception represented items that highlighted the celebration of Nowruz past and present and she took the opportunity to speak to the number of young Iranians who had lost their life a result of the movement for human rights in Iran.

Nastaran Nouri, further defined each item on the table and what it represented as part of the Nowruz celebration. She wished everyone a Happy Nowruz.

PUBLIC COMMENTS CLOSED

At 7:15 p.m., the City Council recessed for 15 minutes in the City Hall Lobby. The City Council reconvened at 7:30 p.m. with all Council members present.

B. Presentations

1. California Department of Insurance Presentation

Community Services Director Jeremy Rogers explained that the City Council had requested an overview of the California Department of Insurance and an update on the Safer Wildfire

Framework (SFW) with a presentation to be made by Mary Beth Bykowsky from the California Department of Insurance (CDI).

Mary Beth Bykowsky, CDI, Northern California, Outreach Analyst, provided a PowerPoint presentation on the CDI Overview & SFW, which included an overview of the CDI and the role of the Insurance Commissioner. CDI's purpose was to protect consumers, maintain insurer solvency, set standards for agents and broker licensing, perform market conduct review, resolve customer complaints, and investigate and prosecute insurance fraud but CDI could not require or compel insurance companies to sell insurance. She highlighted CDI's accomplishments for 2021 with respect to wildfires; removal of barriers to critical insurance benefits, coverage for evacuation expenses, extensions to additional living expenses, creation of disclosures and coverage to meet upgraded building codes, a one-year moratorium from non-renewals and increased non-renewal notice from 45 to 75 days.

Improvements to the FAIR Plan (basic fire insurance coverage for high-risk properties when traditional insurance companies would not provide coverage) was also highlighted along with regulations to lower costs and increase transparency. An overview of the SFW was also provided and it was clarified that CDI could not require insurers to write coverage and CDI expected the FAIR Plan to comply. It affected both community-level and property-level mitigation efforts and included both residential and commercial properties with additional information available on the CDI website.

Council member Tave asked whether the formation of a Fire or Preventative Maintenance District helped to decrease fire insurance costs. As an example, the City of Pinole had recently reopened a fire station and he asked whether that computed into the insurance premium.

Ms. Bykowsky advised she had provided a copy of the regulations to the Community Services Director that outlined all aspects that could be taken to reduce the risk scores, with the insurance company to inform an insurer of the potential discount. She noted that access to a fire station did not always guarantee a lower premium but there were things that could be done to a residence to lower the risk score. Insurers must tell a homeowner why their risk score was so high and the homeowner could then consider options to reduce the risk. She could also provide information on how neighborhoods could become a Firewise community which had the most discounts but which included specific steps and required quantification.

Mayor Murphy thanked Ms. Bykowsky for the presentation and thanked the Insurance Commissioner's Office for creating the first Climate and Sustainability Department in the nation.

Mayor Pro Tem Toms clarified with the City Clerk the PowerPoint presentation and any additional information would be posted on the City website and other City platforms. A memorandum had also been provided just prior to the meeting also to be posted on the City website with the rest of the agenda packet materials.

2. Introduction with Local Active Transportation Non-Profit Organization Bike East Bay by Robert Prinz, Advocacy Director

Robert Prinz, Advocacy Director, Bike East Bay, provided a PowerPoint presentation titled, Introduction with Bike East Bay, which included an overview of Bike East Bay, which served Contra Costa and Alameda Counties and which had recently celebrated its 50th anniversary.

Bike East Bay consisted of a 12-person all volunteer team whose mission was to promote safe streets for all road users and sustainable and affordable mobility for all. Mr. Prinz highlighted the efforts of the organization to get bicycles on the BART system 40 years ago since BART initially did not allow bicycles, and the efforts to create bike spaces on the new BART trains, free bike parking facilities and secure bike lockers at all BART Stations. He reported that bikes may be taken for free on all Bay Area transit systems which all had bike access and free bike parking.

Bike East Bay events, education and advocacy included Bay Area Bike to Work Day to be held on May 18, 2023, with the month of May to be Bike Month. Throughout the year social activities included a spring and fall ride series, which explored beautiful locations throughout the East Bay; free bike education programs for youth and families with partnerships with other bike organizations; Bike Build and Giveaway in coordination with the Fast Freddy Foundation and an affordable housing developer to provide free bikes to children in an affordable housing development; and adult bike education and anti-theft workshops were also provided. Advocacy efforts included the need to provide Class I bike trails, traffic calming networks and the creation of pop-up bikeways with temporary materials.

Bike East Bay, as a non-profit (c)(3) organization, also lobbied around ballot measures and had been successful in integrating bike education programs into affordable housing and sustainable housing grant applications at the state level and into transit infrastructure.

Council member Tave asked whether Bike East Bay helped with grant writing for bike paths or helped in the conversation with city staff and Mr. Prinz stated he had participated in some grant applications but Bike East Bay participated as a program provider, providing letters of support or other types of community assistance to make a grant application more competitive. The grant writing was typically done by city staff. As a community partner, Bike East Bay could participate in a grant application by making it more competitive by adding its own programs, but it would not prep the grant application itself.

Council member Sasai asked for more details on the pop-up events to which Mr. Prinz explained that Bike East Bay had done more pop-up events over the years and they were getting more professional over time. For the pop-up events, Bike East Bay would have to partner with a city, obtain official permission and ensure the jurisdiction was okay with the design concepts. As an example, for a pop-up event held in the City of San Leandro, Bike East Bay served as a subcontractor with a consulting firm that had done the design aspect, with Bike East Bay assisting with volunteer coordination and actual construction of the materials. The trend was to make sure the pop-up events looked more official to ensure the level of feedback was more detailed.

Council member Sasai asked whether Bike East Bay contracted with cities that implemented Complete Streets projects and was informed by Mr. Prinz that Bike East Bay had partnered with the City of Pittsburg for community outreach as part of its bike plan update. As a non-profit, Bike East Bay's administrative capacity was not as high as a consulting firm and more often it partnered as a subcontractor with a consulting firm on a project.

Council member Martinez-Rubin appreciated that bikeways could be created to also benefit those using scooters, such as seniors. She asked whether Bike East Bay had any affiliation or connection with cyclists who traveled from Orinda into Pinole, as an example.

Mr. Prinz stated there were a lot of bicycle clubs in the East Bay. He suggested those who were not biking yet were those who should receive the focus with the infrastructure upgrades, with an understanding why people were not biking and what needed to be done to make those people feel safe and comfortable. He described bicyclists as having different constituency and needs with the intent to find a common denominator that focused on safety, diversity of the ridership and increasing access to all.

Mayor Pro Tem Toms thanked Mr. Prinz for the presentation. She commented that she had seen Bike East Bay's advocacy throughout the County which was much appreciated.

Mayor Murphy encouraged Bike East Bay to consider Pinole's Earth Walk during the month of April as a way to engage with the community.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

9. CONSENT CALENDAR

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

A. Approve the Minutes of the March 7, 2023 meeting.

B. Receive the March 4, 2023 – March 17, 2023 – List of Warrants in the Amount of $853,010.60 and the March 17, 2023 Payroll in the Amount of $569,801.86

C. Receive the 2022 Annual General Plan Housing Element Progress Report as Required by the State of California **[Action: Receive and File Report (Whalen)]**

D. Second Reading of an Ordinance Amending Title 2, Administration and Personnel, of the Municipal Code to Provide the Contra Costa County Fire Protection District with Jurisdiction and Authority to Conduct Fire and Emergency Medical Response Services Within the City of Pinole [**Action: Waive Second Reading and Adopt Ordinance (Casher)]**

E. Resolution in Support of State Funding for Adult School Classes for Older Adults **[Action: Adopt Resolution per Staff Recommendation (Murray)]**

F. Resolution Expressing Concerns Regarding the Delta Conveyance Project (Delta Tunnel) **[Action: Adopt Resolution per Staff Recommendation (Murray)]**

G. Ordinance Amending Chapter 8.24 and 8.25 of the Pinole Municipal Code to Modify Provisions Concerning Nuisance Abatement Procedures and Related Code Enforcement **[Action: Waive Second Reading and Adopt Ordinance (Casher)]**

H. Approve Resolution Approving Amendment to Purchase and Sale Agreement and Joint Escrow Instructions with LDW Investments for Purchase of 612 Tennent Avenue **[Action: Adopt Resolution per Staff Recommendation (Murray)]**

I. Approve Revisions to Council Procedures **[Action: Adopt Resolution per Staff Recommendation (Bell)]**

Council member Tave requested that Item 9I be pulled from the Consent Agenda.

City Clerk Bell spoke to Item 9A and stated she had received a comment from Rafael Menis, who requested a revision to comments he had made on Page 19 of the March 7, 2023 meeting minutes, as follows:

Page 19, the first paragraph, to be revised to read:

> *Mr. Menis also referenced Page 158 (c) of Public Comment, and suggested the language that had been stricken in this section should not be reinserted as a matter of the Brown Act and public policy in that having questions being asked by the public was a net benefit both to the City Council and to the community by allowing for a broader range of items to be brought up by the public, and allowed a more thorough consideration by the City Council and City staff on any given topic.*

Mayor Murphy requested Item 9G be pulled from the Consent Agenda.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, reiterated his requested revision to Item 9A as read into the record by the City Clerk with a time stamp point in the video recording having been provided to staff as a cross reference. For Item 9C, he commented on the number of building permits that had been issued for Accessory Dwelling Units (ADUs) as shown on Page 52 of the agenda packet, which was more than had been issued in the past. For the same item, Page 54 of the agenda packet, Table 2- Building Permit Issuance Progress as of 2022, had shown over the entire 5th Cycle Housing Element that the City of Pinole had issued zero building permits for Very Low and Low housing categories and one permit for the Moderate housing category, which he flagged since that was the reason he was concerned that certain tables would be in place in the updated 6th Cycle Housing Element, to confirm the City would meet its Very Low and Low income housing category requirements. As to Table 3 – Major Development Projects in "Pipeline" also shown on Page 54, it had shown the City's progress towards that goal with Satellite Affordable Housing Associates (SAHA) making up a significant portion of the Very Low income units to be built across all categories despite the fact it was one project.

As to Page 61 of the agenda packet for Item 9C, Mr. Menis commented that Table B, Regional Housing Needs Allocation Progress Permitted Uses Issued by Affordability, had shown the Extremely Low income category need but there did not appear to be a plan to implement that need.

Mr. Menis asked whether the City had a plan as part of the 6th Cycle Housing Element or some other process to identify how it planned to meet that category and whether it was a required category separate from the Low income category need as a whole.

For Items 9E and 9F, Mr. Menis supported both resolutions and the City moving forward on each item. As to Item 9G, Page 91 of the agenda packet, he referenced the March 21, 2023 staff report, which discussed Attachment C and included a summary of a sampling of code enforcement cases open in 2022, and the rate of compliance after a courtesy notice was provided. A vast majority of cases were able to be resolved through a courtesy notice absent the need to go further into the escalation process and as shown on Page 120 of the agenda packet of Attachment C, Chart 3, Types and Number of Cases that Moved Beyond Courtesy Notice, Calendar Year 2022, as shown. He suggested it would be worthwhile to amend the ordinance to state that the City still offered courtesy notices by default except in those cases that had been shown through the data to not have courtesy notices actually resolve the issue.

As part of the City Council's discussion of Item 9G, Mr. Menis suggested the City Council consider having the courtesy notice remain as a default except for the specific categories where it was not effective given that the vast majority of time the courtesy notice was sufficient.

As to Item 9H, Mr. Menis asked for more information on the significant amount of predevelopment funds and clarification why the buyer was originally going to pay $400,000 for the parcel at 612 Tennent Avenue while the City's neutral accessor had assessed the property at $230,000.

Maria Alegria, Pinole, spoke to Item 9I and asked that the City Council bring the item back for discussion to amend the resolution, which was inconsistent with the Pinole Municipal Code (PMC) since it stated City Council meetings would start at 5:00 p.m. whereas the PMC stated a 6:00 p.m. start time as shown on Page 131 of the agenda packet. As to Pages 131 and 132 of the agenda packet related to Section 6. Agenda Preparation, she asked that the requirements of the Brown Act be inserted in this section with the final agenda to be prepared 72-hours in advance of the regular meeting. Page 132, under Roll Call, City Clerk's Report & Statement of Conflict, she asked that the statement "potential conflict of interest" be added pursuant to Government Code, which defined a potential conflict of interest.

In addition, Ms. Alegria referred to Exhibit A, Norms of Behavior, which should be a standard on how the City Council comported itself at City Council meetings. She commented that over the past two City Council meetings, she had witnessed disparaging remarks by Council member Martinez-Rubin to other Council members she disagreed with which was unacceptable. She asked that the Norms of Behavior be added to Roll Call, City Clerk's Report & Statement of Conflict and that the City Council review the Norms of Behavior annually. Lastly, the City Council procedures should be consistent with the PMC as it related to City Council relations with the City Manager to take his or her orders from the City Council only at a duly convened City Council meeting.

Irma Ruport, Pinole, referenced Item 9G, and disagreed with waiving the second reading, suggesting the City Council consider a first reading since additional information had not been included as requested by the Mayor. She suggested the item be sent back to staff with information and statistics provided on code enforcement. She also commented she had read some of the information and suggested the City of Hercules had done a good job with its code enforcement. Hercules conducted on-site visits with a knock on the door and speaking to the neighbor.

Ms. Ruport opposed a complaint-driven approach, which was not sensitive to residents. She pointed out that code enforcement had not occurred for a few years and a more positive, kinder and gentler approach should be considered. In addition, for Item 9I, she agreed with the comments provided by the prior speaker and agreed with the request for additional amendments. She suggested the Norms of Behavior should be out in the public, with civility and respect for one another provided. She wanted to see everyone play fair with the public and be kind to one another.

Peter Murray, Pinole, referenced item 9H and asked for clarification of the resolution to approve an amendment to a purchase and sale agreement. He asked whether it was an amendment to an existing agreement already in place given the significant change in value in the property mid-stream.

PUBLIC COMMENTS CLOSED

Speaking to Item 9G, Mayor Murphy commented this was the second time the item had come before the City Council. He wanted to spend time on the data collected and noted during the last meeting, the City Council had wanted more information on the results of what other jurisdictions in Contra Costa County were doing, and more information on the City's code enforcement cases. In 2022, Pinole had a total of 628 cases, which began with a courtesy notice, and of those cases 19 cases remained open today and were in the process of being resolved and had not received further notices to date. A total of 549 cases had been closed, equating to nearly 90 percent of the cases closed after receiving a courtesy notice evident of notifying residents of the need to comply with the PMC.

Mayor Murphy explained that he would be voting against Item 9G. He referenced Page 120 of the agenda packet and Chart 3: Types and Number of Cases that Moved Beyond Courtesy Notice, Calendar Year 2022, which data had shown the City must move to educate the public on the violations as opposed to being punitive. He suggested the City's current process was fair, recognized the City had done a lot through communication and public engagement to educate the public about what was important and how to keep people healthy and safe. He also found the types and number of cases, as outlined in Chart 3, to be the areas where it was important to educate the public.

Mayor Murphy suggested the amendments to the ordinance were not the right answer. He suggested the charts in the agenda packet were useful and he looked forward to seeing more information from staff on how the process was going, but he urged the City Council to oppose the ordinance and rather educate the community as opposed to being punitive.

Also speaking to Item 9G, Mayor Pro Tem Toms stated there were neighborhoods that had the types of code enforcement cases as outlined and it was not useful to extend the time to allow violations to continue which created unsightliness and hazards and created a problem with the quality of life. The ordinance was worded whereby if someone needed more time and made progress that could be communicated to staff. She found there were many violators that ignored the PMC and code enforcement with the neighborhood having to put up with the violations that much longer. She supported streamlining the process to achieve compliance.

Council member Tave understood if the process was streamlined it built the case for the City for the violator to achieve compliance and he asked the City Attorney to opine on the pros and cons of the City's position.

City Attorney Eric Casher reported the ordinance had been reviewed through the lens of due process considerations and whether it provided adequate time for a recipient of a complaint to have adequate time, and where it had been found to be consistent with regulations in other jurisdictions which provided time to respond to a notice of violation and afforded an appeal process. There were mechanisms in place to appeal and elevate the violation if there was no final resolution from the complainant. He suggested there were no due process concerns from a legal standpoint. There were a number of amendments proposed to the ordinance, with the focus currently on the courtesy notice, which really constituted a minor change in language, from where the City "shall" provide a courtesy notice to "may" provide a courtesy notice. As the Community Development Director previously stated, it would be her practice to issue a courtesy notice in situations where she found it to be appropriate and at her discretion.

Council member Tave suggested they were speaking of a small percentage of people who had received a courtesy notice and if the language was changed back to "shall" provide a courtesy notice it would capture around 90 percent of the people. He otherwise had an issue with calling the individual a "violator" and suggested evaluating how code enforcement was considered. He asked of the staff time to address those code enforcement cases where someone did not respond to the first courtesy notice.

Community Development Director Lilly Whalen explained that when staff received a complaint staff investigated the complaint for validity. If valid, a courtesy notice was mailed to the individual and an inspection scheduled for 14-days later. Inspection would verify whether the issue had been resolved. If resolved, staff would contact the property owner or tenant and thank them for resolving the issue and the case would be closed. If the issue was not resolved, staff would send out another courtesy notice and actually send out two to three courtesy notices thereafter and if there was no contact with the property owner, a Notice of Violation would be issued. As to the number of renters versus property owners, she did not have that information but clarified the letter was sent to the property and where the property owner received their tax bill.

Mayor Murphy reiterated his reasons for opposing the ordinance, as proposed, since it would perhaps expedite a process allowing the City to issue notices of violation whereas 87 percent of the issuance of courtesy notices resolved the situation. If the ordinance passed as amended, a courtesy notice would be an optional step for staff leaving a nuance around whether or not staff had particular decision-making authority to issue a notice to one person or another.

Mayor Murphy encouraged the City Council to consider the City Attorney's recommended language revision from "may" to "shall" provide a courtesy notice. Another amendment included a defined Administrative Hearing Officer as opposed to what could be a public or people centered Board of Appeals, which gave one person authority over the appeal process as opposed to at least three people who would comprise the Board of Appeals. With the proposed changes in the ordinance, he could foresee a more punitive system the City was not ready to address, and while code enforcement was being improved, he wanted to see the data to identify the problems where education should be provided to the public instead so that residents may understand why they were not in-line with the PMC.

Mayor Murphy opposed taking away the current process to educate people more as opposed to a clear decision point by City staff if the ordinance was adopted. He suggested the City had not educated the public enough around the top three code enforcement issues which had been identified in the current data, and as reflected in the March 21, 2023 staff report. He reiterated that there were better ways to address the situation than expediting the process including better educating the public on the rules of the PMC.

Council member Sasai thanked the Mayor for requesting the additional data and for explaining why he opposed the proposed amended ordinance and the members of the public for providing their personal experiences with code enforcement. He stated he would always support safety and supported code enforcement for violations that impacted public safety. Given that 87 percent of the code enforcement cases were closed after receiving a courtesy notice, of the remaining 13 percent of code enforcement cases he asked staff whether or not those cases involved any examples of injuries or impacts to public health.

Community Development Director Whalen had no knowledge of any examples of code enforcement cases that were unresolved which had resulted in injury or impact to public safety.

Council member Martinez-Rubin understood the greater percentage of those noticed had responded to the courtesy notice but she referred to Attachment C, Courtesy Notice of Compliance Rates for Cases Opened in 2022, as shown on Page 121 of the agenda packet, and commented the data for outdoor storage accumulation, as an example, was the type of visual effect that impacted neighbors. She also commented on a prior discussion of the City Council as to whether code enforcement should be under Community Development or the Police Department, with the City Council leaning for code enforcement to be under the umbrella of the Community Development Department, largely to allow for the appropriate education to occur in the way the process had currently been defined.

Council member Martinez-Rubin understood it was difficult to have the preventative data for the code enforcement violations they were trying to prevent, with the flip side that the data was not available to demonstrate any harm and determine the effectiveness of the program. Of the code enforcement cases where the most time was spent by City staff, and while not reflected in the data, deserved attention and where possibly a different kind of process coiuld be considered to address the recalcitrant individuals and continue the program as is, while designing a process that focused on the cases and categories of violations that had historically been problematic in Pinole.

Council member Martinez-Rubin also commented that working people and seniors may find it difficult to clean out their spaces and she hesitated to group everyone into one category who may not recognize what was considered a quality of life issue. If someone needed more time to address the accumulation of outdoor storage, as an example, it could be allowed by the City. She otherwise found the process had not been designed to be punitive while it may feel that way and staff had operated that way since code enforcement organizationally was under the umbrella of the Community Development Department. She also found the educational component would not be lost and would remain in the ordinance, as amended, and it would ensure those who were impacted by a few were not continually impacted by those few.

Council member Tave pointed out only 22 cases had resulted in three courtesy notices, which was a small number indicating to him the system “as is” was working well.

Community Development Director Whalen confirmed that a small amount of cases had to move on to subsequent courtesy notices which staff had observed over the past six months to a year, and which was why staff had brought the amendments to the City Council for consideration. Staff was of the opinion the ordinance would benefit from having flexibility in being able to move on to the official notice step in certain cases. Staff's intent was to continue with the current code enforcement practice and always issue a courtesy notice except in cases where there was imminent health and safety issues or where there were repeat violations on a property with a non-responsive individual.

Community Development Director Whalen suggested if the City Council was interested in narrowing the types of cases that could move on and not receive a courtesy notice at staff's discretion, she could bring back a sampling of code enforcement cases in the staff report from the last calendar year and could work with the Code Enforcement Officer on the types of code enforcement cases that should either "shall" or "may" receive a courtesy notice.

Mayor Murphy was open to continuing the item. He asked how the public had been engaged on the issue since the last City Council meeting. He also asked for input as to why of the total number of code enforcement cases, 19 cases had been found to be so detrimental to the community where the current system had to be changed to address those violations. That data set would be very helpful for the discussion and provide a better understanding of the issues where code enforcement should spend its time. He also wanted to know how residents could be involved in this discussion since changes had been proposed to the citizen engagement process.

Mayor Pro Tem Toms supported a continuance of the item to see if the courtesy notice piece could be narrowed. She offered a motion, seconded by the Mayor to continue the item to a future meeting.

On the motion, Council member Martinez-Rubin requested clarification as to what information would be brought back to the City Council. She understood that staff was to come back with more information to identify an approach that could work for the most difficult cases.

ACTION: Motion by Mayor Pro Tem Toms/Mayor Murphy to continue Item 9G, to a future City Council meeting.

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

Speaking to Item 9H, City Manager Murray responded to the public comment and clarified why the prospective buyer had initially offered a higher price which the City had accepted and was now willing to accept the assessed value of the property, which was much lower and which had been due to changes in the environment and the prospective buyer's understanding of the project and the requirements. He commented that financing and building costs had also increased dramatically but this was the most attractive purchase price and staff had done its due diligence with an assessor having verified the fair price. All information had been outlined in the staff report.

As to Item 9I, Council member Tave offered a motion, seconded by Mayor Pro Tem Toms to table the item until such time as the Municipal Code Update Subcommittee could return with changes. He wanted to ensure any changes made were consistent with the PMC.

ACTION: Motion by Council member Tave/Mayor Pro Tem Toms to table Item 9I until such time as the Municipal Code Update Subcommittee could return with changes and review any inconsistencies with the Pinole Municipal Code.

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

ACTION: Motion by Mayor Pro Tem Toms/Council member Tave to adopt Item 9A, (as amended) and Items 9B, 9C, 9D, 9E, 9F and 9H, as shown.

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

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 parté 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. Conduct a Public Hearing and Adopt Resolution Approving, Authorizing and Directing Execution of a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority and Approving a Plan of Finance Including the Issuance of Revenue Bonds by the Authority to Finance and Refinance a 33-Unit Multifamily Rental Housing Facility for the Benefit of Pinole Housing, L.P., Or Another Entity Created by Satellite AHA Development, Inc., Or Satellite Affordable Housing Associates (Or an Affiliate) and Certain Other Matters Relating Thereto **[Action: Conduct Public Hearing & Adopt Resolution (Whalen)]**

Mayor Murphy stated he had been asked to read into the record the following statement: *We are here this evening to conduct a public hearing pursuant to the Federal Tax Equity and Fiscal Responsibility Act also known as TEFRA. TEFRA requires that a public hearing be held by the governing body of the jurisdiction in which a project to be financed with tax exempt financing is located and that that governing body approve the proposed financing. Satellite Affordable Housing Associates (SAHA) has asked that the California Municipal Finance Authority, also known as the CMFA be the issuer of tax exempt financing in an amount not to exceed $30 million dollars to finance the acquisition, construction and improvement of a 33-unit multifamily rental housing facility for low income households to be located at 811 San Pablo Avenue in the City of Pinole. The CMFA is a Joint Powers Authority (JPA) formed to assist local governments, non-profit organizations and businesses with the issuance of both taxable and tax exempt debt.*

The debt to be issued by the CMFA will be the sole responsibility of the borrower and the City of Pinole will have no financial or legal obligations or responsibilities with regards to the repayment of the debt. All financing documents will carry disclaimers that the loan is not an obligation of the City. The City will also bear no costs in the issuance of the proposed debt. It is recommended tonight that the City Council adopt a resolution approving the issuance of bonds by the CMFA for the benefit of the borrower. Such adoption is solely for the purposes of satisfying the requirements of TEFRA and California Government Code Section 6500. The resolution will also authorize the City Manager or designee thereof to execute the Joint Exercise of Powers Agreement with the CMFA.

Community Development Director Lilly Whalen provided an extensive PowerPoint presentation for the TEFRA Public Hearing for SAHA, 811 San Pablo Avenue, which included the background of the project and public benefit for the City-owned vacant lot at 811 San Pablo Avenue to be developed by SAHA for 33 units of multifamily rental housing consisting of 29 one bedroom units and four two-bedroom units, with rents affordable to Very Low and Low Income households, with earnings between 30 to 60 percent of the Area Median Income (AMI) to be affordable for 55-years. SAHA had completed the entitlement process and was due to pull building permits in June 2023 to start construction.

Community Development Director Whalen highlighted the roles and responsibilities of the developer/borrower SAHA, the bond issuer CMFA and local agency, the City of Pinole along with the permanent financing sources. She recommended the City Council conduct the public hearing under the requirements of TEFRA, as defined, and adopt the resolution contained in Attachment A to the March 21, 2023 staff report, as shown.

Mayor Pro Tem Toms clarified with Ngan Mai, the Project Manager for SAHA, that all funding had been secured.

PUBLIC HEARING OPENED

Rafael Menis, Pinole, commented based on the financing that SAHA wanted to claim roughly $15 million worth of tax exempt bonds but was asking for authorization for $30 million which he asked be clarified. He also asked how much money the City would receive for its portion from the CMFA and commented on his understanding the conduit funds were only for projects that directly involved the City. Assuming the bonds created no liability or obligations for the City, the City holds the public hearing, and had the cost for holding the public hearing, with the borrower to get the funds and the City to get a portion of the money the borrower paid to get the funds. He asked whether his understanding that there would be no downside to this agreement was accurate.

PUBLIC HEARING CLOSED

Travis Cooper, CMFA, explained that the $30 million was a not-to-exceed amount, a tax code issue in all bond documents and resolutions and the borrower could not exceed $30 million and borrowed under that amount. When bonds were issued for any type of project in the state there were issuance fees. As part of the CMFA program, when issuance fees were brought in, CMFA would donate 25 percent of its fees to a nonprofit, 25 percent back to the local municipality and in this case the City of Pinole would receive roughly $11,000 and some change, depending on the pricing of the deal and issuance of the bonds.

Also, it had been stated in great detail what the funds could goes towards, as outlined in the resolution and in the indentured and all bond documents. None of the funds could be spent on anything else other than what had been stated in the resolution with about five different governmental agencies and equity lenders overseeing the project through completion to ensure all funds were spent in accordance with the regulations.

ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin/Tave to adopt a resolution becoming a member of the California Finance Authority (the "CMFA") and approving the issuance of the Bonds by the CMFA for the benefit of Pinole Housing, L.P., a California limited partnership, or another ownership entity to be created by Satellite AHA Development, Inc., a California nonprofit public benefit corporation, Satellite Affordable Housing Associates, a California nonprofit public benefit corporation, or an affiliate thereof (such limited partnership or other ownership entity being referred to herein as the "Borrower"), to provide for the financing of the Project. Such adoption is solely for the purpose of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following). The resolution will also authorize the City Manager or their designee to execute the Joint Exercise of Powers Agreement with the CMFA.

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

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Review New City Logo Concepts and Provide Direction **[Action: Discuss and Provide Direction (Epps)]**

Assistant to the City Manager Fiona Epps presented the staff report. She also read into the record an email dated March 21, 2023, from Corrina Gould, Tribal Chair/Confederated Villages of Lisjan Nation and Co-Director of the Sogorea Te Land Trust, with whom City staff had spoken with about the City's logo/seal and who had been asked to review the City Council staff report, which had been included as supplemental material for Item 12A and posted on the City website.

Ms. Epps explained in response to Ms. Gould's comments that City staff preferred to steer away from using a human character in the City seal to avoid all possibility of offense, exploitation or inaccurate representation that commonly resulted from using a mascot. The City had worked with the Consulting Firm, Tripepi Smith on a number of communication projects including the City Logo/Seal redesign. Tripepi Smith had prepared a series of City Seal/Logo redesign options.

Kevin Bostwick, Creative Director, Tripepi Smith, provided a PowerPoint presentation on the Logo Exploration with the goal of how to move forward with a City of Pinole logo that resonated for the community and recognizing comments about the appropriateness of the current imagery of the City's logo. The City was considering the modernization of the City's logo and the City Council may adopt a new logo design.

As part of stakeholder input, a staff team and Tripepi Smith had met and conducted an interview along with research and analysis of neighboring City logos. Based on those discussions, logo development included three updated versions of the existing logo and eight new logo options. Based on the staff feedback and feedback from a weighted survey, one modernized favorite and four new logo favorites had been identified.

Mr. Bostwick emphasized there had been input from the Confederated Villages of Lisjan as staff reported. Feedback from the stakeholder interview and weighted survey was highlighted which had driven the logo development for the four new logo options and one modernized version of the existing City logo; however, this option was no longer being recommended by City staff for the reason enumerated by staff.

Of the new logo design options, the most favorite was Option 6b, which included light tints and soft edges creating a welcome landscape scene, with the circle creating a portal feeling, a creek running through it and with the Bay in the background. Horizontal versions of each design were also provided. The second favorite was Option 5b, which included geometric shapes of hills and the Bay adding weight to the option and consisting of a Dark Blue arch inspired by the high school arch, which also created a portal feeling reflecting how Pinole felt like a refuge and with two strong lines at the base which ground the icon and could be interpreted as tracks or road highlighting historical access to transportation. The third favorites were Options 4a and 4b, which included a bridge and tree. This option balanced homes and terrain and included a subtle “P” in the sky, was light and airy with simple elements and white space, gold and green hills, blue creek and Bay with the houses reflecting livability.

Side by side views of all the logo options were presented including the one modernized version of the current City logo. A collection of regional, neighboring City logos and related entities was also provided which reflected the diversity of the logos and how one may relate to each community and help inform the conversation for how the City could move forward with a logo that resonated with the community and with the City’s branding efforts.

Council member Martinez-Rubin asked for more information on how community engagement would be provided and Assistant City Manager Epps commented that staff hoped the City Council would provide direction. Staff sought community input moving forward and she recommended the creation of a forum for the public to provide its opinion and ideas about the logos, similar to the input on the Community Corner. Staff hoped to return to the City Council with more refined logo concepts from community input.

Council member Sasai inquired of the decision making process for the color schemes for the different logo design options and the type faces, and Mr. Bostwick explained that the logo options had been presented with different color variations earlier in the process with the options presented being the favorites. He explained that options had been presented with different font variations and it was clear across all options that the Serif All Caps Font for the name Pinole and a smaller modern Sans Serif Font below was a combination that added the right elegance and was not too old-fashioned. That font had been applied to all of the options.

In response to the Mayor Pro Tem, City Manager Murray clarified the stakeholders were the Department Heads and City Clerk with a focus group of all Department Heads having met with the exception of the City Attorney.

It was intentional that the public engagement process had been deferred pending some advance work to create options that were heading in the right direction. The next step was feedback from the City Council on a limited set of designs and a return to the City Council with new design iterations and a summary from the public engagement process.

Council member Tave asked how the City's history had been taken into consideration in the new logo design iterations or whether that component could be added and incorporated, and Mr. Bostwick reiterated the initial conversations about the logo development when a simpler logo design had been proposed but community input would allow any kind of consensus around a historical element that resonated and meant something to the broad swath of the community.

PUBLIC COMMENTS OPENED

Helena Mazzariello, Pinole, commented she was primarily concerned with Ms. Gould's comments and how the indigenous community felt about the City's original logo and any possible changes. She had contacted Ms. Gould through Facebook and others on the platform who had offered opinions on the City's logo. She thanked staff for the history of the City's logo and found that the new logos appeared more like a logo for a bank and not appropriate for the City of Pinole. She commented that the modernized logo was acceptable with the removal of the indigenous person since it was nice and suggested adding another bird, piece of an oak tree or acorn in place of the indigenous person. She pointed out that "pinole" meant nourishment. She otherwise liked the logos from the cities of Oakland and Walnut Creek.

Irma Ruport, Pinole, did not like any of the logos presented which were simple and were being selected by people who were not members of the community. She suggested there should be input from the community including artisan groups in the City and possibly a contest with school children to allow the community to get excited about a new logo as opposed to an isolated decision from a few people. She did not like the colors of the new logos nor the logos themselves and she again questioned why people who were not from Pinole were making a decision about the City's logo as opposed to those who lived in the community and had a lot to say. She urged the City Council to engage everyone in the community on a new logo design.

Rafael Menis, Pinole, recognized that many had an attachment to the current logo image but for the same historical reasons, the opinion of the Confederated Tribes of Lisjan should govern what was or was not appropriate on the City's logo/seal. The request to remove the indigenous person from the City logo/seal, as requested by the Confederated Tribes of Lisjan, was appropriate and in the spirit with the land acknowledgement and the City's effort to work with those communities that had been displaced. He strongly opposed the modernized logo concept with an indigenous person in it. He understood this was just the start of the process since further input was being sought, which he suggested should also include the Community Services Commission. He also suggested Options 4a and 4b may have some unintended visual associations that the City should avoid. He further suggested the railroad tie-ins and ability for the logo to be a sideways "P" as part of the second option worked nicely but the logos felt relatively abstract and disconnected from the City as a whole and something more grounded and representative of Pinole without taking offense with community engagement was warranted.

PUBLIC COMMENTS CLOSED

Council member Tave suggested this was a good start but community engagement was needed, which was where they would see nuances woven into the logos. He supported more nods to Pinole's history in the logo and looked forward to the community input.

Mayor Pro Tem Toms suggested the logo design that had been identified as the favorite and which had been depicted in the staff report, included a logo design above it with bolder colors was and was worthwhile as an option for the community to consider. She liked the restructured City logo minus the depiction of the indigenous man since the colors were bolder. The color schemes for most of the logos may be a popular color scheme in 2023, but something bolder was preferred and had been depicted in some of the other seals from other cities, such as the City of Martinez, which had a deep blue, and the logos from the cities of Oakley and Walnut Creek which included a deep green. She recommended a bolder color palette.

Council member Martinez-Rubin spoke to the logo that had been considered the favorite which included what appeared to be hills behind the Bay, which should be clarified. She suggested the second most favorite option appeared to be a hat and not a portal. She noted there were people involved in the design committee for the school and if that had been the inspiration for the arches in this logo concept, the arches related to Pinole's Spanish and European history. As to the logos that included a design of the letter "P," she was unsure whether the blue circle in that logo concept was depicting the sun, moon or neither.

Council member Martinez-Rubin commented that considering Pinole was a place to live, the logos that depicted houses should be better defined. As to concerns with the appropriateness of some images and depictions in a multicultural society, she found the notion of removing the indigenous person from the original logo to be acceptable. She also found the universal aspect of the logo meant to her that they all shared land and it was not about ownership of the land, who came first or last, or what year, but the land that was there, the hills of Pinole, the Bay and while the creek had not been included, it did lead into the Bay.

Council member Martinez-Rubin commented the idea of having something historic in the logo was noted and "pinole" did originate from the earth from seeds, and she commented that the current seal included seeds between the flowers and something tiny denoting nourishment, food and sustenance such as a seed was important.

Council member Sasai suggested the removal of the indigenous individual from the current logo could be considered an erasure of indigenous persons in Pinole, although he understood that Ms. Gould was clear that the use of a mascot was not something the Confederated Villages of Lisjan supported and he deferred to them on that matter. He noted the staff report had mentioned an economic development specific logo and having recently traveled to the Philippines, he commented on how it approached economic development and design. One of the cities he had visited next to metro-Manila had an intricate and traditional corporate seal used on official city documentation and an economic development logo, which was more modern and used for engagement in the community and in social media outreach. He referenced the logo for the City of Berkeley which identified and embodied the diversity of the City. The City of Oakland's logo with trees and roots was timeless and reflected the roots of culture in that community and the people who shaped it. He suggested the City Council should be intentional and engage the community throughout the process.

Council member Sasai offered a motion to establish an Ad Hoc Committee to collaborate and guide the consultant and appropriate staff on designing a corporate seal and economic development specific logo and branding style guide and bring it back to the City Council and to the community.

Mayor Murphy thanked staff for taking on the project. He was aware that in having current conversations with the public on this issue it would engage people and would include stories that would unfold and be told. He thanked the consultant team for the logo options presented, but commented that he did not particularly care for them. He referenced the background of the land acknowledgement, which had been added to meeting agendas and why that was so important, and he wanted the consultant to be aware of the City's developing partnership with the Confederated Villages of Lisjan and what that land acknowledgement meant, particularly in a public setting. The land acknowledgement was a commitment to partnership and the beginning of that partnership. He noted the City would not be changing its logo today, there was a continuing partnership with native peoples and the process would evolve. Based on input from the Confederated Villages of Lisjan, the current City logo/seal was offensive, and he wanted people to understand the City was considering changing the logo because it was the right thing to do.

Mayor Murphy was excited about this process and noted that the Strategic Plan included a policy about thinking ahead for the next 10 to 20 years, and this process was overdue and was part of the Communications and Engagement Plan, where the City Council now had the opportunity to think about questions and elements it wanted referenced in the logo, such as nourishment, the green spaces, empathy and inclusion in schools and in the community, which elements must be reflected in the logo's design and be addressed through the public engagement process.

Mayor Murphy wanted to see the City reach out to Pinole artisans who would be a great partner and as a plan was developed consider more options to center around a new logo concept. Also, the use of the Balancing Act Tool would allow people to prioritize online what was important to them and a module could be set up to identify a logo that would identify the most important elements to include in a City logo. He preferred a logo that would honor the City's history, but also create an opportunity for the next 20 years, and recommended that the Technology and Communication Subcommittee could address that issue.

Council member Sasai restated his motion to establish an Ad Hoc Committee to collaborate and guide the consultant alongside Corrina Gould and Pinole artisans and appropriate staff to design a corporate seal, economic development specific logo and branding and style guide and bring it back to the City Council and to the community.

On the motion, Council member Tave asked that the public engagement component be included in the motion.

Council member Sasai again restated his motion, seconded by Council member Tave to establish an Ad Hoc Committee to collaborate with and guide the consultant alongside Corrina Gould, Pinole artisans on designing a corporate seal, economic development specific logo and branding and style guide and have a public engagement process in the process of that committee designing logo options to bring back to the City Council and to the community.

On the motion, Mayor Pro Tem Toms noted that Tripepi Smith was on board to work on the City logo/seal but she understood an economic development logo was different and she asked for clarification from staff.

City Manager Murray advised the City had a different consultant under contract to do the economic development modifications to whatever seal the City Council determined, which was part of the scope of work for the Economic Development Strategy. He recommended the City Council consider whether or not it wanted to have a City seal, a logo and separate economic development logo targeted towards marketing the City of Pinole. The current scope of work in the contract for Tripepi Smith had essentially been completed and if the City Council wanted a consultant to engage on a broader process a contract amendment would be required.

Council member Martinez-Rubin favored community involvement to some degree but the facilitation of the process had to come from other than the community to provide structure and organization. She supported inclusion of the artistry of Pinole artisans, another nonprofit group, which would not be compensated for their time. In terms of equity, the City Council had to consider how best to involve people with a specific set of skills and years of accumulated appreciation for art. She was troubled without a scope of work or a contract to augment since the Council was asking for perhaps further involvement without compensating volunteers.

Mayor Murphy stated his suggestion to involve Pinole artisans was not part of the motion on the table but was a suggestion to staff and the consultant and how that involvement happened was up to the City Council. He recognized that Pinole artisans would have to be contracted and paid for their services if they were engaged in that type of work.

Council member Martinez-Rubin suggested to the extent Pinole artisans were involved they should discuss how they would be involved. She also wanted to know the composition of the establishment of a new Ad Hoc Subcommittee which may have to be brought back for discussion.

Council member Sasai confirmed the composition of an Ad Hoc Subcommittee was not part of his motion but he was willing to learn who on the City Council was interested in serving on such a subcommittee.

Council member Tave understood there was a future agenda item to discuss how the City compensated people for volunteering, which would help encourage organizations to continue to do “free” work, but in the motion as stated, he saw the framework for the subcommittee as being two Council members to come up with a team to include the consultant, reaching out to Pinole artisans, and then consider the use of the Balancing Act Tool and other options. He suggested the subcommittee work with staff to flush out what they envisioned the process to be.

Mayor Pro Tem Toms preferred that the discussion be streamlined to only what was in the current scope of work, which was the City seal. If additional logos happened later with a different consultant on board that was fine. She suggested the Technology and Communication Subcommittee may be the appropriate body to take on this issue.

Council member Tave suggested the conversation should be centered around the City logo since it could be a galvanizing event for the community and if the discussion involved the Technology and Communication Subcommittee, it would be included with other topics.

Mayor Pro Tem Toms asked whether the motion included the City seal plus the other items.

Council member Sasai clarified that his motion included both the corporate seal and an economic development specific logo, although Mayor Pro Tem Toms commented on the possible confusion with two different consultants and suggested the motion include the City seal only.

Mayor Murphy suggested with the motion staff would manage the scope of work.

On the discussion, City Clerk Bell restated the motion to form an Ad Hoc Subcommittee of two Council members to guide City consultants on the work to update the City seal and logo, develop an economic development logo, branding and style guide, the work should include public engagement and seek input from Corrina Gould and Pinole artisans.

Council member Sasai as the maker of the motion, and Council member Tave as the second, confirmed that the City Clerk's statement captured the intent.

Further speaking to the motion, City Manager Murray explained that the way the creation of a new Ad Hoc Subcommittee was handled was that it came back as a follow-up agenda item. As such, the motion should be amended to provide direction to staff to come back with a future agenda item to actually establish the Ad Hoc Subcommittee since the establishment of the Ad Hoc Subcommittee was not an agendized item for discussion.

Further discussing the motion and responding to the Mayor regarding the creation of a new Ad Hoc Subcommittee and possibly appointing members to the subcommittee at this time, City Attorney Casher explained the City Council was discussing the City logo broadly and if the motion was to form an Ad Hoc Subcommittee it was informal. If the City Council wanted to identify two Council members who would serve on the subcommittee and then direct the subcommittee to fill in and come up with the composition for the subcommittee that would be appropriate. If there was a discussion of the qualifications and who needed to be included that was a broader and different discussion of the actual subcommittee. The two Council members who would be appointed to the subcommittee could be part of the motion.

City Clerk Bell suggested a separate motion for the nomination process.

ACTION: Motion by Council members Sasai/Tave to form an Ad Hoc Subcommittee of two Council members to guide City consultants on the work to update the City seal and logo, and develop an economic development logo, branding and style guide. The work should include public engagement seeking input from Corrina Gould and Pinole artisans.

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

Mayor Murphy recommended Council members Martinez-Rubin and Sasai serve on the Ad Hoc Subcommittee and he offered a motion seconded by the Mayor Pro Tem for their appointment.

On the motion and in response to Council member Tave, City Clerk Bell suggested the scope of work was well defined for the Ad Hoc Subcommittee.

ACTION: Motion by Mayor Murphy/Mayor Pro Tem Toms to appoint Council members Martinez-Rubin and Sasai to the Ad Hoc Subcommittee to work on the new City logo concepts.

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

Mayor Murphy thanked staff and the consultant for the presentations. He looked forward to the renewed vision of Pinole.

B. Framework for New Outdoor Dining Regulations **[Action: Discuss and Provide Direction (Whalen)]**

ACTION: Motion by Council member Martinez-Rubin/Tave to defer Item 12B to the next City Council meeting.

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

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

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

***Citizens may speak under any item not listed on the Agenda**. The time limit is 3 minutes and is subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist.*

The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting.

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

14. ADJOURNMENT to a Special Joint City Council and Planning Commission Meeting of March 28, 2023 in Remembrance of Amber Swartz.

At 10:52 p.m., Mayor Murphy adjourned the meeting to the Special Joint City Council and Planning Commission Meeting of March 28, 2023 in Remembrance of Amber Swartz.

Submitted by:

_____

Heather Bell, CMC

City Clerk

Approved by City Council:

Return to Agenda

9B

WARRANT LISTING

City of Pinole, CA

By Vendor Name

Payment Dates 3/18/2023 - 3/31/2023

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 2642 - 1030 BAY VIEW FARM ROAD, LLC					
03162023	101646	03/24/2023	100-000-31510	REFUND OVERPAYMENT OF BL R23-09004	133.00
				Vendor 2642 - 1030 BAY VIEW FARM ROAD, LLC Total:	**133.00**
Vendor: 2641 - 570 SUNNYVIEW DRIVE DEL, LLC					
03162023	101647	03/24/2023	100-000-31510	REFUND OVERPAYMENT OF BL R23-10924	133.00
				Vendor 2641 - 570 SUNNYVIEW DRIVE DEL, LLC Total:	**133.00**
Vendor: AAA03 - AAA FIRE PROTECTION SERVICES					
12471427	101726	03/31/2023	209-552-42107	SEMI ANNUAL FIRE INSPECTION SERVICE PSC	637.80
				Vendor AAA03 - AAA FIRE PROTECTION SERVICES Total:	**637.80**
Vendor: AIR10 - AIRGAS USA, LLC					
9995559788	101648	03/24/2023	100-231-42107	RENT CYL MED LARGE AIR FIRE	112.50
				Vendor AIR10 - AIRGAS USA, LLC Total:	**112.50**
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
5025519 030623	101727	03/31/2023	500-641-42201	WATER FOR WPCP	114.92
5025531 030623	101649	03/24/2023	100-343-44306	WATER FOR CORP YARD	149.90
				Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:	**264.82**
Vendor: ALL31 - ALL STAR GLASS INC.					
03172023	101650	03/24/2023	212-462-34232	REFUND PROCESSING FEE FOR BL 23-06901	48.00
				Vendor ALL31 - ALL STAR GLASS INC. Total:	**48.00**
Vendor: 2463 - AMANDA VASQUEZ					
03272023	101728	03/31/2023	100-221-42302	MILEAGE TO POLICE ACADEMY PD	61.57
				Vendor 2463 - AMANDA VASQUEZ Total:	**61.57**
Vendor: AME47 - AMERINATIONAL COMMUNITY SERVICES, INC.					
LPM-22-003126	101729	03/31/2023	285-464-42101	MONITORING SERVICE DECEMBER 2022	517.50
LPM-22-003126	101729	03/31/2023	750-463-42101	MONITORING SERVICE DECEMBER 2022	232.50
LPM-23-000173	101729	03/31/2023	285-464-42101	MONITORING SERVICES JANUARY 2023	517.50
LPM-23-000173	101729	03/31/2023	750-463-42101	MONITORING SERVICES JANUARY 2023	232.50
LPM-23-000436	101729	03/31/2023	285-464-42101	MONITORING SERVICES	517.50
LPM-23-000436	101729	03/31/2023	750-463-42101	MONITORING SERVICES	232.50
				Vendor AME47 - AMERINATIONAL COMMUNITY SERVICES, INC. Total:	**2,250.00**
Vendor: 2250 - ANNA LEA FRANSON					
03202023	101651	03/24/2023	209-554-42515	FACE PAINTING SERVICES EGG-STRAVAGANZA	250.00
				Vendor 2250 - ANNA LEA FRANSON Total:	**250.00**
Vendor: ARM04 - ARMOR LOCKSMITH SERVICES					
81661	101652	03/24/2023	500-642-42514	KEY DUPLICATES PW	16.20
81735	101652	03/24/2023	100-343-44306	KEY DUPLICATE PW	12.82
				Vendor ARM04 - ARMOR LOCKSMITH SERVICES Total:	**29.02**
Vendor: ASB02 - ASBURY ENVIRONMENTAL SVCS					
I500-00908855	101653	03/24/2023	500-641-42108	USED OIL DISPOSAL WPCP	95.00
				Vendor ASB02 - ASBURY ENVIRONMENTAL SVCS Total:	**95.00**
Vendor: ATT01 - AT&T					
000019619927	101730	03/31/2023	525-118-43101	MIS PHONES	921.05

WARRANT LISTING **Payment Dates: 3/18/2023 - 3/31/2023**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
000019623474	101730	03/31/2023	525-118-43101	PUBLIC WORKS PHONE	884.54
000019623475	101730	03/31/2023	525-118-43101	ADMINISTRATION PHONES	4,485.73
000019623476	101730	03/31/2023	525-118-43101	RECREATION DPET PHONE	907.32
000019623477	101730	03/31/2023	525-118-43101	CDD PHONES	240.72
000019623479	101730	03/31/2023	525-118-43101	EOC PHONES	184.19
000019681826	101730	03/31/2023	525-118-43101	PHONE POLICE DEPT	3,034.72
455371	101654	03/24/2023	100-221-42514	LEA TRACKING PD	400.00
				Vendor ATT01 - AT&T Total:	**11,058.27**
Vendor: BAR40 - BARRY EVANS STUDIO					
9836	101731	03/31/2023	100-111-42101	INDIVIDUAL PHOTO SESSION	157.31
				Vendor BAR40 - BARRY EVANS STUDIO Total:	**157.31**
Vendor: BEA03 - BEARING ENGINERING CO.					
5635608	101732	03/31/2023	500-641-44306	SUPPLIES FOR REPAIRS WPCP	115.36
				Vendor BEA03 - BEARING ENGINERING CO. Total:	**115.36**
Vendor: ESP01 - BELINDA ESPINOSA					
APRIL 2023	101655	03/24/2023	100-117-41101	RETIREE MEDICARE REIMBUR APRIL 2023	361.20
				Vendor ESP01 - BELINDA ESPINOSA Total:	**361.20**
Vendor: 2093 - BEST BEST & KRIEGER LLP					
960563	101656	03/24/2023	100-116-42102	CALPERS MATTER PROFESSIONAL SERVICES	480.00
				Vendor 2093 - BEST BEST & KRIEGER LLP Total:	**480.00**
Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS					
6470698	101657	03/24/2023	209-552-43804	FOOD PROGRAM PSC	-83.06
6481062	101657	03/24/2023	209-552-43804	FOOD PROGRAM PSC	-53.06
6485083	101657	03/24/2023	209-552-43804	FOOD PROGRAM PSC	1,331.30
6488635	101733	03/31/2023	209-552-43804	FOOD PROGRAM PSC	1,095.10
6489249	101733	03/31/2023	209-552-43804	FOOD PROGRAM PSC	-25.86
6491658	101733	03/31/2023	209-552-43804	FOOD PROGRAM PSC	42.56
6492568	101733	03/31/2023	209-552-43804	FOOD PROGRAM PSC	1,345.34
				Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:	**3,652.32**
Vendor: 2644 - BODY RHYME					
03202023	101658	03/24/2023	100-000-31510	REFUND BL OVERPAYMENT M22-10788	3.00
				Vendor 2644 - BODY RHYME Total:	**3.00**
Vendor: BOR02 - BORGES & MAHONEY CO.					
144281	101734	03/31/2023	500-641-44303	BUFFER SOLUTION IODATE AND MOTOR WPCP	639.55
144281	101734	03/31/2023	500-641-44306	BUFFER SOLUTION IODATE AND MOTOR WPCP	389.90
				Vendor BOR02 - BORGES & MAHONEY CO. Total:	**1,029.45**
Vendor: LOW01 - BRIAN LOWRY					
APRIL 2023	101659	03/24/2023	100-117-41101	RETIREE MEDICAL REIMBUR APRIL 2023	30.74
				Vendor LOW01 - BRIAN LOWRY Total:	**30.74**
Vendor: 2401 - C3 INTELLIGENCE, INC.					
30342	101660	03/24/2023	100-116-42101	BACKGROUND CHECK HR	324.00
				Vendor 2401 - C3 INTELLIGENCE, INC. Total:	**324.00**
Vendor: CAL01 - CALTEST ANALYTICAL LAB					
706451	101661	03/24/2023	500-641-44305	COLIFORM LAB SUPPLIES WPCP	83.60
				Vendor CAL01 - CALTEST ANALYTICAL LAB Total:	**83.60**
Vendor: CCP03 - CCP INDUSTRIES					
IN03225192	101662	03/24/2023	100-343-44410	RAINGEAR CY	446.19
IN03228874	101662	03/24/2023	500-641-44306	GLOVES WPCP	660.67
				Vendor CCP03 - CCP INDUSTRIES Total:	**1,106.86**

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 2060 - CENTRAL CONCRETE SUPPLY CO., INC.					
2303-150032	101663	03/24/2023	207-344-42514	FILL SAND PW	386.57
				Vendor 2060 - CENTRAL CONCRETE SUPPLY CO., INC. Total:	**386.57**
Vendor: CIT08 - CITY MECHANICAL, INC					
91283	101664	03/24/2023	209-552-42108	HVAC PSC	578.23
				Vendor CIT08 - CITY MECHANICAL, INC Total:	**578.23**
Vendor: CON16 - CITY OF CONCORD					
03272023	101735	03/31/2023	100-110-42301	MAYOR'S CONFERENCE 4/6/23	70.00
				Vendor CON16 - CITY OF CONCORD Total:	**70.00**
Vendor: MAR23 - CITY OF MARTINEZ					
03222023	101736	03/31/2023	100-110-42303	RE-ISSUED STALE DATE CK 92629	55.00
				Vendor MAR23 - CITY OF MARTINEZ Total:	**55.00**
Vendor: 2242 - COLE PRO MEDIA, LLC					
3432	101665	03/24/2023	100-221-42101	TRANSPARENCY ENGAGEMENT MARCH 2023	2,000.00
				Vendor 2242 - COLE PRO MEDIA, LLC Total:	**2,000.00**
Vendor: COL02 - COLE-PARMER INSTRUMENT CO					
3394175	101737	03/31/2023	500-641-44305	CYLINDER PYREXPLUS YLINDER WPCP	432.40
				Vendor COL02 - COLE-PARMER INSTRUMENT CO Total:	**432.40**
Vendor: COM20 - COMCAST					
0050875-03182023	101738	03/31/2023	100-117-43105	CH CABLE	29.89
0413784-03182023	101738	03/31/2023	525-118-43101	TINY TOT INTERNET	140.78
				Vendor COM20 - COMCAST Total:	**170.67**
Vendor: CON56 - CONCENTRA MEDICAL CENTERS					
77634252	101739	03/31/2023	100-116-42101	RANDOM TEST	58.00
				Vendor CON56 - CONCENTRA MEDICAL CENTERS Total:	**58.00**
Vendor: CON09 - CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT					
03062023	101666	03/24/2023	100-231-42101	COP FIRE DPT FY 2022-23 DISPATCH AGENCY COST	179,939.46
				Vendor CON09 - CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT Total:	**179,939.46**
Vendor: 1727 - CONTRA COSTA COUNTY LIBRARY					
FY 22-23 Q01-MAINTENANCE	101667	03/24/2023	100-551-42101	FACILITIES MAINTENANCE FY 22-23	41,415.22
				Vendor 1727 - CONTRA COSTA COUNTY LIBRARY Total:	**41,415.22**
Vendor: CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT					
705684	101740	03/31/2023	200-342-42101	TRAFFIC SIGNALS MAINTENANCE BY COUNTY	8,917.78
705684	101740	03/31/2023	310-347-42101	TRAFFIC SIGNALS MAINTENANCE BY COUNTY	846.14
705684	101740	03/31/2023	310-348-42101	TRAFFIC SIGNALS MAINTENANCE BY COUNTY	539.17
				Vendor CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT Total:	**10,303.09**
Vendor: 1310 - CONTRA COSTA TRANSPORTATION AUTHORITY					
CMA2023-00000014	101741	03/31/2023	200-342-42514	MEMBER CONTRIBUTION CCTA	2,641.00
				Vendor 1310 - CONTRA COSTA TRANSPORTATION AUTHORITY Total:	**2,641.00**
Vendor: 2220 - CRESCO EQUIPMENT RENTALS					
5540972-0018	101668	03/24/2023	100-343-42511	INSULATED BUCKET TRUCK RENTAL	4,425.00
				Vendor 2220 - CRESCO EQUIPMENT RENTALS Total:	**4,425.00**
Vendor: 2080 - CSW-STUBER-STROEH ENGINEERING GROUP INC					
2303010	101742	03/31/2023	106-343-47201	PRELIMINARY ENGINEERING AND DESIGN SERVICES	2,611.00
				Vendor 2080 - CSW-STUBER-STROEH ENGINEERING GROUP INC Total:	**2,611.00**

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: COO13 - DANA COOK					
APRIL 2023	101669	03/24/2023	100-117-41101	RETIREE MEDICAL REIMBUR APRIL 2023	343.06
				Vendor COO13 - DANA COOK Total:	**343.06**
Vendor: HUG01 - DANNY HUGHES					
APRIL 2022	101670	03/24/2023	100-117-41101	RETIREE MEDICAL REIMB APRIL 2023	113.36
				Vendor HUG01 - DANNY HUGHES Total:	**113.36**
Vendor: 2152 - DEROTIC EMERGENCY EQUIPMENT					
NO-2898	101671	03/24/2023	100-231-42107	SERVICE ON FIRE TRUCK	20,431.20
				Vendor 2152 - DEROTIC EMERGENCY EQUIPMENT Total:	**20,431.20**
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
85025632	101672	03/24/2023	100-10601	GASOLINE UNL CY	4,296.04
85036403	101672	03/24/2023	100-10601	GASOLINE UNL CY	1,927.39
				Vendor 1443 - DIESEL DIRECT WEST, INC. Total:	**6,223.43**
Vendor: NOW01 - DONNA NOW					
03202023	101673	03/24/2023	209-554-42515	FACE PAINTING SERVICES EGGSTRAVAGANZA	250.00
				Vendor NOW01 - DONNA NOW Total:	**250.00**
Vendor: EBM01 - EBMUD					
464595-03022023	101674	03/24/2023	209-554-43102	635 Tennent Ave--Pinole Youth Center/CTV	37.13
464595-03022023	101674	03/24/2023	505-119-43102	635 Tennent Ave--Pinole Youth Center/CTV	37.13
465190-03012023	101674	03/24/2023	201-343-43102	813 Fernandez Ave--Irrigation Use Only	60.28
465553-03012023	101674	03/24/2023	100-343-43102	2301 1/2 San Pablo Ave--Irrigation Use Only	91.06
465923-03022023	101674	03/24/2023	100-231-43102	880 Tennent Ave--Public Safety Facility/Building	611.74
465924-03022023	101674	03/24/2023	100-222-43102	880 Tennent Ave--Public Safety Facility/Building	912.33
465924-03022023	101674	03/24/2023	100-223-43102	880 Tennent Ave--Public Safety Facility/Building	202.74
465924-03022023	101674	03/24/2023	100-231-43102	880 Tennent Ave--Public Safety Facility/Building	912.34
513648-03012023	101674	03/24/2023	100-343-43102	2161 Plum St--Parking Lot Irrigation	91.06
524589-03012023	101674	03/24/2023	100-345-43102	592 Marlesta Rd--Irrigation Use Only	168.04
529821-03022023	101674	03/24/2023	209-552-43102	2500 Charles St--Senior Center	970.30
529852-02282023	101674	03/24/2023	209-552-43102	2500 Charles St--Senior Center	561.16
532187-02282023	101674	03/24/2023	100-343-43102	2601 Charles St--Irrigation Use Only	60.28
539199-03012023	101674	03/24/2023	500-642-43102	05005 HYDRAND PERMIT-CONSTRUCTION	506.60
539199-03082023	101674	03/24/2023	500-642-43102	05005 HYDRAND PERMIT-CONSTRUCTION	994.56
540499-03012023	101674	03/24/2023	100-343-43102	1230 Pinole Valley Rd--Irrigation Use Only	60.28
541397-03012023	101674	03/24/2023	100-343-43102	1601 Marlesta Rd--Irrigation Use Only	60.28
544461-03022023	101674	03/24/2023	100-110-43102	2131 Pear St--Offices--City Hall	3.47
544461-03022023	101674	03/24/2023	100-111-43102	2131 Pear St--Offices--City Hall	8.40
544461-03022023	101674	03/24/2023	100-112-43102	2131 Pear St--Offices--City Hall	7.70
544461-03022023	101674	03/24/2023	100-115-43102	2131 Pear St--Offices--City Hall	22.81
544461-03022023	101674	03/24/2023	100-116-43102	2131 Pear St--Offices--City Hall	7.70
544461-03022023	101674	03/24/2023	100-117-43102	2131 Pear St--Offices--City Hall	61.56
544461-03022023	101674	03/24/2023	100-343-43102	2131 Pear St--Offices--City Hall	109.70
544461-03022023	101674	03/24/2023	200-342-43102	2131 Pear St--Offices--City Hall	19.59
544461-03022023	101674	03/24/2023	212-461-43102	2131 Pear St--Offices--City Hall	7.42

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
544461-03022023	101674	03/24/2023	212-462-43102	2131 Pear St--Offices--City Hall	19.73
544461-03022023	101674	03/24/2023	285-464-43102	2131 Pear St--Offices--City Hall	5.88
544461-03022023	101674	03/24/2023	505-119-43102	2131 Pear St--Offices--City Hall	5.88
545474-03022023	101674	03/24/2023	100-110-43102	2131 Pear St--Offices--City Hall	7.65
545474-03022023	101674	03/24/2023	100-111-43102	2131 Pear St--Offices--City Hall	18.35
545474-03022023	101674	03/24/2023	100-112-43102	2131 Pear St--Offices--City Hall	16.82
545474-03022023	101674	03/24/2023	100-115-43102	2131 Pear St--Offices--City Hall	49.86
545474-03022023	101674	03/24/2023	100-116-43102	2131 Pear St--Offices--City Hall	16.82
545474-03022023	101674	03/24/2023	100-117-43102	2131 Pear St--Offices--City Hall	134.58
545474-03022023	101674	03/24/2023	100-343-43102	2131 Pear St--Offices--City Hall	239.80
545474-03022023	101674	03/24/2023	200-342-43102	2131 Pear St--Offices--City Hall	42.82
545474-03022023	101674	03/24/2023	212-461-43102	2131 Pear St--Offices--City Hall	16.21
545474-03022023	101674	03/24/2023	212-462-43102	2131 Pear St--Offices--City Hall	43.13
545474-03022023	101674	03/24/2023	285-464-43102	2131 Pear St--Offices--City Hall	12.85
545474-03022023	101674	03/24/2023	505-119-43102	2131 Pear St--Offices--City Hall	12.85
554167-02282023	101674	03/24/2023	100-345-43102	1600 Primrose Lane--Irrigation Use Only	91.06
554625-03022023	101674	03/24/2023	209-558-43102	601 Tennent Ave--Memorial Hall	312.96
565169-03022023	101674	03/24/2023	201-343-43102	2100 San Pablo Ave--Offices--Faria House	109.74
570108-03012023	101674	03/24/2023	310-347-43102	1303 Pinole Valley Rd--Irrigation Use Only	60.28
				Vendor EBM01 - EBMUD Total:	**7,802.93**
Vendor: ELE01 - ELECTRONIC INNOVATIONS, INC.					
48128	101676	03/24/2023	500-641-42108	GATE PANEL SERVICE WPCP	1,251.21
				Vendor ELE01 - ELECTRONIC INNOVATIONS, INC. Total:	**1,251.21**
Vendor: 1655 - ENDRESS + HAUSER, INC.					
6002424599	101677	03/24/2023	500-641-44306	MAITENANCE KITS COS61 WPCP	845.92
6002424985	101677	03/24/2023	500-641-44306	MAINTENANCE SET KIT WPCP	1,262.53
				Vendor 1655 - ENDRESS + HAUSER, INC. Total:	**2,108.45**
Vendor: FIS01 - FISHER SCIENTIFIC					
0837144	101743	03/31/2023	500-641-44305	ACE GLASS LAB SUPPLIES WPCP	213.34
				Vendor FIS01 - FISHER SCIENTIFIC Total:	**213.34**
Vendor: 2637 - FLEXGROUP SURFACES, INC.					
03152023	101678	03/24/2023	212-462-34232	REFUND BL PROCESSING FEE 23-10542	60.00
				Vendor 2637 - FLEXGROUP SURFACES, INC. Total:	**60.00**
Vendor: FOR02 - FORENSIC SERVICES DIVISION					
PINPD-2301	101679	03/24/2023	100-222-42101	ALCOHOL / DRUG TESTING PD	2,140.00
PIPD-422	101680	03/24/2023	100-222-42101	BLOOD WITHDRAWAL OCT. - DEC. 2022	669.90
				Vendor FOR02 - FORENSIC SERVICES DIVISION Total:	**2,809.90**
Vendor: 1451 - FRANCISCA IRENE MACGUIRE					
FEBRUARY 2023	101681	03/24/2023	209-20015	GIFT SHOP SALES FEB. 2023 PSC	8.40
JANUARY 2023	101681	03/24/2023	209-20015	GIFT SHOP SALES JAN. 2023 PSC	3.85
				Vendor 1451 - FRANCISCA IRENE MACGUIRE Total:	**12.25**
Vendor: GAT07 - GATEWAY PINOLE VISTA, LLC					
APRIL 2023	101682	03/24/2023	201-343-42513	1340 FITZGERALD DRIVE LEASE PAYMENTS	100.00
				Vendor GAT07 - GATEWAY PINOLE VISTA, LLC Total:	**100.00**
Vendor: 1191 - GERALDINE A. PORTER					
FEBRUARY 2023	101683	03/24/2023	209-20015	GIFT SHOP SALES PSC	10.00
				Vendor 1191 - GERALDINE A. PORTER Total:	**10.00**

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1112 - GRAY-BOWEN-SCOTT					
21719	101744	03/31/2023	325-342-47205	PM SERVICES: DESIGN PHASE OF SPA BRIDGE REPLACMNT	2,682.50
				Vendor 1112 - GRAY-BOWEN-SCOTT Total:	**2,682.50**
Vendor: 2640 - GRETA CHANG					
03162023	101684	03/24/2023	100-000-31510	PRO-RATED REFUND FOR BL 23-02456	408.00
				Vendor 2640 - GRETA CHANG Total:	**408.00**
Vendor: HAC01 - HACH COMPANY					
13499046	101685	03/24/2023	500-641-44305	BOD STD DILUTION LAB SUPPLIES WPCP	440.87
				Vendor HAC01 - HACH COMPANY Total:	**440.87**
Vendor: 1161 - HINDERLITER, DE LLAMAS & ASSOCIATES					
SIN026311	101745	03/31/2023	100-115-42101	SALES TAX JAN-MARCH 2023	1,725.42
				Vendor 1161 - HINDERLITER, DE LLAMAS & ASSOCIATES Total:	**1,725.42**
Vendor: IDE04 - IDEXX DISTRIBUTION, INC.					
3125473935	101746	03/31/2023	500-641-44305	SEALER PLUS LAB SUPPLIES WPCP	5,346.47
3125559047	101746	03/31/2023	500-641-44305	IDEXX SEALER CARE LAB SUPPLIES WPCP	750.00
				Vendor IDE04 - IDEXX DISTRIBUTION, INC. Total:	**6,096.47**
Vendor: MEL05 - JAMES MELVIN					
APRIL 2023	101686	03/24/2023	100-117-41101	RETIREE MEDICARE REIMB APRIL 2023	164.90
				Vendor MEL05 - JAMES MELVIN Total:	**164.90**
Vendor: 1630 - JOHN AND CLAIRE INVESTIGATIONS					
1421	101687	03/24/2023	100-222-42101	POLICE RECORDS SPECIALIST BACKGROUND	1,825.00
				Vendor 1630 - JOHN AND CLAIRE INVESTIGATIONS Total:	**1,825.00**
Vendor: HAR29 - JOHN HARDESTER					
APRIL 2023	101688	03/24/2023	100-117-41101	RETIREE MEDICARE REIMB APRIL 2023	243.00
				Vendor HAR29 - JOHN HARDESTER Total:	**243.00**
Vendor: 2647 - JOSELYN GUTIERREZ					
03272023	101747	03/31/2023	100-116-42110	DEPARTMENT OF JUSTICE LIVE SCAN	40.00
				Vendor 2647 - JOSELYN GUTIERREZ Total:	**40.00**
Vendor: MIS01 - JULIAN MISRA					
APRIL 2023	101689	03/24/2023	100-117-41101	RETIREE MEDICARE REIMB APRIL 2023	479.30
				Vendor MIS01 - JULIAN MISRA Total:	**479.30**
Vendor: 1546 - KATHERINE DUFF					
FEBRUARY 2023	101690	03/24/2023	209-20015	GIFT SHOP SALES FEB. 2023 PSC	38.57
				Vendor 1546 - KATHERINE DUFF Total:	**38.57**
Vendor: MCP02 - KEITH McPHERSON					
APRIL 2023	101691	03/24/2023	100-117-41101	RETIREE MEDICAL REIMB APRIL 2023	147.36
				Vendor MCP02 - KEITH McPHERSON Total:	**147.36**
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000031938	101692	03/24/2023	500-641-44302	SLUDGE REMOVAL WPCP	6,682.39
				Vendor KEL09 - KELLER CANYON LANDFILL Total:	**6,682.39**
Vendor: COP02 - KENETH COPPO					
APRIL 2023	101693	03/24/2023	100-117-41101	2023 RETIREE MEDICAL REIMB APRIL 2023	1,045.20
				Vendor COP02 - KENETH COPPO Total:	**1,045.20**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: KEN09 - KENNEDY AND ASSOCIATES, INC.					
22-038	101748	03/31/2023	100-341-42101	PINOLE SQUARE REVIEW PW	174.75
23-014	101748	03/31/2023	100-341-42101	600 ROBLE PLAN CHECKING PW	233.00
23-015	101748	03/31/2023	100-341-42101	EASEMENTS PINOLE SHORES II PW	233.00
23-016	101694	03/24/2023	100-341-42101	2525 BRANDT CT RESPONSE REVIEW	58.25
23-017	101694	03/24/2023	100-341-42101	2801 PVR GRADING PLAN	2,097.00
				Vendor KEN09 - KENNEDY AND ASSOCIATES, INC. Total:	**2,796.00**
Vendor: LAR04 - LARRY WALKER ASSOCIATES					
00243.11-21	101749	03/31/2023	500-641-42101	ONGOING ASSISTANCE NPDES PERMIT WPCP	233.50
				Vendor LAR04 - LARRY WALKER ASSOCIATES Total:	**233.50**
Vendor: 2140 - LASH BAR STUDIO					
03162023	101695	03/24/2023	100-111-42514	REISSUE STALE DATED CK 95910	1,315.78
				Vendor 2140 - LASH BAR STUDIO Total:	**1,315.78**
Vendor: 2639 - LAW OFFICE OF TODD SIMONSON, PC					
216	101696	03/24/2023	100-116-42102	PW INVESTIGATION 02-01-03-03-23	13,483.00
				Vendor 2639 - LAW OFFICE OF TODD SIMONSON, PC Total:	**13,483.00**
Vendor: LIN18 - LINCOLN AQUATICS					
D8808314	101697	03/24/2023	209-557-42108	SIGNS FOR SWIM CENTER	166.38
D8808661	101750	03/31/2023	209-557-42108	NO DIVING SMOOTH SIGN MARKER SWIM CENTER	182.06
ND200473	101697	03/24/2023	209-557-42108	POOL LIFT COVER SWIM CENTER	719.23
				Vendor LIN18 - LINCOLN AQUATICS Total:	**1,067.67**
Vendor: 2427 - MARK GRAHAM					
23-08	101698	03/24/2023	100-221-42101	POLYGRAPH EXAM PD	350.00
				Vendor 2427 - MARK GRAHAM Total:	**350.00**
Vendor: DRA01 - MARY DRAZBA					
APRIL 2023	101699	03/24/2023	100-117-41101	RETIREE MEDICAL REIMB APRIL 2023	543.54
				Vendor DRA01 - MARY DRAZBA Total:	**543.54**
Vendor: ROB21 - MARY ROBERTS					
APRIL 2023	101700	03/24/2023	100-117-41101	RETIREE MEDICARE REIMB APRIL 2023	361.30
				Vendor ROB21 - MARY ROBERTS Total:	**361.30**
Vendor: 1115 - MICHELLE FITZER					
APRIL 2023	101701	03/24/2023	100-117-41101	RETIREE MEDICARE REIMB APRIL 2023	361.20
				Vendor 1115 - MICHELLE FITZER Total:	**361.20**
Vendor: 2378 - MTS TRAINING ACADEMY, INC.					
4592	101751	03/31/2023	500-641-42301	CLASS TRAINING CLASS B WPCP	5,785.00
4593	101702	03/24/2023	100-343-42301	CLASS B DRIVER TRAINING CY	5,785.00
				Vendor 2378 - MTS TRAINING ACADEMY, INC. Total:	**11,570.00**
Vendor: MUN07 - MUNICIPAL POOLING AUTH.					
INV002706	101703	03/24/2023	100-110-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	1.01
INV002706	101703	03/24/2023	100-111-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	14.38
INV002706	101703	03/24/2023	100-112-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	9.69
INV002706	101703	03/24/2023	100-113-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	0.09

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
INV002706	101703	03/24/2023	100-115-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	12.89
INV002706	101703	03/24/2023	100-116-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	11.50
INV002706	101703	03/24/2023	100-221-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	99.41
INV002706	101703	03/24/2023	100-222-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	12.38
INV002706	101703	03/24/2023	100-223-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	37.42
INV002706	101703	03/24/2023	100-231-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	59.97
INV002706	101703	03/24/2023	100-341-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	21.30
INV002706	101703	03/24/2023	100-342-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	2.50
INV002706	101703	03/24/2023	100-343-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	20.58
INV002706	101703	03/24/2023	100-465-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	3.61
INV002706	101703	03/24/2023	105-221-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	26.93
INV002706	101703	03/24/2023	105-231-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	12.48
INV002706	101703	03/24/2023	106-222-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	2.44
INV002706	101703	03/24/2023	106-231-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	6.87
INV002706	101703	03/24/2023	205-227-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	0.23
INV002706	101703	03/24/2023	209-551-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	10.36
INV002706	101703	03/24/2023	209-552-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	5.56
INV002706	101703	03/24/2023	209-553-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	2.75
INV002706	101703	03/24/2023	209-554-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	5.15
INV002706	101703	03/24/2023	212-461-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	10.73
INV002706	101703	03/24/2023	212-462-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	14.15
INV002706	101703	03/24/2023	500-641-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	33.68
INV002706	101703	03/24/2023	500-642-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	8.12
INV002706	101703	03/24/2023	505-119-46201	PN SUPPLEMENTAL VEHICLE PREMIUM 3RD & 4TH FY21-22	7.03
				Vendor MUN07 - MUNICIPAL POOLING AUTH. Total:	**453.21**
Vendor: MYE01 - MYERS STEVENS & TOOHEY CO					
1395871	101704	03/24/2023	100-221-41008	LTD PD FEB. 2023	415.80
1395871	101704	03/24/2023	100-223-41008	LTD PD FEB. 2023	258.00
1395871	101704	03/24/2023	105-221-41008	LTD PD FEB. 2023	29.70
				Vendor MYE01 - MYERS STEVENS & TOOHEY CO Total:	**703.50**
Vendor: 1708 - NUTRIENT AG SOLUTIONS, INC.					
50338695	101705	03/24/2023	100-345-42108	PERENNIAL RYEGRASS CY	2,162.08
				Vendor 1708 - NUTRIENT AG SOLUTIONS, INC. Total:	**2,162.08**
Vendor: 2487 - OAKWOOD APPRAISAL CO. LLC					
2303011P	101706	03/24/2023	750-463-42101	2100 SPA NARRATIVE APPRAISAL REPORT	2,400.00
				Vendor 2487 - OAKWOOD APPRAISAL CO. LLC Total:	**2,400.00**

WARRANT LISTING **Payment Dates: 3/18/2023 - 3/31/2023**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 2645 - OJ INSULATION, LP					
03172023	101707	03/24/2023	212-462-34232	REFUND BL 23-07818 PROCESSING FEE	60.00
				Vendor 2645 - OJ INSULATION, LP Total:	**60.00**
Vendor: OTI01 - OTIS ELEVATOR COMPANY					
100401112508	101708	03/24/2023	100-343-42108	CH MAINTENANCE SERVICE APRIL 2023	124.91
				Vendor OTI01 - OTIS ELEVATOR COMPANY Total:	**124.91**
Vendor: 1555 - OWEN EQUIPMENT					
00000000 PRO FORMA	101752	03/31/2023	207-344-42107	WHIRLWIND SERVICE SEWER PW	2,958.03
				Vendor 1555 - OWEN EQUIPMENT Total:	**2,958.03**
Vendor: ATH02 - PATRICIA ATHENOUR					
APRIL 2023	101709	03/24/2023	100-117-41101	2023 RETIREE MEDICAL REIMB APRIL 2023	164.90
				Vendor ATH02 - PATRICIA ATHENOUR Total:	**164.90**
Vendor: CLA17 - PAUL CLANCY					
APRIL 2023	101710	03/24/2023	100-117-41101	RETIREE MEDICARE REIMB APRIL 2023	430.78
				Vendor CLA17 - PAUL CLANCY Total:	**430.78**
Vendor: PGE01 - PG&E					
0498-03132023	101711	03/24/2023	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	708.52
0883-03142023	101711	03/24/2023	100-222-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	4,973.91
0883-03142023	101711	03/24/2023	100-223-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	994.78
0883-03142023	101711	03/24/2023	100-231-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	3,979.13
0887-03022023	101711	03/24/2023	200-342-43103	PINON AVE & SAN PABLO AVE TRAFFIC SIGNAL	79.93
1093-03022023	101711	03/24/2023	500-642-43103	W END/HAZEL AVE SEWAGE PLANT	532.54
1156-03142023	101711	03/24/2023	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	106.60
1156-03142023	101711	03/24/2023	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	159.91
1462-03142023	101711	03/24/2023	209-552-43103	2500 CHARLES ST SENIOR CENTER	1,395.72
1798-02282023	101711	03/24/2023	200-342-43103	2935 PINOLE VALLEY RD. TRAFFIC SIGNAL	183.66
1801-03102023	101711	03/24/2023	209-553-43103	2454 SIMAS AVE REC CTR & POOL	502.31
2182-03022023	101711	03/24/2023	200-342-43103	OAKRIDGE/SAN PABLO AVE TRAFFIC SIGNAL	76.82
2222-02242023	101711	03/24/2023	100-345-43103	STREET AND HIGHWAY LIGHTING	49.39
2222-02242023	101711	03/24/2023	200-342-43103	STREET AND HIGHWAY LIGHTING	16,296.68
2222-02242023	101711	03/24/2023	310-347-43103	STREET AND HIGHWAY LIGHTING	280.00
2222-02242023	101711	03/24/2023	310-348-43103	STREET AND HIGHWAY LIGHTING	400.00
3834-03082023	101711	03/24/2023	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	652.97
6521-02282023	101711	03/24/2023	200-342-43103	IFO 971 SAN PABLO AVE-TRAFFIC SIGNAL CONTROL	116.83
6897-02282023	101711	03/24/2023	200-342-43103	PINOLE VALLEY RD & ESTATES AVE-TRAFFIC LIGHT CTRL	72.88
7186-03142023	101711	03/24/2023	209-558-43103	601 TENNENT AVE PUBLIC MEETING HALL	238.07

WARRANT LISTING **Payment Dates: 3/18/2023 - 3/31/2023**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
8716-03142023	101711	03/24/2023	500-641-43103	SEWAGE PLNT-FT OF TENNENT	5,438.98
				Vendor PGE01 - PG&E Total:	**37,239.63**
Vendor: PIT06 - PITNEY BOWES					
03192023	101753	03/31/2023	100-111-42203	REFILL POSTAGE	1,005.00
				Vendor PIT06 - PITNEY BOWES Total:	**1,005.00**
Vendor: PON07 - PONDER ENVIRONMENTAL SERVICES, INC.					
45274	101754	03/31/2023	500-642-42101	VACUUM SUPPORT FOR WATER WATER RAIN SEWER	14,666.00
				Vendor PON07 - PONDER ENVIRONMENTAL SERVICES, INC. Total:	**14,666.00**
Vendor: 2388 - PRESTIGE PRINTING AND GRAPHICS					
83597	101712	03/24/2023	100-116-42201	BUSINESS CARDS FOR HR TECH	102.80
				Vendor 2388 - PRESTIGE PRINTING AND GRAPHICS Total:	**102.80**
Vendor: R&S01 - R & S ERECTION OF RICHMOND, INC.					
107929C	101713	03/24/2023	106-231-42514	FIRE STATION 74 DOORS	7,351.02
107944C	101713	03/24/2023	100-231-42514	FIRE STATION 74 DOOR	4,826.62
				Vendor R&S01 - R & S ERECTION OF RICHMOND, INC. Total:	**12,177.64**
Vendor: 1536 - RAIN FOR RENT					
1850725	101755	03/31/2023	500-642-42101	STORMWATER STORAGE EQUIP RENTAL PW	8,603.58
				Vendor 1536 - RAIN FOR RENT Total:	**8,603.58**
Vendor: 2025 - RAY MORGAN COMPANY, LLC.					
4045980	101756	03/31/2023	525-118-42107	COPIER RENTAL CITYWIDE	1,084.41
				Vendor 2025 - RAY MORGAN COMPANY, LLC. Total:	**1,084.41**
Vendor: REC07 - RECDESK LLC					
INV-13278	101757	03/31/2023	525-118-42510	RECDESK ANNUAL SUBSCRIPTION 3/01/23-2/28/24	5,500.00
				Vendor REC07 - RECDESK LLC Total:	**5,500.00**
Vendor: 2646 - ROADSAFE TRAFFIC SYSTEMS, INC.					
167773	101758	03/31/2023	100-343-44410	PARK WITH LINER RAIN PANTS CY	75.73
				Vendor 2646 - ROADSAFE TRAFFIC SYSTEMS, INC. Total:	**75.73**
Vendor: 2638 - SABAH INTERNATIONAL, INC.					
03152023	101714	03/24/2023	212-462-34232	REFUND BL PROCESSING FEE 23-03595	60.00
				Vendor 2638 - SABAH INTERNATIONAL, INC. Total:	**60.00**
Vendor: 1714 - SHERRI D. LEWIS					
CC018PINOLE-FY2022/23	101715	03/24/2023	100-112-42101	PREPARE CITY COUNCIL MINUTES 030723	1,050.00
PC07PINOLE-FY2022/23	101759	03/31/2023	212-461-42514	PLANNING COMMISSION MINUTES 2/27/23	300.00
				Vendor 1714 - SHERRI D. LEWIS Total:	**1,350.00**
Vendor: 2296 - SWENSONS MOBILE FLEET REPAIR					
I006220	101716	03/24/2023	500-641-42107	REPAIRS TO TRUCK WPCP	140.00
				Vendor 2296 - SWENSONS MOBILE FLEET REPAIR Total:	**140.00**
Vendor: SYA01 - SYAR INDUSTRIES, LLC.					
73568093	101717	03/24/2023	100-342-44306	POWER PATCH TON CY	507.31
				Vendor SYA01 - SYAR INDUSTRIES, LLC. Total:	**507.31**
Vendor: KRI01 - TERRI KRIEGER					
APRIL 2023	101718	03/24/2023	100-117-41101	2023 RETIREE MEDICARE REIMB APRIL 2023	243.00
				Vendor KRI01 - TERRI KRIEGER Total:	**243.00**
Vendor: OFF11 - THE OFFICE CITY					
IN-1779104	101719	03/24/2023	500-641-42201	OFFICE SUPPLIES WPCP	238.95
				Vendor OFF11 - THE OFFICE CITY Total:	**238.95**

WARRANT LISTING **Payment Dates: 3/18/2023 - 3/31/2023**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1581 - THE PAPE GROUP INC					
19069450	101720	03/24/2023	500-641-42107	DRILL HOLE WPCP	343.71
				Vendor 1581 - THE PAPE GROUP INC Total:	**343.71**
Vendor: 1202 - THOMAS F. GOZZANO REVOCABLE TRUST					
03162023	101721	03/24/2023	100-000-31510	REFUND OVERPAYMENT OF BL R23-08214	19.00
03162023-1	101721	03/24/2023	100-000-31510	REFUND OVERPAYMENT OF BL R23-08439	28.00
				Vendor 1202 - THOMAS F. GOZZANO REVOCABLE TRUST Total:	**47.00**
Vendor: UNI38 - UNIVAR USA INC					
50984337	101722	03/24/2023	500-641-44303	SOD HYPO LIQUICHLOR WPCP	7,439.86
51011375	101760	03/31/2023	500-641-44303	SOD BISULFITE WPCP	7,833.02
				Vendor UNI38 - UNIVAR USA INC Total:	**15,272.88**
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
511864	101723	03/24/2023	100-343-42108	JANITORIAL SERVICES CH FEBRUARY 2023	1,296.00
511865	101723	03/24/2023	100-222-42108	JANITORIAL SERVICES PUBLIC SAFETY FEB. 2023	2,649.00
511866	101723	03/24/2023	209-557-42108	JANITORIAL SERVICE SWIM CENTER FEB. 2023	1,400.00
511867	101723	03/24/2023	100-231-42108	JANITORIAL SERVICES FIRE DPT. FEB. 2023	165.00
511868	101723	03/24/2023	500-641-42108	JANITORIAL SERVICES FEB. 2023 WPCP	534.00
512132	101723	03/24/2023	106-231-42514	JANITORIAL SERVICE FIRE STATION 74	2,617.00
7620	101723	03/24/2023	209-554-42108	JANITORIAL SUPPLIES PYC	204.35
7724	101723	03/24/2023	100-343-42108	JANITORIAL SUPPLIES CY	862.56
				Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:	**9,727.91**
Vendor: USB06 - US BANK					
MARCH 2023	101761	03/31/2023	100-20018	CREDIT CARDS CITYWIDE	31,030.99
				Vendor USB06 - US BANK Total:	**31,030.99**
Vendor: VER02 - VERIZON WIRELESS					
9930188486	101762	03/31/2023	525-118-43101	CELL PHONES CITYWIDE	3,887.54
				Vendor VER02 - VERIZON WIRELESS Total:	**3,887.54**
Vendor: WEC01 - WECO INDUSTRIES LLC					
0051164-IN	101763	03/31/2023	500-642-42514	POLE SET FIBERGLASS PW	750.61
				Vendor WEC01 - WECO INDUSTRIES LLC Total:	**750.61**
Vendor: WES01 - WESTERN EXTERMINATOR CO.					
33044631	101724	03/24/2023	100-343-42108	PEST CONTROL CY	77.30
				Vendor WES01 - WESTERN EXTERMINATOR CO. Total:	**77.30**
Vendor: 1187 - WILLIAM A. PRATHER					
03162023	101725	03/24/2023	100-000-31510	REFUND OVERPAYMENT OF BL R23-06004	160.00
03162023-1	101725	03/24/2023	100-000-31510	REFUND OVERPAYMENT BL R23-08827	217.00
03162023-2	101725	03/24/2023	100-000-31510	REFUND OVERPAYMENT OF BL R23-06010	103.00
				Vendor 1187 - WILLIAM A. PRATHER Total:	**480.00**
				Grand Total:	**517,401.96**

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	355,399.39
105 - Measure S -2006	69.11
106 - MEASURE S-2014	12,588.33
200 - Gas Tax Fund	28,447.99
201 - Restricted Real Estate Maintenance Fund	270.02
205 - Traffic Safety Fund	0.23
207 - NPDES Storm Water Fund	3,344.60
209 - Recreation Fund	12,249.26
212 - Building & Planning	639.37
285 - Housing Land Held for Resale	1,571.23
310 - Lighting & Landscape Districts	2,125.59
325 - City Street Improvements	2,682.50
500 - Sewer Enterprise Fund	73,423.04
505 - Cable Access TV	222.80
525 - Information Systems	21,271.00
750 - Recognized Obligation Retirement Fund	3,097.50
Grand Total:	**517,401.96**

Account Summary

Account Number	Account Name	Payment Amount
100-000-31510	Other Tax/Business License	1,204.00
100-10601	Gas Tanks/Corp Yard	6,223.43
100-110-42301	Travel & Training/Conf-Re...	70.00
100-110-42303	Travel & Training/Meal Al...	55.00
100-110-43102	Utilities/Water	11.12
100-110-46201	Insurance/General Liability	1.01
100-111-42101	Prof Svcs/Professional Ser...	157.31
100-111-42203	Office Exp/Shipping & Mai...	1,005.00
100-111-42514	Admin Exp/Special Depart	1,315.78
100-111-43102	Utilities/Water	26.75
100-111-46201	Insurance/General Liability	14.38
100-112-42101	Prof Svcs/Professional Ser...	1,050.00
100-112-43102	Utilities/Water	24.52
100-112-46201	Insurance/General Liability	9.69
100-113-46201	Insurance/General Liability	0.09
100-115-42101	Prof Svcs/Professional Ser...	1,725.42
100-115-43102	Utilities/Water	72.67
100-115-46201	Insurance/General Liability	12.89
100-116-42101	Prof Svcs/Professional Ser...	382.00
100-116-42102	Prof Svcs/Attorney Servic...	13,963.00
100-116-42110	Prof Svcs/Fingerprinting	40.00
100-116-42201	Office Expense	102.80
100-116-43102	Utilities/Water	24.52
100-116-46201	Insurance/General Liability	11.50
100-117-41101	Retiree Benefits/Medical-...	5,032.84
100-117-43102	Utilities/Water	196.14
100-117-43105	Utilities/Cable	29.89
100-20018	Accounts Payable/CalCard	31,030.99
100-221-41008	Emp Benefits/Long Term ...	415.80
100-221-42101	Prof Svcs/Professional Ser...	2,350.00
100-221-42302	Travel & Training/Mileage,..	61.57
100-221-42514	Admin Exp/Special Depart	400.00
100-221-46201	Insurance/General Liability	99.41
100-222-42101	Prof Svcs/Professional Ser...	4,634.90
100-222-42108	Prof Svcs/Building-Structu...	2,649.00
100-222-43102	Utilities/Water	912.33
100-222-43103	Utilities/Electricity & Pow...	4,973.91

Account Summary

Account Number	Account Name	Payment Amount
100-222-46201	Insurance/General Liability	12.38
100-223-41008	Emp Benefits/Long Term ...	258.00
100-223-43102	Utilities/Water	202.74
100-223-43103	Utilities/Electricity & Pow...	994.78
100-223-46201	Insurance/General Liability	37.42
100-231-42101	Prof Svcs/Professional Ser...	179,939.46
100-231-42107	Prof Svcs/Equipment Mai...	20,543.70
100-231-42108	Prof Svcs/Building-Structu...	165.00
100-231-42514	Admin Exp/Special Depart	4,826.62
100-231-43102	Utilities/Water	1,524.08
100-231-43103	Utilities/Electricity & Pow...	5,340.62
100-231-46201	Insurance/General Liability	59.97
100-341-42101	Prof Svcs/Professional Ser...	2,796.00
100-341-46201	Insurance/General Liability	21.30
100-342-44306	Other Materials Supp/Ma...	507.31
100-342-46201	Insurance/General Liability	2.50
100-343-42108	Prof Svcs/Building-Structu...	2,360.77
100-343-42301	Travel & Training/Conf-Re...	5,785.00
100-343-42511	Admin Exp/Equipment Re...	4,425.00
100-343-43102	Utilities/Water	712.46
100-343-44306	Other Materials Supp/Ma...	162.72
100-343-44410	Safety Clothing	521.92
100-343-46201	Insurance/General Liability	20.58
100-345-42108	Prof Svcs/Building-Structu...	2,162.08
100-345-43102	Utilities/Water	259.10
100-345-43103	Utilities/Electricity & Pow...	49.39
100-465-46201	Insurance/General Liability	3.61
100-551-42101	Prof Svcs/Professional Ser...	41,415.22
105-221-41008	Emp Benefits/Long Term ...	29.70
105-221-46201	Insurance/General Liability	26.93
105-231-46201	Insurance/General Liability	12.48
106-222-46201	Insurance/General Liability	2.44
106-231-42514	Admin Exp/Special Depart	9,968.02
106-231-46201	Insurance/General Liability	6.87
106-343-47201	Improvements/Building	2,611.00
200-342-42101	Prof Svcs/Professional Ser...	8,917.78
200-342-42514	Admin Exp/Special Depart	2,641.00
200-342-43102	Utilities/Water	62.41
200-342-43103	Utilities/Electricity & Pow...	16,826.80
201-343-42513	Admin Exp/Rent	100.00
201-343-43102	Utilities/Water	170.02
205-227-46201	Insurance/General Liability	0.23
207-344-42107	Prof Svcs/Equipment Mai...	2,958.03
207-344-42514	Admin Exp/Special Depart	386.57
209-20015	Accounts Payable/Vendor...	60.82
209-551-46201	Insurance/General Liability	10.36
209-552-42107	Prof Svcs/Equipment Mai...	637.80
209-552-42108	Prof Svcs/Building-Structu...	578.23
209-552-43102	Utilities/Water	1,531.46
209-552-43103	Utilities/Electricity & Pow...	1,395.72
209-552-43804	Program Cost/Food Progr...	3,652.32
209-552-46201	Insurance/General Liability	5.56
209-553-43103	Utilities/Electricity & Pow...	502.31
209-553-46201	Insurance/General Liability	2.75
209-554-42108	Prof Svcs/Building-Structu...	204.35
209-554-42515	Admin Exp/Special Events	500.00
209-554-43102	Utilities/Water	37.13
209-554-43103	Utilities/Electricity & Pow...	106.60

Account Summary

Account Number	Account Name	Payment Amount
209-554-46201	Insurance/General Liability	5.15
209-557-42108	Prof Svcs/Building-Structu...	2,467.67
209-558-43102	Utilities/Water	312.96
209-558-43103	Utilities/Electricity & Pow...	238.07
212-461-42514	Admin Exp/Special Depart	300.00
212-461-43102	Utilities/Water	23.63
212-461-46201	Insurance/General Liability	10.73
212-462-34232	Fees/Issuance/Processing...	228.00
212-462-43102	Utilities/Water	62.86
212-462-46201	Insurance/General Liability	14.15
285-464-42101	Prof Svcs/Professional Ser...	1,552.50
285-464-43102	Utilities/Water	18.73
310-347-42101	Prof Svcs/Professional Ser...	846.14
310-347-43102	Utilities/Water	60.28
310-347-43103	Utilities/Electricity & Pow...	280.00
310-348-42101	Prof Svcs/Professional Ser...	539.17
310-348-43103	Utilities/Electricity & Pow...	400.00
325-342-47205	Improvements/Streets	2,682.50
500-641-42101	Prof Svcs/Professional Ser...	233.50
500-641-42107	Prof Svcs/Equipment Mai...	483.71
500-641-42108	Prof Svcs/Building-Structu...	1,880.21
500-641-42201	Office Expense	353.87
500-641-42301	Travel & Training/Conf-Re...	5,785.00
500-641-43103	Utilities/Electricity & Pow...	5,438.98
500-641-44302	Other Materials Supp/Slu...	6,682.39
500-641-44303	Other Materials Supp/Ch...	15,912.43
500-641-44305	Other Materials Supp/Lab...	7,266.68
500-641-44306	Other Materials Supp/Ma...	3,274.38
500-641-46201	Insurance/General Liability	33.68
500-642-42101	Prof Svcs/Professional Ser...	23,269.58
500-642-42514	Admin Exp/Special Depart	766.81
500-642-43102	Utilities/Water	1,501.16
500-642-43103	Utilities/Electricity & Pow...	532.54
500-642-46201	Insurance/General Liability	8.12
505-119-43102	Utilities/Water	55.86
505-119-43103	Utilities/Electricity & Pow...	159.91
505-119-46201	Insurance/General Liability	7.03
525-118-42107	Prof Svcs/Equipment Mai...	1,084.41
525-118-42510	Admin Exp/Software Purch	5,500.00
525-118-43101	Utilities/Telephone	14,686.59
750-463-42101	Prof Svcs/Professional Ser...	3,097.50
	Grand Total:	**517,401.96**

Project Account Summary

Project Account Key	Payment Amount
None	512,108.46
10634347201FA1901	2,611.00
32534247205RO1710	2,682.50
Grand Total:	**517,401.96**

APPROVED BY: _____

DATE: 3/29/2023

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CITY COUNCIL REPORT

9C

DATE: APRIL 4, 2023

TO: MAYOR AND COUNCIL MEMBERS

FROM: STACY SHELL, HUMAN RESOURCES DIRECTOR

SUBJECT: APPROVE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE CITY CLERK

RECOMMENDATION

It is recommended that the Pinole City Council approve an amendment to the employment agreement for Heather Bell as City Clerk to provide a five percent (5%) merit increase.

BACKGROUND

In March 2019, the City Council appointed Ms. Bell to the position of City Clerk. On March 6, 2019, Ms. Bell and Mayor Murray signed a four-year term employment agreement through March 5, 2023. Ms. Bell commenced her duties as City Clerk on March 6, 2019. The City Council and Ms. Bell have entered into employment agreement amendments to provide cost of living adjustments, merit increases, market rate adjustments, term extensions, and benefit enhancements.

On March 7, 2023, the City Council met with Ms. Bell in closed session to conduct an annual evaluation of her work performance. On March 21, 2023, the City Council met with Ms. Bell in closed session to negotiate the terms of Ms. Bell's employment agreement. Upon the conclusion of closed session, the City Council provided direction to staff to prepare an amendment to Ms. Bell's employment agreement to provide a five percent (5%) merit increase.

REVIEW & ANALYSIS

The City of Pinole Municipal Code (PMC), Title II, Administration and Personnel, Chapter 2.05, Office of the City Clerk, Section 2.05.010, Office Created, provides the City Council with the authority to establish the office of the City Clerk and appoint a City Clerk on the basis of their administrative and executive abilities and qualifications and hold office for and during the pleasure of the City Council (City of Pinole Ordinance No. Ord. 2004-13, Section 1, 2004).

In accordance with PMC, Title II, Chapter 2.05, Section 2.04.030, Compensation and Review, no less frequently than once each year, the City Council shall meet to conduct a review and evaluation of the City Clerk and shall from time to time determine compensation, as reflected in an employment agreement between the City Clerk and the City.

The City Clerk's employment agreement was made and entered into by and between the City Council and Ms. Bell on March 6, 2019. The City Council and Ms. Bell have entered into employment agreement amendments to provide cost of living adjustments, merit increases, market rate adjustments, term extensions, and benefit enhancements.

At this time, the City Council desires to provide a five percent (5%) merit increase as codified in Exhibit A of the Resolution attached to this City Council report.

FISCAL IMPACT

If approved, the employment agreement amendment will result in increased payroll cost of $8,322. Funding for this increase is already included in the adopted budget for Fiscal Year 2022/2023.

ATTACHMENT(S):

A: Resolution to Authorize an Amendment of the Employment Agreement for the City Clerk

EXHIBIT A: Amendment #1-2023 to the Agreement for Employment of Heather Bell

ATTACHMENT A

RESOLUTION NO. 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE CITY CLERK

WHEREAS, the City Council and Heather Bell entered into an Employment Agreement ("Agreement") for the position of City Clerk on March 6, 2019; and

WHEREAS, Ms. Bell commenced her duties as City Clerk on March 6, 2019; and

WHEREAS, the term of the Agreement was for four (4) years; and

WHEREAS, the City Council and Ms. Bell have entered into employment agreement amendments to provide cost of living adjustments, merit increases, market rate adjustments, term extensions, and benefit enhancements; and

WHEREAS, on March 7, 2023, the City Council met with Ms. Bell in closed session to conduct an evaluation of her performance; and

WHEREAS, on March 21, 2023, the City Council met with Ms. Bell in closed session to negotiate the terms of Ms. Bell's employment agreement; and

WHEREAS, upon the conclusion of closed session, City Council provided direction to staff to prepare an amendment to the Agreement to provide a five percent (5%) merit increase as codified in Exhibit A.

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 and authorize the Mayor to execute the said amendment.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 4th day of April 2023 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 4th day of April 2023.

_____
Heather Bell, CMC
City Clerk

EXHIBIT A

AMENDMENT #1-2023 TO THE AGREEMENT FOR EMPLOYMENT OF HEATHER BELL

This Amendment #1-2023 to the Agreement for the Employment of Heather Bell (the "Amendment") is made and entered into as of _____, 2023 by and between the City of Pinole (the "City"), a California general law city, and Heather Bell, an individual ("BELL" or "Employee").

RECITALS

WHEREAS, the City and Employee previously entered into that certain Agreement for the Employment of Heather Bell effective as of March 6, 2019 (the "Agreement"); and

WHEREAS, the City and Employee have previously entered into multiple amendments to the Agreement; and

WHEREAS, the City Council performed an evaluation of Employee on March 21, 2023 and thereafter began negotiating changes to the Agreement.

WHEREAS, the City Council desires to provide employee with five percent (5%) merit increase; and

WHEREAS, the City and Employee now wish to amend the Agreement as specified herein.

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 BELL agree as follows:

1. **Compensation**. Section 6(a), Compensation, of the Agreement is hereby amended in its entirety to read as follows:

"a. BELL shall be paid an annual base salary of $164,818.78 or $13,734.8987 per month, less all applicable federal, state and local withholding. BELL shall be considered for a merit increase annually in conjunction with the completion of her performance evaluation, as outlined in paragraph 11. Merit increases shall subject to the City's ability to pay for a salary adjustment."

2. **Effective Date**. This Amendment shall be effective the pay period commencing March 13, 2023.

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.

EMPLOYEE

_____
Heather Bell

DRAFT

DATED: April ____, 2023

CITY

_____
Devin T. Murphy, Mayor

DATED: _____

ATTEST:

_____
Stacy R. Shell
Human Resources Director

APPROVED AS TO FORM:

_____
Eric S. Casher
City Attorney

DRAFT

Return to Agenda

CITY COUNCIL REPORT

9D

DATE: **April 4, 2023**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **JEREMY ROGERS, COMMUNITY SERVICES DIRECTOR**

SUBJECT: **RESOLUTION OF SUPPORT FOR SENATE BILL (SB) 691 REGARDING DYSLEXIA RISK SCREENING**

RECOMMENDATION

Staff recommends that the City Council consider approving a resolution of support for California Senate Bill (SB) 691.

BACKGROUND

At its meeting of March 21, 2023, the City Council approved as a future agenda item a resolution of support for SB 691. The bill (attached) was introduced in February 2023 and would require the State Board of Education to establish an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by a local educational agency, as defined, to screen pupils for risk of dyslexia, as provided. City staff has drafted a resolution of support (attached) for the City Council's consideration and action.

FISCAL IMPACT

There would be no direct fiscal impact to the City created by submitting a position resolution on this State legislation.

ATTACHMENTS

A Text of SB 691
B City of Pinole Resolution of Support for SB 691

ATTACHMENT A

Introduced by Senator Portantino
(Principal coauthors: Senators Caballero and Wilk)
(Principal coauthors: Assembly Members Juan Carrillo, Gipson, and Pacheco)
(Coauthors: Senators Alvarado-Gil, Cortese, Dahle, Dodd, Limón, Ochoa Bogh, Roth, Stern, Umberg, and Wiener)
(Coauthors: Assembly Members Addis, Arambula, Bains, Bauer-Kahan, Berman, Calderon, Connolly, Gallagher, Jackson, Lackey, Low, Mathis, Stephanie Nguyen, Petrie-Norris, Luz Rivas, Blanca Rubio, Wallis, and Wilson)

February 16, 2023

An act to add Chapter 15.6 (commencing with Section 53009) to Part 28 of Division 4 of Title 2 of the Education Code, relating to instructional programs.

LEGISLATIVE COUNSEL'S DIGEST

SB 691, as introduced, Portantino. Dyslexia risk screening.

Existing law requires the Superintendent of Public Instruction to develop program guidelines for dyslexia to be used to assist regular education teachers, special education teachers, and parents to identify and assess pupils with dyslexia, as provided. Existing law requires a pupil who is assessed as being dyslexic and meets specified eligibility criteria to be entitled to special education and related services.

This bill would require, on or before June 30, 2024, the State Board of Education to establish an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by a local educational agency, as defined, to screen pupils for risk of dyslexia, as provided. The bill would require, commencing with the 2024–25 school year, and annually thereafter, a local educational agency serving pupils in any of the grades kindergarten to grade 2, inclusive, to screen each pupil in those grades for risk of dyslexia by using the screening instrument or instruments identified above, as provided. The bill would require results from the screening, among other things, to be made available to a pupil's parent or guardian in a timely manner, but no more than 45 calendar days from administering the screening. The bill would require a local educational agency to provide a pupil identified as being at risk of dyslexia with evidence-based literacy instruction, progress monitoring, and early intervention in the regular general education program. By expanding the duties of a local educational agency, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

(a) Research from multiple scientific studies is unequivocal: early identification and intervention with evidence-based early literacy instructional strategies and materials improves literacy outcomes for students at risk of or with dyslexia and other struggling readers.

(b) Dyslexia is the most common learning disability with at least 10 percent of the general population having dyslexia, while some estimate it to be over 15 percent. Unfortunately, hundreds of thousands of California pupils on the dyslexia spectrum struggle every day with reading at grade level, often without the proper identification and support.

(c) Pupils with dyslexia are less likely to graduate high school and attend college, and also experience higher rates of incarceration. In some prisons today, where nearly 80 percent of the inmates are illiterate, almost one-half of the inmates are on the dyslexia spectrum.

(d) The lack or delay in screening of struggling readers and pupils at risk of dyslexia results in unnecessary delays in receiving appropriate support and intervention. Due to these delays, the academic gap and learning loss in core content is often very difficult to overcome even after significant cost and interventions.

(e) According to the National Center on Improving Literacy, forty states have passed legislation requiring screening for risk of dyslexia.

(f) By screening all pupils for risk of dyslexia early, California can help families and teachers achieve the best learning and life outcomes for all pupils, close academic achievement gaps, and help end the school-to-prison pipeline.

SEC. 2.

Chapter 15.6 (commencing with Section 53009) is added to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 15.6. Screening for Risk of Dyslexia

53009.

(a) (1) (A) On or before June 30, 2024, the state board shall establish an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by a local educational agency to screen pupils for risk of dyslexia. The areas to be screened by approved instruments shall include, but not be limited to, all of the following as developmentally and linguistically appropriate:

(i) Phonological and phonemic awareness, including phoneme blending, phoneme segmenting, and phoneme manipulation tasks.

(ii) Sound-symbol recognition and symbol-sound recognition.

(iii) Alphabet knowledge.

(iv) Decoding skills, including real and nonsense words.

(v) Rapid automatized naming, with letters, digits, objects, or colors.

(B) This paragraph does not prohibit the board from periodically adding to the list described in subparagraph (A).

(2) (A) Commencing with the 2024–25 school year, and annually thereafter, a local educational agency serving pupils in any of the grades kindergarten to grade 2, inclusive, shall screen each pupil in kindergarten to grade 2, inclusive, for risk of dyslexia by using a state-approved instrument or instruments with fidelity, as identified in paragraph (1), within 90 calendar days from the start of instruction for the school year, unless objected to in writing by the pupil's parent or guardian.

(B) When screening English learners, factors, including, but not limited to, English language acquisition status, home language, and language of instruction shall be considered.

(3) Results from the screening shall be made available to the pupil's parent or guardian in a timely manner, but no more than 45 calendar days from administering the screening, and shall include information as to how the parent or guardian can access, on the department's internet website, information about the Multi-Tiered System of Supports, and the California Dyslexia Guidelines developed by the Superintendent pursuant to Section 56335.

(4) If a pupil enrolls for the first time in any of the grades kindergarten to grade 2, inclusive, after the screening has been administered pursuant to paragraph (2), the local educational agency shall screen the pupil for risk of dyslexia by using a state-approved instrument or instruments with fidelity, as identified in paragraph (1), within 30 calendar days of enrollment, unless the parent or guardian objects in writing or presents documentation that the pupil had a similar screening in their prior school and the parent or guardian was made aware of the results.

(5) Screening pursuant to this subdivision shall not be considered an evaluation to establish eligibility for special education and related services pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or an evaluation to determine eligibility for a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794).

(6) It is the intent of the Legislature that results from the screening pursuant to this subdivision and the California Dyslexia Guidelines developed pursuant to Section 56335 be available for use by teachers and by parents and guardians in order to provide knowledge of the characteristics exhibited by pupils with dyslexia and related learning differences, to provide knowledge of the instructional strategies that can be successfully used with pupils at risk of dyslexia, and to help parents and guardians understand their rights.

(7) A local educational agency shall provide a pupil identified as being at risk of dyslexia pursuant to this subdivision with evidence-based literacy instruction, progress monitoring, and early intervention in the regular general education program. A local educational agency may also provide additional support and referrals, as recommended in the California Dyslexia Guidelines, the English Language Arts/English Language Development Framework, and the California Multi-Tiered System of Supports. Local educational agencies are encouraged to use a structured literacy approach to instruction as recommended by the California Dyslexia Guidelines.

(b) For purposes of this section, the following definitions apply:

(1) “Local educational agency” means a school district, county office of education, or charter school.

(2) “Screening instrument” means a brief tool administered by an appropriately trained school employee, including, but not limited to, a certificated teacher of record, measuring discrete areas to determine risk of dyslexia and possible need for early intervention.

SEC. 3.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

ATTACHMENT B

RESOLUTION NO. 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE SUPPORTING CALIFORNIA STATE SENATE BILL NO. 691 (PORTANTINO) – DYSLEXIA RISK SCREENING

Resolution supporting California State Senate Bill No. 691, introduced by Senate Member Anthony Portantino (SD- 25), which would require the State Board of Education to establish an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by a local educational agency, as defined, to screen pupils for risk of dyslexia.

WHEREAS, According to The Yale Center for Dyslexia and Creativity, Dyslexia is the most common neurobehavioral disorder in children and young adults, affecting 20% of the population and representing 80-90 percent of all those with learning disabilities; and

WHEREAS, Students with Dyslexia are less likely to graduate high school and attend college; and

WHEREAS, Research shows that diagnosis, or the lack of it, in public schools remains a major problem and is a primary contributor to students "fading out". Additionally, having dyslexia, or another learning disability, is still stigmatized and misunderstood in many school districts, and many public schools do not have the resources or knowledge to educate students that require additional accommodations adequately; and

WHEREAS, The Dyslexia Research Institute estimates that although 1 in 5 Americans likely has dyslexia, only 5% are diagnosed. Even fewer are diagnosed during their elementary education years. So, by the time students reach high school, they have learned poor coping mechanisms for their dyslexia and struggle in silence, or they continue to struggle academically and incur low self-esteem as a result; and

WHEREAS, These combined forces have contributed to a staggering drop-out rate for students with special educational needs; and

WHEREAS, The American Bar Association found nearly 85 percent of all youth involved with juvenile court system was unable to read; and

WHEREAS, According to the National Center on Improving Literacy, forty states have passed legislation requiring screening for risk of dyslexia; and

WHEREAS, California law does not require early screening of all children to identify children at risk for Dyslexia to enable parents and teachers to be aware of the student's needs as early as possible and provide appropriate instruction; and

WHEREAS, Multiple scientific studies demonstrate that early identification and intervention with evidence-based early literacy instructional strategies and materials improves literacy outcomes for students at risk of or with dyslexia and other struggling

readers; and

WHEREAS, By screening all pupils for risk of dyslexia early, California can help families and teachers achieve the best learning and life outcomes for all pupils, close academic achievement gaps, and help end the school-to-prison pipeline; and

WHEREAS, Senate Bill No. 691 (SB 691) would require California local educational agencies serving pupils in any of the grades kindergarten to grade 2 to screen students for risk of Dyslexia in their; and

WHEREAS, SB 691 would require the State Board of Education (SBE) to establish an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by a local educational agency (LEA) to screen pupils for risk of dyslexia;

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 City of Pinole, California supports Senate Bill No. 691 that would require all students in California to be screened for risk of Dyslexia in their early elementary years.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the **4th** day of **April 2023** 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 **4th** day of **April 2023**

_____

Heather Bell, CMC
City Clerk

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CITY COUNCIL REPORT

9E

DATE: APRIL 4, 2023

TO: MAYOR AND COUNCILMEMBERS

FROM: LILLY WHALEN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: HOUSING SUCCESSOR ANNUAL REPORT FOR FISCAL YEAR 2021-22

RECOMMENDATION

Staff recommends that the City Council receive and file the Housing Successor Agency Annual Report for Fiscal Year ("FY") 2021-22 to submit to the California Department of Housing and Community Development ("HCD").

BACKGROUND

The City of Pinole ("City") is the housing successor (the "Housing Successor") to the former Redevelopment Agency of the City of Pinole (the "Agency"), which was dissolved on February 1, 2012. State law requires that the City prepare an annual report on Housing Successor finances and activities as set forth in Health and Safety Code Section 34176.1 (see **Attachment A**).

The annual report is required to contain: (1) a summary of Housing Successor duties; (2) the balance of the Low- and Moderate-Income Housing Asset Fund ("Housing Asset Fund"); (3) an inventory of properties held in the Housing Asset Fund; and (4) reports on the City's performance thus far in meeting requirements of Health and Safety Code Section 34176.1.

The report is due to HCD by April 1st each year and must be posted on the City's website. The report for FY 2021-22 is being presented to the City Council to receive and file with HCD.

REVIEW AND ANALYSIS

The City is meeting all requirements imposed by Health and Safety Code Section 34176.1. The City's progress on major requirements is summarized below.

Housing Asset Fund Activity and Balance

As of June 30, 2022, the Housing Asset Fund had a balance of approximately $7.8 million, of which $5.7 million is cash and the remainder is non-cash assets. Annual revenues totaled $1.7 million. Revenue sources include a note repayment by an affordable housing developer, a Supplemental Educational Revenue Augmentation Fund ("SERAF") loan repayment, and the repayment of first-time homebuyer and residential rehabilitation loans issued by the former Agency.

There were $128,589 in Housing Asset Fund expenditures in FY 2021-22 for administrative items, such as legal and professional services, building maintenance and utilities, housing compliance monitoring, and staff costs for time related to Housing Successor administration. Administrative expenses were within the annual limit set by law.

Of the available cash balance in the Housing Asset Fund, $3.2 million has been committed to Satellite Affordable Housing Associates ("SAHA") for a 33-unit affordable housing development at 811 San Pablo Avenue, leaving a $2.5 million available cash balance. The City plans to create an affordable housing expenditure policy to provide guidance on how to spend available funds on future affordable housing efforts.

Real Property Assets and Loans Receivables

As of June 30, 2022, the City owned four Housing Successor properties with a value of $1.2 million:

- 811 San Pablo Avenue - The Housing Successor entered into a Disposition and Development Agreement ("DDA") with SAHA dated July 6, 2021 and amended February 21, 2023 to develop this property with 33 units of housing affordable to extremely low income to low income households. The majority of units will be restricted for veterans by State and Federal funding sources proposed to finance the project. SAHA has secured nearly all required financing and construction is estimated to begin by June 2023 and end in Summer 2024.
- Collins House at 612 Tennent Avenue - The Housing Successor approved a Purchase and Sale Agreement ("PSA") in August 2022 to rehabilitate this property into a four-plex with one low income unit. All sales proceeds will be deposited into the Housing Asset Fund as required by law.
- Two properties are restricted as open space and cannot be developed at this time. The first property is adjacent to Pinole Grove Senior Housing on Samuel Street and John Street. The second property is land on which the Faria House resides at 2100 San Pablo Avenue, including a linear park between San Pablo Avenue and Buena Vista Drive.

The Housing Asset Fund has $862,863 in collectable loans receivable from a SERAF loan. The former Agency borrowed money from its affordable housing fund to pay

amounts due to the State prior to dissolution. Staff expects the total outstanding balance to be paid off through the Recognized Obligation Payment Schedule (ROPS) in June 2023.

The Housing Successor also has $4.0 million in outstanding developer loans and $270,760 from outstanding first-time homebuyer and rehabilitation loans made by the former Agency.

Expenditure Proportionality Requirements

Expenditures from the Housing Asset Fund must meet specific proportionality requirements by income level and age:

- Administrative and monitoring expenses have an annual maximum limit, which was $223,400 in FY 2020-21 (the FY 2021-22 limit was not published at the time this report was prepared but is expected to increase). Pinole spent $128,589 on administration and monitoring in FY 2021-22, which is well below the limit.
- Up to $250,000 may be spent annually on homeless prevention and rapid rehousing solutions for homelessness. No Housing Asset Funds have been spent on this category in order to prioritize funding for affordable housing development. According to the County of Contra Costa Continuum of Care Report, 38 Pinole residents lost housing in 2021 (the most recent data available).
- If Housing Asset Funds are spent on housing development projects or programs, specific income levels must be assisted within a five-year compliance period (see Appendix 1 of **Attachment B** for more details). FY 2021-22 marks the third year of the five-year compliance period of July 1, 2019 through June 30, 2024. Pinole did not spend any Housing Asset Funds on housing development projects or programs in FY 2021-22. Staff will ensure income targets are met with any future expenditures, including any expenditures toward the development of affordable housing at 811 San Pablo Avenue.
- Housing Asset Funds may not assist senior rental housing units if more than 50% of rental housing units assisted by the City or the former Agency in the prior 10 years were restricted to seniors. In the last 10 years, the Housing Successor, former Agency, and City assisted 33 deed-restricted rental units that are not age restricted. The Housing Successor may assist up to 33 senior units to remain in compliance.

The City is meeting all Housing Asset Fund requirements and will continue to ensure compliance with future expenditures, particularly with the future development of 811 San Pablo Avenue.

Excess Surplus

Housing successors are subject to the same excess surplus requirement as former redevelopment agencies. Excess surplus is a cash balance that is higher than the greater of $1 million or the sum of all cash deposits to the Housing Asset Fund in the prior four years. Housing successors must spend or encumber any excess surplus within three fiscal years or transfer its excess surplus to HCD to spend on statewide housing programs. The intent of the law is to encourage housing successors to spend available affordable housing funds on a timely basis.

The Housing Successor did not accrue an excess surplus in FY 2021-22. The City intends to spend funds in a timely manner to avoid excess surplus.

FISCAL IMPACT

There is no fiscal impact related to receiving and filing this annual report on the City's activities as the Housing Successor.

ATTACHMENTS

A - Health and Safety Code Section 34176.1
B - Pinole Housing Successor Annual Report for Fiscal Year 2021-22

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STATE OF CALIFORNIA
LEGISLATIVE COUNSEL BUREAU
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

ATTACHMENT A

State of California

HEALTH AND SAFETY CODE

Section 34176.1

34176.1. Funds in the Low and Moderate Income Housing Asset Fund described in subdivision (d) of Section 34176 shall be subject to the provisions of the Community Redevelopment Law (Part 1 (commencing with Section 33000)) relating to the Low and Moderate Income Housing Fund, except as follows:

(a) Subdivision (d) of Section 33334.3 and subdivision (a) of Section 33334.4 shall not apply. Instead, funds received from the successor agency for items listed on the Recognized Obligation Payment Schedule shall be expended to meet the enforceable obligations, and the housing successor shall expend all other funds in the Low and Moderate Income Housing Asset Fund as follows:

(1) For the purpose of monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and for the purpose of administering the activities described in paragraphs (2) and (3), a housing successor may expend per fiscal year up to an amount equal to 5 percent of the statutory value of real property owned by the housing successor and of loans and grants receivable, including real property and loans and grants transferred to the housing successor pursuant to Section 34176 and real property purchased and loans and grants made by the housing successor. If this amount is less than two hundred thousand dollars ($200,000) for any given fiscal year, the housing successor may expend up to two hundred thousand dollars ($200,000) in that fiscal year for these purposes. The Department of Housing and Community Development shall annually publish on its Internet Web site an adjustment to this amount to reflect any change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor for the preceding calendar year. For purposes of this paragraph, “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer form approved by the department pursuant to paragraph (2) of subdivision (a) of Section 34176, the value of the properties transferred to the housing successor pursuant to subdivision (f) of Section 34181, and the purchase price of properties purchased by the housing successor.

(2) Notwithstanding Section 33334.2, if the housing successor has fulfilled all obligations pursuant to Sections 33413 and 33418, the housing successor may expend up to two hundred fifty thousand dollars ($250,000) per fiscal year for homeless prevention and rapid rehousing services for individuals and families who are homeless or would be homeless but for this assistance, including the provision of short-term or medium-term rental assistance, contributions toward the construction of local or regional homeless shelters, housing relocation and stabilization services including

housing search, mediation, or outreach to property owners, credit repair, security or utility deposits, utility payments, rental assistance for a final month at a location, moving cost assistance, and case management, or other appropriate activities for homelessness prevention and rapid rehousing of persons who have become homeless.

(3) (A) The housing successor shall expend all funds remaining in the Low and Moderate Income Housing Asset Fund after the expenditures allowed pursuant to paragraphs (1) and (2) for the development of housing affordable to and occupied by households earning 80 percent or less of the area median income, with at least 30 percent of these remaining funds expended for the development of rental housing affordable to and occupied by households earning 30 percent or less of the area median income and no more than 20 percent of these remaining funds expended for the development of housing affordable to and occupied by households earning between 60 percent and 80 percent of the area median income. A housing successor shall demonstrate in the annual report described in subdivision (f), for 2019, and every five years thereafter, that the housing successor's expenditures from January 1, 2014, through the end of the latest fiscal year covered in the report comply with the requirements of this subparagraph.

(B) If the housing successor fails to comply with the extremely low income requirement in any five-year report, then the housing successor shall ensure that at least 50 percent of these remaining funds expended in each fiscal year following the latest fiscal year following the report are expended for the development of rental housing affordable to, and occupied by, households earning 30 percent or less of the area median income until the housing successor demonstrates compliance with the extremely low income requirement in an annual report described in subdivision (f).

(C) If the housing successor exceeds the expenditure limit for households earning between 60 percent and 80 percent of the area median income in any five-year report, the housing successor shall not expend any of the remaining funds for households earning between 60 percent and 80 percent of the area median income until the housing successor demonstrates compliance with this limit in an annual report described in subdivision (f).

(D) For purposes of this subdivision, "development" means new construction, acquisition and rehabilitation, substantial rehabilitation as defined in Section 33413, the acquisition of long-term affordability covenants on multifamily units as described in Section 33413, or the preservation of an assisted housing development that is eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years as those terms are defined in Section 65863.10 of the Government Code. Units described in this subparagraph may be counted towards any outstanding obligations pursuant to Section 33413, provided that the units meet the requirements of that section and are counted as provided in that section.

(b) Subdivision (b) of Section 33334.4 shall not apply. Instead, if the aggregate number of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years exceeds 50 percent of the

aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period, then the housing successor shall not expend these funds to assist additional senior housing units until the housing successor or its host jurisdiction assists, and construction has commenced, a number of units available to all persons, regardless of age, that is equal to 50 percent of the aggregate number of units of deed-restricted rental housing units assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the time period described above.

(c) (1) Program income a housing successor receives shall not be associated with a project area and, notwithstanding subdivision (g) of Section 33334.2, may be expended anywhere within the jurisdiction of the housing successor or transferred pursuant to paragraph (2) without a finding of benefit to a project area. For purposes of this paragraph, "program income" means the sources described in paragraphs (3), (4), and (5) of subdivision (e) of Section 34176 and interest earned on deposits in the account.

(2) Two or more housing successors within a county, within a single metropolitan statistical area, within 15 miles of each other, or that are in contiguous jurisdictions may enter into an agreement to transfer funds among their respective Low and Moderate Income Housing Asset Funds for the sole purpose of developing transit priority projects as defined in subdivisions (a) and (b) of Section 21155 of the Public Resources Code, permanent supportive housing as defined in paragraph (2) of subdivision (b) of Section 50675.14, housing for agricultural employees as defined in subdivision (g) of Section 50517.5, or special needs housing as defined in federal or state law or regulation, or for a regional homeless shelter, if all of the following conditions are met:

(A) Each participating housing successor has made a finding based on substantial evidence, after a public hearing, that the agreement to transfer funds will not cause or exacerbate racial, ethnic, or economic segregation.

(B) The development to be funded shall not be located in a census tract where more than 50 percent of its population is very low income, unless the development is within one-half mile of a major transit stop or high-quality transit corridor as defined in paragraph (3) of subdivision (b) of Section 21155 of the Public Resources Code.

(C) The completed development shall not result in a reduction in the number of housing units or a reduction in the affordability of housing units on the site where the development is to be built.

(D) A transferring housing successor shall not have any outstanding obligations pursuant to Section 33413.

(E) No housing successor may transfer more than one million dollars ($1,000,000) per fiscal year.

(F) The jurisdictions of the transferring and receiving housing successors each have an adopted housing element that the Department of Housing and Community Development has found pursuant to Section 65585 of the Government Code to be in substantial compliance with the requirements of Article 10.6 (commencing with

Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code and have submitted to the Department of Housing and Community Development the annual progress report required by Section 65400 of the Government Code within the preceding 12 months.

(G) Transferred funds shall only assist rental units affordable to, and occupied by, households earning 60 percent or less of the area median income.

(H) Transferred funds not encumbered within two years shall be transferred to the Department of Housing and Community Development for expenditure pursuant to the Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program.

(d) Sections 33334.10 and 33334.12 shall not apply. Instead, if a housing successor has an excess surplus, the housing successor shall encumber the excess surplus for the purposes described in paragraph (3) of subdivision (a) or transfer the funds pursuant to paragraph (2) of subdivision (c) within three fiscal years. If the housing successor fails to comply with this subdivision, the housing successor, within 90 days of the end of the third fiscal year, shall transfer any excess surplus to the Department of Housing and Community Development for expenditure pursuant to the Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program. For purposes of this subdivision, "excess surplus" shall mean an unencumbered amount in the account that exceeds the greater of one million dollars ($1,000,000) or the aggregate amount deposited into the account during the housing successor's preceding four fiscal years, whichever is greater.

(e) Section 33334.16 shall not apply to interests in real property acquired on or after February 1, 2012. With respect to interests in real property acquired by the former redevelopment agency before February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the department approved the property as a housing asset.

(f) Section 33080.1 of this code and Section 12463.3 of the Government Code shall not apply. Instead, the housing successor shall conduct, and shall provide to its governing body, an independent financial audit of the Low and Moderate Income Housing Asset Fund within six months after the end of each fiscal year, which may be included in the independent financial audit of the host jurisdiction. If the housing successor is a city or county, it shall also include in its report pursuant to Section 65400 of the Government Code and post on its Internet Web site all of the following information for the previous fiscal year. If the housing successor is not a city or county, it shall also provide to its governing body and post on its Internet Web site all of the following information for the previous fiscal year:

(1) The amount the city, county, or city and county received pursuant to subparagraph (A) of paragraph (3) of subdivision (b) of Section 34191.4.

(2) The amount deposited to the Low and Moderate Income Housing Asset Fund, distinguishing between amounts deposited pursuant to subparagraphs (B) and (C) of paragraph (3) of subdivision (b) of Section 34191.4, amounts deposited for other items listed on the Recognized Obligation Payment Schedule, and other amounts deposited.

(3) A statement of the balance in the fund as of the close of the fiscal year, distinguishing any amounts held for items listed on the Recognized Obligation Payment Schedule from other amounts.

(4) A description of expenditures from the fund by category, including, but not limited to, expenditures (A) for monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and administering the activities described in paragraphs (2) and (3) of subdivision (a), (B) for homeless prevention and rapid rehousing services for the development of housing described in paragraph (2) of subdivision (a), and (C) for the development of housing pursuant to paragraph (3) of subdivision (a).

(5) As described in paragraph (1) of subdivision (a), the statutory value of real property owned by the housing successor, the value of loans and grants receivable, and the sum of these two amounts.

(6) A description of any transfers made pursuant to paragraph (2) of subdivision (c) in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service.

(7) A description of any project that the housing successor receives or holds property tax revenue pursuant to the Recognized Obligation Payment Schedule and the status of that project.

(8) For interests in real property acquired by the former redevelopment agency before February 1, 2012, a status update on compliance with Section 33334.16. For interests in real property acquired on or after February 1, 2012, a status update on the project.

(9) A description of any outstanding obligations pursuant to Section 33413 that remained to transfer to the housing successor on February 1, 2012, of the housing successor's progress in meeting those obligations, and of the housing successor's plans to meet unmet obligations. In addition, the housing successor shall include in the report posted on its Internet Web site the implementation plans of the former redevelopment agency.

(10) The information required by subparagraph (B) of paragraph (3) of subdivision (a).

(11) The percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period.

(12) The amount of any excess surplus, the amount of time that the successor agency has had excess surplus, and the housing successor's plan for eliminating the excess surplus.

(13) An inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an

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adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund pursuant to subdivision (f) of Section 33334.3. This inventory shall include all of the following information:

(A) The number of those units.

(B) In the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012, and the reason or reasons for those losses. For all subsequent reports, the number of the units lost to the portfolio in the last fiscal year and the reason for those losses.

(C) Any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.

(D) Whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.

(Amended by Stats. 2017, Ch. 35, Sec. 1. (AB 346) Effective January 1, 2018.)

ATTACHMENT B

HOUSING SUCCESSOR ANNUAL REPORT
City of Pinole

Fiscal Year 2021-22

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INTRODUCTION

This Housing Successor Agency Annual Report ("Annual Report") presents information on Fiscal Year ("FY") 2021-22 expenditures and activities as required by Health and Safety Code ("HSC") Section 34176.1(f), including but not limited to a housing successor's compliance with certain expenditure requirements over the year as well as a five-year planning period. This Annual Report is required of any housing successor to a former redevelopment agency.

CITY OF PINOLE AS HOUSING SUCCESSOR

The City of Pinole ("City") is the housing successor (the "Housing Successor") to the former Redevelopment Agency of the City of Pinole (the "Agency"), which was dissolved statewide in 2012. At the time of dissolution, a housing successor was to be selected to accept the transfer of and be responsible for the remaining assets and liabilities of a former redevelopment agency.

This Annual Report is an addendum to the City's Housing Element Annual Progress Report. Both are due to the California Department of Housing and Community Development ("HCD") by April 1 annually. The Housing Successor's FY 2021-22 audited financial statements have been posted on the City website and are incorporated herein by reference.

SCOPE OF THIS HOUSING SUCCESSOR ANNUAL REPORT

This Annual Report is limited to the City's activities as it relates to its role as a housing successor. This may include, but is not limited to, financial activities, property disposition, loan administration, monitoring of covenants, and affordable housing development. This Annual Report describes compliance with various annual, five-year, and ten-year housing expenditure and production requirements. FY 2021-22 is the third year of the current five-year compliance period for income proportionality, which begins July 1, 2019 and ends June 30, 2024.

ASSETS TRANSFERRED TO THE HOUSING SUCCESSOR

Upon the statewide dissolution of redevelopment in 2012, all rights, powers, committed assets, liabilities, duties, and obligations associated with the affordable housing activities of the former Agency were transferred to the Housing Successor. As one of its first duties as a housing successor, the Housing Successor prepared and submitted to the California Department of Finance ("DOF") an inventory of

housing assets to be transferred from the former Agency. The inventory was enumerated on a Housing Asset Transfer Form ("HAT") which included:

1. Real properties;
2. Personal property;
3. Low and Moderate Income Housing Fund encumbrances;
4. Loans/Grants Receivable;
5. Rents/Operations; and
6. Deferrals.

All items on the HAT were reviewed and ultimately approved by DOF on February 15, 2013. A copy of the HAT is provided as Appendix 1 in Attachment 2. The City, acting as Housing Successor, transferred these assets to the Low and Moderate Income Housing Asset Fund ("Housing Asset Fund", Fund 285). Approval of the HAT set in motion a series of obligations by the City as a housing successor, as described in the following section.

BACKGROUND

This Section summarizes the legal requirements for use of housing successor assets that are addressed in this Annual Report.

LEGAL REQUIREMENTS PERTAINING TO HOUSING SUCCESSORS

A year after dissolution of redevelopment began, the California State Legislature recognized the need to regulate and provide transparency on the use of the housing activities transferred from a former redevelopment agency. Senate Bill 341 (DeSaulnier, 2013) and subsequent legislation enacted several requirements for housing successor agencies contained in HSC Sections 34176-34176.1.

In general, housing successors must comply with three major requirements pursuant to HSC Section 34176.1:

1. Housing Successor expenditures and housing production are subject to income and age targets.
2. Housing successors may not accumulate an "excess surplus," or a high balance based on certain thresholds.

3. Properties must be developed with affordable housing or sold within five to ten years of being approved for transfer from the former redevelopment agency to the housing successor.

Appendix 2 in Attachment 2 provides a detailed summary of the reporting requirements that are addressed in this Annual Report.

PERMITTED USES OF HOUSING ASSET FUNDS

Pursuant to HSC Section 34176.1, Housing Asset Funds may be spent on:

- **Administrative costs** for operation of the housing successor agency. The law allows a housing successor to spend the greater of:
    - $200,000 per year adjusted for inflation, or
    - 5% of the statutory value of real property owned by that housing successor and the value of loans and grants receivable from the HAT ("Portfolio").

  According to HCD, the $200,000 limit adjusted for inflation is $223,400 for FY 2020-21. At the time this report was prepared, HCD had not released an administrative limit for FY 2021-22, which will be higher. The Housing Successor will comply with the FY 2021-22 limit since administrative expenses were below $223,400.

- **Homeless prevention and rapid rehousing services** up to $250,000 per year if the former redevelopment agency did not have any outstanding inclusionary housing or replacement housing production requirements as of 2012. Pinole is eligible for this expense because the former Agency did not have any outstanding inclusionary or replacement housing requirements upon dissolution.

- **Affordable housing development** assisting households earning up to 80 percent of the Area Median Income ("AMI"), subject to specific income and age targets over a five-year period.

  Five-Year Income Proportionality on Development Expenditures: Housing Asset Funds may be spent on development of housing projects affordable to low, very low, and extremely low income households. "Development" is defined as "new construction, acquisition and rehabilitation, substantial rehabilitation as defined in HSC Section 33413, the acquisition of long-term affordability covenants on multifamily units as described in HSC Section 33413, or the preservation of an assisted housing development that is

eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years."

Over each five-year compliance period, at least 30 percent of such development expenditures must assist extremely low income households (30% AMI), while no more than 20 percent may assist low income households (between 60-80%). The balance of the funds may be used on households earning between 30% and 60% of AMI.

The first five-year compliance period was January 1, 2014 through June 30, 2019. The Housing Successor was compliant with Housing Asset Fund income proportionality expenditure requirements during the first five-year compliance period. The second, and current, five-year compliance period is July 1, 2019 to June 30, 2024.

Note that housing successors must report expenditures by category each year, but compliance with income proportionality limits is measured every five years. For example, a housing successor could spend all its funds in a single year on households earning between 60-80% AMI, as long as it was 20 percent or less of the total expenditures during the five-year compliance period.

Should a housing successor not spend at least 30% of its development expenditures assisting extremely low income households, or exceed the amount spent on low income households, future expenditures are subject to greater restriction until these proportionality targets are met. Specifically, if a housing successor is unable to spend at least 30% of its development expenditures on extremely low units, it is required to increase this spending to 50% until compliant with the 30% threshold; a housing successor that spends more than 20% of its development expenditures on low income units cannot spend any further funds on low income developments until it is at or below the 20% threshold.

As such, tracking these expenditures and their progress over the corresponding five-year period is an important function of this Annual Report.

Ten-Year Age Proportionality on Units Assisted: If more than 50% of the total aggregate number of rental units produced by the city, housing successor, or former redevelopment agency during the past 10 years are restricted to seniors, the housing successor may not spend more Housing Asset Funds on senior rental housing. In the last

10 years, the Housing Successor, former Agency, and City assisted 33 deed-restricted rental units that are not age restricted. The Housing Successor may assist up to 33 senior units to remain in compliance. (see Table 4).

Appendix 3 in Attachment 2 describes Housing Asset Fund Expenditure requirements in more detail including the types of costs eligible in each category.

LIMITS ON THE ACCUMULATION OF HOUSING FUNDS (EXCESS SURPLUS)

State law limit how much cash a housing successor may retain and, if it fails to commit and spend these dollars in a reasonable timeframe, ultimately penalizes the housing successor by requiring unspent funds to be transferred to HCD for use on State housing programs.

HSC Section 34176.1(d) establishes a limit, known as an "excess surplus" on the amount of unencumbered Housing Asset Funds based on the greater of the following:

- $1,000,000, or
- The total amount of deposits made into the Housing Asset Fund over the preceding four years.

Only amounts in excess of this threshold are considered an excess surplus. Once an excess surplus is determined, a housing successor must account for these funds separately and encumber said monies within three years. If after the third year the excess surplus has not been fully encumbered, the remaining balance of the excess surplus is to be transferred to HCD within 90 days. HCD is permitted to use these transferred excess surplus funds anywhere in the State under its Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program.

The concept of excess surpluses carries over from the era prior to dissolution of redevelopment, when redevelopment agencies often were receiving substantial amounts of deposits from the mandatory housing set-aside of 20% of tax increment revenues.

As part of the Annual Report, a housing successor must disclose any excess surplus and describe the housing successor's plan for eliminating this excess surplus.

HOUSING ASSET FUND ACTIVITY

The following section describes the Housing Asset Fund activities in FY 2021-22.

DEPOSITS AND FUND BALANCE

The Housing Successor deposited $1,676,410 into the Housing Asset Fund in FY 2021-22, as shown in Figure 1. Revenue sources consist of investment earnings from a note repayment by Bridge Housing, repayments on a Supplemental Education Revenue Augmentation Fund ("SERAF") loan, and repayment on first-time homebuyer and residential rehabilitation loans issued by the former Agency.

Table 1
Fiscal Year 2021-22 Housing Asset Fund Deposits

Source		Amount
Investment Earnings	$	(44,948)
SERAF Loan Repayment	$	1,678,692
Bridge Housing Note Repayment	$	11,610
Homeowner Loan Repayments	$	31,055
Total	**$**	**1,676,410**

Source: City of Pinole

EXPENDITURES

The Housing Successor expended a total of $128,589 during FY 2021-22. All expenditures were for Housing Successor administration including professional services and utilities. The total administrative costs of $128,589 are within the annual limit. The Successor Agency will continue to keep its administrative costs within the limit pursuant to HSC Section 34176.1.

ENDING CASH AND FUND BALANCE

The Housing Asset Fund balance as of June 30, 2022 was $7,747,510, as summarized in Table 2. Of this amount, $5,662,041 was cash.

Table 2 Housing Asset Fund Ending Balance FY 2021-22		
Balance Type		**Gross Balance**
Cash		5,662,041
Miscellaneous Receivable		516
Notes Receivable		3,972,907
Allowance for Uncollectable Notes		(3,972,907)
Loans Receivable		270,760
Allowance for Uncollectable Loans		(270,760)
Land Held for Resale		1,222,070
Due from RDA Successor Agency		862,883
Ending Balance	**$**	**7,747,510**

Source: City of Pinole

HOUSING SUCCESSOR PORTFOLIO

The Housing Successor Portfolio includes real properties and notes and loans receivable transferred from the former Agency. The Portfolio had a value of $2,084,953 as of FY 2021-22, as detailed in Table 3.

Table 3 Portfolio Value of Real Properties and Loans Receivable	
Asset	**Amount**
Land Held for Resale	
Grove Land (Samuel Street)	62
Faria House Land (2100 San Pablo Ave)	355,000
Collins Housing (612 Tennent Ave)	625,000
Vacant Land (811 San Pablo Ave)	242,008
Subtotal	*$1,222,070*
Notes Receivable	
Bridge Housing Note	1,039,904
Alvarez Court Note	1,812,498
East Bluff Note	1,120,505
Allowance for uncollectable notes	(3,972,907)
Subtotal	-
Loans Receivable	
First-Time Homebuyer Loans	240,075
Housing Rehab Loans	30,685
SERAF Loan	862,883
Allowance for uncollectable loans	(270,760)
Subtotal	*$862,883*
Total Portfolio Value	**$2,084,953**

Source: City of Pinole

REAL PROPERTIES AND DISPOSITION STATUS

The former Agency transferred five properties to the Housing Successor as approved on the HAT:

- Pinole Grove Senior Housing Vacant Land (Samuel Street) – Pursuant to a Development and Disposition Agreement ("DDA"), this property is required to remain vacant as open space for the adjacent Pinole Grove Senior Housing development. The property has a steep slope and cannot be developed, therefore there are no plans for its disposition.
- Faria House Vacant Land (2100 San Pablo Avenue) – This 2.3-acre parcel is park land in which the Faria House resides.
- Collins House (612 Tennent Avenue) – The Housing Successor listed this property for sale in September 2020 and approved a Purchase and Sale Agreement ("PSA") in May 2021; the PSA was terminated in January 2022 due to milestones not being met pursuant to the terms of the

PSA. The Housing Successor relisted the property in February 2022 and approved a Purchase and Sale Agreement ("PSA") with a new buyer in August 2022. The property is in escrow until the buyer obtains building permits to substantially rehabilitate the property into a four-plex that includes one low income unit. All sales proceeds will be deposited into the Housing Asset Fund as required by law.

- Vacant Land (811 San Pablo Avenue) – The Housing Successor entered into a DDA with Satellite Affordable Housing Associates ("SAHA") dated July 6, 2021, subsequently amended on February 21, 2023, to develop this property with 33 units of housing affordable to extremely low income to low income households. The majority of units will be restricted for veterans by State and Federal funding sources proposed to finance the project. As of January 2023, SAHA has secured nearly all financing needed to begin construction by June 2023. SAHA estimates construction will be complete by July 2024.

HSC Section 34176.1(e) requires all real properties acquired by a redevelopment agency prior to February 1, 2012 and transferred to the housing successor to initiate development of affordable housing or sell the properties within five to ten years of DOF's approval of the HAT, or February 15, 2023. The City extended the deadline from February 15, 2018 to February 15, 2023, by action of the City Council on November 21, 2017 as permitted by law. The City has complied with this timeline for 612 Tennent Avenue and 811 San Pablo Avenue because it initiated development and entered into sales agreements prior to the deadline. The Grove Vacant Land and Faria House vacant land are exempt from this requirement due to their contractual land use restrictions.

LOANS RECEIVABLE

The Housing Asset Fund has $862,883 in collectable loans receivable as described below:

- SERAF Loan in the amount of $862,883: Prior to redevelopment dissolution, the former Agency deferred $4,291,575 in Low and Moderate Income Housing Fund set-aside deposits in order to make State-mandated payments into SERAF, a State education fund. The Successor Agency is now responsible for making SERAF loan repayments from Redevelopment Property Tax Trust Funds ("RPTTF"). The outstanding balance as of June 30, 2022 was $862,883. The total outstanding balance is anticipated to be paid off in 2023.

- Outstanding Developer Notes in the amount of $3,972,907: The Housing Successor administers three loans made to affordable housing developers by the former Agency. The loans are repaid from residual receipts if the properties have sufficient cash remaining at the end of each operating year. Table 3 reflects an allowance for uncollectable notes to write off the value of these loans in case they are not repaid.

- Outstanding First-Time Homebuyer Loans and Housing Rehabilitation Loans in the amount of $270,760: These loans have different maturity dates ranging from 2022 through 2099. Appendix 4 in Attachment 2 provides an inventory of outstanding loans. Table 3 reflects an allowance for uncollectable loans to write off the value of these loans in case they are not repaid.

COMPLIANCE WITH EXPENDITURE & PRODUCTION LIMITS

During FY 2021-22, the City was in compliance with all annual and five- to ten-year planning period requirements as described in this section.

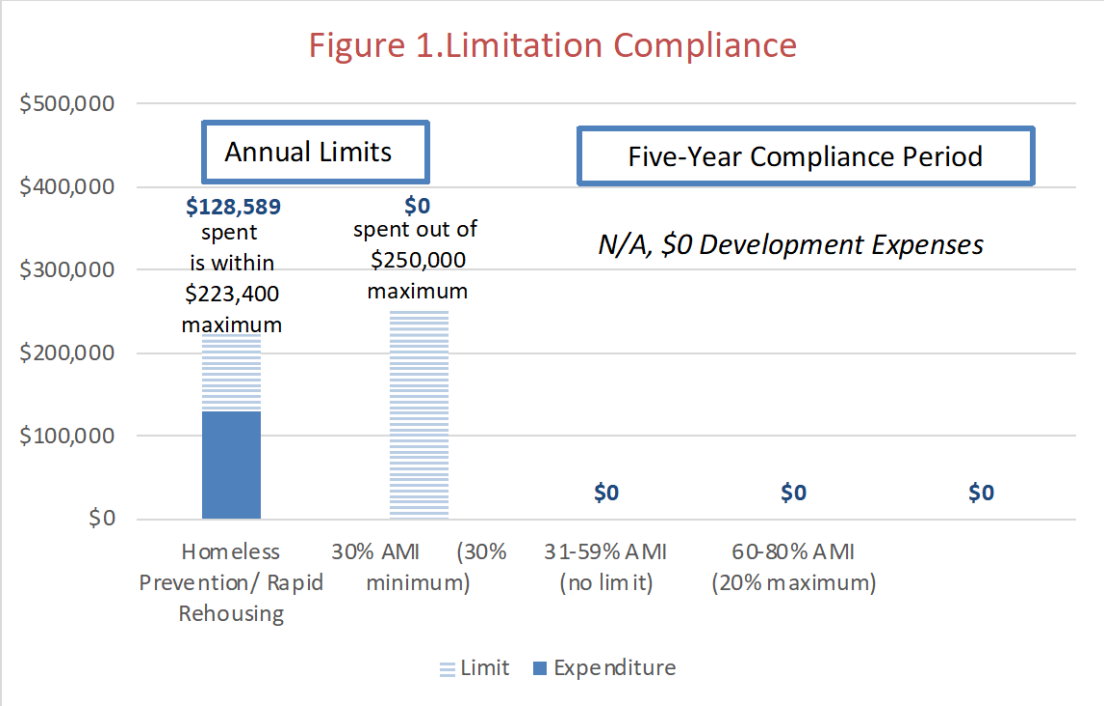
PROPORTIONALITY REQUIREMENTS

As summarized in Figure 1, the Housing Successor fully complied with all Housing Asset Fund spending restrictions in FY 2021-22:

- The Housing Successor expended $128,589 on administrative expenses which is under the maximum annual limit. At the time this report was written, the FY 2021-22 limit had not been published, but it will be higher than the FY 2020-21 limit of $223,400.

- The Housing Successor did not use any Housing Asset Funds for homeless prevention or rapid rehousing expenses, and was therefore in compliance with the $250,000 spending limit.

- The Housing Successor did not spend any Housing Asset Funds for affordable housing development-related expenditures in FY 2021-22, which is the second year of the current five-year compliance period for income proportionality. The Housing Successor will ensure future development-related expenditures comply with income proportionality requirements.



SENIOR RENTAL HOUSING LIMIT COMPLIANCE

Pursuant to HSC Section 34176 (b), Housing Asset Funds may not assist senior rental housing if more than 50% of deed-restricted rental housing units assisted by the former Agency, Housing Successor, or City in the previous ten years are restricted to seniors. Between FY 2012-13 through 2021-22, the Housing Successor, former Agency, and City assisted 33 deed-restricted rental units at 811 San Pablo Avenue that are not age restricted. The Housing Successor may assist up to 33 senior units to remain in compliance. The Housing Successor will ensure that it complies with this requirement moving forward.

Table 4
Deed-Restricted Senior Rental Units Assisted Prior Ten Years

Property	Date Assisted	Senior Units	%	Non-Senior Units	%	Total Units
811 San Pablo Ave (SAHA)	7/6/21	0	0%	33	100%	33
Total		**0**		**33**		**33**

Total Deed-Restricted Senior Units: **0%**

Source: City of Pinole

Table 4 is limited to deed-restricted rental units assisted in the prior ten years (FY 2012-13 to FY 2021-22).

Appendix 5 in Attachment 2 presents a complete inventory of affordable housing in Pinole that is monitored by the City. Most projects were funded by the former Agency over ten years ago or developed to comply with the City's inclusionary housing requirements. 811 San Pablo Avenue will be added to the inventory after construction is complete.

EXCESS SURPLUS

The Housing Asset Fund may not accumulate an "excess surplus," or an unencumbered amount that exceeds the greater of $1 million or the sum of deposits in the prior four fiscal years. This requirement ensures that housing successors are actively spending available Housing Asset Funds on affordable housing. Excess surplus must be expended or encumbered within three fiscal years of each year that excess surplus was accrued. If a housing successor fails to comply, it must transfer any excess surplus to HCD within 90 days of the end of the third fiscal year.

As shown in Table 5, the Housing Successor did not have an excess surplus in FY 2021-22. The unencumbered beginning cash balance ($2,073,170) was less than the total deposits made in the prior four fiscal years ($3,234,680).

Table 5
Excess Surplus

Step 1: Determine Unencumbered Cash Balance From Financials				
FY 21-22 Beginning Cash Balance			4,073,170	
Less: Encumbered Funds[1]			$ (3,200,000)	
Unencumbered Amount				**$ 873,170**
Step 2: Determine Greater of $1M or Last 4 Deposits				
$1 Million, or			$ 1,000,000	
Last 4 years' deposits			$ 3,234,680	
	2020-21	*$ 1,865,429*		
	2019-20	*$ 107,933*		
	2018-19	*$ 162,440*		
	2017-18	*$ 1,098,878*		
Result: Larger Number				**$ 3,234,680**
Step 3: Excess Surplus is Amount Step 1 Exceeds Step 2, if Any				
(1) Unencumbered Amount			$ 873,170	
(2) Less: Larger Number From Step 2			$ 3,234,680	
Excess Surplus				**None**

[1]The Housing Successor executed a DDA with SAHA on July 6, 2021, subsequently amended on February 21, 2023, committing $3.2 million in Housing Asset Funds for the development of affordable housing at 811 San Pablo Avenue.

Source: City of Pinole

OTHER INFORMATION

HOMEOWNERSHIP UNIT INVENTORY

Table 6 presents an inventory of homeownership units assisted by the Housing Successor that require restrictions, covenants, or an adopted program that protects Housing Asset Fund monies.

Table 6
Homeownership Unit Inventory

Project Name / Address	Unit No.	Covenant Expiration
Maiden Lane		
620 Maiden Lane	1	10/30/54
609 Maiden Lane	1	9/22/54
Heritage Park		
2051 Buena Vista Drive	1	9/23/56
2061 Buena Vista Drive	1	8/31/56
2071 Buena Vista Drive	1	11/7/56

Source: City of Pinole

TRANSFERS TO OTHER HOUSING SUCCESSORS

There were no transfers to another housing successor entity for a joint project pursuant to HSC 34176.1(c)(2).

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APPENDIX 1 – HOUSING ASSET TRANSFER FORM

DEPARTMENT OF FINANCE
HOUSING ASSETS LIST
ASSEMBLY BILL X1 26 AND ASSEMBLY BILL 1484
(Health and Safety Code Section 34176)

Former Redevelopment Agency: Pinole

Successor Agency to the Former Redevelopment Agency: City of Pinole

Entity Assuming the Housing Functions of the former Redevelopment Agency: City of Pinole

Entity Assuming the Housing Functions Contact Name: Belinda Espinosa Title City Manager Phone 510-724-8933 E-Mail Address bespinosa@ci.pinole.ca.us

Entity Assuming the Housing Functions Contact Name: Richard Loomis Title Finance Director Phone 510-724-9823 E-Mail Address rloomis@ci.pinole.ca.us

All assets transferred to the entity assuming the housing functions between February 1, 2012 and the date the exhibits were created are included in this housing assets list.
The following Exhibits noted with an X in the box are included as part of this inventory of housing assets:

Exhibit A - Real Property	X
Exhibit B- Personal Property	X
Exhibit C - Low-Mod Encumbrances	X
Exhibit D - Loans/Grants Receivables	X
Exhibit E - Rents/Operations	X
Exhibit F- Rents	DNA
Exhibit G - Deferrals	X

Prepared By: **Richard H. Loomis, Finance Director**

Date Prepared: **7/30/2012**

Exhibit A - Real Property

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of Asset a/	Legal Title and Description	Carrying Value of Asset	Total square footage	Square footage reserved for low-mod housing	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant b/	Date of transfer to Housing Successor Agency	Construction or acquisition cost funded with Low-Mod Housing Fund monies	Construction or acquisition costs funded with other RDA funds	Construction or acquisition costs funded with non-RDA funds	Date of construction or acquisition by the former RDA	Interest in real property (option to purchase, easement, etc.)
1	Low-mod Housing Project (89-units)	c 2850 Estate Avenue, Pinole, CA 94564 / APN 360-010-017-0	$1,369,323	2.95 Acres	73% of Project Development	YES	RDA 20% Set-Aside Tax Increment	2/24/2011 d	$1,369,323	$-0-	$-0-	9/20/2000	Fee Interest
2	Low-Mod Housing with Commercial	811 San Pablo Ave. Pinole, CA 94564 /	$242,008	26,136 sq. ft.	0%	NO	RDA 20% Set-Aside Tax	2/24/2011 d	$242,008	$-0-	$-0-	3/1/2002	Fee Interest
3	Undevelopable Land (Residual from 70-unit Low-Mod Project)	c Samuel Street, Pinole, CA 94564 / APN 401-186-031	$411,879	2.32 Acres (101,059 sq. ft.)	0%	NO	RDA 20% Set-Aside Tax Increment	2/24/2011 d	$535,000	$-0-	$400,000	9/4/1992	Fee Interest
4	Low-mod Housing	2100 San Pablo Ave. Pinole, CA 94564	$355,000	2.31 Acres (100,624 sq. ft.)	0%	NO	RDA 20% Set-Aside Tax Increment	2/24/2011 d	$355,000	$-0-	$-0-	3/1/2003	Fee Interest
5	Low-mod Housing	612 Tennent Avenue, Pinole, CA 94564 / APN 401-142-011	$625,000	5,000 sq. ft.	0%	NO	RDA 20% Set-Aside Tax Increment	2/25/2011 d	$625,000	$-0-	$-0-	11/6/2007	Fee Interest
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a/ Asset types may include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

b/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

c/ Fee Interest In Land Only (Improvements owned by Non-profit 501-c3 Housing Corporation)

d/ Title to all Housing Program Properties was transferred to the City prior to enactment of ABx1-26, and were subsequently confirmed by a Superior Court Validation Action

Exhibit B - Personal Property

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of Asset a/	Description	Carrying Value of Asset	Date of transfer to Housing Successor Agency	Acquisition cost funded with Low-Mod Housing Fund monies	Acquisition costs funded with other RDA funds	Acquisition costs funded with non-RDA funds	Date of acquisition by the former RDA
1	Equipment	Digital Camera (property tag #2412)	$-0-	6/30/2012	$300	$0	$0	2/25/2005
2	Equipment	Metal Bookcase	$0	6/30/2012	$497	$0	$0	7/1/1999
3	Equipment	Office Desk	$0	6/30/2012	$2,726	$0	$0	4/4/2001
4	Equipment	Office Table (Round)	$0	6/30/2012	$380	$0	$0	4/1/2001
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a/ Asset types any personal property provided in residences, including furniture and appliances, all housing-related files and loan documents, office supplies, software licenses, and mapping programs, that were acquired for low and moderate income housing purposes, either by purchase or through a loan, in whole or in part, with any source of funds.

Exhibit C - Low-Mod Encumbrances

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of housing built or acquired with enforceably obligated funds a/	Date contract for Enforceable Obligation was executed	Contractual counterparty	Total amount currently owed for the Enforceable Obligation	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant b/	Current owner of the property	Construction or acquisition cost funded with Low-Mod Housing Fund monies	Construction or acquisition costs funded with other RDA funds	Construction or acquisition costs funded with non-RDA funds	Date of construction or acquisition of the property
1	Low-mod Housing Project (89-units)	5/20/2003	Pinole Assisted Living Community, Inc. (California Non-profit 501-c3 Corporation)	$6,922,945 (as of 06/30/2012)	YES	CRL	City of Pinole (Fee Interest in Land Only)	$-0-	$-0-	$7,130,000	9/20/2000
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a/ May include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

b/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

Exhibit D - Loans/Grants Receivables

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Was the Low-Mod Housing Fund amount issued for a loan or a grant?	Amount of the loan or grant	Date the loan or grant was issued	Person or entity to whom the loan or grant was issued	Purpose for which the funds were loaned or granted		Are there contractual requirements specifying the purposes for which the funds may be used?	Repayment date, if the funds are for a loan		Interest rate of loan	Current outstanding loan balance (g)
1	Loan	$40,000	9/17/2009	[redacted]	FTHB	a	YES	9/17/2044		0%	$40,000
2	Loan	$20,000	10/9/1996	[redacted]	FTHB	a	YES	DNA	e	0%	$20,000
3	Loan	$114,600	5/29/2003	[redacted]	FTHB	a	YES	DNA	e	0%	$114,600
4	Loan	$30,000	9/11/2001	[redacted]	FTHB	a	YES	DNA	e	0%	$30,000
5	Loan	$20,000	9/27/1996	[redacted]	FTHB	a	YES	DNA	e	0%	$20,000
6	Loan	$30,000	3/24/2010	[redacted]	FTHB	a	YES	3/24/2045		0%	$30,000
7	Loan	$30,000	9/11/2001	[redacted]	FTHB	a	YES	DNA	e	0%	$30,000
8	Loan	$30,000	7/1/2009	[redacted]	FTHB	a	YES	7/1/2044		0%	$30,000
9	Loan	$30,000	3/1/2010	[redacted]	FTHB	a	YES	3/1/2045		0%	$30,000
10	Loan	$50,000	1/10/2008	[redacted]	FTHB	a	YES	DNA	e	0%	$50,000
11	Loan	$20,000	8/26/1999	[redacted]	FTHB	a	YES	DNA	e	0%	$20,000
12	Loan	$50,000	7/28/2003	[redacted]	FTHB	a	YES	DNA	e	0%	$50,000
13	Loan	$30,000	2/25/2010	[redacted]	FTHB	a	YES	2/25/2045		0%	$30,000
14	Loan	$20,000	11/28/1995	[redacted]	FTHB	a	YES	DNA	e	0%	$20,000
15	Loan	$50,000	12/30/2003	[redacted]	FTHB	a	YES	DNA	e	0%	$50,000
16	Loan	$30,000	10/7/2009	[redacted]	FTHB	a	YES	10/7/2044		0%	$30,000
17	Loan	$20,000	11/16/1995	[redacted]	FTHB	a	YES	DNA	e	0%	$20,000
18	Loan	$54,575	7/31/2010	[redacted]	FTHB	a	YES	7/31/2050		0%	$54,575
19	Loan	$13,292	10/10/2006	[redacted]	RES-REH	b	YES	11/1/2036		2%	($2,683.37)
20	Loan	$22,000	8/12/2002	[redacted]	RES-REH	b	YES	DNA	f	2%	$22,000.00
21	Loan	$17,500	10/28/1998	[redacted]	RES-REH	b	YES	7/1/2037		2%	$2,342.76
22	Loan	$69,500	4/13/2006	[redacted]	RES-REH	b	YES	DNA	f	2%	$23,300.00
23	Loan	$2,649	3/21/2006	[redacted]	RES-REH	b	YES	5/1/2038		2%	$1,625.33
24	Loan	$26,000	8/2/2004	[redacted]	RES-REH	b	YES	DNA	f	2%	$26,000.00
25	Loan	$87,500	9/25/2000	[redacted]	RES-REH	b	YES	DNA	f	2%	$19,500.00
26	Loan	$10,429	6/9/2010	[redacted]	RES-REH	b	YES	DNA	f	2%	$10,429.00
27	Loan	$65,000	7/26/2004	[redacted]	RES-REH	b	YES	11/1/2020		2%	$39,110.16
28	Loan	$18,115	2/2/1999	[redacted]	RES-REH	b	YES	DNA	f	2%	$14,660.00
29	Loan	$17,916	3/6/2008	[redacted]	RES-REH	b	YES	5/31/2023		2%	$13,531.12
30	Loan	$14,081	4/2/1998	[redacted]	RES-REH	b	YES	DNA	f	2%	$14,081.00
31	Loan	$10,000	10/12/2004	[redacted]	RES-REH	b	YES	3/1/2020		2%	$9,971.46
32	Loan	$12,000	2/19/2010	[redacted]	RES-REH	c	YES	4/1/2025		2%	$10,600.07

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33	Loan	$15,000	8/14/2007	[redacted]	RENTAL-REH	c	YES	5/1/2015	6%	$4,121,73
34	Loan	$21,250	6/21/1999	[redacted]	RENTAL-REH	c	YES	7/1/2037	6%	$4,192.58
35	Loan	$343,964.82	11/24/2003	[redacted]	MIXED USE	d	YES	10/1/2037	4%	$266,416.52
36	Loan	$275,800	8/1/2007	[redacted]	MIXED USE	d	YES	12/1/2015	6%	$94,256.03

a/ First Time Home Buyers Program
b/ Residential Rehabilitation Program
c/ Rental Rehabilitation Program
d/ Low-Mod Housing with Commercial Space
e/ Upon sale of property (equity sharing in-lieu of interest accrual)
f/ Paid upon sale of property
g/ Outstanding principle as of 06/30/2012

Exhibit E - Rents/Operations

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of payment a/	Type of property with which they payments are associated b/	Property owner	Entity that collects the payments	Entity to which the collected payments are ultimately remitted	Purpose for which the payments are used	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant c/	Item # from Exhibit A the rent/operation is associated with (if applicable)
1	Ground Lease	Low-Mod Housing (Assisted Living Center)	Pinole Assisted Living Community, Inc. [CA 501(c3)]	City of Pinole	City of Pinole	Housing Programs & Activities	YES	CRL	#1
2	Emergency Service Fee	Low-Mod Housing	Pinole Assisted	City of Pinole	City of Pinole	Public Safety Programs	YES	CRL	#1
3	Construction Loans	Low-Mod Housing (Assisted Living Center)	Pinole Assisted Living Community, Inc. [CA 501(c3)]	City of Pinole	City of Pinole	Housing Programs & Activities	YES	CRL	#1
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a/ May include revenues from rents, operation of properties, residual receipt payments from developers, conditional grant repayments, costs savings and proceeds from refinancing, and principal and interest payments from homebuyers subject to enforceable income limits.

b/ May include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

c/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

Exhibit F - Rents

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Type of payment a/	Type of property with which the payments are associated b/	Property owner	Entity that collects the payments	Entity to which the collected payments are ultimately remitted	Purpose for which the payments are used	Is the property encumbered by a low-mod housing covenant?	Source of low-mod housing covenant c/	Item # from Exhibit A the rent is associated with (if applicable)
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a/ May include rents or home loan payments.

b/ May include low-mod housing, mixed-income housing, low-mod housing with commercial space, mixed-income housing with commercial space.

c/ May include California Redevelopment Law, tax credits, state bond indentures, and federal funds requirements.

Exhibit G - Deferrals

City of Pinole
Inventory of Assets Received Pursuant to Health and Safety Code section 34176 (a) (2)

Item #	Purpose for which funds were deferred		Fiscal year in which funds were deferred		Amount deferred		Interest rate at which funds were to be repaid		Current amount owed		Date upon which funds were to be repaid
1	H&S 33690 (c) (1)	a	2009-10		$3,558,867		0%		$3,558,867		6/30/2015
2	H&S 33690.5 (c) (1)	a	2010-11		$732,708		0%		$732,708		6/30/2016
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a/ Supplemental Educational Revenue Augmentation Funding Loan to Redevelopment Agency

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APPENDIX 2 - HOUSING SUCCESSOR ANNUAL REPORT REQUIREMENTS

Housing Successor Reporting Requirements *Health and Safety Code Section 34176.1(f)*		
Housing Asset Fund Revenues & Expenditures	**Other Assets and Active Projects**	**Obligations & Proportionality**
Total amount deposited in the Housing Asset Fund for the fiscal year Amount of deposits funded by a Recognized Obligation Payment Schedule ("ROPS")	Description of any project(s) funded through the ROPS	Description of any outstanding production obligations of the former Agency that were inherited by the Housing Successor
Statement of balance at the close of the fiscal year	Update on property disposition efforts (note that housing successors may only hold property for up to five years, unless it is already developed with affordable housing)	Compliance with proportionality requirements (income group targets), which must be upheld on a five-year cycle
Description of Expenditures for the fiscal year, broken out as follows: • Homeless prevention and rapid rehousing • Administrative and monitoring • Housing development expenses by income level assisted	Other "portfolio" balances, including: • Statutory value of any real property either transferred from the former Agency or purchased by the Housing Asset Fund • Value of loans and grants receivable	Percentage of deed-restricted rental housing restricted to seniors and assisted by the former Agency, the Housing Successor, or the City within the past ten years compared to the total number of units assisted by any of those three agencies
Description of any transfers to another housing successor for a joint project	Inventory of homeownership units assisted by the former Agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of monies from the Low and Moderate Income Housing Fund	Amount of any excess surplus, and, if any, the plan for eliminating it

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APPENDIX 3 – HOUSING ASSET FUND EXPENDITURE REQUIREMENTS

Housing Asset Fund Expenditure Requirements *Health and Safety Code Section 34176.1*		
Expense Category	Limits	Allowable Uses
Administration and Compliance Monitoring	**$223,400 maximum** for FY 2020-21 (limit increases each year; FY 2021-22 limit was not published at the time this report was prepared)	Administrative activities such as: • Professional services (consultant fees, auditor fees, etc.) • Staff salaries, benefits, and overhead for time spent on Housing Successor administration • Compliance monitoring to ensure compliance with affordable housing and loan agreements • Property maintenance at Housing Successor-owned properties Capped at $200,000 adjusted annually for inflation or 5% of the statutory value of real property owned by the housing successor and the value of loans and grants receivable from the HAT ("Portfolio"), whichever is greater.
Homeless Prevention and Rapid Rehousing Solutions	**$250,000 maximum** per fiscal year	Services for individuals and families who are homeless or would be homeless but for this assistance, including: • Contributions toward the construction of local or regional homeless shelters • Housing relocation and stabilization services including housing search, mediation, or outreach to property owners • Short-term or medium-term rental assistance • Security or utility deposits • Utility payments • Moving cost assistance • Credit repair • Case management • Other appropriate activities for homelessness prevention and rapid rehousing of persons who have become homeless.
Affordable Housing Development	No spending limit, but must comply with income and age targets	"Development" includes: • New construction • Acquisition and rehabilitation • Substantial rehabilitation • Acquisition of long-term affordability covenants on multifamily units • Preservation of at-risk units whose affordable rent restrictions would otherwise expire over the next five years

Housing Asset Fund Expenditure Requirements *Health and Safety Code Section 34176.1*		
Expense Category	Limits	Allowable Uses
	Income Targets	Every five years (currently FYE 2020-2024), Housing Asset Funds must meet income targets: • At least 30% on extremely low income rental households (up to 30% AMI or "Area Median Income") • No more than 20% on low income households (60-80% AMI) Moderate and above moderate income households may not be assisted (above 80% AMI). Failure to comply with the extremely low income requirement in any five-year compliance period will result in having to ensure that 50 percent of remaining funds be spent on extremely low income rental units until in compliance. Exceeding the expenditure limit for low households earning between 60-80% AMI in any five-year reporting period will result in not being able to expend any funds on these income categories until in compliance.
	Age Targets	For the prior ten years (resets every year), a maximum of 50% of deed-restricted rental housing units assisted by the Housing Successor or its host jurisdiction may be restricted to seniors. If a housing successor fails to comply, Housing Asset Funds may not be spent on deed-restricted rental housing restricted to seniors until in compliance.

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APPENDIX 4 – FIRST-TIME HOMEBUYER AND RESIDENTIAL REHABILITATION LOAN INVENTORY

Appendix 4
Outstanding First-Time Homebuyer and Housing Rehabilitation Loans

PROJECT NAME	LOAN TYPE	ORIGINAL BALANCE	ORIGINAL TERM (MOS.)	INTEREST RATE	MATURITY	PRINCIPAL BALANCE DUE	LOAN NOTE DATE
FIRST TIME HOME BUYER (11610)	DEF LOAN	$ 20,000.00	0	0%	12/31/99	$ 20,000.00	10/9/96
FIRST TIME HOME BUYER (11610)	DEF LOAN	$ 20,000.00	0	0%	12/31/99	$ 20,000.00	11/16/95
FIRST TIME HOME BUYER (11610)	DEF LOAN	$ 20,000.00	0	0%	12/31/99	$ 20,000.00	9/27/96
FIRST TIME HOME BUYER (11610)	DEF LOAN	$ 20,000.00	0	0%	12/31/99	$ 20,000.00	8/26/99
FIRST TIME HOME BUYER (11610)	PRIN ONLY	$ 30,000.00	420	0%	3/1/45	$ -	3/1/10
FIRST TIME HOME BUYER (11610)	PRIN ONLY	$ 54,575.00	480	0%	7/31/50	$ 50,936.60	7/31/10
FIRST TIME HOME BUYER (11610)	PRIN ONLY	$ 30,000.00	420	0%	3/24/45	$ -	3/24/10
FIRST TIME HOME BUYER (11610)	PRIN ONLY	$ 40,000.00	420	0%	9/17/44	$ 29,138.55	9/17/09
FIRST TIME HOME BUYER (11610)	DEF LOAN	$ 30,000.00	0	0%	12/31/99	$ 30,000.00	9/11/01
FIRST TIME HOME BUYER (11610)	DEF LOAN	$ 50,000.00	0	0%	12/31/99	$ 50,000.00	7/28/03
	Subtotal	**$ 204,575.00**			**Total**	**$ 240,075.15**	
RESIDENTIAL REHAB (11630)	PRIN & INT	$ 65,000.00	183	2%	10/1/22	$ 755.95	7/29/07
RESIDENTIAL REHAB (11630)	DEF LOAN	$ 10,429.00	0	2%	12/31/99	$ 10,429.00	6/9/10
RESIDENTIAL REHAB (11630)	DEF LOAN	$ 69,500.00	0	2%	12/31/99	$ -	4/13/06
RESIDENTIAL REHAB (11630)	DEF LOAN	$ 87,500.00	0	2%	12/31/99	$ 19,500.00	6/21/00
	Subtotal	**$ 232,429.00**			**Total**	**$ 30,684.95**	
	Original Balance	**$ 437,004.00**		**Total Outstanding Balance 6/30/22**		**$ 270,760.10**	

Source: City of Pinole

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APPENDIX 5 – PINOLE AFFORDABLE HOUSING INVENTORY

Appendix 5
Pinole Affordable Housing Inventory

Project	Address	Total # Affordable Units	Type	Senior?	Owner/Operator
2401 San Pablo Avenue	2401 San Pablo Avenue Pinole, CA 94564	16	Rental	No	Eclipse Property Management Inc.
647 Tennent Avenue	647 Tennent Ave Pinole, CA 94564	1	Rental	No	Private Homeowner
Alvarez Court Apartments	760 Alvarez Avenue Pinole, CA 94564	19	Rental	No	The John Stewart Company
East Bluff Apartments	1813 Marlesta Road Pinole, CA 94564	144	Rental	No	Eden Housing
Pinole Assisted Living Community	2850 Estates Avenue Pinole, CA 94564	65	Rental	Yes	Westmont Living
Pinole Grove Senior Housing	800 John Street Pinole, CA 94564	69	Rental	Yes	BRIDGE Housing
DeNova Homes - 312 Felice Circle	312 Felice Circle Pinole, CA 94564	1	Rental	No	Private Homeowner
DeNova Homes - 336 Felice Circle	336 Felice Circle Pinole, CA 94564	1	Rental	No	Private Homeowner
DeNova Homes - 360 Felice Circle	360 Felice Circle Pinole, CA 94564	1	Rental	No	Private Homeowner
DeNova Homes - 424 Felice Circle	424 Felice Circle Pinole, CA 94564	1	Rental	No	Private Homeowner
DeNova Homes - 448 Felice Circle	448 Felice Circle Pinole, CA 94564	1	Rental	No	Private Homeowner
DeNova Homes - 460 Felice Circle	460 Felice Circle Pinole, CA 94564	1	Rental	No	Private Homeowner
609 Maiden Lane	609 Maiden Lane Pinole, CA 94564	1	Ownership	No	Private Homeowner
620 Maiden Lane	620 Maiden Lane Pinole, CA 94564	1	Ownership	No	Private Homeowner
TOTAL # AFFORDABLE HOUSING UNITS		**322**			

Represents affordable housing units monitored by the City of Pinole. Includes units assisted by the former Agency and units created to comply with the City's inclusionary housing ordinance.

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CITY COUNCIL REPORT

9F

DATE: APRIL 4, 2023

TO: MAYOR AND COUNCIL MEMBERS

FROM: JOE BINGAMAN, PUBLIC WORKS MANAGER
SANJAY MISHRA, PUBLIC WORKS DIRECTOR
JEREMY ROGERS, COMMUNITY SERVICES DIRECTOR

SUBJECT: CITY PARK MAINTENANCE

RECOMMENDATION

Staff recommends that the City Council receive information on the City's regularly scheduled park maintenance activities.

BACKGROUND

The City Council approved a future Council agenda item of an update on City Park maintenance activities.

The City of Pinole ("City") covers a land area of approximately 12 square miles with a population of 19,000 residents based on 2020 census data. The City serves its residents with approximately 120 employees in 10 departments.

The City has 15 parks and several other facilities that fulfill recreational needs of the residents of Pinole. The Public Works Department provides the maintenance, repair, and upkeep of City parks in two ways. The Public Works ("PW") team provides infrastructure maintenance and repair to all park facilities. PW contracts with Pacific Site Management for landscape and support services for all park facilities. Currently the PW team has a staff of 6 maintenance workers (including two maintenance supervisors) that service the general maintenance needs of parks, facilities, streets, signs, streetlights, pavement marking, vegetation management (includes tree trimming), and fleet maintenance. The number of maintenance workers was reduced from the staffing levels in 2012 to 5 maintenance workers prior to the approval of one maintenance supervisor and one maintenance worker in 2021 by the City Council. The Public Works Department is in the process of recruiting a maintenance worker position to be fully staffed as approved by the City Council.

The following table provides an approximate area of each City park:

Sl. No.	Name of Park	Area (in acres)
1.	Amber Swartz Park	4
2.	Bayfront Park	2
3.	Canyon Drive Park	0.5
4.	Fernandez Park	6
5.	Dog Park*	See note
6.	Louis Francis Park	2
7.	Hugh Young Open Space**	10
8.	Meadow Park	1.5
9.	Pinole Valley Park	231
10.	Pinole Valley Picnic Grove*	See note
11.	Pinon Park	.5
12.	Sarah Drive Park	4
13.	Tennis Courts	.5
14.	View Park	2
15.	Wilson Point Park	10

*The Dog Park and Pinole Valley Picnic Grove (Adobe Grove) are included in the acreage of Pinole Valley Park.
**While listed as a park on the City's website, Hugh Young is an unmaintained open space area.

The City also owns 393 acres unmaintained open space. These open spaces includes Eucalyptus grove area (near Senior Housing complex), Open Space area adjacent to Pinon and Primose lane and other locations within the city limits.

REVIEW & ANALYSIS

The City offers several amenities at the park properties throughout the City and these amenities, as well as the park infrastructure, are maintained on a regular basis. Listed below are the maintenance functions performed by the PW team.

RESTROOM CLEANING

Restrooms are located at 5 Park facilities i.e., Bayfront Park, Fernandez Park, Tennis Courts, Pinole Valley Park, and Dog Park.

All the above park restrooms are cleaned and stocked once daily. During the week, Monday thru Friday, the PW team services the restrooms. Trash is collected from the receptacles at the restroom when serviced. The Public Works team does a complete cleaning of all the park restrooms Monday and Friday and completes a daily sanitizing throughout the rest of the week and cleans as needed. Pacific Site Maintenance restocks and sanitizes all the park restrooms Saturday and Sunday.

Facility repair and maintenance for the restrooms are done on an as needed basis. Repairs are done either by the PW team identifying a need or when PW receives a service request from the public.

The restrooms at all parks are equipped with an automated locking system that lock and unlock the doors following the Park schedule as directed by the City Council.

PLAY STRUCTURE MAINTENANCE

Play Structures are located at 7 Park facilities i.e., Canyon Drive Park, Fernandez Park, Louis Francis Park, Meadow Park, Pinole Valley Park, Pinon Park, and Tiny Tots.

Tiny Tots play structure is for the use of the Tiny Tots program and is not generally open to public use. The PW team maintains this play structure as well.

Play structures are inspected once a month to ensure safe use of the play structures. Repairs and maintenance for the play structures are done on an as needed basis either being identified by the PW team as needing service or by a service request from the public.

Five play structures currently have the wood chip play surfaces and wood chips are stocked on as needed basis, typically once a year. Two play surfaces are rubberized surfaces. The rubberized play surface at the Pinole Valley Park play structure was replaced January 2023. The play surface for the Tot Lot at Fernandez Park is currently being replaced. The play surface for the large play structure at Fernandez Park is scheduled for replacement Spring of 2023. This play surface will be upgraded from the wood chip play surface to the rubberized poured in place play surface.

MOWING

Mowing of the sports field turf is performed once a week during the Spring, Summer, and Fall, typically April thru October. Mowing of the of the sports fields is performed once every three weeks or needed during the late Fall, Winter, and Early Spring, typically October thru April. Mowing of the recreational turf in the park is performed by Pacific Site Maintenance once every two weeks year round.

TRASH CAN EMPTYING

Trash cans in all of the parks are emptied by the Public Works team every Monday and Friday. Trash cans are emptied through out the rest of the week on an as needed basis. Repairs to the trash cans are completed as the Public Works team does the regular

servicing of the trash cans. Pacific Site Maintenance empties the trash cans around the restroom areas Saturday and Sunday when they service the restrooms.

IRRIGATION MAINTENANCE

The PW team repairs and maintains irrigation infrastructure for all parks including the sports fields and the recreational areas. Irrigation to the parks is monitored closely and the irrigation systems are turned off during the winter months. Typically, the irrigation systems are in use from April until October (weather dependent) and are shut down the rest of the year. Irrigation is typically checked daily during the warmer months to ensure the reduction of leaks and breaks to conserve water usage.

VEGETATION MANGEMENT

The PW department has an extensive vegetation management program. This program consists of an Integrated Pest Management (IPM) system to maintain vegetation in the park locations and throughout the City. A combination of mechanical, biological, and chemical treatments is used to abate weeds and undesirable vegetation. Mechanical methods include mowers, weed trimmer, and hand tools. Biological methods include the use of native plant species where appropriate. Chemical methods include herbicides and fertilizers. All chemical methods are thoroughly inspected and reviewed by the Contra Costa County Agricultural department to ensure appropriate use, handling, and relevance to the City's vegetation management program. All PW team members that handle pesticides are completely trained. Vegetation management is performed year-round and as needed. Tree trimming is performed when the PW team identifies a need or PW receives a request from the public.

LANDSCAPING MAINTENANCE

To assist the PW team in the maintenance of the parks, Pacific Site Management performs the landscape maintenance in all parks as well as in the public parking area, City facilities, and street medians. Pacific will trim brush and bushes, mow recreational lawn areas, and replace plants in general planters as needed. Pacific Site will notify PW if infrastructure repair is needed.

SPORTS FIELDS MAINTENANCE

There are six sports fields for the residents of Pinole i.e., Fernandez Park Baseball Field, Pinole Valley Park Baseball Field, Pinole Valley Park Soccer Field (Simas Avenue), Pinole Valley Park Soccer Field (Wright Avenue), Tennis Courts, and Skate Park at Pinole Valley Park.

The turf section of the sports fields is mowed once a week from April to October and once every three weeks or as needed from October to April. The fields are also aerated, fertilized, and over seeded twice a year, typically April and October. The aerating, fertilizing, and overseeding was suspended in fall of 2020 due to COVID but was resumed fall 2022. In addition to the turf maintenance, the PW team regularly maintains the irrigation systems for the sports fields.

The Tennis Court is maintained on an as needed basis either by observed needs from the PW or by receiving service requests from the public. The Tennis Court has four light structures that are also maintained by the PW.

The Skate Park is maintained on an as needed basis either by observed needs from the Public Works team or by receiving service requests from the public.

PINOLE CREEK TRAIL MAINTENANCE

Pinole Creek Trail is located along Pinole Creek from I-80 to Railroad Avenue. This two-mile trail is maintained by the Public Works team. The weeds are abated in the spring and early summer and the walking path is maintained on an as needed basis. Tree trimming is conducted on an as needed basis. The lights that are along the path from Plum Street to Railroad Avenue are repaired on an as needed basis.

SWIM CENTER

The Pinole Swim Center is located at 2450 Simas Avenue. The Swim Center is serviced by the PW team and Shipley Pool Services. PW team inspects the facility twice a week and are responsible for maintenance and repair work. Maintenance and repair including plumbing, light fixtures etc. are done on an as needed basis. Shipley Pool provides pool maintenance services. Shipley Pool Service maintains the pool daily during summer operation typically April through October and service once a week from October to April.

Pool maintenance services include daily chemical readings, adjustment of chemicals as needed, filter cleaning and replacement, vacuuming and debris removal from the pool, equipment replacement in discussion with PW, minor repairs to automated chemical pumps and other pool equipment.

MISCELLANEOUS AMENITIES

There are several amenities i.e., Picnic Tables, BBQ Pits, Drinking Fountains, Trash Cans, Dog Waste Bag Dispensers, Gazebo, and Horseshoe Pits located at several of the Park properties. Not all these amenities are available at all of the Parks. These items are

repaired and maintained on an as needed basis. The PW team empties all trash cans and stocks dog waste bags throughout the parks on Monday and Friday.

GRAFITTI

There are numerous instances of graffiti at all park locations. Most of the time the PW team removes or covers the graffiti before receiving reports from the public. PW team responds to reports of graffiti from the public as soon as possible.

FISCAL IMPACT

There is no fiscal impact to receiving this report.

ATTACHMENTS

None

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CITY COUNCIL REPORT

10A

DATE: **APRIL 4, 2023**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **LILLY WHALEN, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: **2023-2031 HOUSING ELEMENT ADOPTION**

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution approving the City of Pinole 6th Cycle 2023-2031 Housing Element and the Notice of Exemption (**Attachment A**)

Staff also recommends the City Council authorizes the City Manager to make technical modifications, refinements, and clarifications (including but not limited to implementation details of the proposed housing plan programs) to the Housing Element Update without requiring a subsequent hearing and re-adoption; new goals, policies or programs would require re-adoption.

BACKGROUND

A General Plan is a legally required policy document for all jurisdictions in California and contains the community's vision for future growth. California State Law requires each jurisdiction to address seven mandated topics in the General Plan: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. In Contra Costa County, all jurisdictions are also required to address Growth Management. Cities and counties that have identified disadvantaged communities must also address environmental justice in their General Plans, including air quality. General Plans are organized by topic in what are called "elements." There is no requirement that a general plan be organized into separate elements; a jurisdiction may organize its General Plan in any format, including consolidated elements, so long as all the relevant statutory issues are addressed, and the document is internally consistent.

The Housing Element, Health and Safety Element, and Environmental Justice Element are three mandatory elements of the General Plan that must be addressed in Pinole, as required by State Law. The Housing Element is required to be updated every eight years per State Law and the Health and Safety Element is often updated with the Housing

Element as land use information is updated. State Law also requires that cities create an Environmental Justice Element when two or more other General Plan elements are updated.

The following provides a brief overview of the process followed to update the Housing Element to date:

- On March 22, 2022, 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.

- 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 held.

- On June 9, 2022, the second community workshop was held.

- 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, 2022, 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.

- 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.

- On November 15, 2022, the City Council reviewed the draft Housing Element with the focus on the programs and policies, in addition to the opportunity sites, and recommendations presented by the Planning Commission for enhancement of the Housing Element.

- The Council authorized staff to submit the revised draft Housing Element to the California Department of Housing and Community Development (HCD).

- On December 2, 2022, Staff submitted the revised draft Housing Element to HCD for their 90-day review.

- On December 12, 2022, the Planning Commission reviewed the revised draft Housing Element.

- On January 17, 2023, the City Council reviewed and adopted the Housing Element.

- On January 30, 2023, Staff received preliminary comments from HCD in the form of a meeting with the Housing Element's reviewer.

- On February 17, 2023, a revised draft addressing the preliminary review comments was published.

- On March 2, 2023, Staff received a formal comment letter from HCD containing suggested revisions.

- On March 24, 2023, the revised Housing Element addressing all preliminary and formal review comments was published for public review.

- On March 27, 2023, the Planning Commission reviewed the revised draft Housing Element (**Attachment A, Exhibit A**) including recommended changes from HCD and recommended no further changes to the revised draft Housing Element and adopted Resolution 23-01 with Exhibits A and B (**Attachment B)** recommending the City Council approve the 2023-2031 Housing Element Update.

DISCUSSION AND ANALYSIS

The 2023-2031 Housing Element has been revised and is scheduled for possible adoption by the City Council on April 4, 2023. The Planning Commission is requested to

provide a recommendation to the City Council on the adoption of the revised 2023-2031 Housing Element (**Attachment A, Exhibit A**).

The 2023-2031 Housing Element was submitted to HCD on December 2, 2022, with a request for an expedited review. Pursuant to State law, HCD must provide a formal review letter within 90 days of receipt of the Housing Element (March 2, 2023). Staff and the consultant received preliminary informal comments from HCD in the form of a meeting with the Housing Element's reviewer on January 30, 2023, and the City received written formal comments on March 2, 2023. The Housing Element has been revised to address preliminary and formal comments received (**Attachment A, Exhibit A**).

From preliminary, informal comments received following a meeting with the HCD Housing Element reviewer on January 30, 2023, Staff received comments regarding additional analysis, details, clarifications, and documentation. Draft revisions to the 2023-2031 Housing Element were initiated based on these comments. A summary of preliminary comments and the response to comments can be found in **Attachment C** beginning on page 7, under the heading "Informal Comments from Meeting with HCD on January 30, 2023 - Resolved with Interim Draft dated February 17, 2023". An interim draft revised Housing Element was prepared and submitted to HCD as an additional reference for their consideration, along with a summary of responses, on February 17, 2023.

From written formal comments received on March 2, 2023, Staff conducted further changes to complete all revisions and prepare the revised 2023-2031 Housing Element. The comment letter is included as **Attachment D**. The comments and revisions are summarized below by topic below in Table 1, with the complete comment and revision notes found in **Attachment C** beginning on page 1 under the heading "Response to HCD Letter dated March 2. 2023".

Table 1. Summary of HCD Comments from HCD Letter and Revisions

	Topic	Comment Summary	Revision Summary
1	**Housing Costs**	Supplement census data with other sources for estimated rent	Included additional local average rent data

	Topic	Comment Summary	Revision Summary
2	**Disproportionate Housing Needs, Including Displacement Risk**	Evaluate needs, impacts, patterns, and areas of concentration for persons experiencing homelessness. Discuss any areas of potentially higher needs of rehabilitation and replacement.	Added local knowledge and information from code enforcement and police. Updated homelessness point in time count.
3	**Local Knowledge and Data**	Discuss unique attributes about the City related to fair housing issues. Utilize knowledge from local sources. Analyze history of exclusionary zoning and patterns of segregation.	Added local data and knowledge, including information from code enforcement, police, BayREN, developers, local real estate professionals, and surveys.
4	**Affirmatively Furthering Fair Housing (AFFH) and Sites Inventory**	Analyze sites contribution or mitigation of fair housing issues	Added information showing no significant, pervasive pattern of segregation that could be exacerbated by site selection or location. Cited programs to promote housing mobility and options.

	Topic	Comment Summary	Revision Summary
5	**Contributing Factors to Fair Housing Issues**	Based on outcome of analysis, reassess, and prioritize factors contributing to fair housing issues.	Re-prioritized contributing factors, including moving access to opportunities from Moderate priority to High. Updated program list to include SB 9 program to promote housing mobility.
6	**Progress toward RHNA**	Demonstrate affordability of units and utilize rents, sales prices, or other mechanisms ensuring affordability.	Provided clarification on requirements for affordability deed-restriction on pending projects.
7	**Suitability of Non-Vacant Sites**	Analyze extent existing uses may impede additional residential development. Consider indicators such as age and condition of the existing structure, allowable floor area, improvement to land value ratio, and acreage. Consider recent trends or other information.	Expanded non-vacant sites analysis to include year built, acreage, land improvement ratio, max density. Comparison of non-vacant sites with similarities in recent developments.

	Topic	Comment Summary	Revision Summary
8	**Zoning for a Variety of Housing Types**	Emergency Shelters. If applicable, address new state requirements on emergency shelters.	Clarified compliance.
9	**Zoning for a Variety of Housing Types**	Supportive Housing. Shall be a use by-right in zones where multifamily and mixed uses are permitted.	Clarified compliance.
10	**Electronic Sites Inventory**	Submit electronic sites inventory.	Electronic sites inventory submitted.
11	**Land Use Controls**	Analyze land use controls impacts as potential constraints and evaluate cumulative impacts on cost and supply of housing and achieving density. Analyze height and setback.	Include information showing max density have been met and exceeded under existing development standards. Analysis includes height and setbacks.

	Topic	Comment Summary	Revision Summary
12	**Parking Requirements**	Analyze multifamily parking requirements as a potential constraint and include a program to address identified constraints.	Added a cost estimate per parking space. Added a commitment to Program 12 to do one of more of the following: remove or reduce guest parking, remove covered parking requirements, allow tandem parking, and reduce minimum parking requirements.
13	**Building Codes**	Identify any local amendments and analyze impacts on cost.	Expanded discussion to include analysis of local amendments
14	**Housing for Persons with Disabilities**	Analyze definition of family. Analyze any exclusion of group homes from residential zones and permit procedures that may be a constraint.	Added analysis on group homes.

	Topic	Comment Summary	Revision Summary
15	**Processing and Permit Procedures**	Describe and analyze permit processing procedures as potential constraints. Discuss discretionary vs ministerial. Analyze whether design review processes used to reduce or deny units. Analyze single family multifamily processing time.	Add permit process outline and examples, including timelines. Added discussion on design review and identified no reduction in units.
16	**Approval Time and Requests for Lesser Densities**	Address developing at densities below anticipated in the sites inventory and approval timing.	Added analysis describing sites as being developed at higher densities or with greater unit yield.
17	**Housing Programs**	Include a complete site analysis and establish adequacy of sites.	Revised to include a complete sites analysis. Revisions to inventory include clarification on deed restrictions to enforce affordability term of units and adding development trends and recent development to establish viability of sites.

	Topic	Comment Summary	Revision Summary
18	**Housing Programs: Assist in Development Programs**	Include a program with actions and timelines to assist in housing development for moderate income and below and for special needs.	Modified program 9 to include more specific actions and timelines. Actions include developing asset fund policy that prioritizes extremely low income and special needs/disabilities; and developing a fee waiver program for home improvements for age-qualified, income-qualified, and special needs/disability households; and reducing parking standards for extremely low-income developments.
19	**Housing Programs**	Include a complete analysis of potential governmental and nongovernmental constraints.	Revised to include analysis on meeting density under existing standards, an outline of permitting process, project timelines, development yield, and parking standards modifications.

	Topic	Comment Summary	Revision Summary
20	**Housing Programs**	Include complete assessment of fair housing and be reflected in goals and actions.	Revised to include complete analysis of fair housing, with revisions and additions including spatial analysis of homelessness and local data, spatial analysis of standard housing, local data on BayREN program participation, and additional analysis on RHNA sites not exacerbating fair housing conditions.
21	**Housing Programs: ADU Programs**	Include timeline on when and how ADU outreach will occur.	Added that City will provide information on ADU, JADU, and SB9 opportunities at no less than 2 events annually.

	Topic	Comment Summary	Revision Summary
22	**Public Participation**	Describe efforts to circulate housing element to lower and moderate-income households and organizations. Summarize and describe consideration and incorporation.	Expanded text to include outreach to developers (including affordable housing developers) and to discuss efforts to reach lower and moderate-income individuals, as well as including Programs for continued outreach.
Housing Element Programs		To respond to HCD comments, several Programs have received redlined modifications and additions. One new Program was added for SB 9 Technical Assistance and Facilitation. Please see Attachment A, Exhibit A (revised 2023-2031 Housing Element) and refer to "Housing Goals, Policies, and Programs", starting on page 231, for the full text.	

PLANNING COMMISSION RECOMMENDATIONS AND IMPLEMENTATION

The Planning Commission at its regular meeting on March 27, 2023, reviewed all changes listed above in Table 1. Staff highlighted how recommendations are or can be addressed in several ways, including 1) in the revised Draft Housing Element content, 2) through required implementation of Statutory provisions (i.e., following State law requirements that must be implemented), and 3) through potential future considerations that can be explored separately from the Housing Element as ways to provide more robust options to promote housing to further support the Housing Element.

The Planning Commission held a robust discussion regarding the revised Element at their March 27, 2023, meeting A focus of the discussion was related to between the highest

and lowest fair housing scores for environment quality, and economic and educational opportunity. In response to comments received during the Planning Commission hearing, the summary of the series of fair housing maps and the component scores and composite rankings behind them was revised to be more direct. The point of the narrative remains the same – that Pinole is diverse and integrated, and there are only relatively small differences between the highest and lowest fair housing scores for environment quality, and economic and educational opportunity. The actual scores indicate that the differences between areas of Pinole are small and not as different as the State produced maps suggest. After the discussion, the Planning Commission adopted Resolution 23-01 (**Attachment B)** recommending to the City Council approve the 2023-2031 Housing Element Update. A component of the recommendation was for staff to consider the discussion related to the and suggest revisions to the Council as appropriate. Staff has made additional redline changes to the revised Housing Element to address fair housing scores for environment quality, and economic and educational opportunity These changes are shown as redlines starting on page 164 of the revised Element in **Attachment A, Exhibit A.**

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/environmental justice issues. Translation of the survey and community workshops was provided in Spanish, Tagalog, and Cantonese, as well as outreach materials. To spread the word about the project, the City posted banners around the community, mailed postcards to residents, and placed notices and announcements on Pinole TV and social media accounts. These outreach materials contained QR codes to the project website and community surveys. The aforementioned project website, www.LandUsePlanningForPinole.com, hosts information about the project, the schedule, survey, and recordings of past engagement activities. Interested parties may contact the consultant team for additional information or to request placement on the project notification list by emailing ContactUs@LandUsePlanningForPinole.com

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) provides Statutory Exemptions for certain types of projects exempt from expanded environmental review pursuant to CEQA. The 6th Cycle update to the City of Pinole Housing Element qualifies for a “common sense exemption,” as provided by CEQA Guidelines Section 15061(b)(3). Updates to the City of Pinole Housing Element include identification of sites and the adoption of goals, policies, and programs to meet the City’s RHNA and provide opportunities for affordable

housing within the City. The project does not provide entitlements to land use development projects, nor does it propose development of the identified RHNA sites that could have an effect on the environment. Future development proposals on RHNA sites identified during this planning cycle would be subject to environmental review pursuant to the provisions of CEQA, as appropriate. For these reasons, it can be seen with certainty that there is no potential for the Housing Element to have a significant effect on the environment. The exemption is included as **Attachment A – Exhibit B** of this report.

FISCAL IMPACT

There is no fiscal impact associated with receiving this report.

ATTACHMENTS

A. Resolution
    Exhibit A – Revised 2023-2031 Housing Element
    Exhibit B – Notice of Exemption
B. Planning Commission Resolution No. 23-01
C. Response Matrix
D. HCD Comment Letter dated March 2, 2023

ATTACHMENT A

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING THE GENERAL PLAN AMENDMENT 22-01 FOR THE ADOPTION OF THE 2023-2031 HOUSING ELEMENT AND APPROVAL OF THE CEQA EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15061 (b)(3) FOR THE 2023-2031 HOUSING ELEMENT

WHEREAS, California Government Code Sections 65580-65589.8 require amendment of the City's current General Plan Housing Element to address the assigned housing needs of current and future City residents; and

WHEREAS, the City of Pinole's share of regional housing need is established by the Association of Bay Area Governments ("ABAG") and this period's related Regional Housing Needs Allocation ("RHNA") was adopted by ABAG in December 2021; and

WHEREAS, ABAG determined that Pinole's fair share of the RHNA for the period between 2023 and 2031 is a total of 500 units in the following housing affordability income categories: 121 very low income units, 69 low income units, 87 moderate income units, and 223 above moderate income units; and

WHEREAS, from March through July 2022 the City conducted extensive public outreach, which included creating a housing element update website, posting a multilingual survey, conducting a focus group, stakeholder interviews, and two virtual community workshops, and advertisements of engagement opportunities and information through social media, email, notifications in the City's bi-weekly reports, mailed postcards, flyers, community TV advertisements, and banners posted throughout the city; and

WHEREAS, on July 13, 2022, the City Council and Planning Commission held a special joint meeting to receive a comprehensive status update of the project; and

WHEREAS, on October 17, 2022, the public review draft of the Housing Element was released for public review and comment, with a digital copy available through the City's webpage, which links to the dedicated General Plan Update, and a hardcopy available at City Hall; and

WHEREAS, on October 24, 2022, the Planning Commission reviewed the public review draft Housing Element and provided feedback and recommendations to the City Council; and

WHEREAS, on November 15, 2022, the City Council reviewed the public review draft Housing Element; and

WHEREAS, revisions to the draft Housing Element were made with consideration of updated approved projects information and feedback received through the public comment period, the Planning Commission meeting, and City Council meeting and in preparation for adoption and submittal to the California Department of Housing and Community Development (HCD) for review; and

WHEREAS, on December 2, 2022, the revised draft Housing Element, hereto referred to as the 2023-2031 Housing Element, was submitted to HCD for review; and

WHEREAS, the Planning Commission held a duly noticed public hearing on December

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12, 2022 and recommended that the City Council approve the 2023-2031 Housing Element; and

WHEREAS, the City complied with SB 18 Consultation by providing written notice sent on December 20, 2022, E-Mail communications on December 21, 2022, and phone calls on January 5, 2023; and

WHEREAS, the City Council held a duly noticed public hearing on January 17, 2023 and thereafter adopted the 2023-2031 Housing Element with the understanding that that subsequent revisions were likely to be necessary after commends from HCD were received; and

WHEREAS, on January 30, 2023, the City received preliminary comments from HCD in the form of a meeting with the Housing Element reviewer from HCD: and.

WHEREAS, on February 17, 2023, a revised draft addressing the preliminary review comments was published; and

WHEREAS, on March 2, 2023, the City received a formal comment letter from HCD containing suggested revisions; and

WHEREAS, on March 24, 2023, the revised Housing Element addressing all preliminary and formal review comments was published for public review; and

WHEREAS, March 27, 2023, the Planning Commission reviewed the public review draft Housing Element at a duly noticed public hearing, provided feedback, and recommended that the City Council adopt the revised 2023-2031 Housing Element; and,

WHEREAS, the City prepared the 2023-2031 Housing Element in conformance with State and local planning law and practices, considering local conditions and context, including economic, environmental, and fiscal factors; and

WHEREAS, the Housing Element must be adopted to comply with State law, affirmatively further fair housing, and facilitate and encourage a variety of housing types for all income levels, including multifamily housing; and

WHEREAS, the revised Housing Element addresses all of the comments raised by HCD and the City has determined it is in substantial compliance with all applicable requirements; and

WHEREAS, the Housing Element update qualifies for an exemption from further under the California Environmental Quality Act ("**CEQA**") pursuant to CEQA Guidelines Section 15061(b)(3) since the proposed revised Housing Element has no potential for causing a significant effect on the environment The project does not provide entitlements to land use development projects, nor does it propose development of the identified RHNA sites that could have an effect on the environment, and no changes to land uses within the City are proposed, therefore it can be seen with certainty that adoption of the Revised Housing Element will have no significant effect of the environment; and

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WHEREAS the City Council held a duly noticed public hearing on April 4, 2023, and considered the presentation, staff report and related background documents and materials as well as the testimony of all persons speaking or providing information on this matter.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole hereby approves General Plan Amendment 23-01 to adopt the 2023-2031 Housing Element, attached as Exhibit A, to repeal and replace the existing Housing Element of the General Plan, and approve the CEQA Exemption for the Housing Element Update, attached as Exhibit B, based on the following determinations:

1. The above information within this resolution is true and correct and incorporated herein; and

2. The Housing Element Update is exempt from further environmental review under the California Environmental Quality Act (CEQA) Exemption pursuant to CEQA Guidelines section 15061(b)(3); and

3. The amendments to the City's General Plan Housing Element are consistent with applicable provisions of State law.

BE IT FURTHER RESOLVED that the City Council of the City of Pinole hereby authorizes the City Manager to make iterative changes to the 2023-2031 Housing Element in response to comments from HCD to support state certification of the 2023-31 Housing Element. Such changes by the City Manager shall not change the policy of the City or include any legislative actions.

PASSED AND ADOPTED by the City Council of the City of Pinole on this 4h day of April 2023, by the following vote:

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

_____
Heather Bell, CMC
City Clerk

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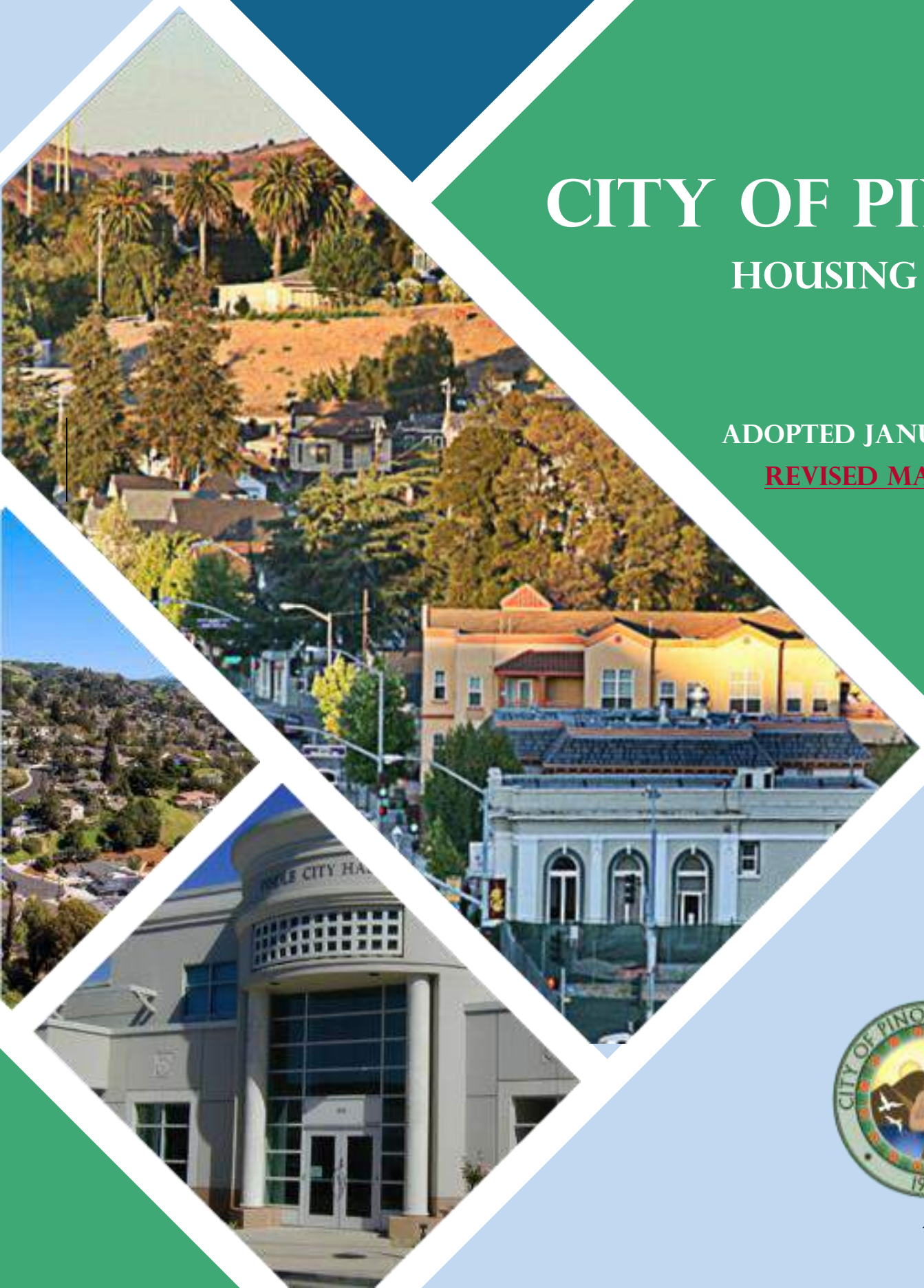
EXHIBIT A

CITY OF PINOLE

HOUSING ELEMENT 2023-2031

ADOPTED JANUARY 17, 2023

REVISED MARCH 24, 2023



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Available ang mga serbisyo sa pagsasalin. Mag-email sa amin upang ipaalam sa amin ang tungkol sa iyong mga pangangailangan.

contactus@landuseplanningforpinole.com

Acknowledgements

City Council

Devin T. Murphy, Mayor
Maureen Toms, Mayor Pro Tem
Cameron N. Sasai
Anthony Tave
Norma Martinez-Rubin

Planning Commission

Ann Moriarty, Chair
Frankie Martinez , Vice Chair
Timothy Banuelos
Adam Benzuly
David Kurrent
Rafael Menis

City Manager

Andrew Murray

Community Development Staff

Lilly Whalen, Community Development Director
David Hanham, Planning Manager
Justin Shiu, Consultant Planner

Special Thanks

Thank you to all of the community members who provided input during the Housing Element Update process and helped inform and guide the City's housing plan.

Prepared by

Michael Baker International
Project Contact: *Daniel K. Wery, AICP, LEED AP*
dwery@mbakerintl.com | 858-354-0116
Veronica Tam and Associates, Inc., Strategic Advisor

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List of Abbreviations Used

Abbreviation	Definition
AAGR	Annual Average Growth Rate
AB	Assembly Bill
ABAG	The Association of Bay Area Governments
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADU	Accessory Dwelling Unit
AFFH	Affirmatively Furthering Fair Housing
AHSC	Affordable Housing and Sustainable Communities Program
AMI	Area Median Income
APN	Assessor Parcel Number
BAHFA	Bay Area Housing Finance Authority
BMR	Below Market Rate
CalCHA	California Community Housing Agency
CalHFA	California Housing Finance Agency
CalOES	California Governor's Office of Emergency Services
CCCTA	Contra Costa County Transportation Authority
CCCWP	Contra Costa Clean Water Program
CCRC	California Community Reinvestment Corporation
CDBG	Community Development Block Grants
CDD	Community Development Division
CEQA	California Environmental Quality Act
CES	CalEnviroScreen
CHAS	Comprehensive Housing Affordability Strategy
CMU	Commercial Mixed Use
COG	Council of Governments
CUP	Conditional Use Permit
DDA	Difficult Development Areas
DDS	Department of Developmental Services
DOF	Department of Finance
DRB	Development Review Board
EBMUD	East Bay Municipal Utility District
ECHO	Eden Council for Hope and Opportunity
EDD	Employment Development Department
EHV	Emergency Housing Voucher
EIR	Environmental Impact Report
EJ	Environmental Justice
ELI	Extremely Low Income
FEMA	Federal Emergency Management Agency

FHH	Female Headed Households
FMR	Fair Market Rent
FY	Fiscal Year
GP	General Plan
GSAF	Golden State Acquisition Fund
HAMFI	HUD Area Median Family Income
HCD	Office of Housing and Community Development
HCV	Housing Choice Voucher
HDR	High Density Residential
HMDA	Home Mortgage Disclosure Act
HOME	Investment Partnership Programs
HUD	Department of Housing and Urban Development
ICC	International Code Council
JADU	Junior Accessory Dwelling Unit
LAUS	Local Area Unemployment Statistics
LBNC	Low Barrier Navigation Center
LDR	Low Density Residential
LEAP	Local Early Action Planning
LHTF	Local Housing Trust Fund
LID	Low Impact Development
LIHTC	Low-Income Housing Tax Credit
MCC	Mortgage Credit Certificate
MDR	Medium Density Residential
MSA	Metropolitan Statistical Area
MUSA	Mixed Use Sub Area
NOFA	Notice of Funding Availability
NPP	Neighborhood Preservation Program
OIMU	Office Industrial Mixed-Use
OPMU	Office Professional Mixed-Use
OTSA	Old Town Sub Area
PID	Public Information Department
PIT	Point in Time
PITC	Point in Time Count
PLHA	Permanent Local Housing Allocation
PQI	Public Quasi-Public Institutional
PWD	Public Works Department
RAWG	Regional Advisory Working Group
RCAA	Racially Concentrated Area of Affluence
REAP	Regional Early Action Planning
RECAP	Racially and Ethnically Concentrated Area of Poverty
RHNA	Regional Housing Needs Allocation/Assessment

RMU	Residential Mixed Use
RTPA	Regional Transportation Planning Agency
RV	Recreational Vehicle
SAHA	Satellite Affordable Housing Associates
SB	Senate Bill
SLM	Shared Lane Markings
SR	Suburban Residential
SRO	Single Room Occupancy
SSA	Service Sub Area
STMP	Subregional Transportation Mitigation Program
TCAC	Tax Credit Allocation Committee
TOD	Transit-Oriented Development
US	United States
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Travelled
WCCTAC	West Contra Costa Transportation Advisory Committee
WCWD	West County Wastewater District
WPCP	Water Pollution Control Plant
ZHVI	Zillow Home Value Index

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 Community Development~~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 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.

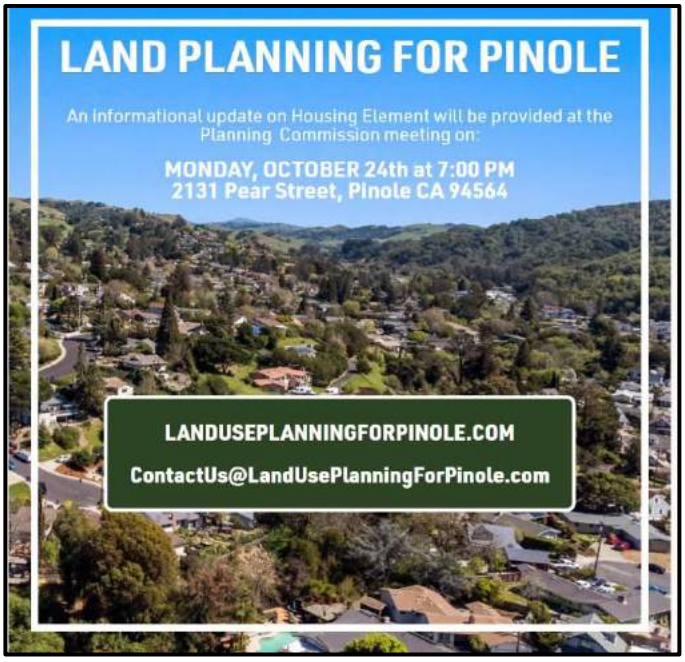
The City made a comprehensive effort to reach lower- and moderate-income individuals to participate in the Housing Element Update. As noted above, the City develop a multi-lingual outreach campaign, contacted a variety of local organizations including affordable housing developers, advocacy groups, and the fair housing service provider, local service providers, and community centered organizations. Postcards were sent to every household in the City inviting them to participate in the Housing Element update process. The City will continue efforts to develop culturally competent outreach programs to connect residents to a variety of resources including affordable housing resources with the implementation of Program 20, Program 21, Program 22.

The public participation program included:

- Website. An interactive housing element update website, launched in March 2022 and accessed through the City's webpage, which 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. The City received 149 completed surveys. Full details of the survey responses are provided in APPENDIX C: PUBLIC OUTREACH.
- 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. The organizations participated in the focus group, the Friends of Pinole Creek Watershed, Pinole Valley Community Church, and BGAM Property Management Group
- 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.

The City extensively advertised opportunities to participate and used multiple forms of media to reach the diverse population of Pinole. Efforts to notify the community about engagement opportunities include the following:

- Social media postings on the City of Pinole's Facebook and Instagram pages and Nextdoor.
- Email notifications to the 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.
- Advertisements on the Pinole Community TV, Channels 26 and 28, that displayed information regarding the Community Workshops. The information was displayed multiple times daily leading up to the workshops.



Example of a social media post for the October 24th Planning Commission meeting

- 11 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. Banners included links to the survey in four languages as well as a link to the two virtual community workshops. Full additional photos of the banners and a map of the banner placements in the City, see APPENDIX C: PUBLIC OUTREACH.
- 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).

Examples of two of the eleven banners placed around the City

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, farmworker 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 19 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 8 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 16, Program 20, Program 22, and Program 23 implement outreach and education strategies to increase community 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 21 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 20. Program 10 will create a set of incentives to encourage the development of housing for seniors.

Two public comment letters were received regarding the Housing Element update. One letter was submitted prior to the release of the first public review draft of the Housing Element Update and one during the 30-day public review period for the Housing Element Update. Both of these letters were also submitted directly to the City of Pinole prior to or during the 30-day public review period, and therefore many of these comments are captured in the subsections above and helped to inform the draft Housing Element that was submitted to HCD on December 2, 2022.

One letter came on behalf of YIMBY Law and Greenbelt Alliance, dated April 21, 2022. This letter was received prior to the public review draft of the Housing Element and thus does not make any comments on the draft Housing Element. The letter contained a request for a rezoning component in the Housing Element Update to sufficiently meet Pinole's RHNA based solely on trends from 2018-2021 APR data. The letter comments on the development trends in Pinole based on the APR data from 2018 through 2021 and does not account for the 635 units that are currently approved and in various stages of development in the City. As demonstrated in the sites inventory, the City has adequate zoning to meet and exceed the RHNA requirement.

The other came on behalf of a Contra Costa County resident, 350 Contra Costa, Greenbelt Alliance, CaRLA, a resident of Palo Alto, a resident of Berkeley, a resident of San Bernadino, and two residents of San Francisco. This letter contained two main comments, as follows:

- Recommendation to include an analysis of compliance in its approval process with PRC 21080.1 & 21080.2 (time limits for determining whether certain residential projects are exempt from CEQA).
- Recommendation to add a program to specify (i) who is responsible for making the CEQA determination of PRC 21080.1, specify (ii) that their decision will be made within the timeframe permitted by PRC 21080.2, and specify that (iii), when they determine a project is exempt from CEQA, their determination triggers the Permit Streamlining Act (PSA) 60-day deadline (Gov. Code 65950(a)(5)). If existing local practices or regulations are incompatible with these state laws, the program should commit to enacting reforms necessary to achieve compliance within a reasonable and definite timeline.

Program 6 includes reviewing and updating as necessary the EIR prepared for the GP and Specific Plan so that individual projects can utilize opportunities for tiering from environmental documentation and streamlining provided under CEQA, where applicable, which can reduce duplicative analyses and streamline environmental review. This will speed up the review/approval process and greatly reduce costs for the applicant. The City of Pinole makes every effort to comply with all state laws regarding CEQA and permit processing.

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.

Public Review Period

Pursuant to Assembly Bill 215 (AB 215), the City distributed the Draft 2023-2031 Housing Element for a 30 day public review period from October 17th, 2022 to November 16th, 2022. Public notification included social media postings and notifications through emails to 65 stakeholders as well as a public review hardcopy available at City Hall. The City received one public comment requesting additional information on how to participate.

The City held public meetings before the Planning Commission on October 24th and City Council on November 15th to discuss and receive feedback on the public review draft. Opportunity for public comment was provided at both meetings. The Planning Commission and City Council were both supportive of the draft document. They discussed opportunities to clarify and strengthen programs and appreciated the thorough and clear analysis and accessibility of the draft element.

The Housing Element was a duly advertised agenda item at the October 24th Planning Commission and November 15th City Council meetings to discuss and receive feedback on

the public review draft. Opportunity for public comment was provided at both hearings. The Planning Commission and City Council both supportive of the draft document. They discussed opportunities to clarify and strengthen programs and appreciated the thorough and clear analysis and accessibility of the draft element. The Planning Commission and City Council discussions centered around how the following topics are addressed in the draft Housing Element:

- Add the Pinole Vista project (223 units) that was approved during the public review period to the sites inventory.
- Allow and encourage single and small unit room rentals.
- Evaluate opportunities for affordable housing on religious facility sites.
- Promote and incentivize affordable housing for teachers.
- Consider more protections to prevent and minimize displacement.
- Encourage additional and continual efforts to obtain input from Pinole's diverse population.

The following City efforts address the discussions with the Planning Commission and City Council:

- The 223-unit Pinole Vista project was added to the sites inventory and the sites and AFFH analysis were modified to include and evaluate the site.
- To encourage single and small unit room rentals, the City is including multiple programs to spur ADU development and educate homeowners regarding ADUs. Program 4, Facilitate ADU Production, is included to encourage and stimulate the development of ADUs. Program 22 consists of ADU, JADU, and SB 9 Education and Promotion. The City currently allows SROs in five zones.
- Program 11 develops a Home Sharing and Tenant Matching Program. To promote additional housing options for teachers, they will be included as eligible tenants for the program.
- As a part of Program 3, Outreach to Developers and Technical Assistance to Applicants, the City will 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.
- As a part of Program 20, Displacement Prevention/Housing Mobility, the City will conduct a workshop a meeting/workshop to inform residents and landlords of sources of income protection and state rent control laws such as AB 1482. The City will also 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.

- The City recently adopted a Communication and Engagement Plan[1] to provide a framework to strengthen the City's communication efforts and help City Hall more effectively reach and engage residents through a series of recommendations centered around topics including planning, media relations, language access, and social media, among others. The Communication and Engagement Plan will help to expand the reach of information for a diverse set of Pinole residents throughout the entirety of the 6th Housing Element Cycle.

HCD 90-Day Review Period, December 2 through March 2, 2023

The City of Pinole submitted the draft Housing Element Update to HCD for HCD's 90-day review on December 2, 2022. The revised draft incorporated extensive revisions in response to comments from the public that were received during the 30-day review period described in detail above.

The City of Pinole conducted additional outreach to housing developers and real estate professionals during the 90-day review period. Pinole has had extraordinarily good housing production in terms of total units as well as excellent production of very low, low and moderate units. In effort to learn from Pinole's success, the City contacted developers with projects in Pinole to discuss:

- What led them to development in Pinole,
- Why they had not previously been building in Pinole, and
- Help identify any constraints to the development process experienced in the permitting process.

City staff met with locally and regionally active developers and real estate professionals including MRK Partners Inc., SAHA, ROIC, and DeNova Homes, Inc. These developers provided letters expressing very positive reviews of City staff, processes and standards. Common reasons for developing in Pinole included:

- Attractive zoning,
- Relatively affordable land cost,
- Availability of land,

[1] Pinole Communication and Engagement Plan: https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_10946972/File/City%20Government/City%20Manager/2022/City%20of%20Pinole%20Community%20Engagement%20Plan.pdf

- Developable parcels with access to transit and services that essential for affordable and efficient housing and -helps to obtain funding for affordable housing
- Knowledgeable, efficient, and flexible staff
- Short entitlement timeframe
- Comparatively efficient and straightforward design review process, staff support in the application process, and City support for housing opportunities.
- Collaborative entitlement process
- Great working relationship with staff

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."[2]

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.

[2]http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65588.#:~:text=65588.,of%20the%20state%20housing%20goal.

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

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.

Table 2: Review of 5th Cycle Programs

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 housing projects that either include affordable units in mixed income projects or are 100 percent affordable projects. The City has facilitated pre-submittal meetings and calls to provide information, highlight application needs, discuss processes, and discuss affordable housing requirements and incentives. Projects the City has worked with developers on include the 223 unit development at Pinole Vista Plaza's vacant K-Mart site, a 154 townhome and condominium development on the vacant Doctor's Hospital site, a 29-unit apartment project on a mixed use site, a 33 unit affordable veteran's	Retain/Modify into an outreach and technical assistance program.	Program 3

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th Cycle Program Number
			housing on a former redevelopment agency 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 6th 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 6
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 6th 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 13

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 opportunity sites for potential residential development is included within the site inventory map and list of the adopted Housing Element (Appendix A and B).	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 16

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 17
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 September 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 14
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	

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 War 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 6
	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 8
	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 8

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 7
	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 9

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 5th Cycle.	Retain //Modify – include in affordable housing incentive programs	Program 8
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 22

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 22
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 18
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

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 5th 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

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 21
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 18

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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 10

5th Cycle Program Name and Number	Action/Target	Timeframe	Accomplishments	Continued Appropriateness	6th 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

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 noted[3].

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

[3] Note that data from the different sources and different years may have varying estimates for totals such as population or number of households.

- 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.

[1]Pursuant 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

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,

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 9, 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.

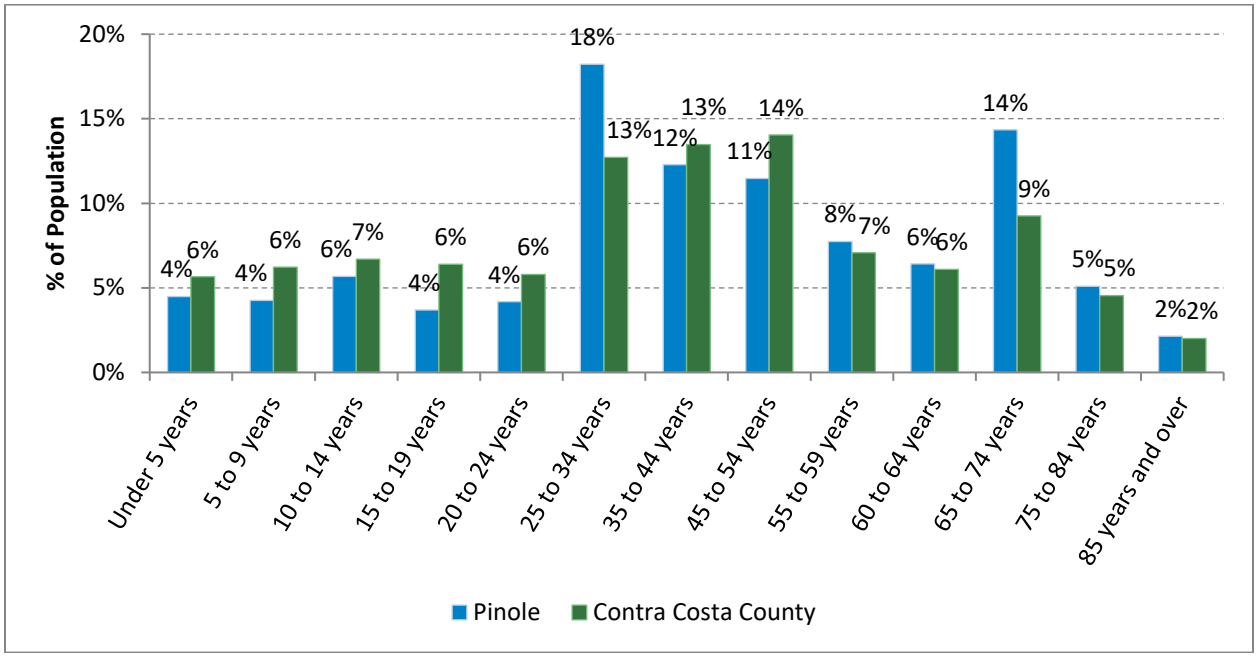
This data suggests that there is an increasing need for senior housing, which may take the form of age-restricted developments, smaller units, and housing with increased support services and proximity to healthcare. The growing 25–34-year-old age group suggests a need for first-time homeownership opportunities 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.

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.[4] 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.

[4] US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25032A-E.

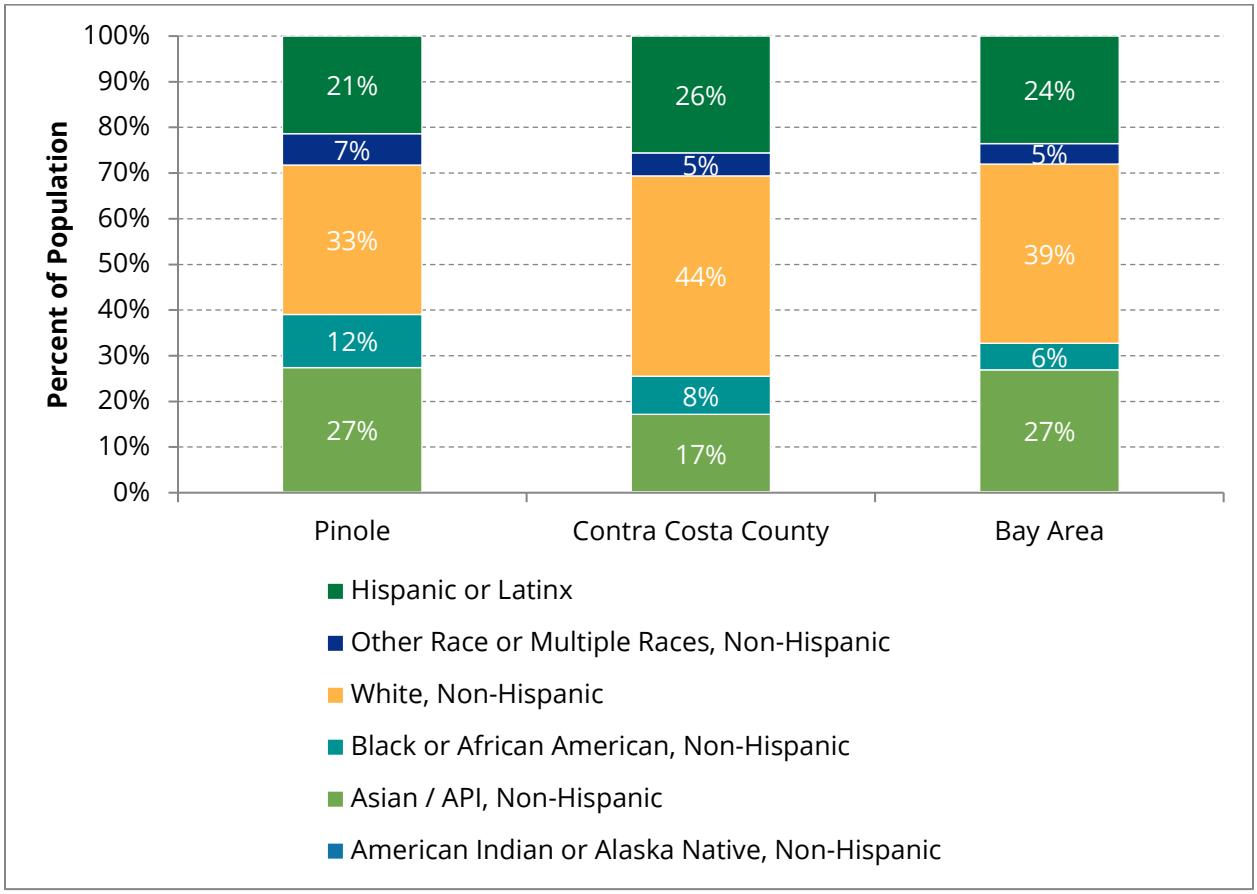
Table 7: Racial and Ethnic Composition, Pinole

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.

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).

Table 8: Employment Trends, Pinole

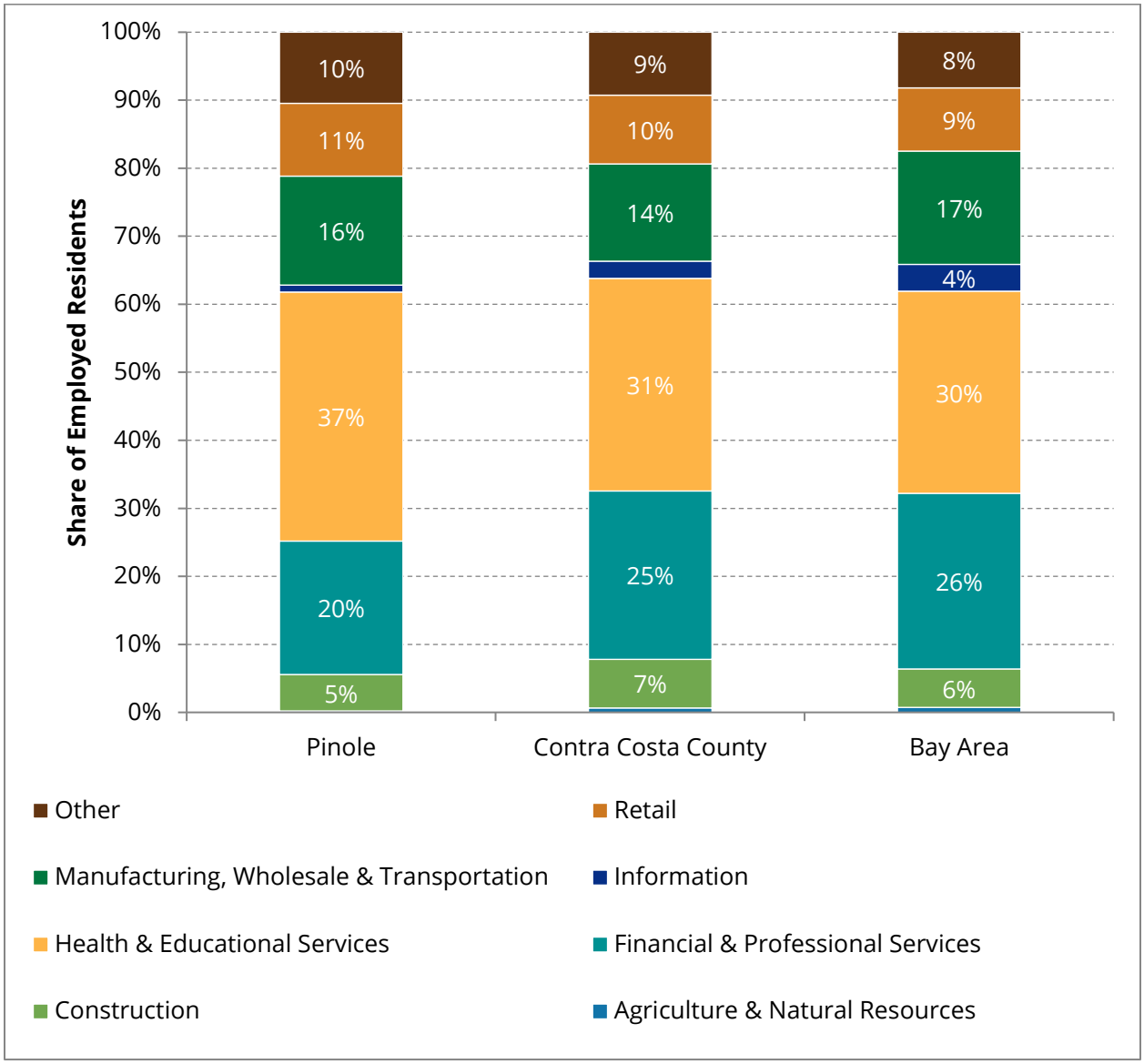
Year	Labor Force	Employment	Unemployment	Unemployment Rate	
2010	9,557	8,888	669	*6.9%*	-
2015	9,757	9,128	629	*6.4%*	*4.8%**
2020	10,595	10,051	544	*5.1%*	*3.3%**

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.

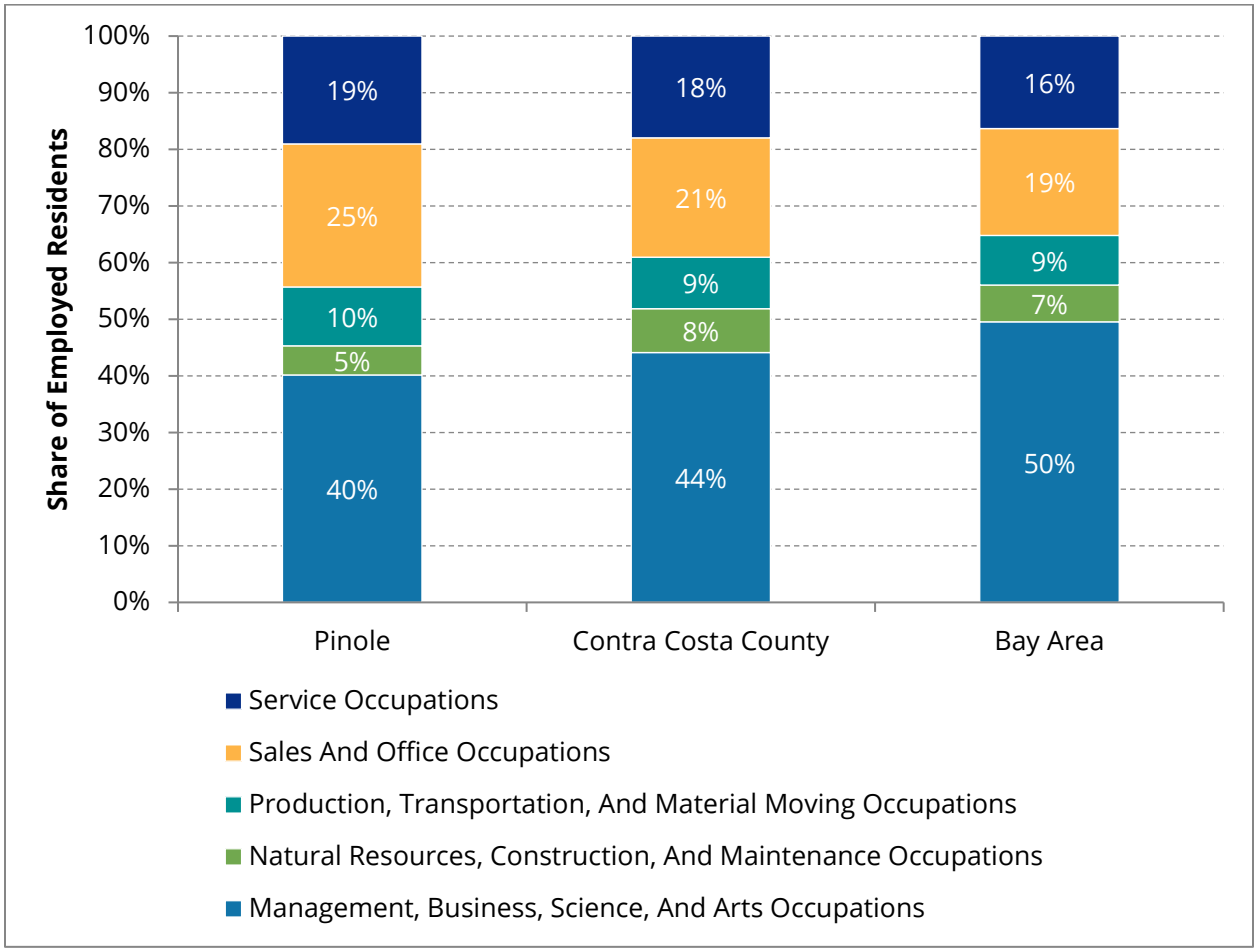
Figure 3: Regional Employment by Industry, 2019



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.

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.

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.

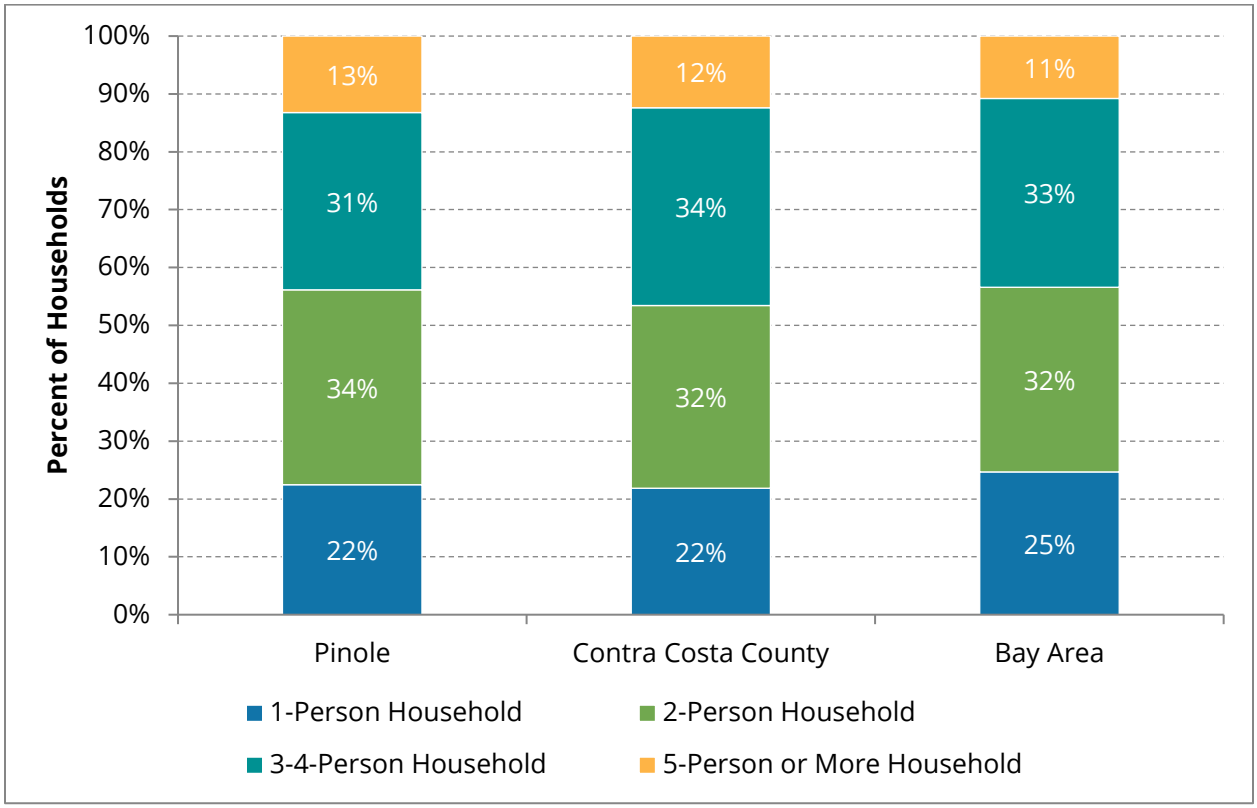
Table 10: Regional Average Household Size

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.

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).

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.

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.

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.

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%*
Total[2]	**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%*
Total[2]	**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

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.

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.

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.

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 10 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%*

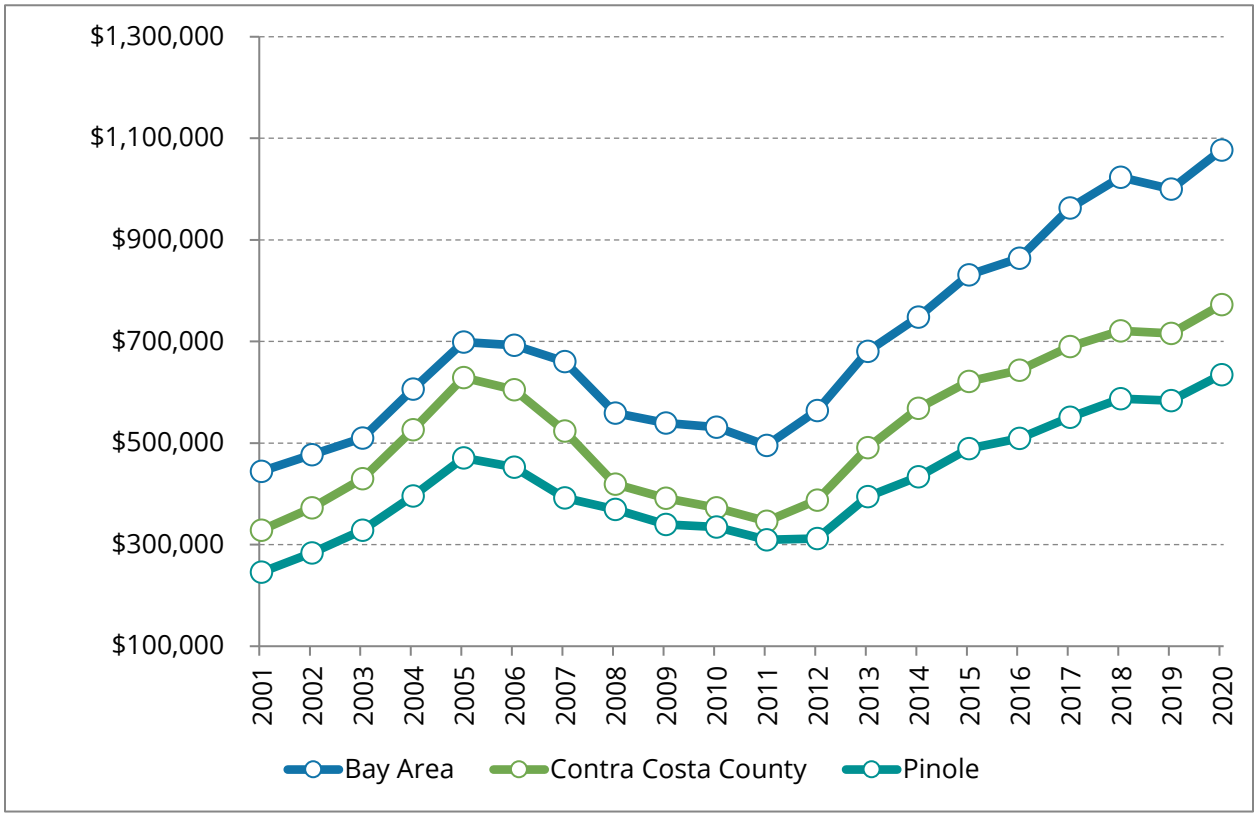
Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table B25038.

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

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

$105,000 implies that the median sales price should be between $262,500 and $315,000.[5] 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.

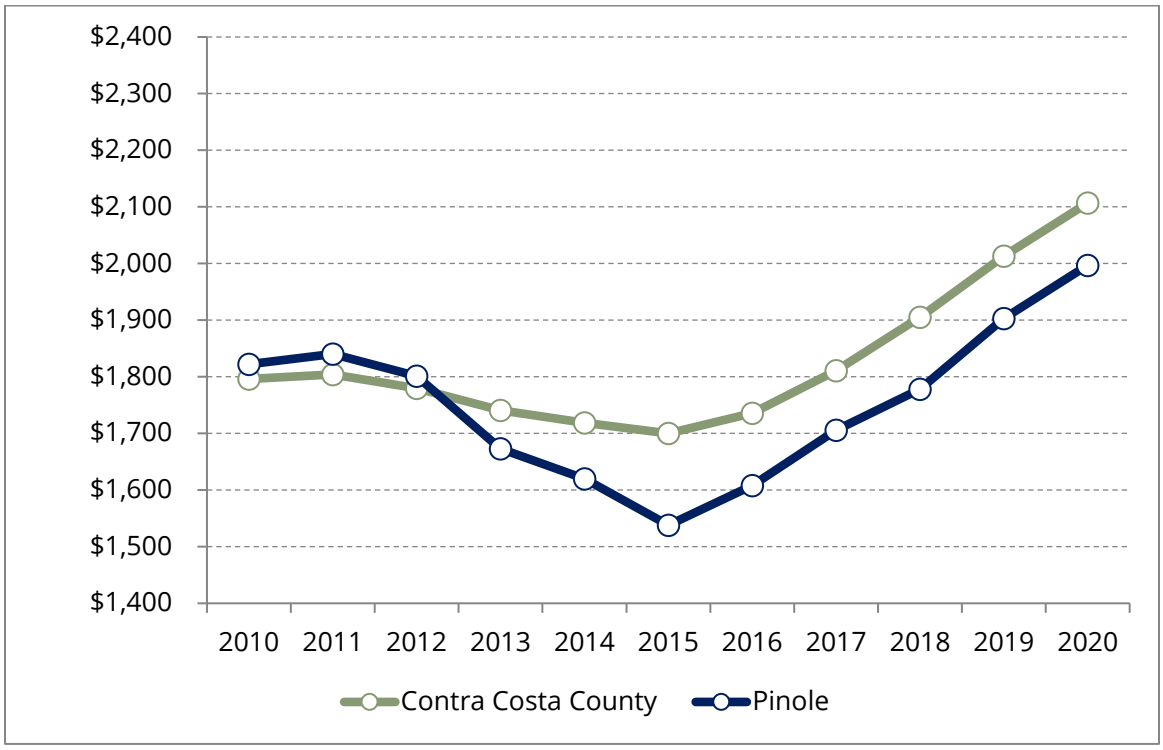
[5] Assumes 10% down payment; 5.00% mortgage interest rate; taxes, insurance, PMI and HOA account for 35% of housing costs; and uses 2022 Contra Costa County Housing Authority utility allowances.

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.

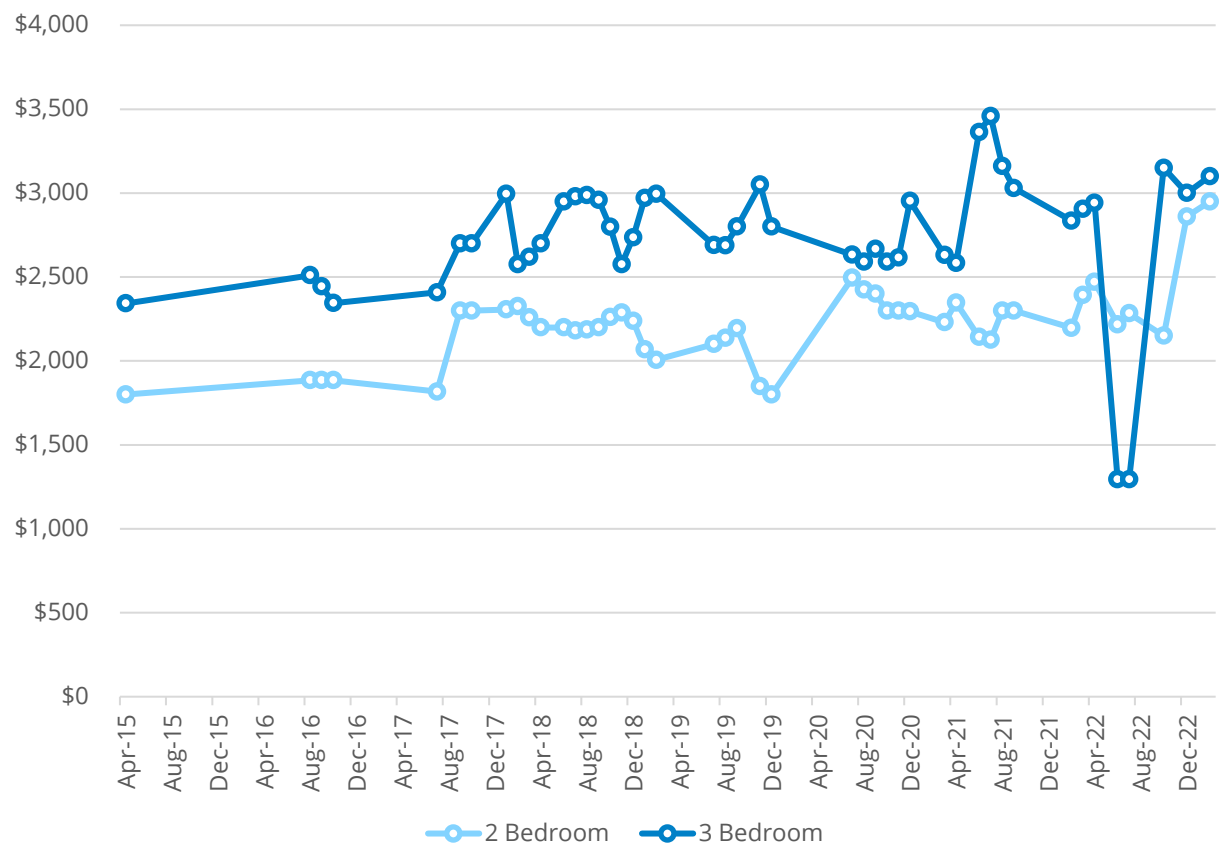
Figure 7: Median Rental Prices, 2010–2020



Source: US Census Bureau, American Community Survey 5-Year Estimates, Table B25105.

Additionally, Figure 8 shows the average rental prices for 2-bedroom and 3-bedroom apartments in Pinole from April 2015 to Dec 2022. As noted in Table 24 and Figure 7, the rental prices in Pinole have steadily increased. At certain points in 2017, 2020, and 2022 the average rental cost between 2- and 3-bedrooms within a few hundred dollars, and between April 2022 and August 2022, 3-bedroom were significantly less expensive.

Figure 8: Average Rent – 2 and 3 Bedroom



Source: zumper.com/rent-research/pinole-ca

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.

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

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.

Table 28: Overpayment by Income Level and Tenure, 2018

Household Income Range	All Households		Households with Housing Cost Burden			
	Number[6]	%	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.

Lower-income households experience overpayment at a higher rate that moderate- and above moderate-income households in the City. Table 29 shows the rates of overpayment for lower-income households.

Table 29: Overpayment by Lower-Income Households

Household Income Range	All Households	Households with Housing Cost Burden			
-	-	Overpayment (>30% of income on rent)		Severe Overpayment (>50% of income on rent)	
Owner Households, Pinole					
<= 30% of HAMFI	295	165	55.9%	155	52.5%
> 30% ≤ 50% of HAMFI	435	230	52.9%	145	33.3%
> 50% ≤ 80% of HAMFI	510	235	46.1%	135	26.5%
Lower-Income Owners Subtotal	1,240	630	50.8%	435	35.1%
Renter Households, Pinole					
<= 30% of HAMFI	260	205	78.8%	165	63.5%
> 30% ≤ 50% of HAMFI	380	310	81.6%	185	48.7%
> 50% ≤ 80% of HAMFI	315	215	68.3%	50	15.9%
Lower-Income Renters Subtotal	955	730	76.4%	400	41.9%
Total Lower-Income (Owners & Renters)	2,195	1,360	62.0%	835	38.0%
Owner Households, County					
<= 30% of HAMFI	16,810	12,770	5.0%	10,425	4.0%
> 30% ≤ 50% of HAMFI	21,115	13,195	5.1%	7,785	3.0%
> 50% ≤ 80% of HAMFI	26,450	14,225	5.5%	5,860	2.3%
Lower-Income Owners Subtotal	64,375	40,190	62.4%	24,070	37.4%
Renter Households, County					
<= 30% of HAMFI	31,625	25,495	80.6%	21,515	68.0%
> 30% ≤ 50% of HAMFI	20,335	17,070	83.9%	8,545	42.0%
> 50% ≤ 80% of HAMFI	18,655	11,610	62.2%	2,415	12.9%
Lower-Income Renters Subtotal	70,615	54,175	76.7%	32,475	46.0%

[6] 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.

Household Income Range	All Households	Households with Housing Cost Burden			
Total Lower-Income (Owners & Renters)	134,990	94,365	69.9%	56,545	41.9%

Source: 2014-2018 HUD CHAS data, Summary Level data for Contra Costa County and City of Pinole.

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 30 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 30: Overcrowding by Tenure

	Owners		Renters		Total	
Persons per Room	**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.

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 322 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 31 displays the units that will be converted during the next Cycle as well as units that were converted during the 5th Cycle.

Table 31: 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 32 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

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 32: 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.[7]

Table 33 summarizes the estimated replacement costs per unit using construction cost estimates from the UC Berkeley Terner 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.

[7] California Tax Credit Allocation Committee, 2020 Annual Report. https://www.treasurer.ca.gov/CTCAC/2020/annualreport/2020-TCAC.pdf

Table 33: 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: [1]UC 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. [2]ApartmentFinder.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

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 18 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

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 34 provides an overview of the presence of special needs populations within the City.

Table 34: 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 35 shows the services currently providing support to the special needs populations in Pinole.

Table 35: Inventory of Local Services for Special Needs Populations

Services/Programs	Details	Population Served
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.	Elderly, Lower Income Elderly
Pinole Grove Senior Apartments	Offers 70 affordable, one- and two-bedroom senior apartments with senior-targeted amenities.	Lower Income Elderly
Westmont of Pinole	Offers Independent Living, Assisted Living, and Memory Care services.	Elderly,
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.	Elderly, Elderly with disabilities
St. Clare's Home for Seniors	Offers 12 senior living and assisted living units.	Elderly, Lower Income Elderly

Services/Programs	Details	Population Served
Tara Hills Care Home	Community care facility for the elderly	Elderly, Lower Income Elderly
Granada Home Care I and II	Two 6-bed residential care facilities for seniors	Elderly, Lower Income Elderly
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.	Persons with disabilities (including developmental disabilities)
Pathway to Choices	Provides independent living services, supported living services, adult day program, behavior management, and competency training to people with developmental disabilities.	Persons with disabilities (including developmental disabilities)
811 San Pablo Affordable Housing	Approved 33-unit affordable housing project to low and very-low income households on City land.	Lower income
Vista Woods Affordable Housing	Approved 179 unit affordable housing project for seniors	Lower Income 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 36 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 36: 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.

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 37: 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 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 38 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 38 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 38: 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.

[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.

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, and high poverty rates. Female-headed households are often further characterized by whether they have children in the household. Table 39 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 39: 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, *with* children under 18	93	*2.0%*	207	*10.0%*	300	*4.4%*
Female householder, no spouse present, *without* 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). [8]

Table 40: 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, *with* children under 18	11	*3.6%*	1,039	*16.0%*	1,050	*15.5%*
Female householder, no spouse present, *without* 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~~ 2020 Point-in-Time Count (PITC) information provided to HUD by the Richmond/Contra Costa County

[8] US Census Bureau, American Community Survey 5-year Data (2016–2020), Table B17010.

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. Per the Contra Costa Health Services website, there were significant inconsistencies discovered in the data of the 2022 PITC and Contra Costa Health Services has been unable to verify the accuracy of the data.[9] As such, this element is utilizing the most recent PITC data available from Contra Costa Health, which is the 2020 PITC. The 2023 PITC Annual Report has not yet been released at the time of the writing of this element.

As shown in Table 41, 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 41: Homelessness by Household Type and Shelter Status, Contra Costa County

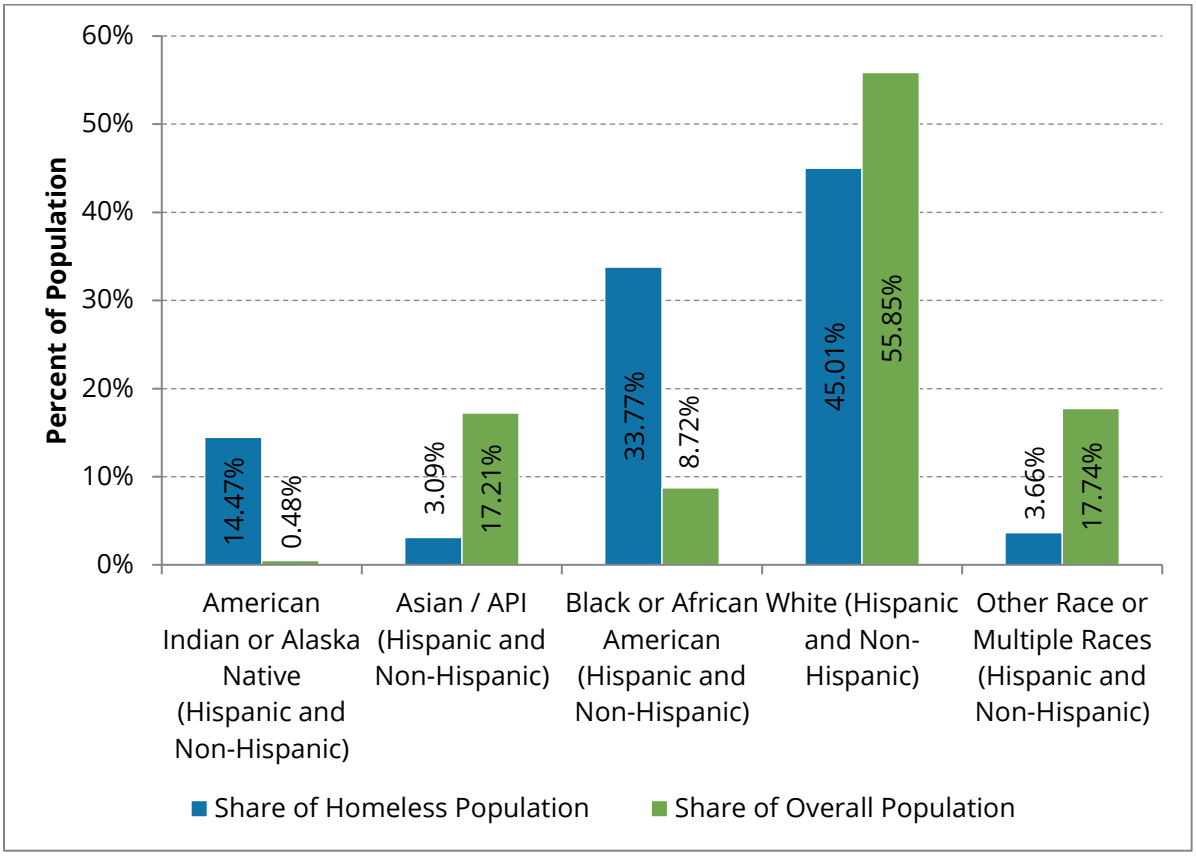
Variable	People in Households Composed Solely of Children Under 18	People in Households with Adults and Children	People in Households without Children Under 18
Sheltered - Emergency Shelter	0	159	359
Sheltered - Transitional Housing	0	32	118
Unsheltered	0	128	1,499

Source: US Department of Housing and Urban Development, Continuum of Care Homeless Populations and Subpopulations Reports (2019)

Figure 9 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.

[9] Contra Costa Health Services. Data Reports, Point in Time Count. https://cchealth.org/h3/coc/reports.php#PIT

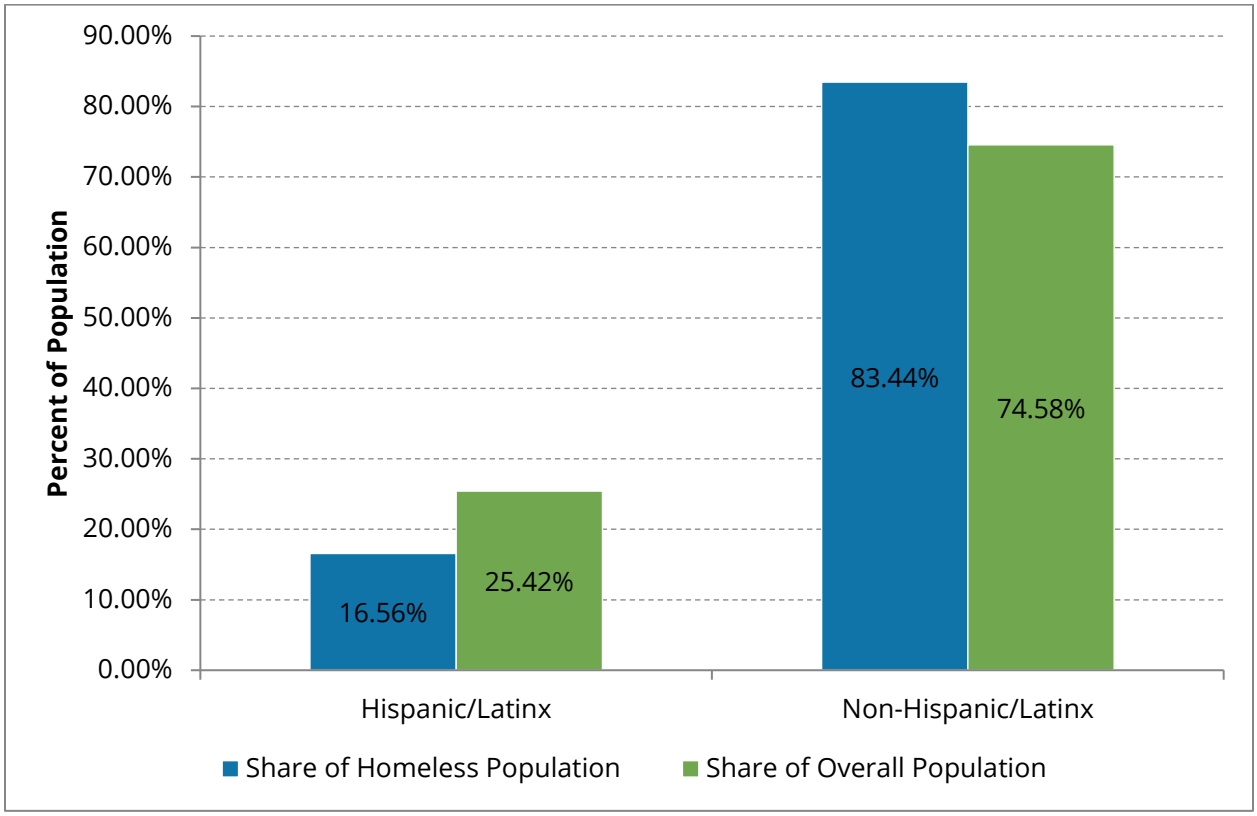
Figure 9: Racial Group Share of General and Homeless, Contra Costa County, 2019



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 10 shows that 16.6 percent of the homeless population is Hispanic/Latinx.

Figure 10: 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 42 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 42: 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.

Table 43 shows a count of individuals that were identified as unsheltered in West Contra Costa County during the January ~~2022~~ 2020 Point In Time Count (PITC). Pinole had ~~53~~ 7 unsheltered individuals, an ~~significant~~ increase from 3 in 2019. West Contra Costa County saw an increase ~~large increase~~ in the unsheltered population from 510 in 2019 to ~~877~~ 513 in ~~2022~~2020. Though the 2023 PITC has not yet been released, an estimate from the Pinole Police Department identified from 5 – 10 unsheltered homeless persons in the City, and noted the most individuals in Pinole experiencing homelessness are homeless by choice. The Pinole Police Department's Community Outreach Unit includes its Homeless Outreach Program.

Table 43: Homeless Population—Unsheltered Individuals in West Contra Costa County

Homeless Population	2019 Unsheltered Population	~~2022~~2020 Unsheltered Population
Pinole	**3**	**7~~53~~**
Crockett	12	35~~6~~
El Cerrito	8	~~31~~24
El Sobrante	16	~~13~~9
Hercules	1	~~0~~7
North Richmond	38	~~31~~22
Richmond	333	~~632~~280
Rodeo	41	~~27~~62
San Pablo	58	~~84~~67
West County Total	510	~~877~~513

Source: Contra Costa Health Services. 2020~~2022~~ Homeless Point-In-Time Count and Survey.

According to California Department of Education Enrollment Data shown in Table 44, 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 44: 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.

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 45 lists facilities with various programs designed for people experiencing homelessness.

Table 45: 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

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:

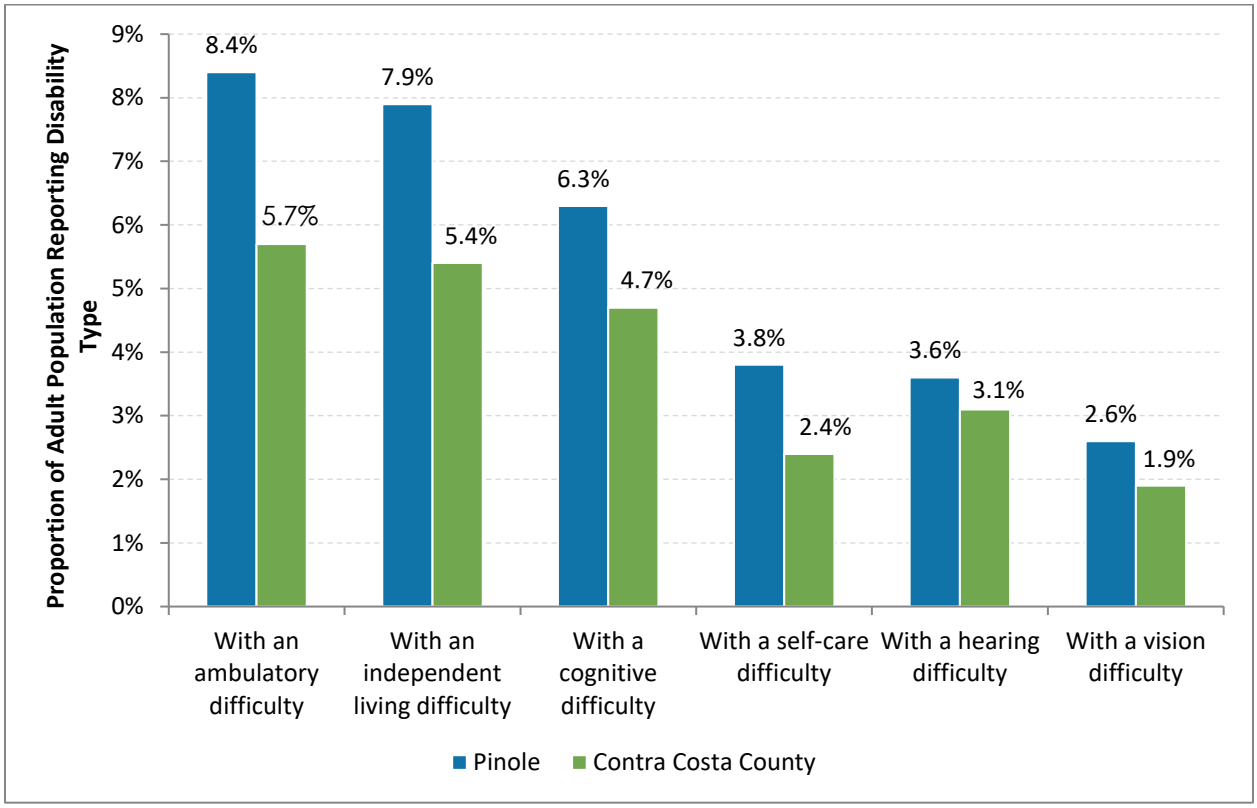
- Hearing difficulty: deaf or has serious difficulty hearing
- Vision difficulty: blind or has serious difficulty seeing even with glasses
- Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions
- Ambulatory difficulty: has serious difficulty walking or climbing 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.[10] Further information about the type of disabilities residents experience and how it compares to Contra Costa County is illustrated in Figure 11.

The most prevalent types of disability are ambulatory and independent living difficulties. 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.

[10] Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table C18108.

Figure 11: Disability by Type



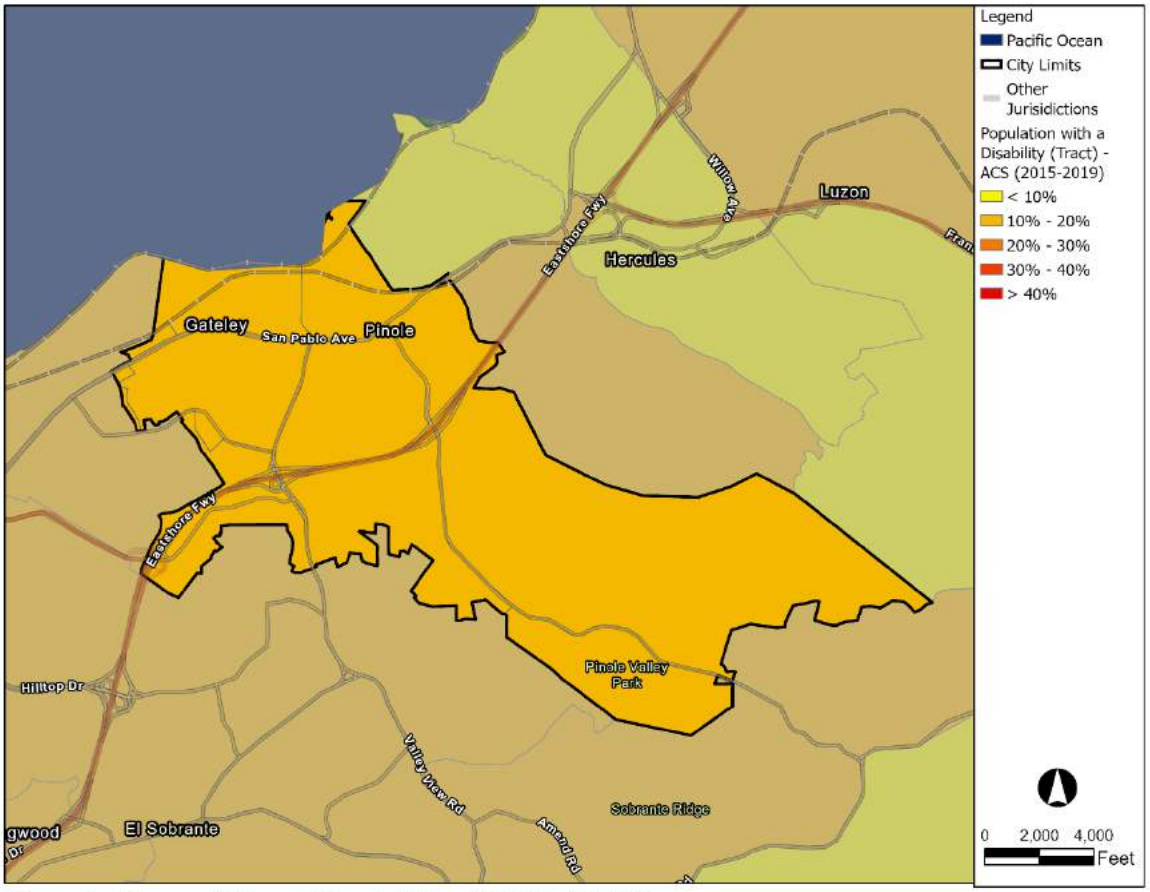
Source: US Census Bureau, American Community Survey 5-Year Data (2016-2020), Table S1810.

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 11.

Figure 12 shows Pinole has an overall low distribution of the population with a disability, the entirety of the City has less than 10% of its population with disability which highlights there are no extreme concentration of persons with disabilities.

Figure 12: Population with a Disability 2015-2019



Population with a Disability, 2015-2019

Table 46 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.

Table 46: 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.[11] Table 35 lists resources available in the City for persons with developmental disabilities. Local services to support persons with developmental disabilities include Cole Vocational Services and Pathway to Choices, which provide living services, adult day programs, behavior management, and competency training to people with developmental disabilities. Program 9 includes developing a fee waiver program that would provide low or no-cost building permits to age-qualified, ELI households, and households with persons with disabilities, including developmental disabilities, to make improvements to their home for universal design.

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

[11] 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.)

21,009 residents with developmental disabilities in the region. Table 47 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).

Table 47: 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 21. 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 48, 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).

Table 48: 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 49, 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 49: Householders by Age

	Pinole		Contra Costa County	
Householder Age	**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 50, 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 46), which may affect earning potential.

Table 50: 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 51, 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 information, approximately 3 percent of Pinole's seniors fell below the poverty line, compared to 3.7 percent citywide.[12]

Table 51: Income Distribution, Elderly Households (62+ Years)[1]

Income	Pinole		Contra Costa County	
HUD Area Median Family Income (HAMFI)	Number	%	Number	%
<= 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 52 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.[13]

[12] US Census Bureau, American Community Survey 5-year Data (2016–2020), Table S1701.

[13] HUD CHAS Data (2014-2018), Table 5.

Table 52: 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. 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 32. 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 10 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 53 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.

Table 53: 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.[14] However, many of these households may live in units without complete kitchens,

[14] HUD CHAS Data (2014-2018), Table 3.

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.)[15]

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 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 31, 421 households out 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.

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[15] US Census Bureau, American Community Survey 5-year Data (2014–2018), Table B25054.

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 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 49). 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 9 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 49). 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, 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 38 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

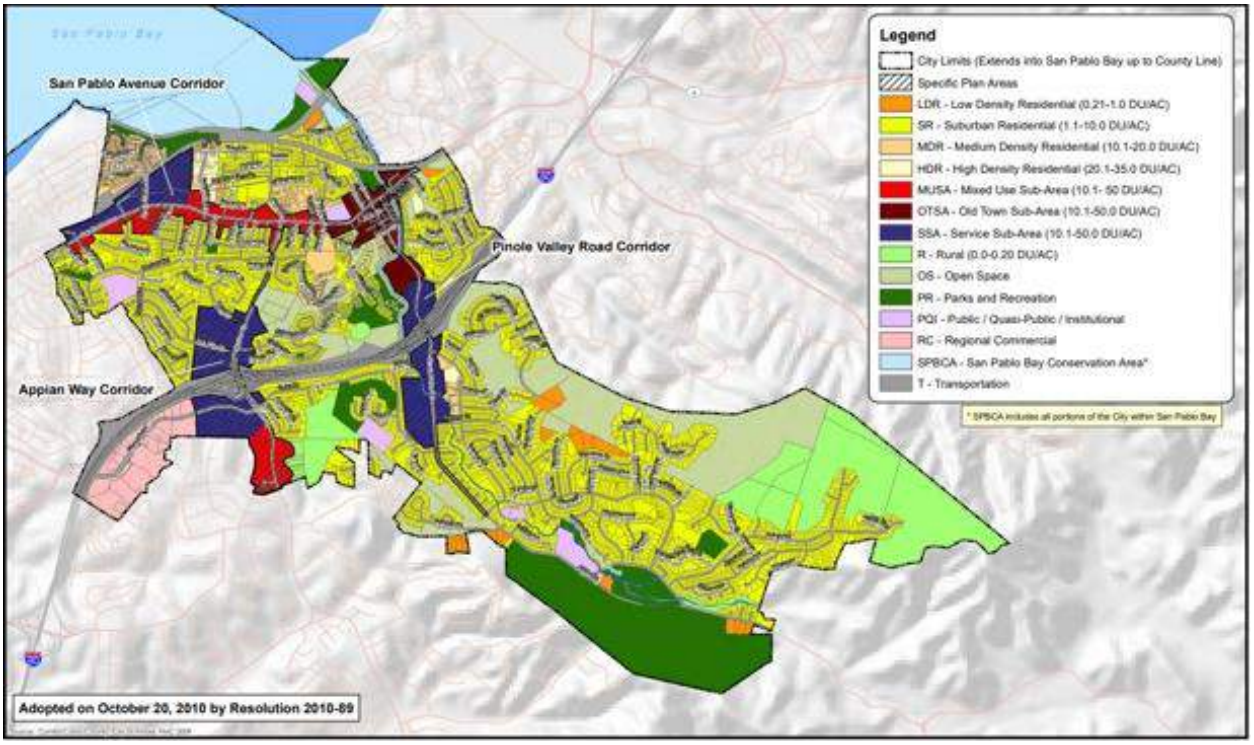
The City of Pinole sets forth policies to guide new development and the use of land within the City limits through its General Plan. These policies, in conjunction with the Three Corridors Specific Plan (2010) and Zoning Ordinance, control the amount and distribution of land allocated for different uses within the City and how this land can be developed.

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

Element of the General Plan identifies the location, distribution, density, and intensity of land use within the City.

Figure 13: General Land Use Map



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 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 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 54. 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 54: 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

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.

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 55.

Table 55: 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 of 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.

Table 56: 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	N/A	0.2
LDR	43,560	20	10[2]	15	15[4]	20[4]	20	0.21	1.0
R-1	6,000	20	5[3]	12	10[4]	20[4]	35	1.1	10
R-2	3,000	0	5	10	10	15	35	10.1	20
R-3	1,500	0	5	5	10	15[5]	35	20.1	35
R-4	N/A	0	5	5	10	15[5]	50	35.1	50
RC	5,000	0	0	0	0	0	50	N/A	N/A
RMU	N/A	0	0	0	10	15[5]	50	20.1	35
CMU	N/A	0	0	0	10	15[5]	50	20.1	30
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 inside 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 57: 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
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. A recent estimate of parking construction costs in major cities found that in 2022 the national average cost per parking space is $24,748 and the cost in San Francisco per parking space was $30,316.[16]

The minimum parking requirements for residential developments in Pinole are shown in

[16] Transportation Cost and Benefit Analysis II – Parking Costs. Victoria Transport Policy Institution. https://www.vtpi.org/tca/tca0504.pdf

Table 58. As a part of Program 12 the City will further study the parking requirements in the City as a constraint to development and will take action to ensure that parking requirements do not act as a constraint to development by doing one of more of the following: remove or reduce guest parking, remove covered parking requirements, allow tandem parking, and reduce minimum parking requirements.

Chapter 17.48 of the Pinole Municipal Code also provides for reduced parking and shared parking through the Conditional Use Permit process with approval by the Planning Commission. The process for obtaining a shared parking agreement or parking reduction has defined processes and standards. The City is currently processing a CUP for reduced parking requirements. A variance is not needed for a reduction of parking standards. ~~The parking requirements for Pinole have not been a constraint to multi-family and below market-rate developments.~~ Conditional Use Permits (CUPs) may be requested in applications proposing shared parking arrangements and parking reductions below minimum parking ratios. A reduced parking proposal is being used for residential projects at the Collins House (612 Tennent Ave) and the adjacent property (2279 Park Street). Both projects feature an increase in residential units beyond the previous use: a conversion of a building from two units to include four units for Collins House and a proposal for three units at 2279 Park Street. Both projects have constraints in providing onsite parking spaces. However, the CUP process allows for flexibility in exploring alternative parking arrangements to provide for reductions in standard parking requirements based on specific project needs and available parking resources on the site and in the area to meet needs. The parking requirements for Pinole have not been a constraint to multi-family and below market-rate developments.

As a part of Program 12, the City will reduce the level of approval for a parking reduction and shared parking agreement from a conditional use permit to an administrative use permit. An administrative use permit is a staff level approval. To obtain reduced parking, there are currently four criteria and an applicant must meet three of them. The City will revise the standards for reduced parking in Section 17.48 of the zoning ordinance to make it easier to obtain, such as reducing the number of required findings or increasing the number of available criteria.

In conversations with developers pursuing projects in the City, parking was not noted as a constraint on their projects. 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 City has recently approved over 600 units, including 235 affordable units. The parking requirements have not been a constraint to residential development.

The City is including multiple programs to review and reduce parking requirements including a reduction of parking standards for lower income household developments including SROs in Program 9 and reducing parking standards for senior housing development in Program 10. Parking requirements for ADUs are compliant with state law.

Table 58: 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

Cumulative Effect of Development Standards

The cumulative effect of development standards is not likely to constrain the ability of developers to achieve maximum densities on site development. The combination of setback, height, and parking requirements do not impede the ability of projects to reach the maximum density. The City of Pinole has permissive standards for development, especially in the Three Corridors Specific Plan areas. The standards are not uncommon and are similar to other housing-friendly zoning ordinances. The City has recently permitted over 600 units, including 235 affordable units complying with these development standards, or modified where needed through State density bonus provisions. As a part of the housing element update the City had conversations with developers with projects in the City to discuss their experience developing in Pinole. Developers were asked to identify any constraints they experienced in the development process. No setback, height, or parking requirement was noted in conversations with developers as a restriction on their development. The development standards do not constrain the ability for projects to meet the densities in each zone.

The City of Pinole does not utilize any floor area ratio, maximum floor area, or maximum lot coverage standards to limit the size of buildings in the City. Projects are limited by height and setbacks.

Recent projects in Pinole demonstrate that the existing development standards (including setbacks and height requirements) do not constrain development from meeting, and in many cases exceeding, the maximum allowable density in each zone. All of the five projects include affordable housing. In most cases, concessions for density bonuses and inclusionary housing were also leveraged to achieve densities beyond the allowable maximum. Table 59 compares the approved projects with the development standards of the relevant zone. Three of the recent projects exceed the maximum allowable density due to density bonus for affordable housing. Of these, two still comply with the standard maximum height and one used the concession to exceed the height limit. The SAHA affordable housing project exceeds the density of the zone while meeting the height and setback requirements of the CMU zone.

The BCRE project used an incentive through compliance with state affordable housing law to receive a height increase from 50 to 60 feet. This project retained the existing commercial uses and building located in the center of the site and added more commercial uses and residential units to the site. Working around the existing building led to the increased height to accommodate the floor area.

Table 59: Comparison of Development Standards of Recent Projects

Project	Zone	Actual Density / Max Density Allowed	Actual Height/ Max Height	Actual Setbacks / Allowed Setbacks
Appian Village	RMU/CMU	20.9 / 32.7*	37'2" ft** / 50 ft	Side: 5 ft / 10 ft Rear: 5 ft / 15 ft
BCRE Mixed-Use	OPMU	16.6 / 30	60 ft / 50 ft	Front: 77 ft / 0 ft Side: 5 ft / 0 ft Rear: 10 ft / 0-15 ft
Pinole Vista	CMU	37.6 / 30	55 ft / 75 ft	Front: 67 ft / 0 ft Side: 77, 142 ft / 0 ft Rear: 167 ft / 15 ft
SAHA Affordable Veteran's Housing	CMU	55 / 30	48 ft / 50 ft	Front: 0 Ft / 0 ft Side: 15 ft / 15 ft Rear: 15 ft / 15 ft
Vista Woods	VHDR	89 / 50	60 ft / 50 ft	Front: 0 ft / 0 ft Side: 1 ft, 14 ft / 15 ft Rear: 15 ft / 15 ft

*Densities proportional to acreage between two zones.

**Tallest building height.

Source: City of Pinole.

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.

The City has seen recent development complying with these standards, including development of over 600 units and 235 affordable units. Two recent projects are one hundred percent affordable projects. The recently approved Pinole Vista project includes inclusionary units of 48 percent (13) very low income units and 52 percent (13) low income units, which exceeded the required percentage of very low income units by the inclusionary housing ordinance. The developer increased the proportion of very low units to take advantage of state density bonus laws. Another recent development includes a subdivision of four units that increased from three to four units to provide one moderate income for-sale unit. This and other recently approved market and affordable housing projects demonstrate that the cumulative regulations have been able to facilitate a variety of new housing development, such that 80% of the City's RHNA could be met with currently

approved projects. Recent development trends demonstrate that the City's inclusionary housing requirements do not constraint development.

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. The lack of an in-lieu fee option can act as a constraint on development, especially on smaller projects that may end up providing a higher proportion of affordable units due to their small size. As a part of Program 7, 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. The inclusionary fee will help ensure that the inclusionary requirements do not constrain smaller projects and that smaller projects are providing an equal proportion of affordable units as larger projects. ~~the City will study the possibility of adopting a set of in-lieu fees.~~

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. Through Program 12, the City will update its Zoning Ordinance to ensure compliance with state density bonus law. 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 12, the City will update the Zoning Ordinance to reflect the latest provisions set forth in California Government Code 65915. Program 12 will include amendments to the density bonus provisions to comply with state law. Specifically, the update will increase the maximum density bonus from 35 to 50 percent with the criteria and allowances under state density bonus law, add student housing as a housing type that is eligible for density bonus incentives, and reduce parking from 2 to 1.5 spaces for two and three bedroom units and from 2.5 to 2 spaces for four or more bedroom units. The City is complying with state density bonus law though the code is not yet updated.

Providing for a Variety of Housing Types

Table 60 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 60: Allowed Residential Uses Under the Zoning Code

Land Uses	R	LDR	R-1	R-2	R-3	R-4	RC	RMU	CMU	OPMU	OIMU
Dwelling, Accessory/ Junior Accessory[1]	P	P	P	P	P	P	N	P	P	P	P
Dwelling, Multifamily	N	N	N	P	P	P	N	P	P	N	N
Dwelling, Single Family	P	P	P	P	P	N	N	P	N	N	N
Dwelling, Two-Family	N	N	N	P	P	N	N	N	N	P	P
Dwelling, Three- and Four-Family	N	N	N	P	P	P	N	P	P	N	N
Emergency Shelter [2]	N	N	N	N	N	N	N	N	N	N	P
Group Residential	N	P	P	P	P	P	N	C	C	N	N
Manufactured Home	P	P	P	P	P	P	N	N	N	P	N
Mobile Home Park	C	C	C	C	C	C	N	N	N	N	N
Residential Care Facilities	P	P	P	P	P	P	N	P	P	N	N
Single Room Occupancy Facilities	N	N	N	C	C	C	N	C	C	N	N
Supportive Housing (located in housing of a type permitted in the zone)	P	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	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 61, Table 62, Table 63) 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 61: 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
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 62: 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 63: 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]
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 streamlines the permitting of ADUs by processing them as a plan check in a building permit application review and does not require separate planning permits for ADUs.

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 11).

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 23.

The City has not adopted an SB9 ordinance or objective standards. The City will amend the zoning ordinance in Program 12 to reflect the provisions of California Government Code Section 65852.21. Additionally, to facilitate and provide for technical assistance of SB 9 units, the City is including Program 6.

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.

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 one space for each three beds and one per each employee, which is not reflective of recent changes to state law.

The City is including Program 12 to amend the Emergency Shelter ordinance to comply with AB 139 and all state standards for emergency shelters. 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.

The City is compliant with AB 2339 (2023) that requires zoning designations identified to allow emergency shelters as a permitted use without a conditional use or other discretionary permits in a zone that also allows residential uses. The City allows emergency shelters without a conditional use or other discretionary permits in the OIMU zone. Under the general Zoning Code standards, this is a mixed-use zone that permits residential uses including two-family dwellings, supportive housing, and transitional housing. The OIMU zone in Three Corridors Specific Plan also allows live-work facilities by right and multi-family residential with a CUP.

Emergency shelters are allowed by-right in the OIMU zone. 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 in the Three Corridors Specific Plan. 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 throughfares. The area is fit for human habitation, has access to infrastructure and is located in the most walkable corridor of the City. There are a number of residential uses at varying densities adjacent to this zone. The zone does not allow for heavy industrial uses. 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. Other residential uses allowed in the OIMU zone include two-family dwellings,

ADUs and JADUs, supportive housing, and transitional housing. 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~~ 7 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. The 5.6 acres of vacant land in the OIMU zone are within 0.5 miles of transit stops along San Pablo Avenue.

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 12, 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 12, the City will amend 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.~~

Supportive housing is a permitted use by-right in every residential zone in the City. This includes all zones in the City were multifamily and mixed uses are allowed, as well as nonresidential zones permitting multifamily uses, as shown in Table 60.

Transitional housing is also permitted use by-right in every zone in the City were multifamily and mixed uses are allowed, as well as nonresidential zones permitting multifamily uses, as shown in Table 59. Transitional housing is not permitting in the rural (R) zone; however, only single-family dwellings are permitted in this zone, and no multifamily uses or mixed-use are permitted.

As defined in section 17.22.020 of the Pinole Municipal Code, both supportive and transitional housing "shall be permitted, conditionally permitted or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law."

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 13, 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 including in both mixed-use and exclusively residential zones (R-2, R-3, R-4, CMU, and RMU) upon the granting of a conditional use permit.

There is no potential constraint on the development of SRO residences. The code allows the construction of very small, efficiency, or micro-units of all affordability levels in all zones that allow residential uses. The City's zoning code does not establish specific unit size limitations; minimum unit sizes follow standards established by the California Building Code.

The City's definition for SROs is "multi-unit housing for very low-income persons that typically consists of a single room and shared bath and also may include a shared common kitchen and common activity area. SROs may be restricted to seniors or be available to persons of all ages. Subsidized versions may be supervised by a government housing agency." SROs are eligible for reduced parking standards through Program 9 and affordable housing incentives in Program 8.

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.

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 when 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.

Design Review

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 Comprehensive Design Review process is single, comprehensive discretionary approval of the physical design for compliance with the site design standards.

As a part of the Design Review process, applications are reviewed by the Design Review Ad-Hoc Subcommittee meeting (see step 4 below). This is a voluntary ad-hoc meeting of City

staff and three planning commission members to review the plan set and make recommendations on the proposed plans. The applicant does not attend and there is no fee. The Design Review Ad-Hoc Subcommittee meeting serves as a working session between staff and three planning commission members to provide detailed review and recommendations to the applicant and the full Planning Commission. The intent and purpose is to streamline the approval process and the number of meetings and hearings before the full Planning Commission. This provides constructive feedback to the applicant very early in the process and helps applicants understand what the Planning Commission is looking for and reduce the number of Planning Commission reviews on their project. It helps save time and increase certainty of approval for applicants.

The majority of projects have one Design Review Ad-Hoc Subcommittee meeting and only one meeting and hearing before the Planning Commission. At most, large projects with significant comments in the first Design Review Ad-Hoc Subcommittee meeting may have a second meeting.

In a review of development projects since 2015, the Design Review Ad-Hoc Subcommittee meeting process never resulted in a reduction of density, size of units, or number of units for any project. As a part of Program 13, the City is developing a set of objective design standards that will provide even greater clarity and certainty to the Comprehensive Design Review process and help to further reduce the approval process and increase the certainty that projects will be approved in one Planning Commission Hearing.

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 applications concurrently in order to maximize the efficiency of processing and save time and cost for both the City and the developer. Comprehensive design review is generally done concurrently with required environmental review.

The City conducted a review of recent projects since 2015 that went through the Comprehensive Design Review Process. The Comprehensive Design Review process was not used to reduce the density, size of units, or number of units for any project. Two recent projects increased in size throughout the review process, with the Pinole Vista project increasing from 214 to 223 units and the Hazel Street subdivision increasing from three to four units, including one unit for sale at the moderate income level.

All of the reviewed projects were approved in one Planning Commission hearing.

As a part of Program 13, the City is developing a set of objective design standards that will provide clarity to the Comprehensive Design Review process and help to speed up the length of the approval process and certainty that projects will be approved in one Planning Commission Hearing.

Step-by-Step Permit Process

The City review process is typically as follows:

1. Application Submittal
2. Application is routed to Planning Division. Additional routing is done for Public Works Department, Fire Department, Police Department, and outside agency preliminary comments, depending on the scope of the project
3. The Planning Division provides the applicant with an application status letter commenting on the completeness of the application within 30 days of application submittal.
    a. Letter will identify if the Application is complete or what items are required to determine a complete Application.
    b. Resubmittal in response to the Completeness Letter will restart the 30-day review process cycle.
4. **(Optional)** Design Review Ad-Hoc Subcommittee Meeting, scheduled within 30 days of determination of complete application or receipt of a complete plan set that shows compliance with design standards.
    a. Design Review Ad-Hoc Subcommittee provides initial feedback on project design for new development projects. At least one meeting but no more than two are held.
    b. Meetings can be held simultaneously with completeness review, preparation of the environmental review document, or preparation of materials for the

Planning Commission meeting, and it may not necessarily add time to the overall entitlement review process.

5. California Environmental Quality Act Review. Environmental review can be initiated during the application review process.
    a. CEQA Exemptions / Consistency Analyses require 1-5 months to process.
    b. Negative / Mitigated Negative Declarations (ND/MND) require between 6-9 months to process
    c. Environmental Impact Reports (EIR) require between 9–12 months to process, including public review and response to comments.
6. Planning Commission public hearing is scheduled based on the level of environmental review needed, consistent with requirements under CEQA:
    a. CEQA Exemption/Consistency with EIR – at least 30 days.
    b. Negative Declaration/Mitigated Negative Declaration – at least 30 days, pending no significant change to document based on comments received.
    c. Draft Environmental Impact Report – at least 45 days, pending no significant change to document based on comments received.
7. City Council (if required) public hearing is scheduled 30–45 days after the Planning Commission public hearing.

Recent Permit Processing Examples

Recent permit processing examples for five multifamily and two single family projects are shown below. The average for multifamily was 363 days. The average for single family was 110 days. The average of all seven projects together was 291 days.

Multifamily

Vista Woods – 179-unit affordable senior apartment (180 days from application to approval)

1. Applied for Comprehensive Design Review on March 31, 2021.
2. Application and CEQA materials complete on August 17, 2021.
3. Planning Commission hearing held and approval granted September 27, 2021.
4. Permit Issuance:
    a. Building Permit
        i. Applied August 24, 2021
        ii. Issued January 26, 2022

SAHA – 33-unit affordable apartment (135 days from application to approval)

1. Applied for Comprehensive Design Review on February 22, 2021.
2. Application and CEQA materials complete on May 20, 2021.
3. Planning Commission hearing held and approval granted July 7, 2021.
4. Permit Issuance:
    a. Grading Permit
        i. Applied July 5, 2022
    b. Building Permit
        i. Applied December 13, 2022

Appian Village – 154 unit townhomes and condominiums (405 days from application to approval)

1. Applied for Comprehensive Design Review on March 2, 2021.
2. Application and CEQA materials complete on December 15, 2021.
3. Planning Commission hearing held and approval granted April 11, 2022.
4. Permit Issuance:
    a. Demolition Permit
        i. Demolition Permit Applied June 29, 2022
        ii. Demolition Permit Issued September 26, 2022
    b. Building Permit
        i. Building Permit Applied December 13, 2022

BCRE – 29 unit apartment and commercial/office building addition (557 days from application to approval)

1. Applied for Comprehensive Design Review on October 29, 2020.
2. Application and CEQA materials complete on March 21, 2022.
3. Planning Commission hearing held and approval granted May 9, 2022.
4. Permit Issuance:
    a. Grading Permit
        i. Grading Permit Applied January 30, 2023

Pinole Vista – 223 unit apartment (540 days from application to approval)

1. Applied for Comprehensive Design Review on April 26, 2021.
2. Application and CEQA materials complete on June 14, 2022.

3. Planning Commission hearing held July 25, 2022.
    a. City Council hearing held and approval granted October 18, 2022.

Single Family

472 Limerick Rd – New single family home (143 days from application to approval)

1. Applied for Comprehensive Design Review on July 10, 2020.
2. Application and CEQA materials complete on October 22, 2020.
3. Planning Commission hearing held and approval granted November 30, 2020
4. Permit Issuance:
    a. Building Permit
        i. Applied March 15, 2021
        ii. Issued April 13, 2022

2511 Ellerhorst St – New single family home (77 days from application to approval)

1. Applied for Comprehensive Design Review on September 10, 2018.
2. Application and CEQA materials complete on October 10, 2018.
3. Planning Commission hearing held and approval granted November 26, 2018.
4. Permit Issuance:
    a. Building Permit
        i. Applied December 18, 2018
        ~~i.~~ii. Issued October 28, 2019

Positive Feedback on Efficient Permit Process from Developers

Pinole has had extraordinarily good housing production in terms of total units as well as excellent production of very low, low and moderate units. In effort to learn from Pinole's success, the City contacted developers with projects in Pinole to discuss:

- What led them to development in Pinole,
- Why they had not previously been building in Pinole, and
- Help identify any constraints to the development process experienced in the permitting process.

City staff met with locally and regionally active developers and real estate professionals including MRK Partners Inc., SAHA, ROIC, and DeNova Homes, Inc. These developers provided letters expressing very positive reviews of City staff, processes and standards. Common reasons for developing in Pinole included:

- Attractive zoning
- Relatively affordable land cost
- Availability of land
- Developable parcels with access to transit and services that essential for affordable and efficient housing and helps to obtain funding for affordable housing
- Knowledgeable, efficient, and flexible staff
- Short entitlement timeframe
- Comparatively efficient and straightforward design review process, staff support in the application process, and City support for housing opportunities.
- Collaborative entitlement process
- Great working relationship with staff

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 64 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.

Comprehensive design review is generally done concurrently with required environmental review. The required environmental review takes more time than the design review and entitlement processing. 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 6 includes

reviewing and updating as necessary the EIR prepared for the GP and Specific Plan so that individual projects can utilize opportunities for tiering from environmental documentation and streamlining provided under CEQA, where applicable, which can reduce duplicative analyses and streamline environmental review. This will speed up the review/approval process and greatly reduce costs for the applicant.

The City conducted a review of recent development to determine the actual amount of time the entitlement process takes. Though the process varies dependent on environmental review, most large projects have been approved quickly. Of the five projects recently approved, the length of time from application submittal to the completion of the Comprehensive Design Review was approximately 21 weeks, 25 weeks, 26 weeks, 52 weeks, and 78 weeks for an average of 40 weeks. The project that took 78 weeks had to complete significant environmental studies and special studies that added to the length of time of the approval process. These are very quick approval periods for the complex type of projects in comparison to most cities.

All of the reviewed projects were approved in one Planning Commission hearing. The Comprehensive Design Review process was not used to reduce the density, size of units, or number of units for any project. Two recent projects increased in size throughout the review process, with the Pinole Vista projecting increasing from 214 to 223 units and the Hazel Street subdivision increasing from three to four units, including one unit for sale at the moderate income level. As a part of Program 13, the City is developing a set of objective design standards that will provide clarity to the Comprehensive Design Review process and help to speed up the length of the approval process.

Table 64: 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

*Concurrent with environmental reviews

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. In conversation with developers, one developer noted the revised fees made it easier to develop larger projects in Pinole and referenced it as a removal of a constraint to large development in the City. The most current fee schedule is available on the City's website. Planning-related fees for the City of Pinole are shown in Table 65.

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 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 as seen when compared to neighboring jurisdictions, and the City has seen housing production during the 5th Cycle, these development fees do not constitute actual constraints on the production of housing.

Additionally, affordable projects are eligible for fee waivers. This includes projects that comply with the City's inclusionary housing ordinance. The City streamlines the permitting of ADUs by processing them as a plan check of a building permit and does not require separate planning permits for ADUs; this also results in a significant reduction in the amount of fees and review time required for an ADU.

Table 65: Planning Related Fees and Regional Fee Comparison

Applications	Fee			
	Pinole	Hercules	San Pablo	Richmond
Design Review				
Administrative Design Review: Single family residential additions; additions of less than 500 sf for multifamily and nonresidential	$725	$437	$2,786	$2,112
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 Mini~~mum~~ Fee			Actual Cost - Deposit of $10,500 - $15,500
Conditional Use Permits (CUP)	$5,186	Actual + 20%	$4,737	$4,500
Prezoning / Annexation	$20,000 Deposit; $14,000 Mini~~mum~~ Fee			
Rezoning / Zoning Code Amendment (Includes Map and Text	$9,460	Actual + 20%	$8,462	$13,000 Deposit
Minor Development Plan Amendment	$430			
General Plan Amendment	$10,000 Deposit; $7,000 Mini~~mum~~ Fee	Actual + 20%	$11,847	$13,000 Deposit
Specific Plan Amendment	$10,000 Deposit; $7,000 Mini~~mum~~ Fee			
Subdivision / Tentative Map				
Minor Subdivision / Parcel Map (4 Lots or Less)	$5,000 Deposit;	Actual + 20%	$6,769	Actual Cost – Deposit of $6,500

Applications	Fee			
	Pinole	Hercules	San Pablo	Richmond
	$3,500 Mini~~mum~~ Fee			
Major Subdivision / Tract Map (5 or More Lots)	$7,500 Deposit; $5,000 Mini~~mum~~ Fee			Actual Cost - Deposit of $7,500 - $18,000
Final Map				
Parcel Map	$5,000 Deposit; $3,500 Mini~~mum~~ Fee	Actual + 20%	$11,847	$1,852
Tract Map	$7,500 Deposit; $5,000 Mini~~mum~~ Fee			$4,169 - $9,263
Variance				
Minor Deviation	$660			
Single Family Variance	$1,650			Actual Cost - Deposit of $3,500

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) 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 66, which is also available on the City's website. As part of Program 14, ~~. T~~the City will be reviewing its development impact fees by the end of 2023 to ensure that new development contributes its fair share of the cost for the provision of services and facilities. Additionally, the City is including a waiver of park impact fee for all affordable units in excess of the City's 15 percent inclusionary requirement (Program 8).

Table 66: 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
Total	$19,074.92	$13,622.58

Source: City of Pinole (https://www.ci.pinole.ca.us/UserFiles/Servers/Server_10946972/File/Finance/Master%20Fee%20Schedule.pdf)

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.

Regional Fee Comparison

As shown in Table 65: Planning Related Fees and Regional Fee Comparison the City's permit and processing fees are comparable to, and typically lower than most of the nearby cities such as San Pablo and Richmond. San Pablo and Hercules are similar in size and character to Pinole. The City of Pinole's fees are reasonable and not considered a constraint to housing development.

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.

To assist developers and the City with SB 35 applications, the City will implement Program 13 to help ~~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.

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.

Zoning and Land Use Policies

The City of Pinole allows both group residential and residential care facilities as land uses as shown in Table 60. Group residential uses are permitted by right in the LDR, R-1, R-2, R-3, and R-4 zones. They are not allowed in the Rural (R) zone. The group residential use does not have any cap or limit on the number of residents. There is no difference in review or policy for group homes with more than six residents. Program 12 includes a zoning amendment to allow group homes in the R zone as a permitted use by right as is allowed in all other residential zones. There is no CUP or other permit requirement for group homes in

residential zones; they are permitted in the same manner as other residential uses are in the same zone.

Residential care facilities are a permitted use in every residential zone and mixed-use zone in the City.

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 any required distances between such uses or the total number of uses in the City.

As noted in the supportive housing section, supportive housing is a permitted use in all residential and mixed-use zones in the City.

Program 12 will review standards and definitions for both group homes and residential care facilities to ensure that they are fully compliant with all appropriate state laws and that there are no constraints on group homes in the Zoning Code. This includes a zoning amendment to allow group homes in the R zone as a permitted use by right as is allowed in all other residential zones and adding a definition of group residential to the Zoning Code.

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 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.

The definition of households does not require a single lease or rental agreement, rather uses this as an example of one of the characteristics that are indicative of a single household. However, in order to ensure clarity in the definition of household, as a part of Program 12, the City will review the definition of family and revise as appropriate to ensure that the definition does not require nor imply that it requires a single lease or rental agreement.

California Building Code

The City of Pinole has adopted the 2022 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 2022 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2022, and became effective January 1, 2023. Amendments include changes to the 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 are adopted by reference. Specific changes were made sections addressing work exempt from permits, definition for abandoned permits, how permits are issued and to who, information to be include on construction documents, various updates to term definitions, building numbering and lighting, wood burning stove appliances, and restrictions to siding materials in fire hazard severity zones.

Changes to the Building Code which could affect housing production include a new definition for Standard Plans and additional approval requirements. A building official may now approve a set of plans for a building or structure as a "standard plan," provided the applicant has submitted complete sets of plans and paid the plan checking fee. 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 shall be paid. Such duplicate plans shall be compared, stamped, and kept on the job site. For approval, a 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.

After analysis, changes and amendments made to the California Building C~~c~~ode will have a no impact to housing prices or production. If anything, changes made to the code have streamlined processes, made clarifications on definitions, and improved safety while preventing extra time or costs to applicants and the community ~~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. On-site improvements that ~~R~~residential developers are responsible for include constructing road, water, sewer, and storm drainage improvements on new housing sites. Property owners are responsible for maintaining landscaping areas and replacing dead trees and vegetation planted as part of the project and parking lot lighting shall be provided to meet requirements of the Lighting Ordinance (PMC 17.46). Site design needs to be able to manage runoff/stormwater on site per standard engineering requirements and projects shall have a connection to the public sewer collection system. Off-site improvements generally include installation of curbs, gutters, and sidewalks for all new development projects.

Additionally, utility undergrounding is generally required in new development areas if feasible and in existing areas where comprehensive redevelopment is proposed. An in-lieu fee may be paid instead for development with less than 500 feet of public frontage or where utilities are located within a dedicated public utility easement. Waivers from undergrounding may be allowed for above-ground meters, transformers, condensers, switches and other related equipment. Waivers from undergrounding may also be granted by the approving authority if the applicant demonstrates the undergrounding requirement has the effect of prohibiting requirement of telecommunication facilities. To assist developers navigate this requirement, Program 3 includes coordination and outreach with PG&E.

Overhead facilities may be installed and maintained for a period of ten days to provide emergency service. Longer terms in cases of unusual circumstances require approval by the Public Works Director to erect, construct, install, maintain, use or operate poles, overhead wires and associated structures.

Chapter 16.20 General Regulations and Design includes standards for 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.

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. Table 67 shows the 5th Cycle sites that have or are being developed including the anticipated and actual number of units and anticipated and actual density of the developments. The City received three requests to develop on 5th Cycle RHNA sites. These sites have all been entitled and are discussed in detail in the sites inventory section.

Of the three 5th Cycle sites being developed, two are being developed at much higher densities than anticipated, at 55 and 89.1 dwelling units per acre. The third site being developed is a project on multiple parcels beyond just the parcel identified in the 5th cycle Housing Element. This project is being developed at a density lower than anticipated, 20.9 as opposed to 30.5, but is yielding 43 more units that projected as it includes development of an adjacent parcel. The yields of these projects, in addition to the rest of the approved projects , were considered in determining the realistic yields of the sties inventory for the 6th Cycle.

To understand constraints to development in Pinole, the City interviewed developers who have recent gone through the permitting process. These developers did not identify any development constraints that would preclude them from reaching the maximum density on their projects.

. ~~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 66.~~

Table 67: 5th Cycle Sites Developed

Site (APN, Address)	Anticipated # of Units	Actual # of Units	Anticipated Density (du/ac)	Actual/ Proposed Density (du/ac)	Identified Site (5th 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 68; 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.

Table 68: 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 August 2022, reports the national average for development costs per square foot for apartments and single-family homes as follows:

- R-2 Residential Multifamily: $153 to $227.64 per square foot

- R-3 Residential One- and Two-Family Dwelling: $166.08 to $212 per square foot
- R-4 Residential Care/Assisted Living Facilities: $193.49 to $269.11 per square foot

California building costs tend to be higher than national levels. A 2020 study by the Berkeley Terner Center noted that construction costs in the state are highest in the Bay Area, and reached more than $380 per square foot in 2018.[17]

Pinole uses both the ICC and RSMeans construction valuation software as a resource for valuations. Pinole area construction cost uses a cost multiplier/index multiplier of 1.2%.

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 homebuyers, especially for first-time homebuyers. The sales price of housing is typically adjusted for changes in mortgage rates.

Table 69 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 69: 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: lendingpatternslite.com, 2020

[17] Terner Center for Housing Innovation. The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California. March 2020. https://ternercenter.berkeley.edu/wp-content/uploads/2020/08/Hard_Construction_Costs_March_2020.pdf

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.

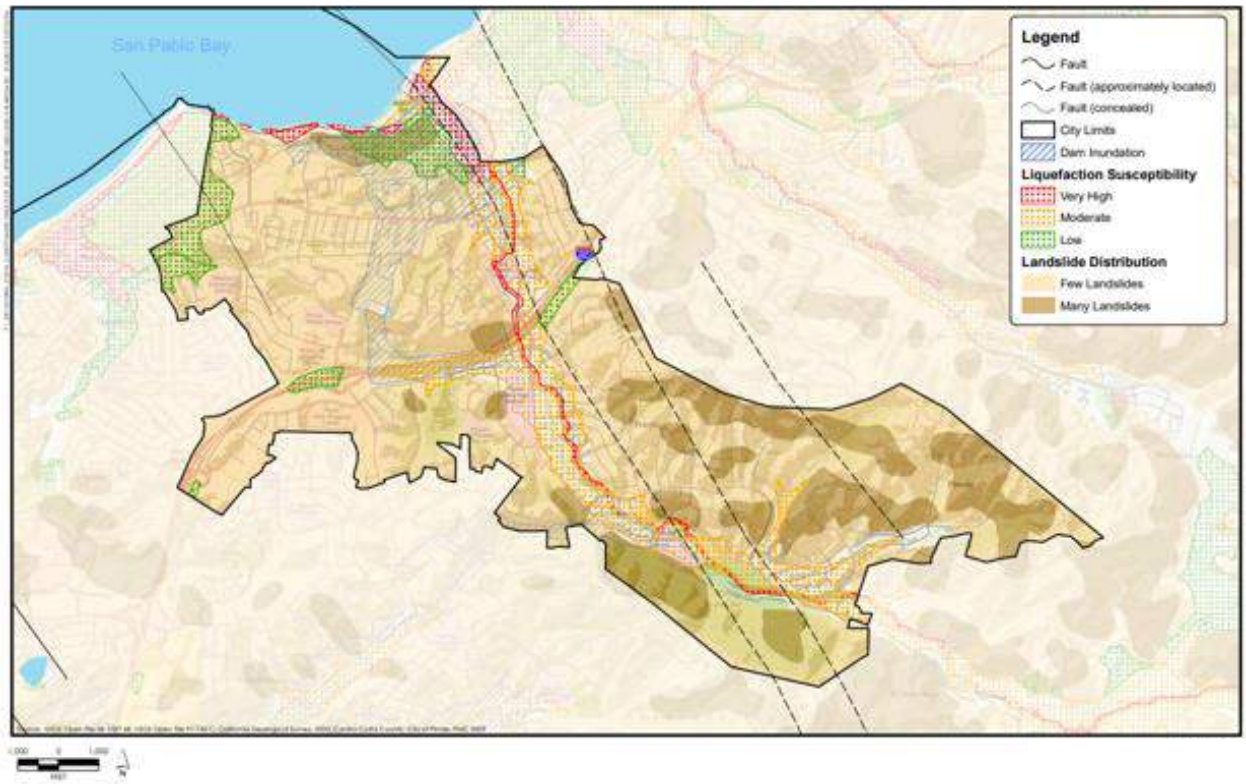
Environmental Constraints

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 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.

Figure 14: Geological Hazards



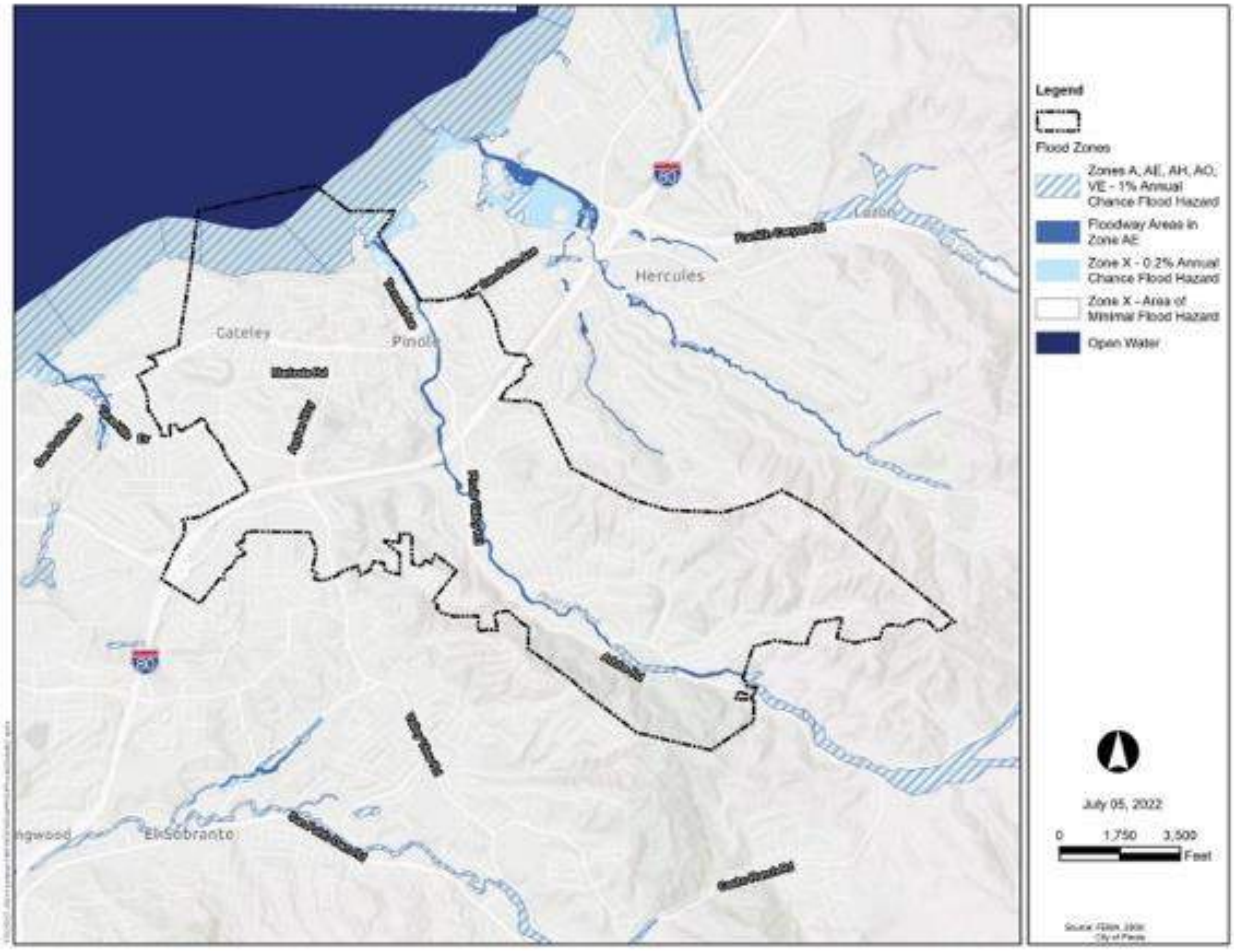
Flooding

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 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 15.

Figure 15: FEMA Flood Zones

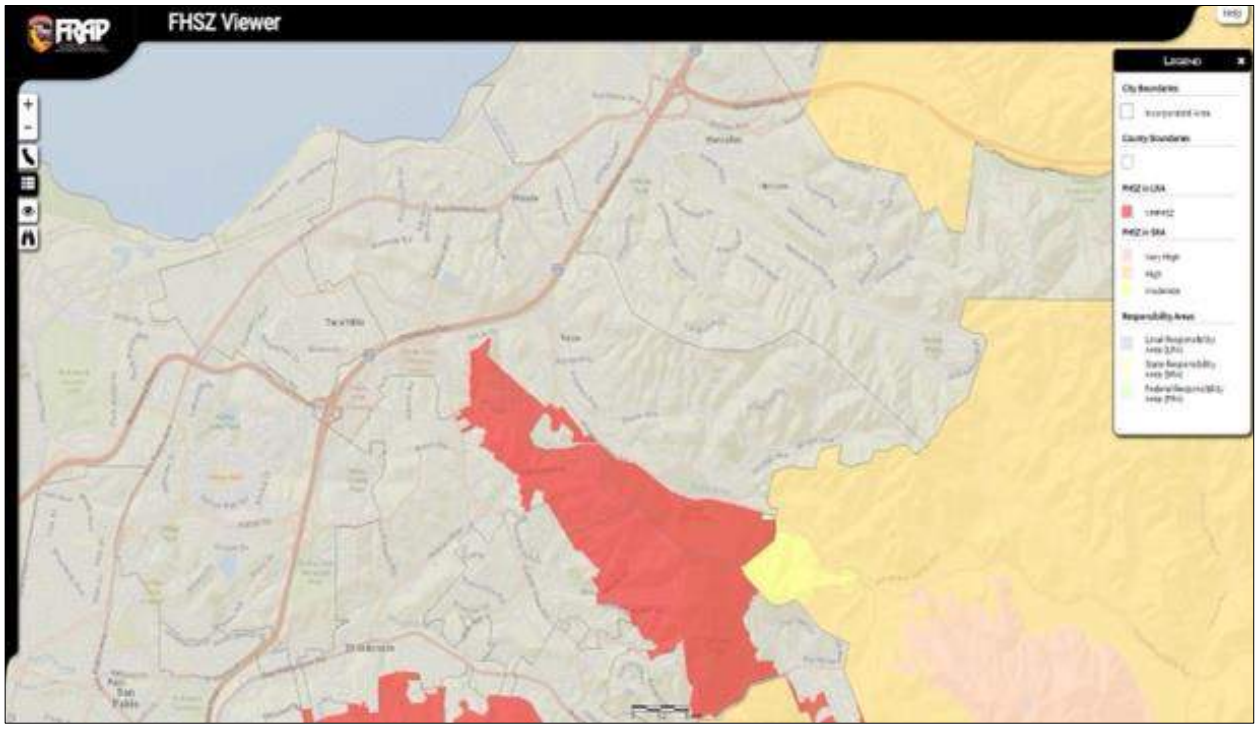


Fire

The Very High Fire Hazard Severity Zone (VHFHSZ) in Pinole is shown in Figure 16 and is 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 16: Fire Hazard Severity Zones



Source: CalFire FRAP

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 Regional Water Quality Control Board (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 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
- 11 Banners around the community and at community facilities
- Joint City Council/Planning Commission study session

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

- 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

- Pinole Library

The City made a comprehensive effort to reach lower- and moderate-income individuals to participate in the Housing Element Update. As noted above, the City develop a multi-lingual outreach campaign, contacted a variety of local organizations including advocacy groups and the fair housing service provider, local service providers, and community centered organizations. Postcards were sent to every household in the City inviting them to participate in the Housing Element update process. The City will continue efforts to develop culturally competent outreach programs to connect residents to anti-displacement programs an affordable housing resources with the implementation of Program 20, Program 21, Program 22.

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.
- 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

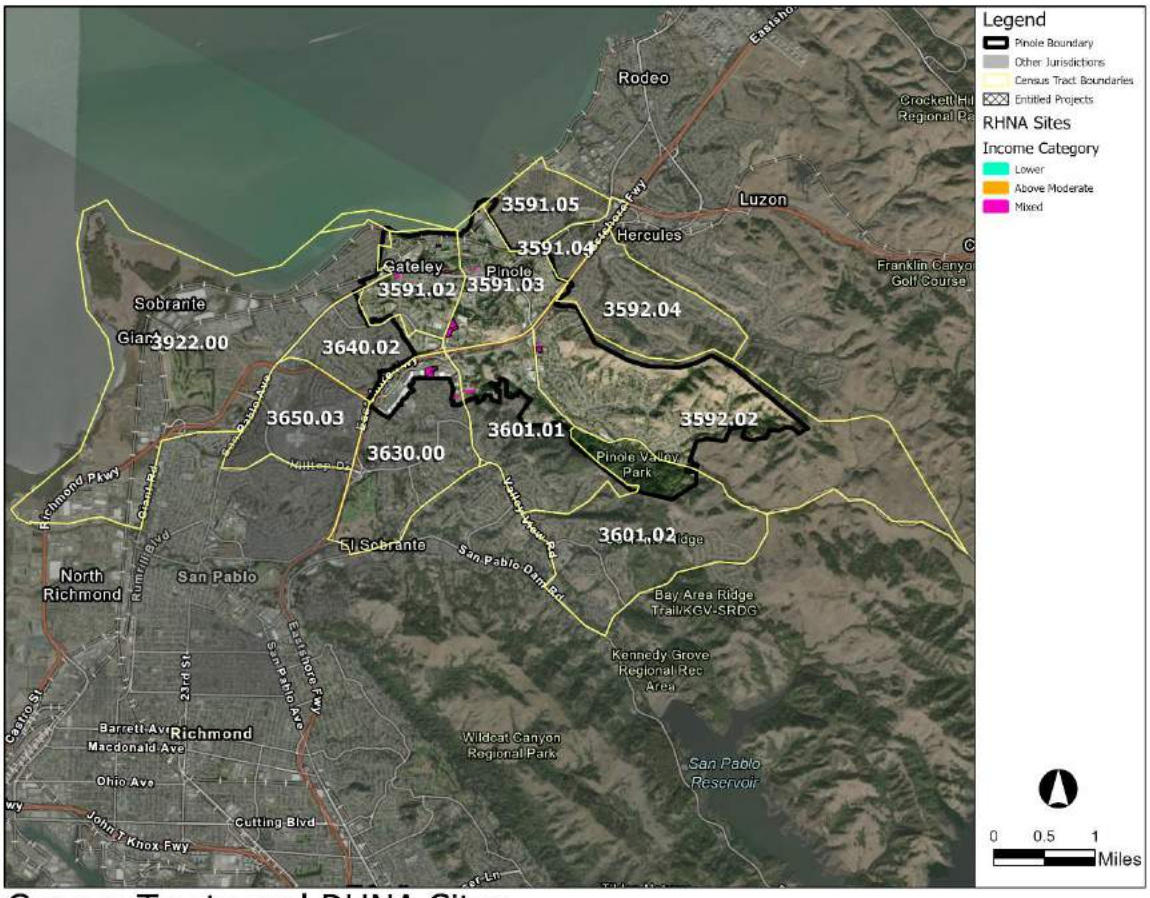
City Overview

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 bay 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 17 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 17: Census Tracts and RHNA Sites



Census Tracts and RHNA Sites

Source: HCD AFFH Data Viewer

Nine of the twelve census tracts that intersect Pinole have the majority of their area located outside city limits. Three census tracts make up the majority of the land area of the City, as noted in Table 70. There are not large discrepancies between the majority Pinole tracts, despite the composite scores denoting a split between Low and Moderate Opportunity. Of the three main tracts in the city, the environmental opportunity scores of the northern tract that shows a lower score has an index of 0.46, which is only slightly below the 0.50 threshold for the next highest range. Similarly, the economic scores of the three primary tracts range from 0.21 to 0.26, showing little variation despite the category break at 0.25 demonstrating that there are less economic discrepancies than the maps suggest. While the composite scores are not enumerated, these slight variations in the individual component scores suggest that there is likely little variation in overall composite scores, as the Low opportunity areas are likely very close to the Moderate Resource category.

The median incomes of the tracts that make up the majority of the City, thus also being the tracts where the majority of sites are located, cover a relatively small range~~,~~ between ~~about~~

$66,000 and $86,000. Similarly, there is little discrepancy between these tracts in percent of the population that is non-white, as there is little discrepancy in these population demographics as well, with a range generally between 60 and 74 percent.

When evaluating the City for segregation, the City has a moderate dissimilarity index of 31.86, which is just above the threshold of 30.0 for low segregation. Segregation at the City level is much lower than 47.32 index for Contra Costa County as a whole.

With little discrepancy between the fair housing considerations in the primary tracts in Pinole, it is unlikely that the location of the RHNA sites will exacerbate any conditions. Additionally, there are enough entitled, deed-restricted low-income units to fully meet the low-income RHNA and have a surplus. There are also enough entitled units to fully meet the above moderate-income RHNA and have a surplus. In addition, there are 49 pending very low units and 62 pending moderate units. The pending development beyond development already entitled in the City show a lack of development patterns that exacerbate fair housing conditions.

The eastern portion of Pinole, Tract 3592.02 has lands with steep slopes. There is limited opportunity for significant development in these areas and are not likely to redevelop in the next eight years. Due to the low density development in these areas due to environmental constraints, these low density neighborhoods correlate with slightly higher household income, and a Moderate Opportunity designation, despite there being limited access to transit, employment and services. The City is including Program 4, Program 5, and Program 23 to facilitate and encourage increased access to these areas via ADU and SB 9 development in these neighborhoods.

The majority of RHNA sites are located along the mixed use corridors, where there is greater access to transit employment and services. The City is including Program 19, a place-based improvement program to ensure that the RHNA sites will improve access to resources throughout the City.

Table 70: Comparison of Fair Housing with Respect to Location

Tract	RHNA Units*	TCAC Composite Category	Median Household Income	Total Households	% of Population with a Disability	% of Children in FHH	Total Population	CalEnviroScreen Percentile	% Non-White
Census Tracts Mostly Inside of Pinole									
3591.02	263	Low Resource	$66,897	1,849	13.6%	27.6%	5,159	40.5	74.0%
3591.03	169	Low Resource	$74,125	1,957	11.4%	28.4%	5,051	48.6	62.6%
3592.02	43	Moderate Resource	$86,086	2,207	17.1%	18.5%	6,148	19.5	60.0%
Census Tracts Mostly Outside of Pinole									
3591.04	0	Moderate Resource	$72,569	849	12.4%	36.2%	1,932	33.1	82.3%
3591.05	0	Moderate Resource	$117,885	1,510	7.6%	8.2%	4,542	25.4	84.8%
3592.04	0	Moderate Resource	$117,986	1,525	10.7%	11.1%	4,702	22.0	83.4%
3601.01	28	Low Resource	$85,859	1,577	17.1%	6.8%	4,576	37.0	62.6%
3601.02	0	Moderate Resource	$110,395	1,526	12.0%	8.9%	4,326	5.2	61.4%
3630.00	248	Low Resource	$66,705	2,664	16.4%	15.6%	7,043	41.2	67.2%
3640.02	2	Low Resource	$57,726	1,829	10.6%	25.1%	5,518	68.4	77.4%
3650.03	0	Low Resource	$65,938	2,170	14.4%	19.3%	4,924	52.0	82.2%
3922.00	0	Low Resource	$73,814	3,173	13.7%	22.8%	10,605	86.4	83.5%

*Includes entitled projects

Fair Housing Enforcement and Outreach Capacity

Fair housing enforcement and outreach capacity refers to the ability of a locality and fair housing entities to disseminate information related to fair housing laws and rights and provide outreach and education to community members. Enforcement and outreach capacity also includes the ability to address compliance with fair housing laws, such as investigating complaints, obtaining remedies, and engaging in fair housing testing.

In Contra Costa County, local housing, social services, and legal service organizations include the Fair Housing Advocates of Northern California (FHANC), Eden Council for Hope and Opportunity (ECHO) Fair Housing, and Bay Area Legal Aid.

The Ddepartment of Housing and Urban Development's Office of Fair Housing and Equal Opportunity (HUD FHEO) enforces fair housing by investigating complaints of housing discrimination. Table 71 shows the number of FHEO filed cases in Contra Costa County between 2015 and 2020. A total of 148 cases were filed between 2015 and June 30, 2020, with disability having the highest number of allegation basis followed by racial discrimination and familial status.

Table 71: FHEO Cases in Contra Costa County, 2015-2020

Year	Number of Field Cases	Disability	Race	National Origin	Sex	Familial Status
2015	28	17	4	2	2	4
2016	30	14	8	7	5	6
2017	20	12	3	5	1	5
2018	31	20	6	3	4	9
2019	32	27	4	4	4	1
2020	7	4	1	0	2	1
Total	**148**	**94**	**26**	**21**	**18**	**26**

Source: Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

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.

The Office of Fair Housing and Equal Opportunity (FHEO) received 11 fair housing inquiries between 2013 and 2021. Three of the inquiries were regarding disability discrimination, one was regarding national origin, and the remaining were found to have no identity-related basis. Seven of the cases were found to have no basis or valid issue, and the remaining were not pursued.

In Pinole, three inquiries were made to ECHO regarding fair housing between 2016-2020. The nature of the first allegation in 2017 was on fair housing discrimination on the basis of racial discrimination. ECHO provided counseling to the client and landlord. The second and fourth inquiry occurred in 2020 and was also on the basis of racial discrimination. Testers from ECHO were sent for investigation but found insufficient evidence to move forward on all three inquiries.

According to the Pinole Housing Element Update survey 39 percent of respondents were not concerned with housing segregation and discrimination with the next highest respondent rate at 19 percent who were somewhat concerned with housing segregation and discrimination.

In addition to the efforts of the above nonprofit groups, Contra Costa County enacted an eviction and rent increase moratorium on April 21, 2020. The eviction moratorium for certain residential tenants and a moratorium on certain residential rent increases ended on September 30, ~~2021~~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.

The City of Pinole adheres to all state and federal fair housing laws and is committed to continuing to do so.

Integration and Segregation

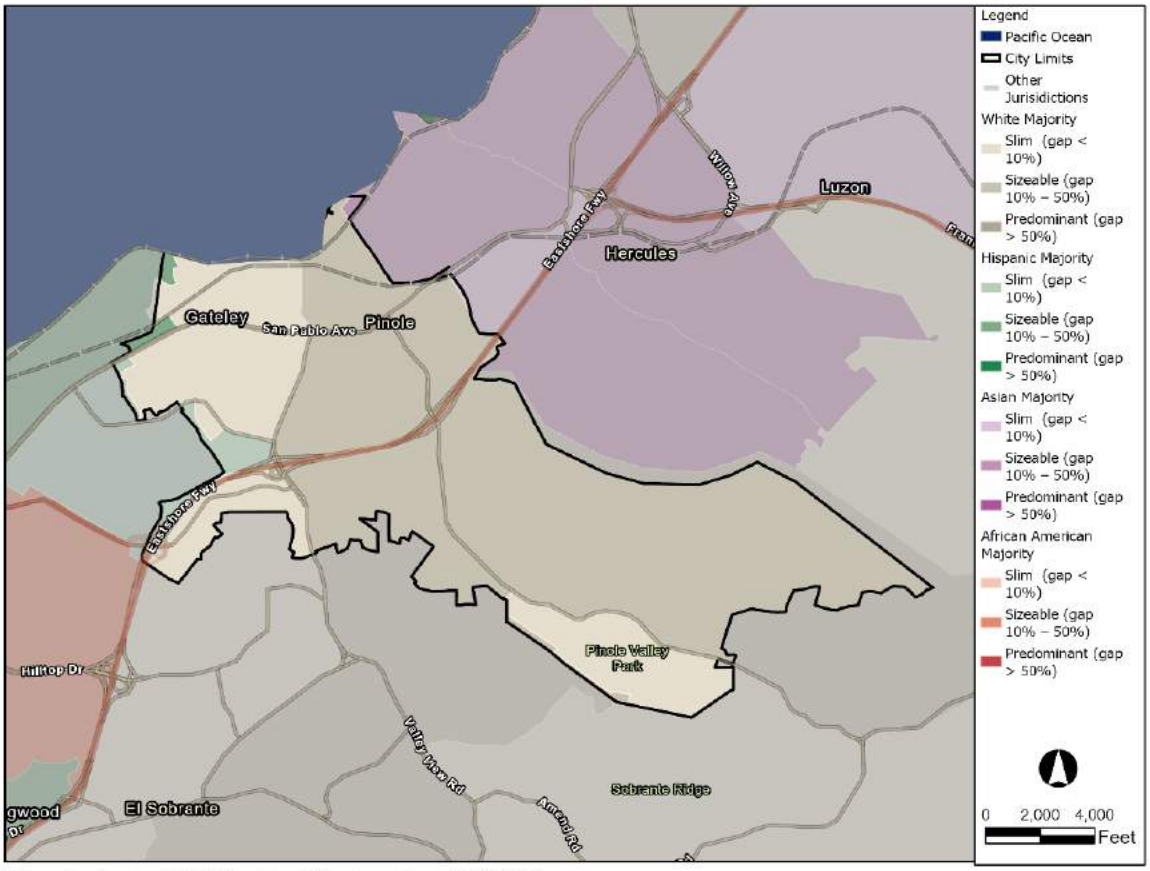
Race and Ethnicity

Figure 18 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. The Contra Costa County Analysis of Impediments to Fair Housing Choice notes that since 1990 segregation for African Americans has decreased and segregation levels for Hispanics and Asians and Pacific islanders have increased in the County and Region.

Figure 18: Racial and Ethnic Majority, 2010



Racial and Ethnic Majority, 2010

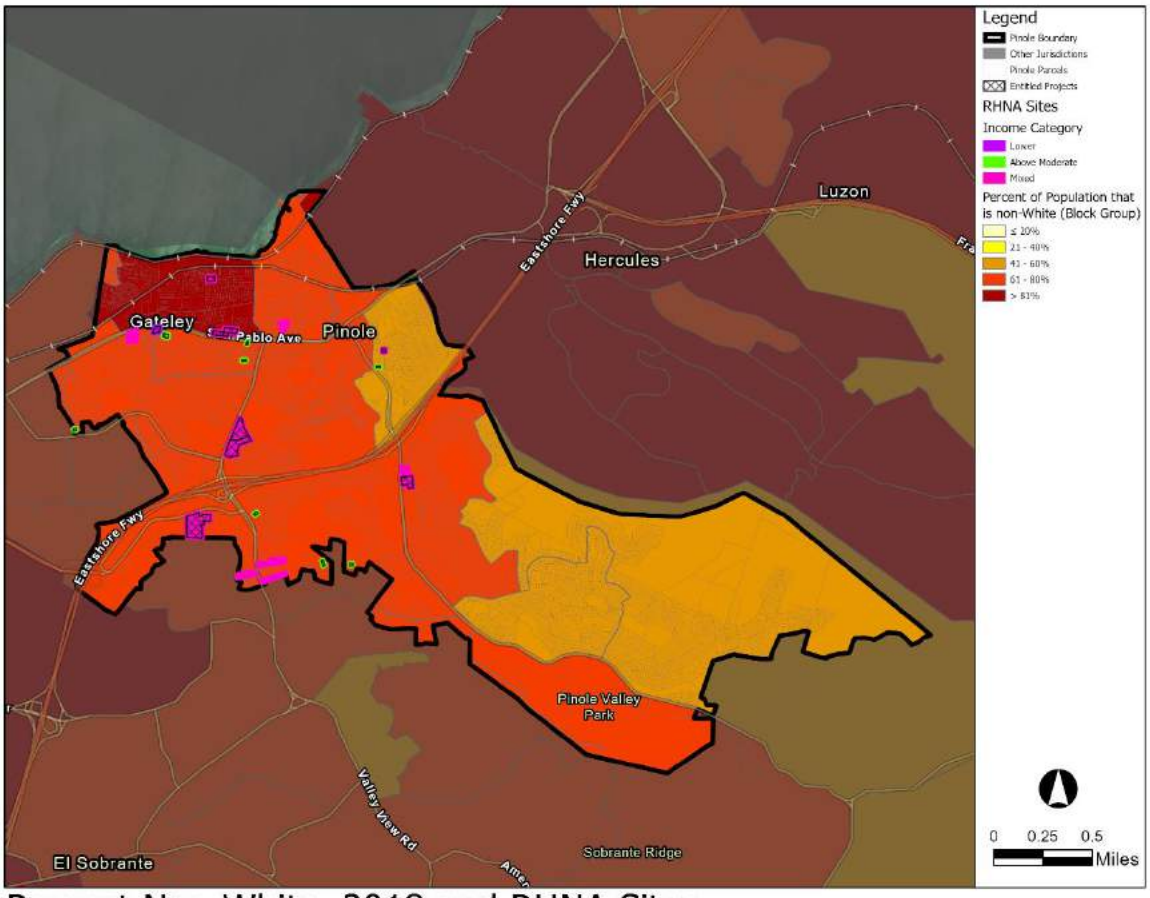
Source: HCD AFFH Data Viewer

Figure 19 shows the percent of the population in each block group that is non-White. As shown in Figure 19, 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.

Figure 19: Percent non-White, 2018 and RHNA Sites

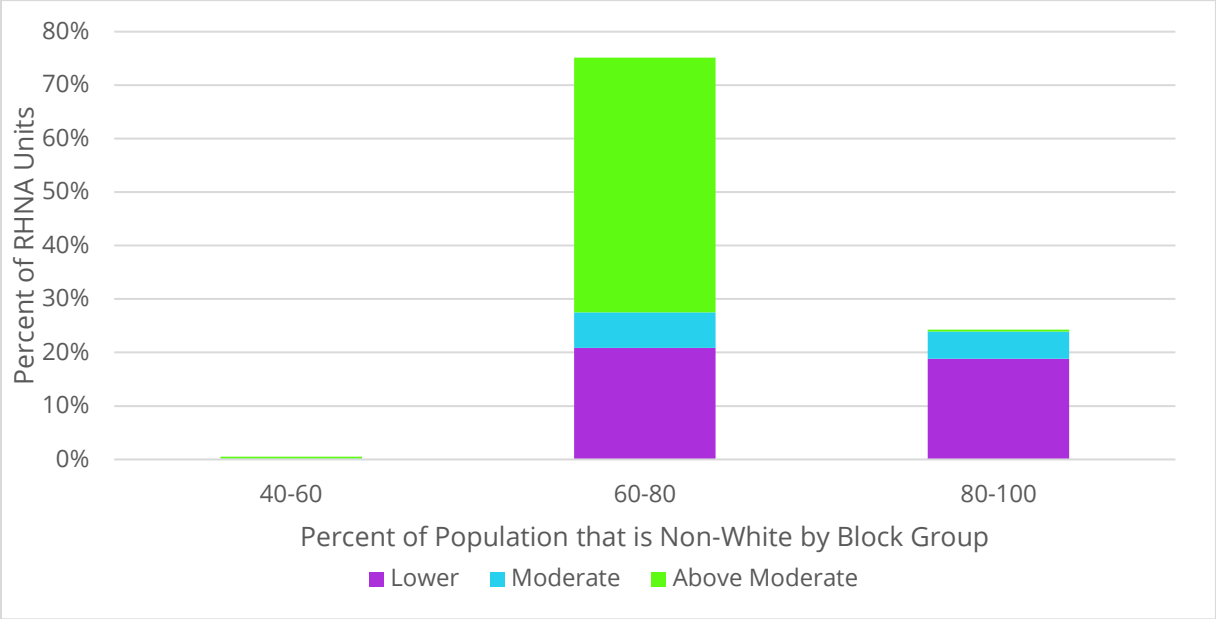


Percent Non-White, 2018 and RHNA Sites

Source: HCD AFFH Data Viewer

Figure 20 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.

Figure 20: 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.

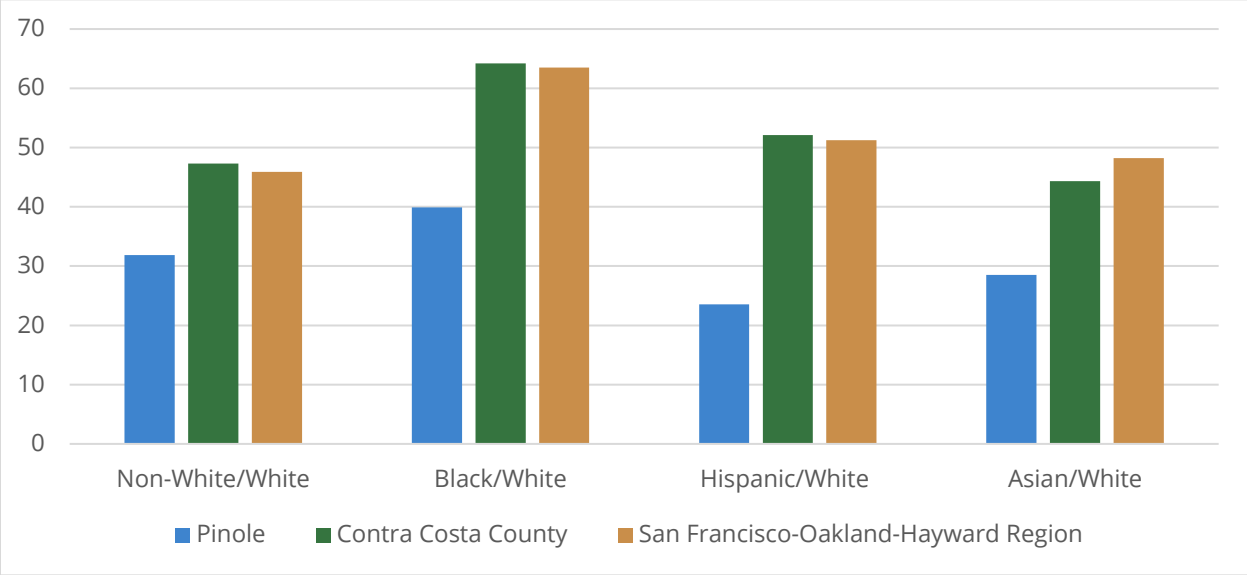
The categories for the dissimilarity index on a scale of 1-100 are as follows:

- <30: Low Segregation
- 30-60: Moderate Segregation
- >60: High Segregation

Figure 21 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 21: Dissimilarity Index for Race, 2020



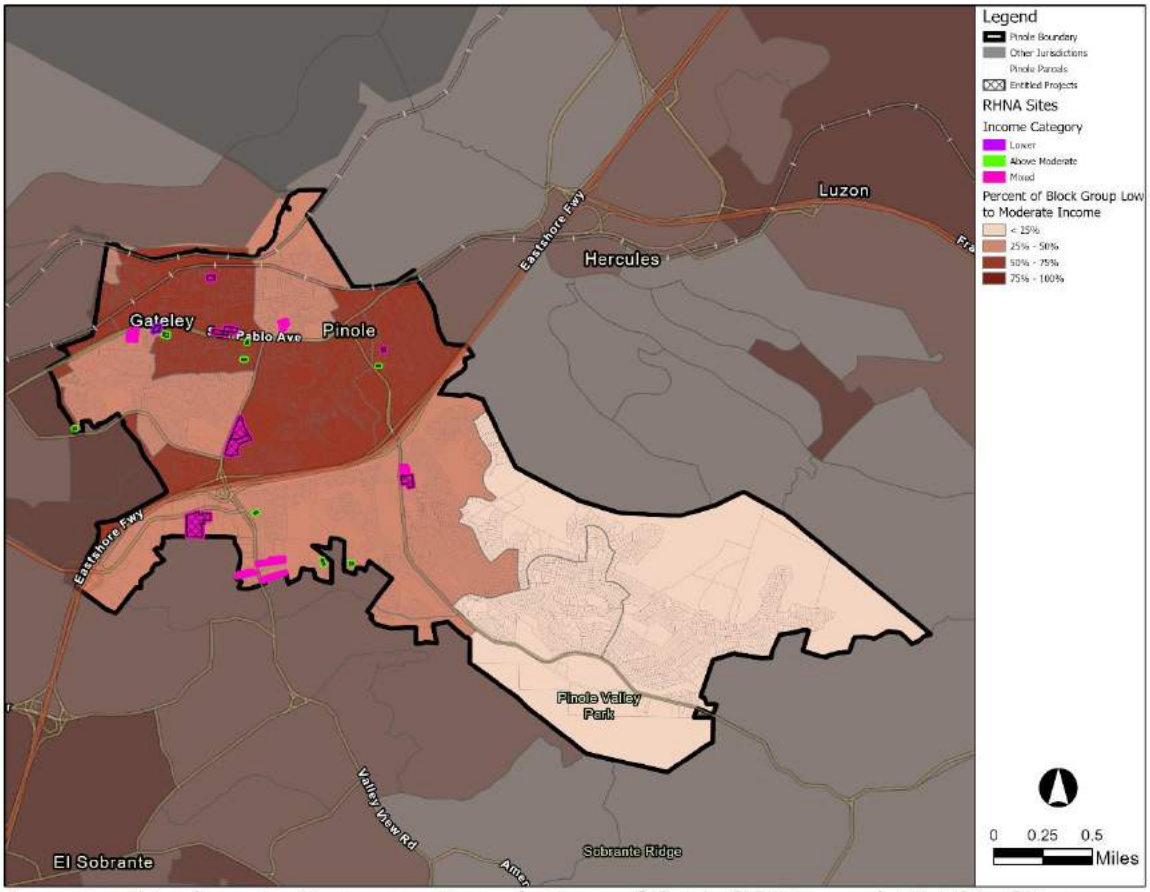
Source: American Community Survey 2020 5-Year Estimates, Contra Costa County Analysis of Impediments to Fair Housing

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 22, and in comparison with Figure 19 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 47 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.

Figure 22: Low to Moderate Income Population, 2011–2015 and RHNA Sites



Low to Moderate Income Population, 2011-2015 and RHNA Sites

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. Additionally, conversations with affordable and market rate developers noted that the availability of vacant and underutilized land along these corridors was a factor in what led to developing in Pinole. Affordable housing developers referenced the increased availability of funding for projects in these corridors as they ranked higher for competitive funding sources.

~~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.~~ The eastern portion of Pinole with lower percentages of a low-moderate income population are characterized by constrained lands with steep sloped and open spaces. The developable portions have been recently developed and are therefore among the most expensive in the City. There is limited opportunity for significant development in these areas and are not likely to redevelop in the

next eight years. Due to the relatively new homes and low density development in these areas due to environmental constraints, these low density neighborhoods correlate with higher household income. Additionally, there is limited access to transit, employment and services. The City is including Program 4, Program 5, and Program 23 to facilitate and encourage ADU and SB 9 development in these neighborhoods.

The majority of RHNA sites are located along the mixed use corridors, where there is currently a more predominant low to moderate income population, as shown in Figure 23. The City is including Program 19, a place-based improvement program to ensure that the RHNA sites will improve access to resources throughout the City. RHNA sites selected are those that are most likely to develop in the next eight years, have access to infrastructure, transit, employment, and services.

Figure 23: Low to Moderate Income Population Comparison of RHNA Units

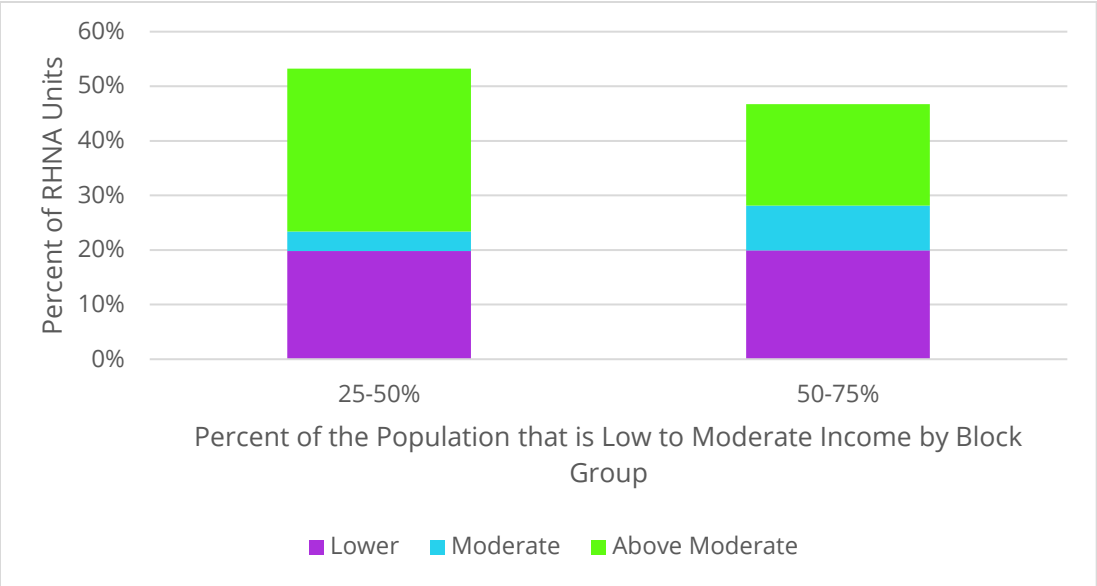
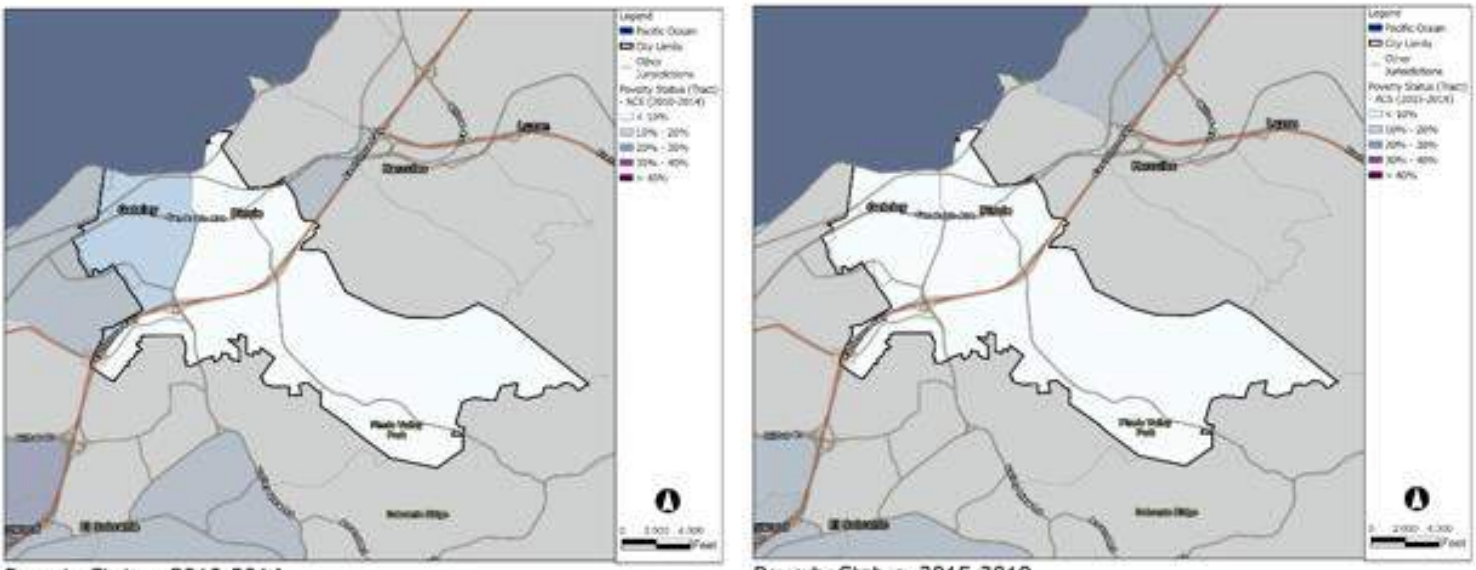


Figure 24 shows the change in the population under the federal poverty line by census tract from 2010-2014 to 2015-2019. Poverty is defined by incomes falling below the annually defined thresholds for family size by the Census. As shown in Figure 24, there are no census tracts in Pinole where more than 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.

Figure 24: Poverty Status, 2010-2014 and 2015-2019

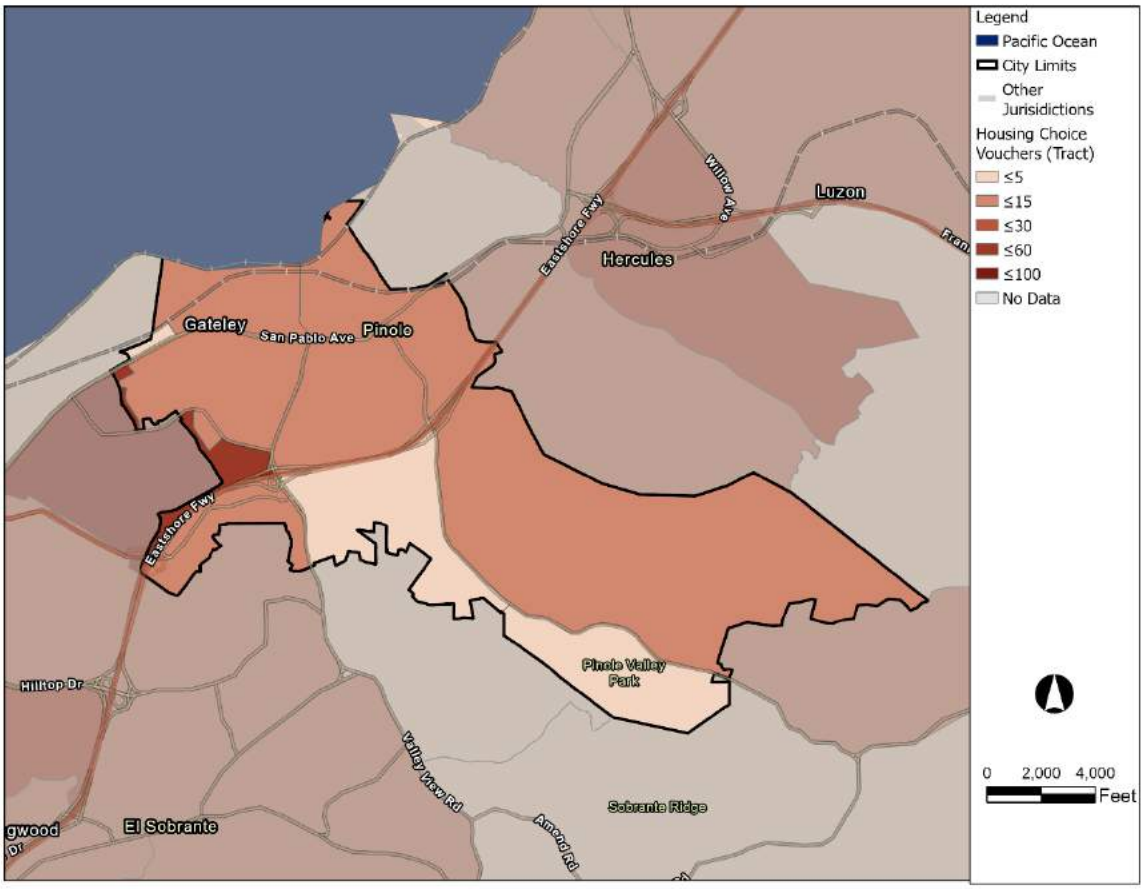


Poverty Status, 2010-2014 Poverty Status, 2015-2019

Source: HCD AFFH Data Viewer

Figure 25 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.

Figure 25: Housing Choice Vouchers, 2010



Housing Choice Vouchers, 2010

Source: HCD AFFH Data Viewer

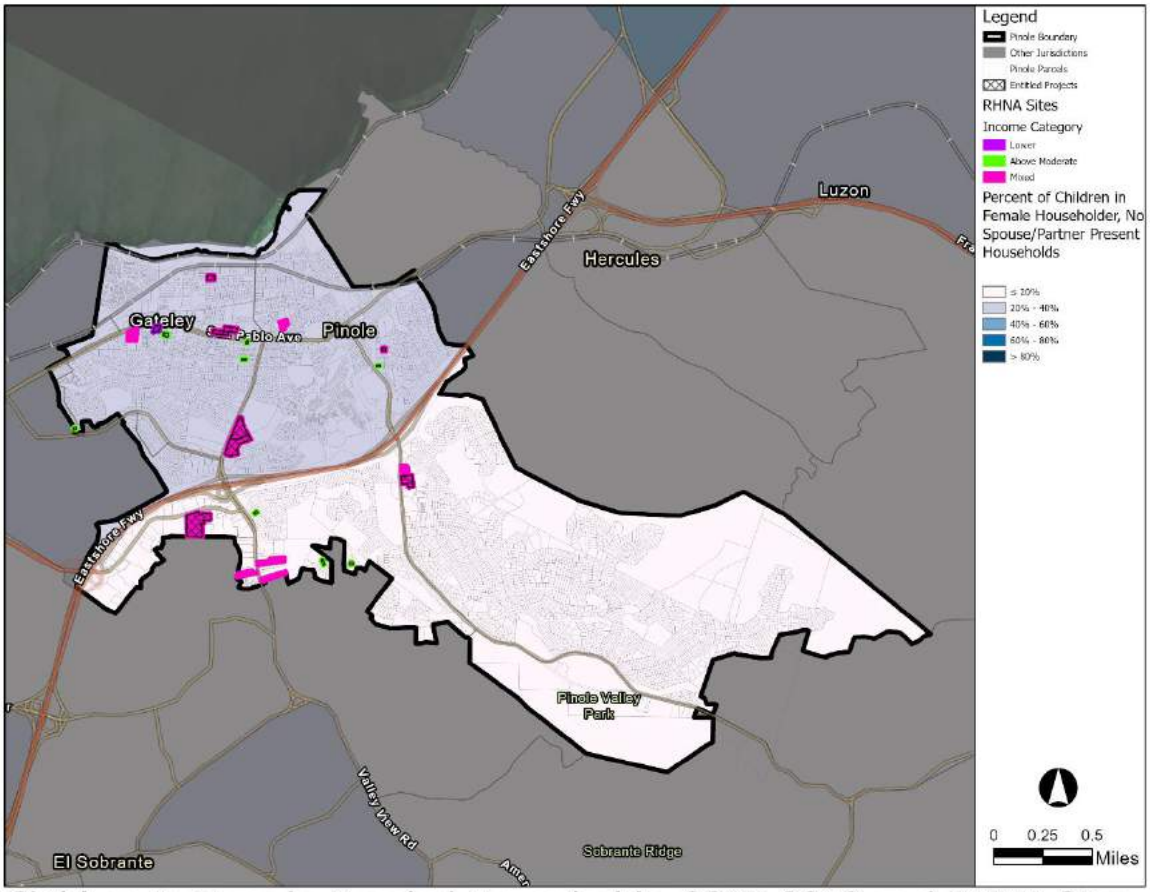
Familial Status

Figure 26 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 27, about 58 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.

Figure 26: Children in Female-Headed Households and RHNA Sites, 2015-2019



Children in Female-Headed Households, 2015-2019 and RHNA Sites

Source: HCD AFFH Data Viewer

Figure 27: Female-Headed Households comparison of RHNA Units

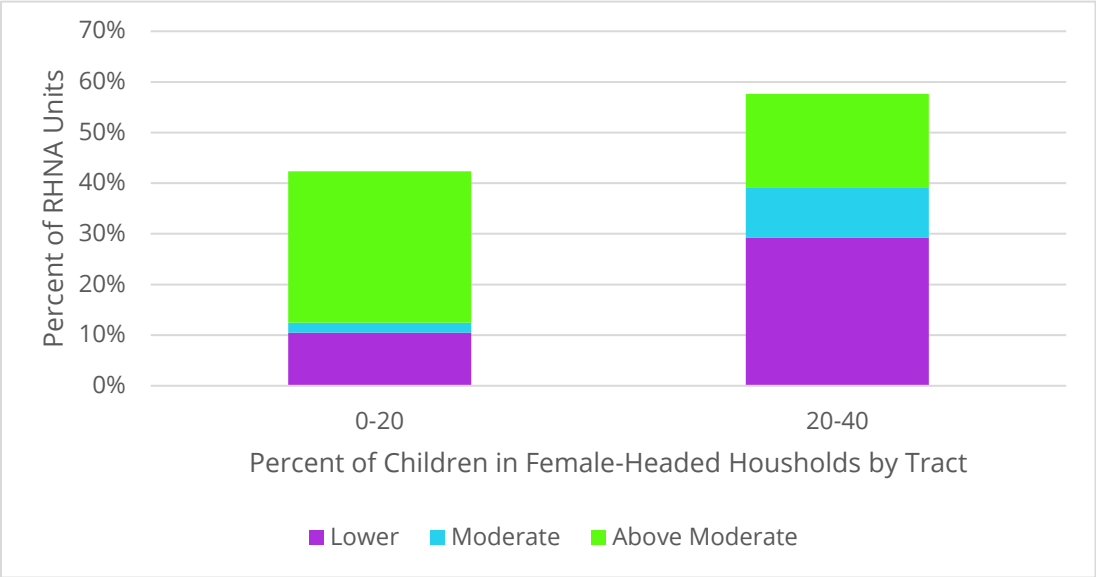
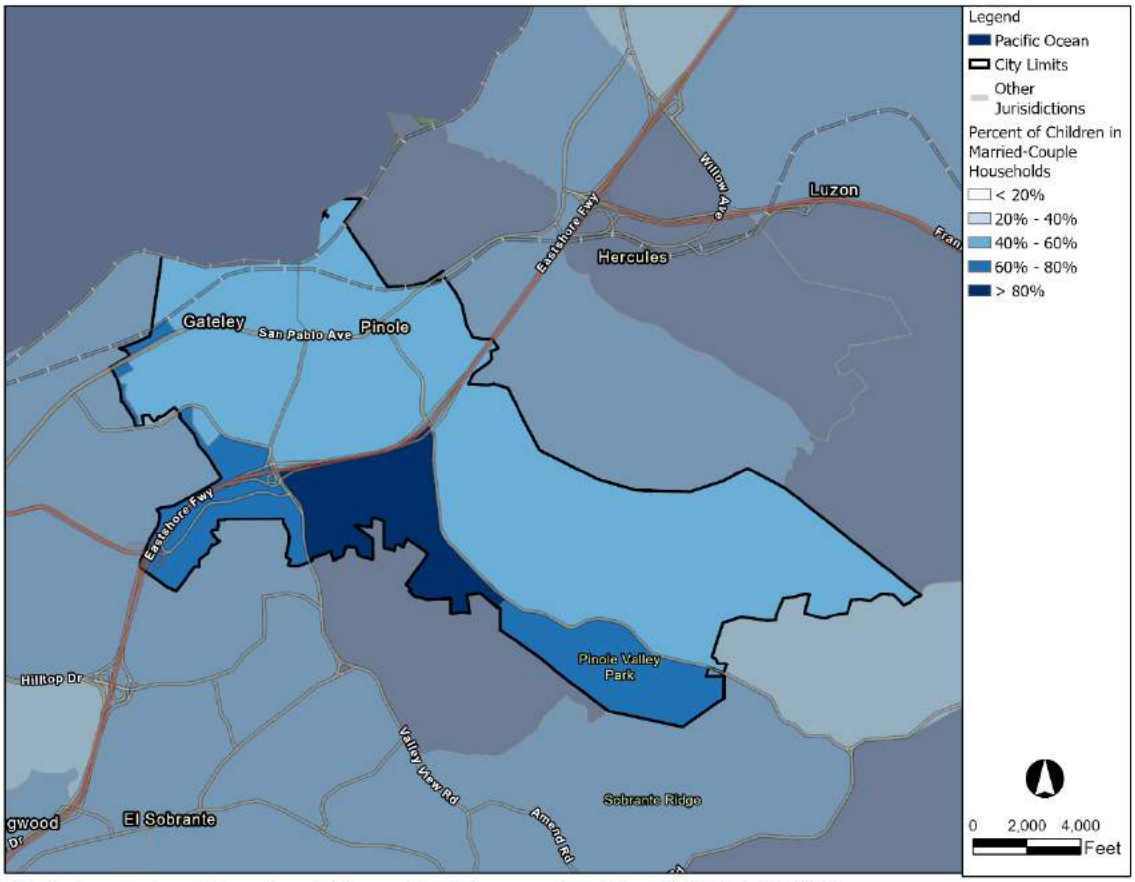


Figure 28 shows the percentage of children in married couple households. No census tract in Pinole has less than 40 percent of children in married couple households. Most of the City's residential census tracts are in the 40 to 60 percent range, while census tract 3601.01 has a percentage of children 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.

Figure 28: 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

- 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 29 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 29: Disability Characteristics, 2019

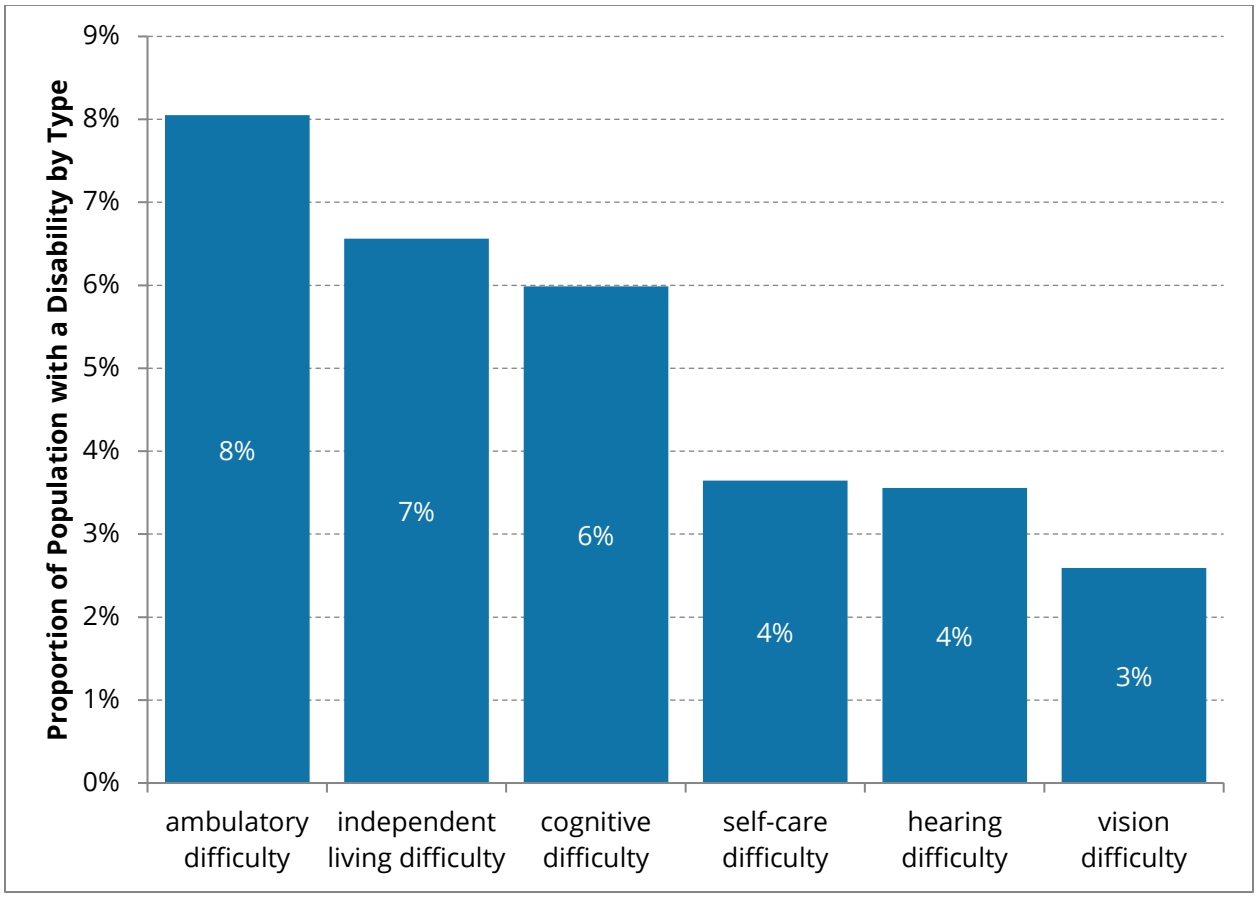
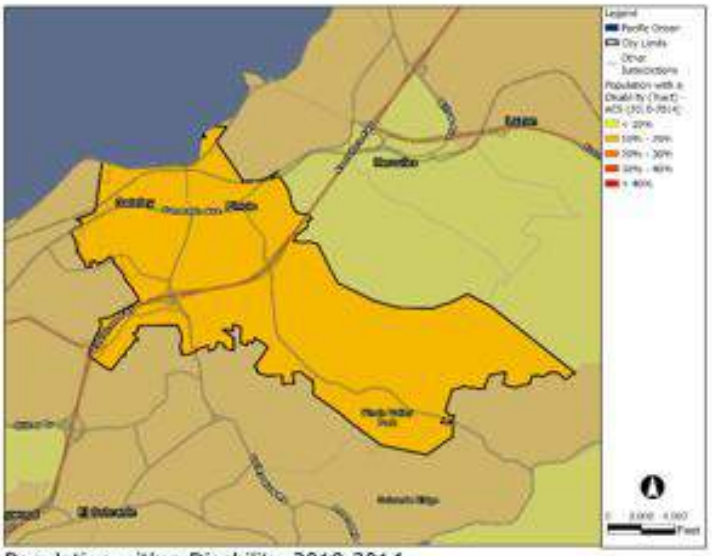


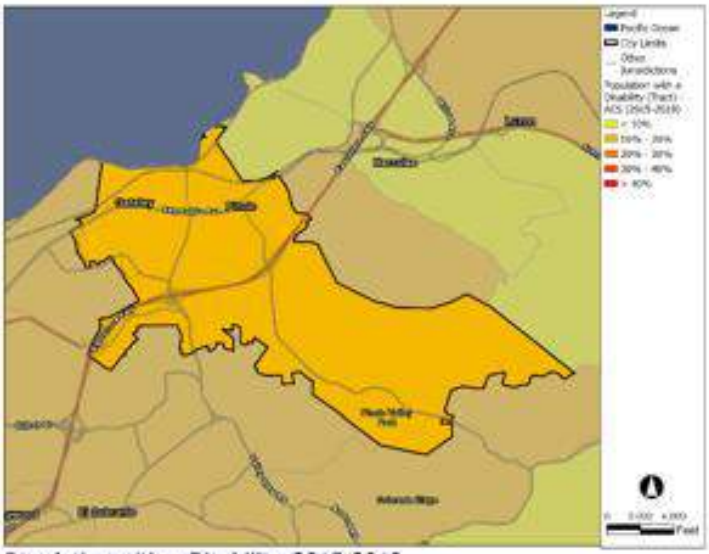
Figure 30 shows that the disabled population is evenly distributed throughout Pinole. There are no significant changes in location or concentration of those with a disability between 2010-2014 and 2015-2019. There is no area of the City with an extreme concentration of

persons with disabilities. The sites are not expected to cause fair housing concerns as they relate to residents with a disability.

Figure 30: Population with a Disability, 2010-2014 and 2015-2019



Population with a Disability, 2010-2014



Population with a Disability, 2015-2019

Source: HCD AFFH Data Viewer

Regional Comparison

Pinole is a racially integrated City and comparisons to the region reflect this. According to a 2018 study on racial segregation in the San Francisco Bay Area, "Pinole is the most integrated city in Contra Costa County, with a population that is 35 percent white, 26 percent Latino, 22 percent Asian, and 8 percent Black."[18] The updated findings using 2020 census data identified Pinole as one of the six "racially integrated" cities in the Bay Area.[19]

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 City is racially integrated when compared to the region. There are no significant disparities in access to amenities, conditions

[18] Racial Segregation in the San Francisco Bay Area, Part 1. https://belonging.berkeley.edu/racial-segregation-san-francisco-bay-area-part-1

[19] The Most Segregated Cities and Neighborhoods in the San Francisco Bay Area. https://belonging.berkeley.edu/most-segregated-cities-bay-area-2020

or infrastructure between neighborhoods or based on protected status. This includes equal access to parks, streetscapes, schools, safe routes, infrastructure, community amenities, housing conditions, and general neighborhood conditions. Pinole is a small city that has and continues to make consistent investment in all neighborhoods. Pinole is a small and diverse City that does not have significant variation in access to amenities. Based on windshield surveys and code compliance cases, there does not appear to be a difference in quality of housing in neighborhoods throughout the City; there is no geographic pattern. The City is in the process of moving to an electronic permitting system. This new system will include the ability to spatially review code compliance cases and development permits.

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

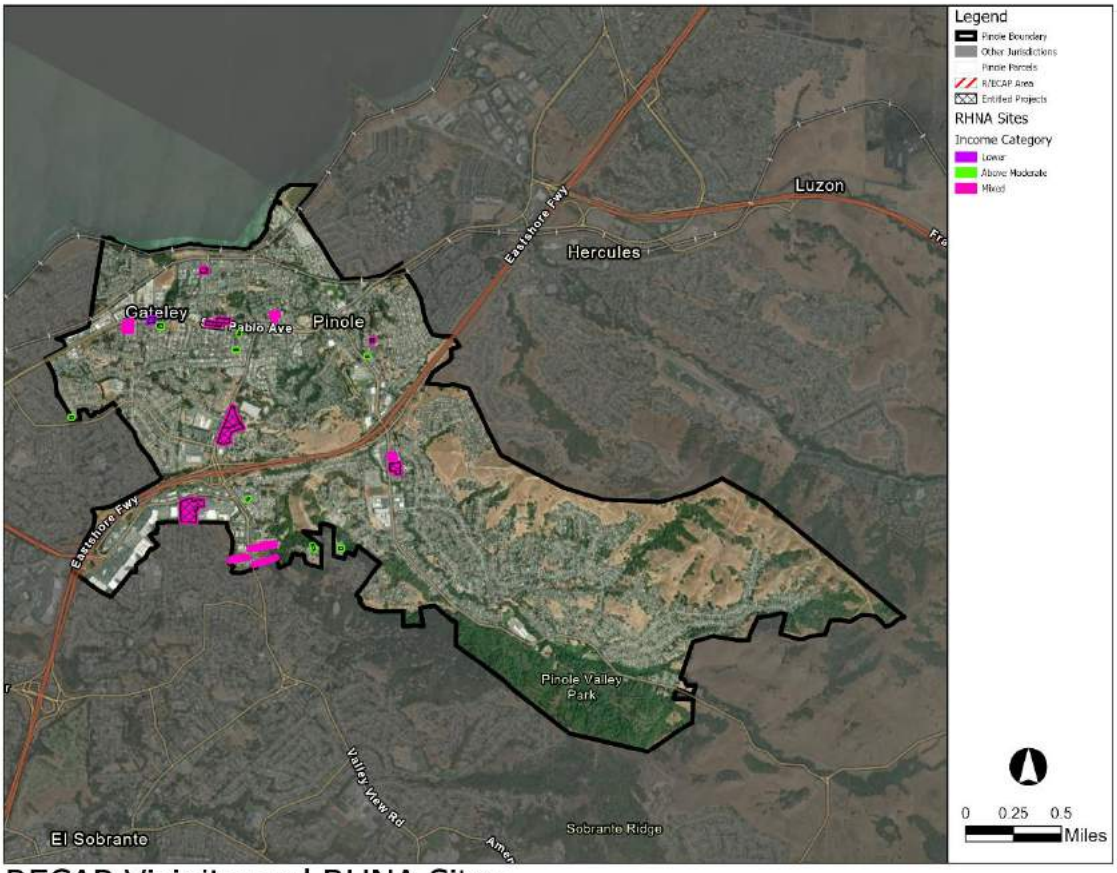
Racially and Ethnically Concentrated Area of Poverty

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 31. Additionally, there are no areas of high segregation and poverty, as identified by the California Tax Credit 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 31: RECAPs Vicinity and RHNA Sites, 2021



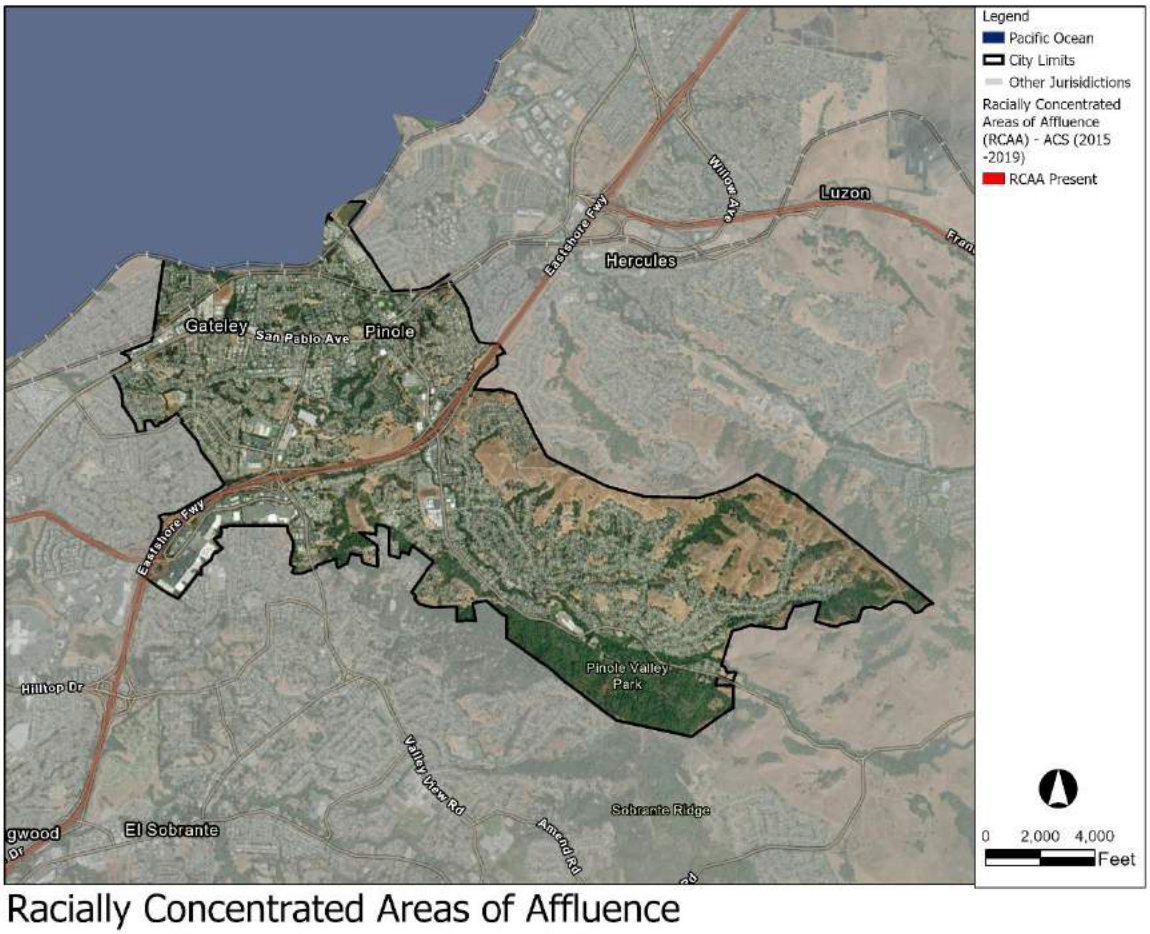
RECAP Vicinity and RHNA Sites

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 32.

Figure 32: RCAAs Vicinity, 2015-2019



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.

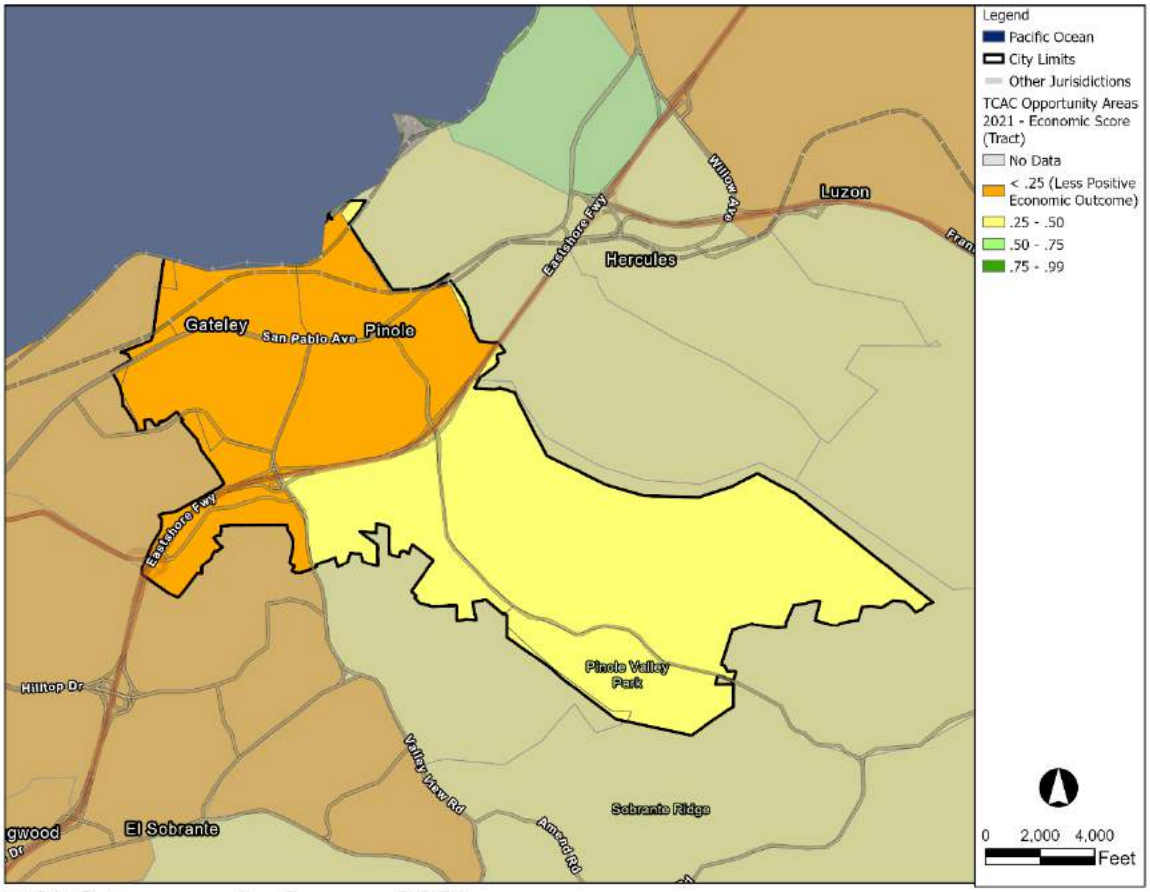
To determine final resource designation, the top 20 percent of overall scores in the economic, environmental, and education categories in a county are labeled as highest resource and the next 20 percent of scores are labeled as high resource. Then, any areas

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 33. 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 33: TCAC Economic Score, 2021



TCAC Economic Score, 2021

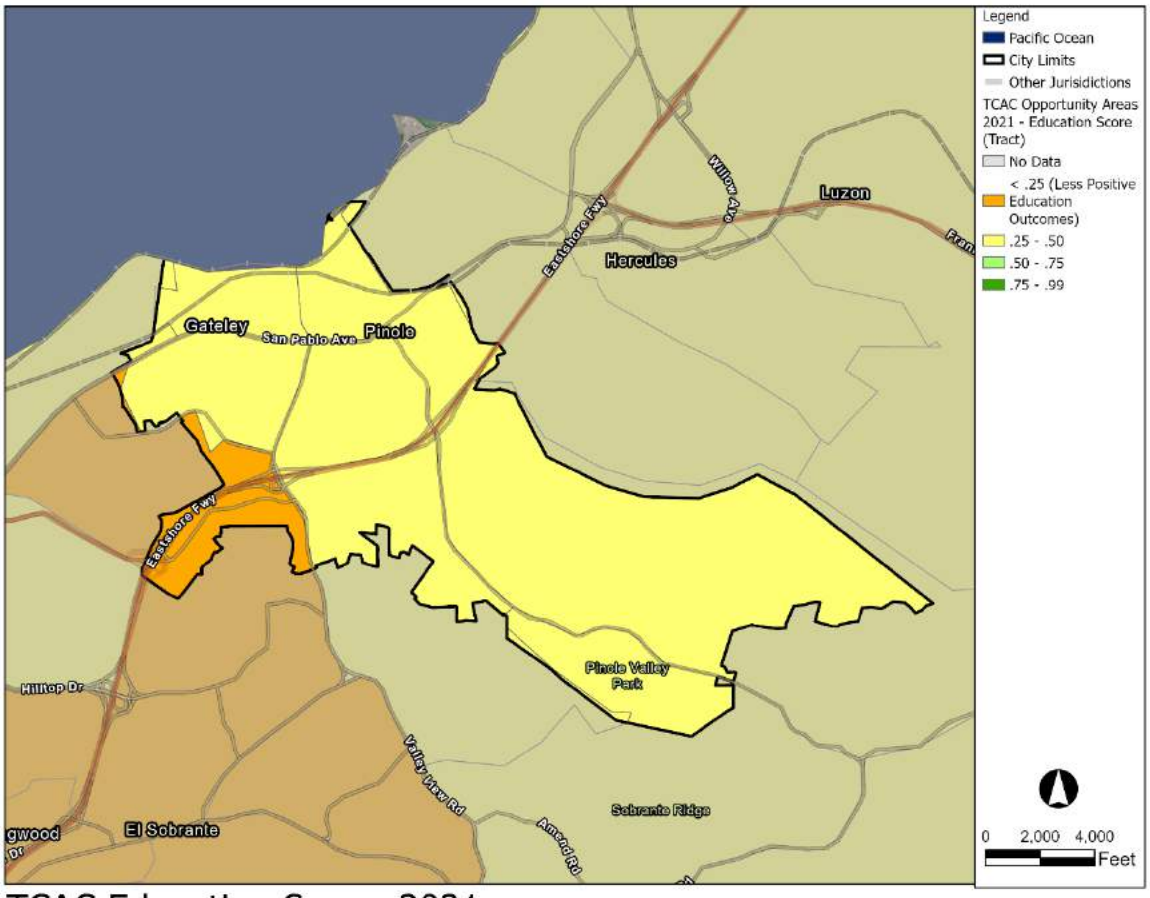
Source: HCD AFFH Data Viewer

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 average[20]. As shown in Figure 34, 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.

[20] Great Schools, West Contra Costa Unified School District Summary. https://www.greatschools.org/california/richmond/west-contra-costa-unified-school-district/

Figure 34: TCAC Education Score, 2021



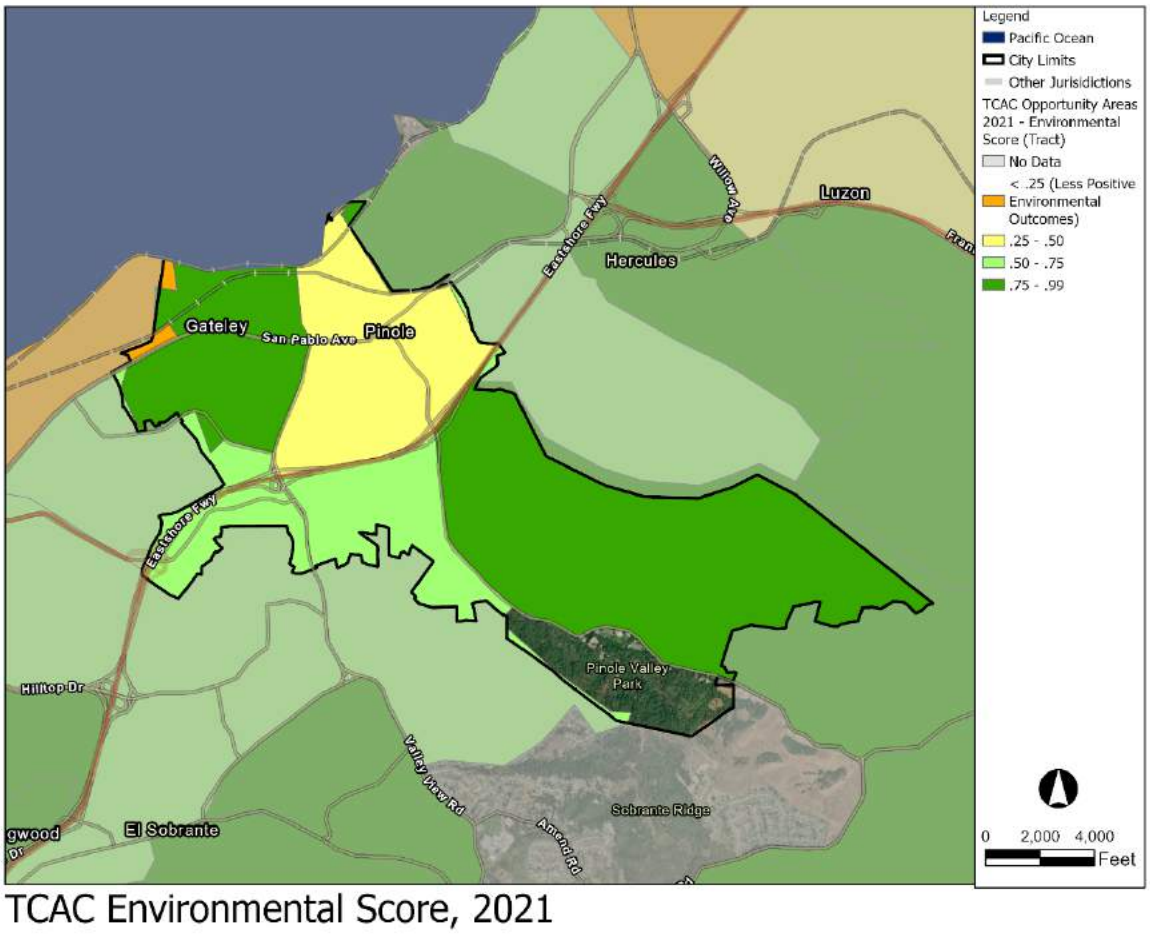
TCAC Education Score, 2021

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 35, 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.

Figure 35: TCAC Environmental Score, 2021

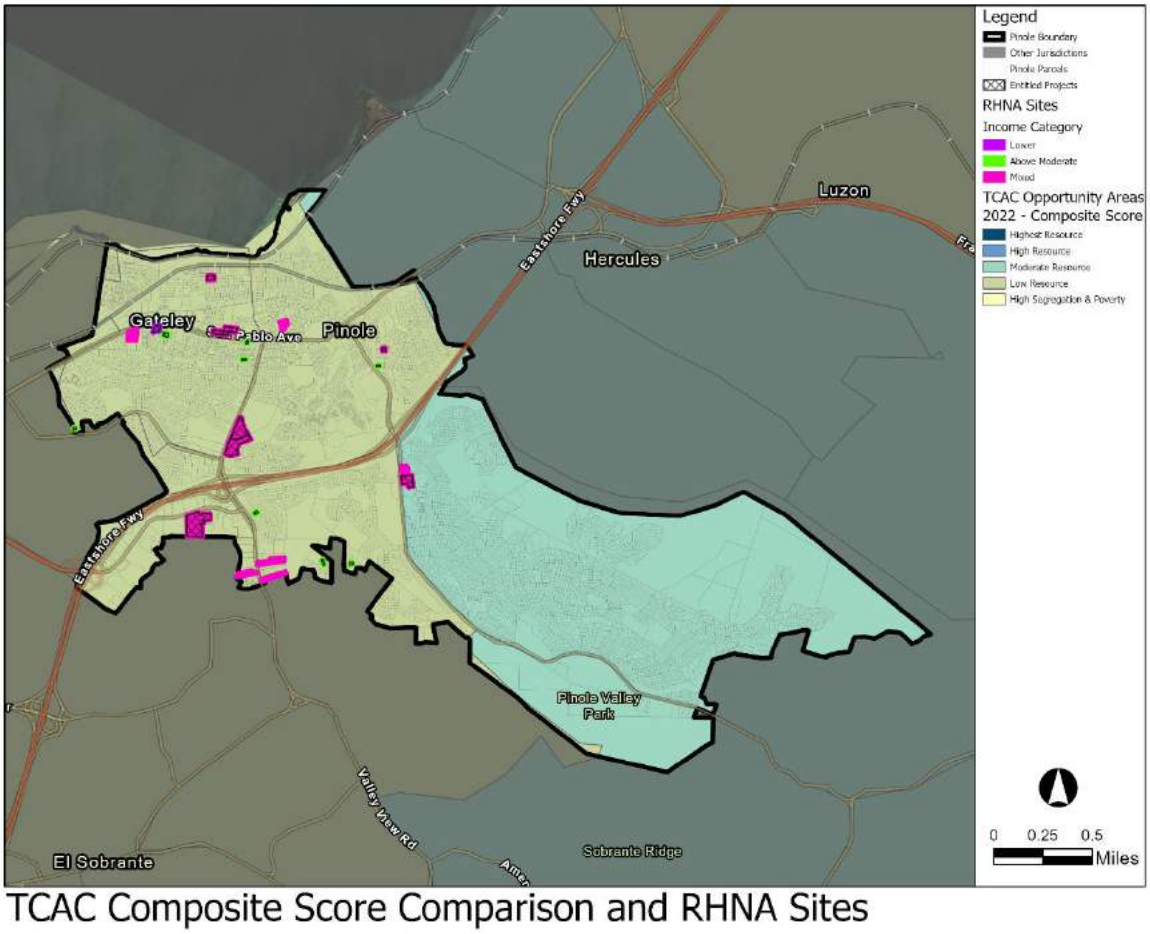


Source: HCD AFFH Data Viewer

TCAC Composite Score

Scores for each domain and the composite score for each census tract are shown in Figure 36. 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 6, Program 8, and Program 10 respectively. The City will also include Program 15 permit streamlining and Program 17 acquisition/rehabilitation of blighted or distressed properties to further encourage development in low resource areas.

Figure 36: TCAC Composite Score

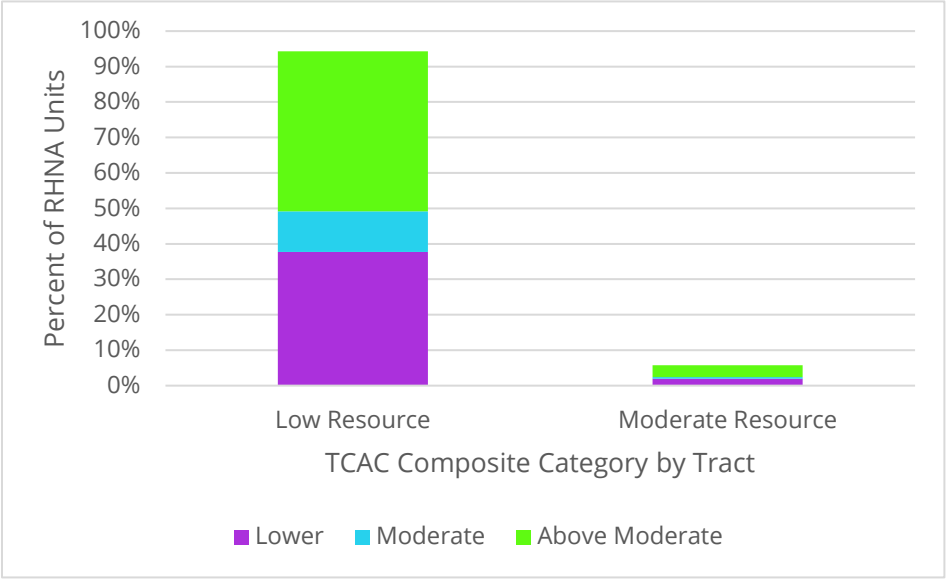


Source: HCD AFFH Data Viewer

Figure 37 displays the RHNA units shown 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 95 percent of low-income units located in the low resource category while only 5 percent are 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. There are not large discrepancies between the tracts, despite the composite scores denoting a split between Low and Moderate opportunity areas. As described earlier, the individual scores, and it is likely the overall composite scores are very close to each other but just on either side of the category threshold. Of the three main tracts in the city, the environmental opportunity scores of the northern tract that shows a lower score has an index of 0.46, which is only slightly below the 0.5 threshold of the range above. The eastern tract has an index of 0.76 which is only slightly above the 0.75 threshold of the range below. Although the map makes this appear as a large discrepancy in environmental opportunity, the scores are essentially in the same range of

opportunity (0.5 – 0.75). Similarly, the economic scores of the three primary tracts range from 0.21 to 0.26 (vs the 0.25 threshold), showing little variation despite the discrepancy showed by the ranges displayed in the HCD AFFH map.

Figure 37: TCAC Designation Comparison of RHNA Units



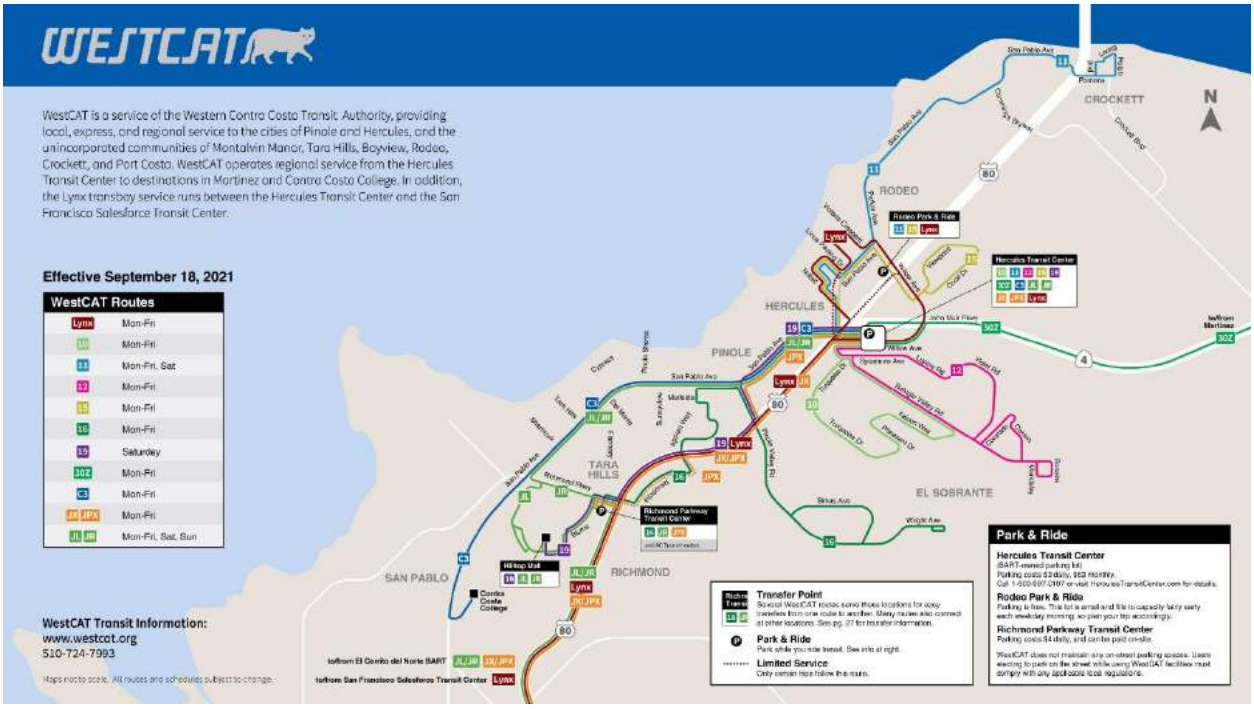
Transportation

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.

Figure 38: Transit Map



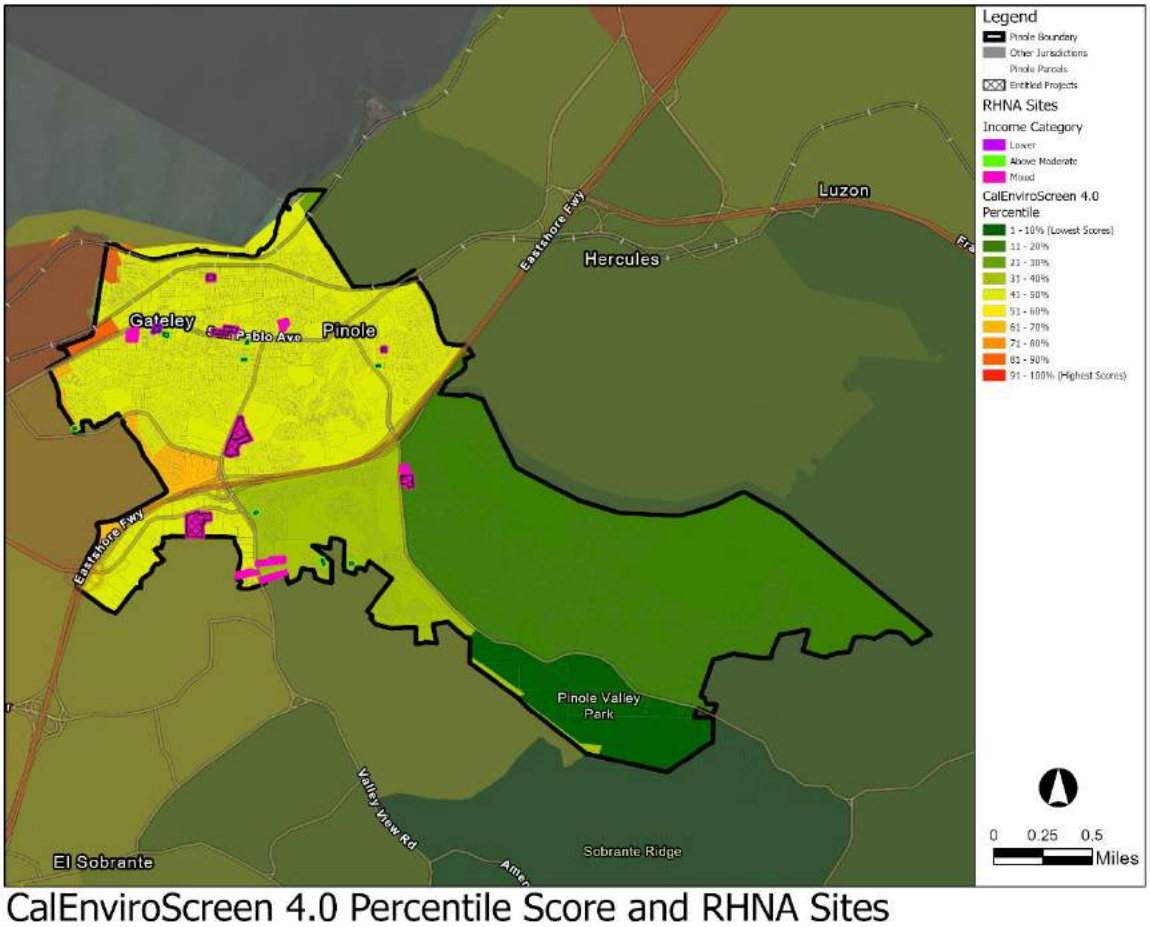
Source: WestCAT, 2022

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 39, 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.

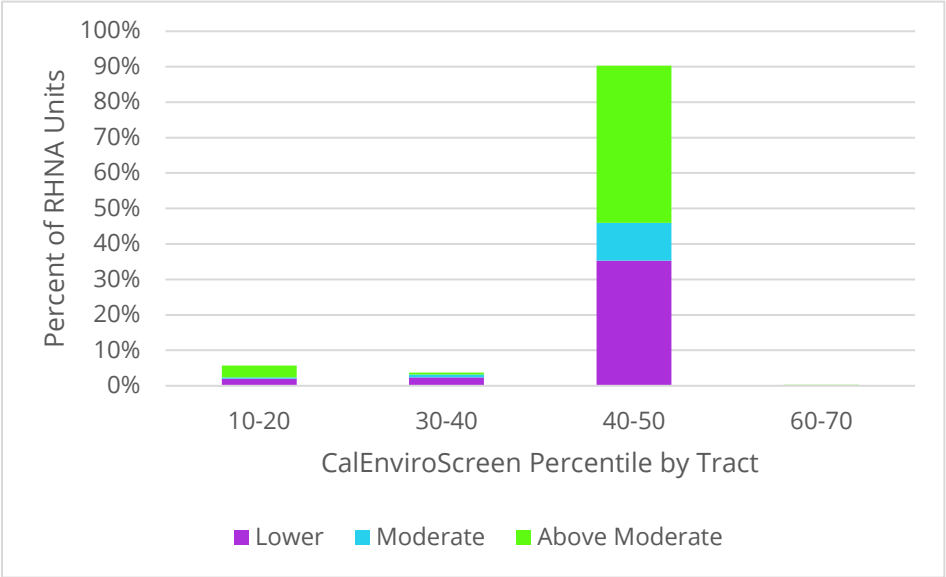
Figure 39: CES Percentile and RHNA Sites



Source: HCD AFFH Data Viewer

Figure 40 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.

Figure 40: CalEnviroScreen Percentile Comparison of RHNA Units



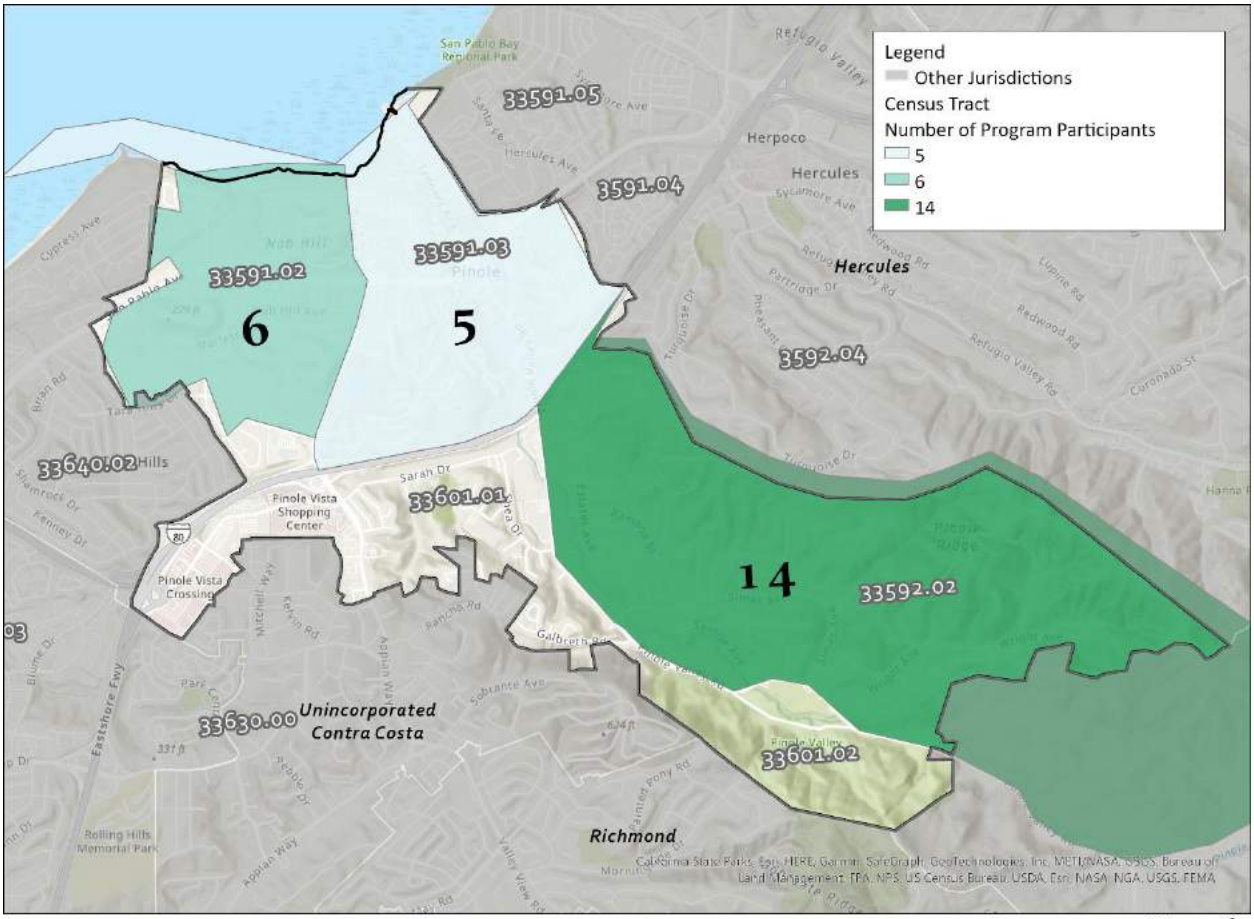
Local Weatherization Efforts

Contra Costa County participated in BayREN, which is 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. There are multiple programs that encourage and incentivize households to make energy efficient upgrades to their homes.

Between 2015 and 2022, twenty five households participated in the weatherization program in the City. The geographic distribution of households participating by census tract is shown in below. As mentioned previously, the majority of the population of Pinole is in three census tracts, and these are the tree tracts that have seen participation in BeyREN programs. These

As a part of Program 19: Place-Based Improvements, the City is working with Contra Costa County 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. These areas have had less participation in the existing BayREN programs, so the City will focus outreach and education in these areas first.

Figure 41: BayREN Weatherization Participation by Census Tract, 2015-2022



Number of Weatherization Program Participants, 2015- 2023

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.

Although a majority of the RHNA sites are located in low resource areas they are also located along corridors identified in the Three Corridors Specific Plan as areas of investment and growth in Pinole. Along with the Three Corridors Specific Plan there are concurrent capital improvement projects along these corridors to improve safety and access to community amenities and transit including, complete streets and pedestrian infrastructure improvements.

Additionally, conversations with developers noted that the availability of vacant and underutilized land along these corridors was a factor in what led to developing in Pinole. Developers referenced the increased availability of funding along these corridors.

The City is including programs to ensure that the RHNA site selection will improve access to resources and amenities in lower-resource areas. This includes Program 19 place-based improvements, Program 21 displacement prevention, and affordable and senior housing incentives with Program 8 and Program 10 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 15 to incentivize mixed-used development, Program 15 streamline the permit process, and target ADU education with Program 23.

Disproportionate Housing Needs

Substandard Housing

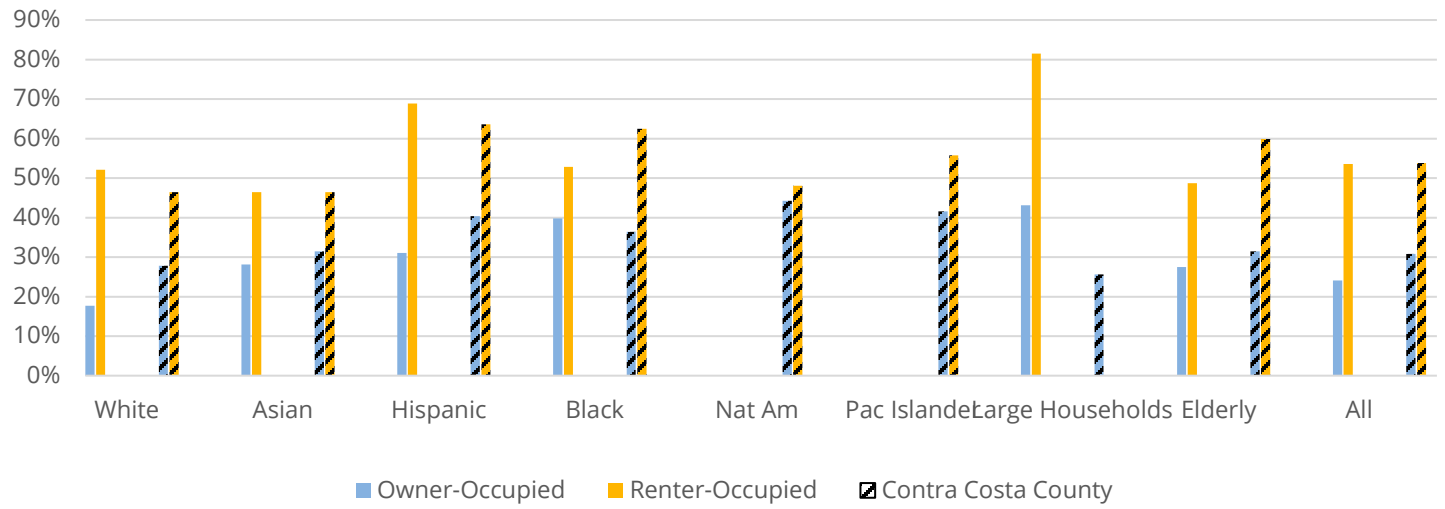
Disproportionate housing needs are determined by comparing substandard housing or housing problems to tenure, race, household size, or household age. A household is considered substandard or to have a housing problem if it has one or more of the four following housing problems:

- 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.

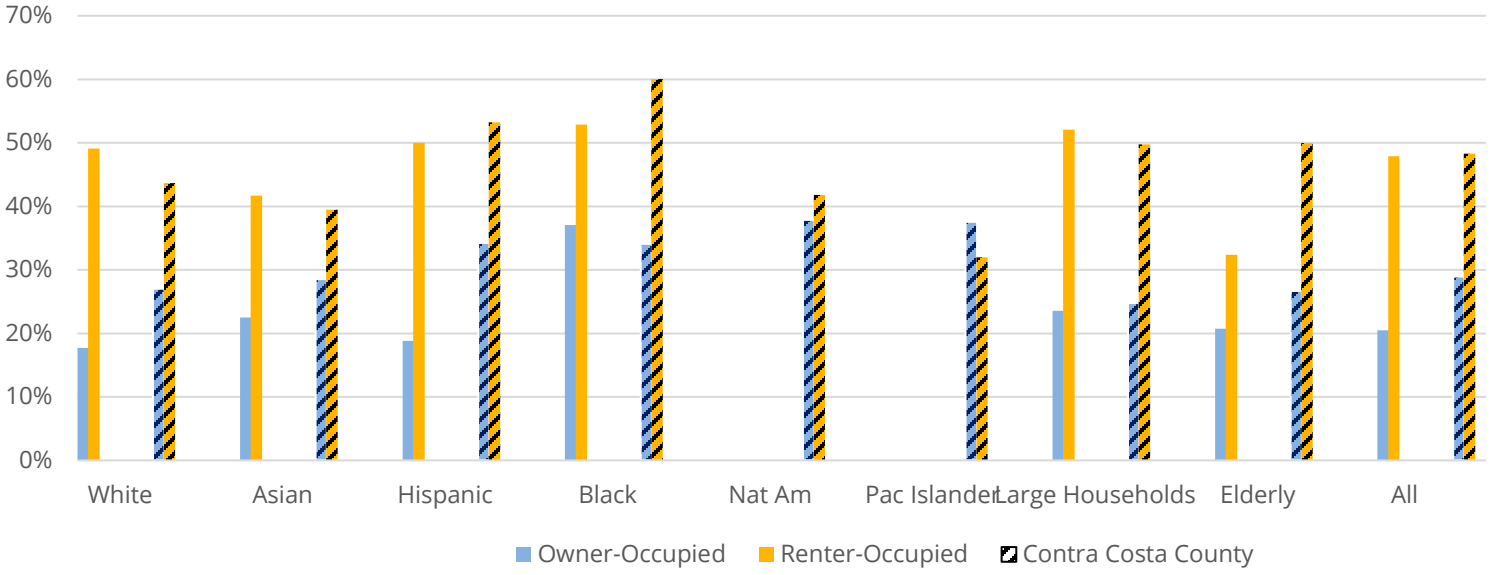
Renters experience housing problems at a higher rate than owners across all ethnicities. Black owners and large household owners experience housing problems at the highest rate among housing owners. Hispanic renters experience housing problems at the highest rate overall at around 69 percent. Black renters 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 42 reads that 0 percent of that population experiences housing problems.

Figure 42: 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.

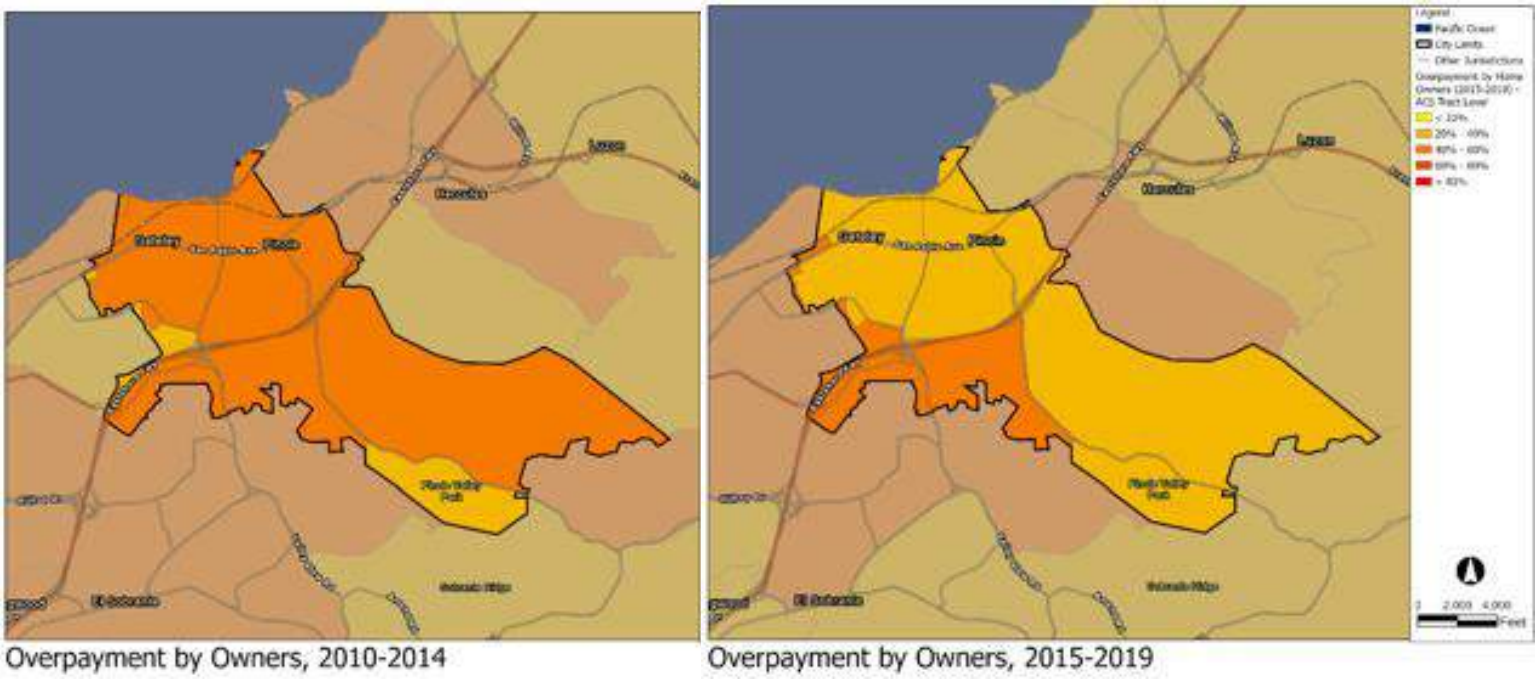
Figure 43: Cost Burden by Tenure and Race/Elderly/Housing Size



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

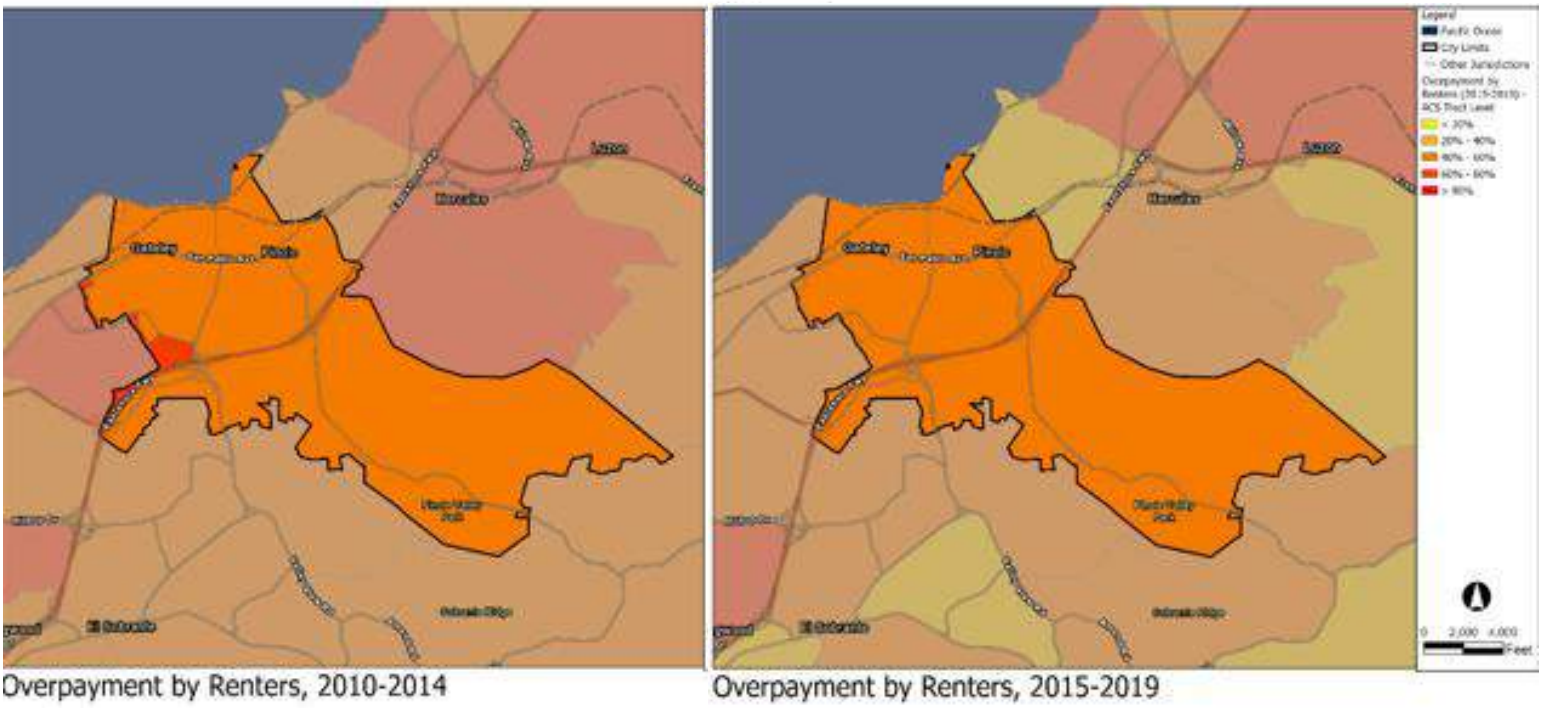
occurs at a comparable level with the County, with both showing approximately 48 percent of these households experiencing cost burden; overpayment by owners occurs at a slightly lower level in the City than in the County. In both cases, renters have higher rates of overpayment than owners.

Figure 44: Overpayment by Owners



Source: HCD AFFH Data Viewer

Figure 45: Overpayment by Renters



Source: HCD AFFH Data Viewer

To understand the geographic trends of substandard housing in the City, a review of code enforcement cases from April 2020 to March 2023 was conducted. Of the 1,486 code cases open during that time, six substandard housing cases were opened (0.4 percent of all cases). The approximate locations of these cases are shown in Figure 46. The substandard code enforcement cases are spread throughout the western and northern parts of the City. Substandard housing cases tend to correlate with areas that have a lower median income.

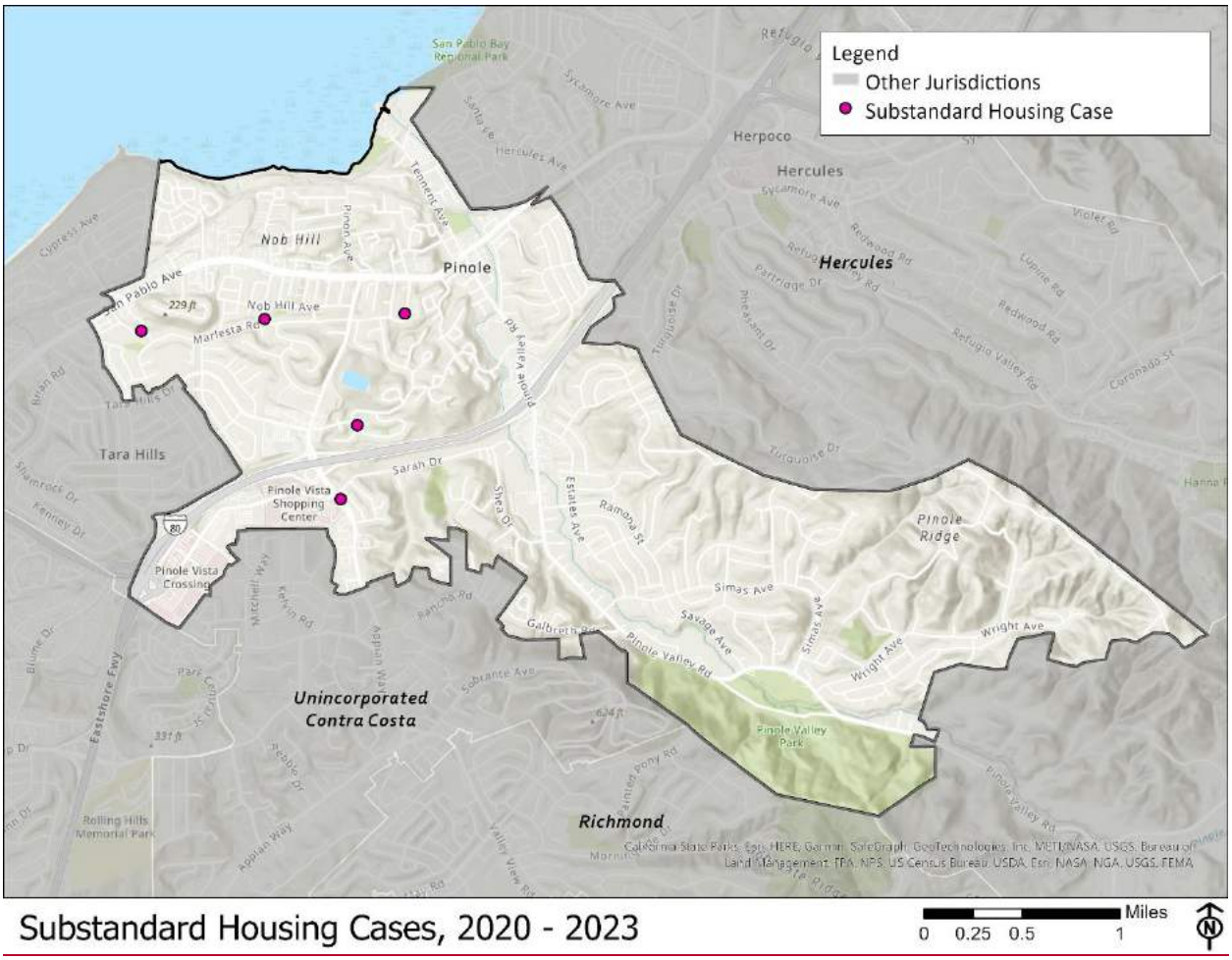
Code enforcement estimated through a windshield survey 15 – 20 units, less than one percent, in the City are in need of significant repair, under 1 percent of units in the City. Results from the windshield survey also noted that there was no specific neighborhood or street that had clustered substandard housing.

Resources available for improving for substandard housing are provided on the City of Pinole's website. The following resources are listed:

- Contra Costa County's Neighborhood Preservation Program - Provides financial assistance through a loan of up to $70,000 to low-income homeowners for home rehabilitation projects.
- Habitat for Humanity East Bay/Silicon Valley (Home Repair) - Repairs, valued up to $10,000, for eligible low-income mobile homeowners to address health and safety deficiencies.

- Homeowner Energy Efficiency BayREN Program – Rebates and financing assistance for home energy improvements.
- Multifamily Homeowner Energy Efficiency BayREN Program - Financial incentives when to upgrade multifamily building's energy and water efficiency.
- County Weatherization program. Federal and State-funded program available to owners or renters of homes, apartments or mobile homes and whose purpose is to assist low and/or fixed income people in making their homes more energy-efficient.

Figure 46: Substandard Housing Code Enforcement Cases, 2020-2023



Source: City of Pinole Code Enforcement.

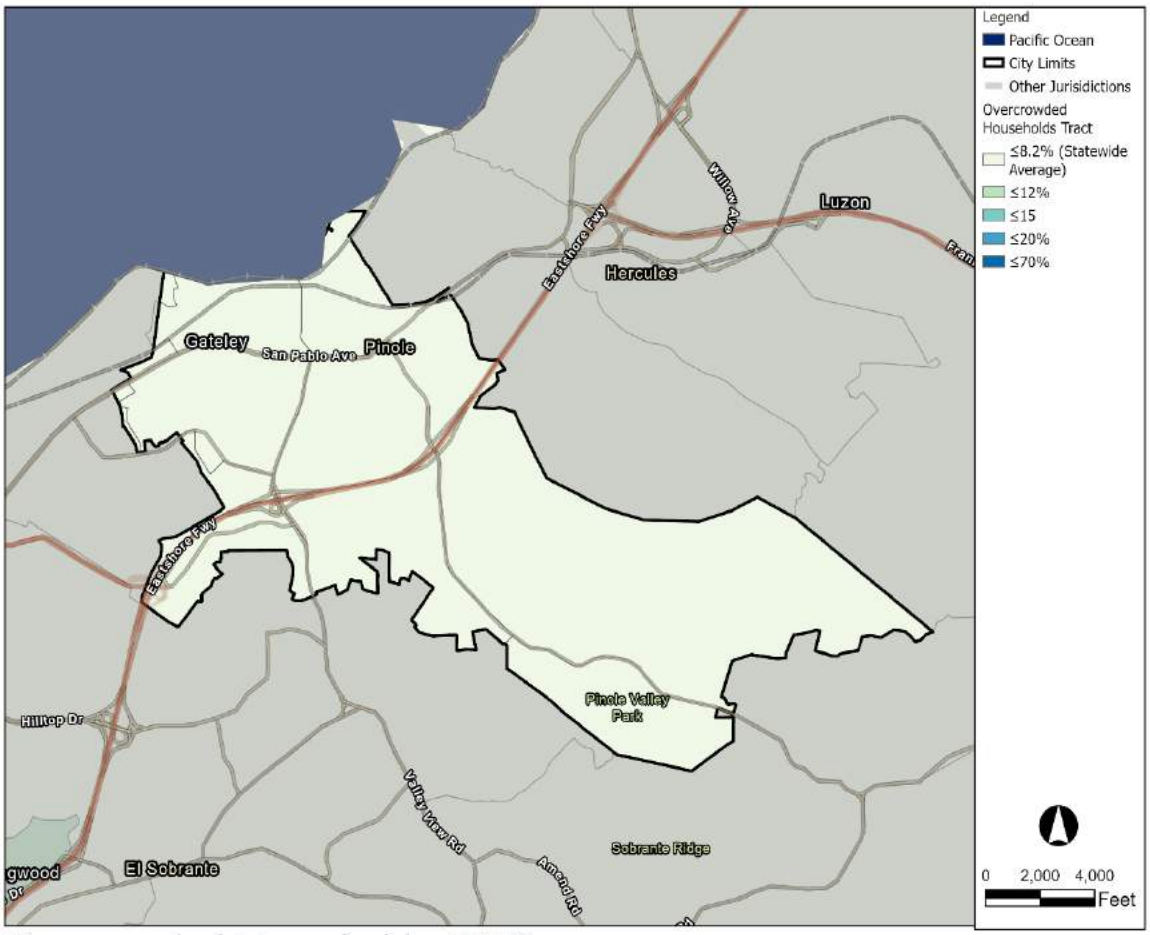
Overcrowding

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.

Figure 47: Overcrowded Households



Overcrowded Households, 2010

Source: HCD AFFH Data Viewer

Table 72 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.

Table 72: 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~~ conducts the annual Point in Time Count (PITC), which counts the sheltered and unsheltered homeless population in each city in the County. The PITC takes place during the last week of January each year. Per the Contra Costa Health Services website, there were significant inconsistencies discovered in the data of the 2022 PITC and Contra Costa Health Services has been unable to verify the accuracy of the data.[21] As such, this element is utilizing the most recent PITC data available from Contra Costa Health, which is the 2020 PITC. The 2023 PITC Annual Report has not yet been released at the time of the writing of this element.

The PITC identified 3,093 both sheltered and unsheltered homeless persons in Contra Costa County. Table 73 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.

[21] Contra Costa Health Services. Data Reports, Point in Time Count. https://cchealth.org/h3/coc/reports.php#PIT

Table 73: West Contra Costa County Unsheltered Point in Time Count, 2020 ~~2022~~

Jurisdiction	Total
Pinole	7
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

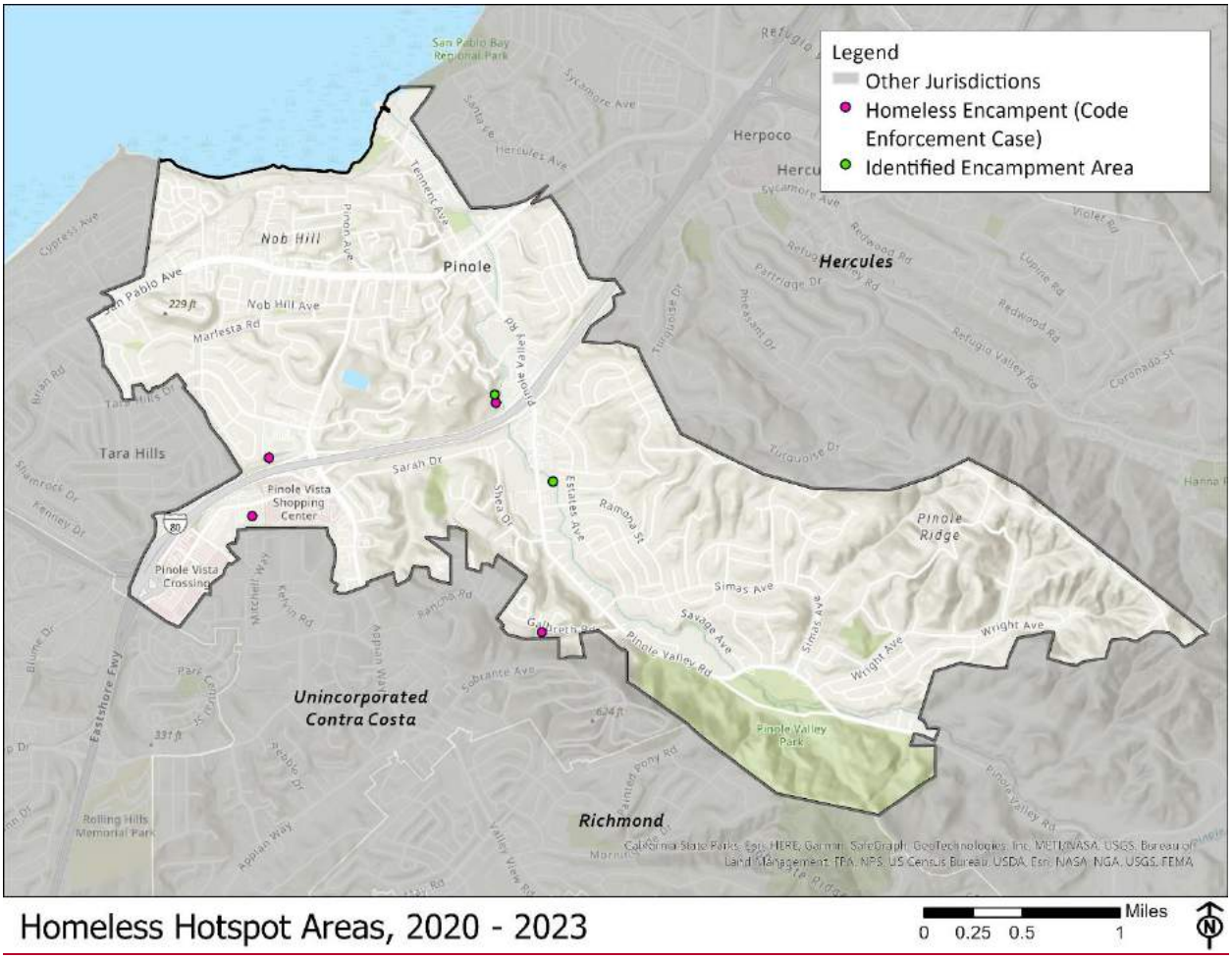
To understand the spatial trends of homelessness in Pinole, the City reviewed recent code enforcement data and contacted the City of Pinole Police Department. The Pinole Police Department's Community Outreach Unit includes its Homeless Outreach Program. The Police Department noted that in its experience in outreaching with persons experiencing homelessness in the city, the majority, are homeless by choice. The needs of persons experiencing homelessness by choice may include access to meals, showers, and public restrooms.

Though the 2023 PITC has not yet been released, an estimate from the Pinole Police Department identified ~~between~~ 5 – 10 unsheltered homeless persons in the City in 2023.

The Pinole Police Department identified two areas popular with ~~of~~ persons experiencing homelessness in the City - adjacent to the Pinole Library, and besides the bowling alley. From April 2020 through March 2023, there were four code enforcement cases opened for homeless encampments. The location of these cases as well as the locations identified by the Pinole Police Department as popular homeless locations are shown in Figure 48 below. The location behind the bowling alley was identified by both a code enforcement case and the Pinole Police Department.

These locations areas are not concentrated in one specific street, neighborhood, or corridor in the City. They are not clustered in areas of the City in the low TCAC resource category. Three of the spots are located relatively close to the I-80 freeway. Three of the points are along Pinole Creek. All of the identified common locations are on parcels with areas that have a number of trees, open space, and the ability to access shade. Five of the six identified homeless areas are within ½ mile of a transit stop, which could provide access to services in Pinole or neighboring jurisdictions. Several spots are also located behind large buildings which provide screening and a form of separation, protection and privacy from other uses. The location in the southern part of the City is not close to a transit stop.

Figure 48: Homeless Hotspot Areas



Homeless Hotspot Areas, 2020 - 2023

Source: City of Pinole Police Department and Code Enforcement.

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. Information regarding these services is available on the City of Pinole's website.

The Homeless Outreach Program allows the City of Pinole staff to work directly with the homeless persons in Pinole. City staff go out in the field to meet the homeless persons in their environment to monitor their activity as well as their safety. Staff provides information on housing resources to each person experiencing homelessness that is encountered. This program has helped bridge a gap between the City and the homeless population.

Table 45 in the Housing Needs chapter lists facilities with various programs designed for people experiencing homelessness.

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.

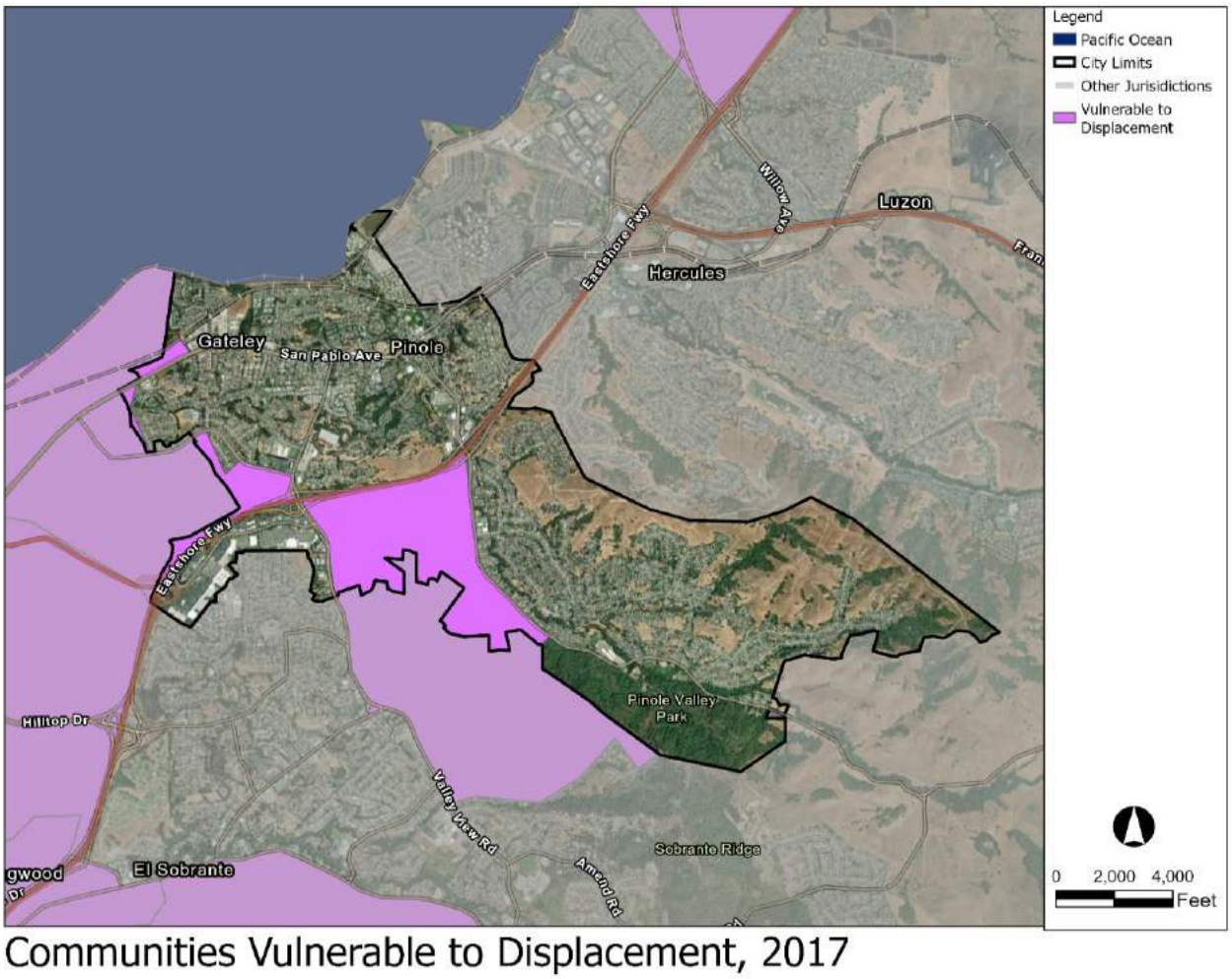
The tract must also meet two of the following criteria:

- 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 49 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 21) and Fair Housing Resources and Services Program (Program 20) to further minimize the risk of displacement.

Figure 49: Communities Vulnerable to Displacement



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 overpayment 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 19, 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 in areas with concentrations of disproportionate housing needs.

Other Contributing Factors

Local Historical Land Use, Zoning Patterns 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.

With the adoption of the Three Corridors Specific Plan in 2010 and subsequent development, the City has seen growth in areas with access to transit and employment along Appian Way, Pinole Valley, Road, and San Pablo Avenue. The purpose of the Specific Plan is to facilitate revitalization of the San Pablo Avenue, the Pinole Valley Road, and the Appian Way corridors. The City of Pinole has designated these corridors as Priority Development Areas (PDAs) through FOCUS, a regional development and conservation strategy that promotes more compact land use patterns for the Bay Area. PDAs are locally identified, infill development opportunity areas where there is local commitment to developing more housing along with facilities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. Additionally, conversations with affordable and market rate developers noted that the availability of vacant and underutilized land along these corridors was a factor in what led to developing in Pinole. Affordable housing developers referenced the increased availability of funding for projects in these corridors as they ranked higher for competitive funding sources.

Pinole is Racially Integrated

Pinole is a racially integrated City and comparisons to the region reflect this. According to the 2018 study by the University of California, Berkeley on racial segregation in the San Francisco Bay Area, "Pinole is the most integrated city in Contra Costa County, with a population that is 35 percent white, 26 percent Latino, 22 percent Asian, and 8 percent Black."[22] The updated findings using 2020 census data identified Pinole as one of the six "racially integrated" cities in the Bay Area.[23]

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[22] Racial Segregation in the San Francisco Bay Area, Part 1. https://belonging.berkeley.edu/racial-segregation-san-francisco-bay-area-part-1

[23] The Most Segregated Cities and Neighborhoods in the San Francisco Bay Area. https://belonging.berkeley.edu/most-segregated-cities-bay-area-2020

Pinole does not have a pattern of segregation. While the AFFH maps and data show relatively subtle differences between census tracks, it is not possible to determine that the differences are caused by land use patterns resulting from the General Plan or zoning. Pinole's high level of integration and diversity demonstrates that the land use patterns are providing a range of housing types and opportunities to a wide range of persons and household types and needs.

Additionally, the City conducted outreach to real estate professionals in Pinole inquiring if they had come across any racially restrictive covenants or other discriminatory practices in the City. Two respondents, each with over 20 years of experience in the City, affirmatively stated that they were not aware of any redlining, racial covenants, or other discriminatory practices in Pinole. A third respondent agreed that they had not come across such language in Pinole but had heard from other real estate professionals that racially restrictive verbiage exists in some areas in the cities of Moraga, Lafayette, and Orinda roughly 15-20 miles to the south. A fourth respondent with over 30 years of real estate experience in the area has come across recorded covenants, conditions, and restrictions for properties aged 60-70 years that have discriminatory language. However, they have never encountered discriminatory practices when representing a buyer or seller in a transaction.

Responses in the Housing Element community survey indicate Pinole is a racially integrated jurisdiction. Eighty percent (80%) of respondents said Pinole is racially integrated while 8.2% indicated it was segregated and 12% said they were unsure. Additionally, respondents noted that Pinole has become increasingly integrated in the past 10-20 years and identified Pinole as more integrated than other Bay Area jurisdictions.

No History of Restrictive Voter Initiatives

Pinole has no history of restrictive voter initiatives or growth control measures. The City Clerk's office conducted a thorough review of the records of proposed and approved voter initiatives. The search found no record of passed or proposed voter initiatives that limited growth in the City. The records review also included contacting Contra Costa County for any records of such ballot initiatives in Pinole; no initiatives were found.

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.

Regional Growth and Racial Integration

The development pattern of the San Francisco Bay Area is a result of a wide range of coordinated strategies used to continue racial exclusion prior to the state and federal fair housing legislation. Many exclusionary housing policies now common across the United States originated in the Bay Area: San Francisco was among the first cites to use zoning to target specific racial groups with policies, Berkeley's 1916 zoning ordinance established exclusive single family residential zones, and developers and other organizations created a major barrier to public and affordable housing in Oakland. Though there is no history of such practices in Pinole, the regional effects of exclusionary zoning practices can still be felt across the Bay Area.

In 2018, the Othering & Belonging Institute launched a project to investigate the extent, harm and solutions to racial residential segregation in the San Francisco Bay Area. This project utilized the Divergence Index to identify the most segregated and integrated cities in the Bay Area. According to this project, the City of Pinole was ranked as one of the most integrated cities in the Bay Area with a top five Inter-municipal Divergence score.

Insights from Local Knowledge

The fair housing analysis and prioritization of contributing factors utilized a number of sources of local knowledge to aid in understanding the unique attributes of Pinole as they relate to fair housing issues. The list below summarizes a number of local data sources an outreach efforts the City pursued to contribute to the fair housing analysis and prioritization of contributing factors in the City. The list is not comprehensive but rather provides highlights of sources of local knowledge and how they aided in analysis and forming policies and programs.

- Code enforcement data from 2020 through March 2023 illustrates the spatial distribution and quantity of homelessness and of substandard housing cases in the City. The data highlights any geographic trends in the City.
- Conversations with code enforcement regarding substandard housing. Code enforcement did not note any geographic trends of substandard housing and noted they are generally spread throughout the City.
- Conversations with the Police Department regarding the Homeless Outreach Program identified two homeless hotspots and the efforts of the Homeless Outreach Program.
- Data from BayREN of program participation show which areas in the City are utilizing the BayREN programs. This data helped to inform the geographic trends and roll-out of the partnership with BayREN that is part of Program 19.
- Conversations with developers who have recently undergone development in the City, including affordable housing developers, to understand constraints to housing

development, especially housing development for lower-income and special needs households, in Pinole and the region.

- Outreach to four real estate professionals in the City to understand their experience with any discrimination or racial covenants in Pinole and the region.
- Data from the City's fair housing provider, ECHO, regarding the number and type of fair housing complaints in the City.
- Use of the Contra Costa County Analysis of Impediments to understand regional trends and patterns and how they relate to Pinole, as well as to understand which trends commonalities and differences between Pinole and the rest of the County.

The City also utilized information from the extensive public outreach including survey results, workshop participation, focus groups, and recommendations from the Planning Commission and City Council, as documented in the Public Participation section of the AFFH as well as staff experience and knowledge to contribute to the fair housing analysis of the Housing Element.

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 74 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.

Table 74: 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 6) • SB 9 Technical Assistance (Program 5) • Affordable Housing Incentives (Program 8) • Housing for Extremely Low-Income Households and Persons with Disabilities (Program 9) • Senior Housing Incentives (Program 10) • Displacement Prevention / Housing Mobility (Program 21) • Home Sharing and Tenant Matching (Program 11)	High
Access to Opportunities	• Lower access to opportunities than Contra Costa County as a whole	• Place-Based Improvements (Program 19) • Fair Housing Resources and Services (Program 20) • Housing Resources Education (Program 22) • Home Sharing and Tenant Matching (Program 11)	~~Moderate~~High
Segregation and Integration	• Lack of affordable housing stock • Land-Use environmental restrictions	• Outreach and Technical Assistance to Applicants (Program 3) • Facilitate ADU Production (Program 4) • SB 9 Technical Assistance (Program 5)Incentives for Mixed-Use Developments (Program 6) • Affordable Housing Incentives (Program 8) • Zoning Amendments (Program 12) • Place-Based Improvements (Program 19) • ADU Education (Program 23)	Moderate

Identified Fair Housing Issue	Contributing Factor	Action (Program #)	Priority
Outreach and Enforcement Capacity	• Lack of widely publicized housing information	• Place-Based Improvements (Program 19) • Fair Housing Resources and Services (Program 20) • Housing Resources Education (Program 22) • ADU Education (Program 23)	Low

Table 75 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.

Table 75: 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 6	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 5	The City is in the process of creating informational materials to assist applicants and property owners in submitting applications for the development of SB 9 projects, which would highlight permit requirements and development standards to promote greater clarity in preparing submittals.	Zoning amendments and objective design standards by Q2 2025. Creation of simplified lot split form by Q1 2024.	Targeted promotion in the R1 zone. Targeted promotion of SB 9 units in	Facilitation of 10 SB 9 applications

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	Materials are anticipated to be completed in 2023. In the interim, City staff provides guidance to applicants and owners through correspondences by phone, email, and counter meetings to help applicants understand State standards and provisions under SB 9, discuss preliminary design concepts, and explain permit procedures. Additionally, the City is in the process of establishing objective design standards. Objective design standards would provide greater predictability and clarity regarding design attributes for new residential development and support ministerial review and are anticipated to be completed within two years of Housing Element adoption. The City has recently received its first SB 9 application. In an effort to encourage and facilitate development in single family zone, the City will pursue a number of technical assistance and facilitation efforts including: • Updating the zoning code. This will include a review of developmental standards that could constrain SB 9 development and updating the zoning code to remove such constraints. • Creating a simplified lot split form to process SB 9 projects and provide the form online • Ensure objective design standards for SB 9 units (Program 13) This program works in conjunction with Program 23, ADU, JADU, and SB 9 Education, which provide a variety resources and outreach to homeowners regarding SB 9.		neighborhoods where geographic review identifies fewer were built.	
Program 8	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	Within two years of Housing Element Adoption	Citywide	Completion of initial review of affordable

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	affordable housing beyond the City's 15 percent inclusionary requirement.			housing developments within prescribed timeline. Expedited review of projects to take 50% less time than the normal review process.
Program 9	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 10	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

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
				incentives for senior housing development in one project throughout the planning period.
Program 21	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 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.	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.	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 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.

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	A Home Sharing and Tenant Matching program can also assist in helping those who work in Pinole, including teachers, find housing options in the City.			
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 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.	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 residential developments. Annual review of available funding sources and contact to other agencies and developers.

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
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 is in the process of creating informational materials to assist applicants and property owners in submitting applications for the development of SB 9 projects, which would highlight permit requirements and development standards to promote greater clarity in preparing submittals. Materials are anticipated to be completed in 2023. In the interim, City staff provides guidance to applicants and owners through correspondences by phone, email, and counter meetings to help applicants understand State standards and provisions under SB 9, discuss preliminary design concepts, and explain permit procedures. Additionally, the City is in the process of establishing objective design standards. Objective design standards would provide greater predictability and clarity regarding design attributes for new residential development and support ministerial review and are anticipated to be completed within two years of Housing Element adoption. The City has recently received its first SB 9 application. In an effort to encourage and facilitate development in single	Zoning amendments and objective design standards by Q2 2025. Creation of simplified lot split form by Q1 2024.	Targeted promotion in the R1 zone. Targeted promotion of SB 9 units in neighborhoods where geographic review identifies fewer were built.	Facilitation of 10 SB 9 applications

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	family zone, the City will pursue a number of technical assistance and facilitation efforts including: • Updating the zoning code. This will include a review of developmental standards that could constrain SB 9 development and updating the zoning code to remove such constraints. • Creating a simplified lot split form to process SB 9 projects and provide the form online • Ensure objective design standards for SB 9 units (Program 13) This program works in conjunction with Program 23, ADU, JADU, and SB 9 Education, which provide a variety resources and outreach to homeowners regarding SB 9.			
Program 6	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 8	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

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
				within prescribed timeline. Expedited review of projects to take 50% less time than the normal review process.
Program 12	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 19	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.
Program 23	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	Develop outreach strategies and compile resources within two years of Housing Element adoption. Promotion of Home Sharing and	Increased promotion of ADUs, JADUs, and SB 9 potential in higher	Increased development of ADUs from 3 to 5 annually.

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	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. 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 11.	Tenant Matching (Program 11) six months after program development.	opportunity areas of the City as determined by TCAC opportunity area maps.	Development of 1 JADU annually.
Access to Opportunities				
Program 19	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.
Program 20	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	Biennial fair housing workshops. Ongoing provision of resources and referrals to fair housing service providers. Review of demographics to determine appropriate translation	Hold at least 50% of in person workshops for fair housing in west Pinole, or other areas with low	Provide annual workshops or information fairs with the County fair housing

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	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. 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.	and interpretation languages every 4 years.	access to opportunities per the most recent TCAC opportunity area map.	provider or another qualified fair housing provider. Provide fair housing resources or referrals to 50 households annually.
Program 22	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.

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	Promotion of housing resources and education efforts will be done in accordance with the recently adopted Communication and Engagement Plan that was created to help strengthen the City's communication efforts and effectively reach and engage residents. The Plan includes steps to develop a defined process for translation services and include bilingual communication in social media posts.			
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. A Home Sharing and Tenant Matching program can also assist in helping those who work in Pinole, including teachers, find housing options in the City.	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 19	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.	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.

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	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 20	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. The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every	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.

HE Programs or Other Activities	Specific Commitment	Timeline	Geographic Targeting	2023–2031 Metric
	five years. The City will work with the County to publicize the outreach program for the update.			
Program 22	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. Promotion of housing resources and education efforts will be done in accordance with the recently adopted Communication and Engagement Plan that was created to help strengthen the City's communication efforts and effectively reach and engage residents. The Plan includes steps to develop a defined process for translation services and include bilingual communication in social media posts.	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 23	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. 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 11.	Develop outreach strategies and compile resources within two years of Housing Element adoption. Promotion of Home Sharing and Tenant Matching (Program 11) 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.

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 76.

Table 76: 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

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 remaining RHNA need once accounting for pending projects and ADUs. The City is already meeting its low and above moderate RHNA with pending projects. Table 77 illustrates the RHNA breakdown by income category with the 20 percent buffer beyond the remaining need. As shown below, the City will provide adequate capacity for a total of at least 759 units (152% of the RHNA). This accounts for the 659 pending projects.

Table 77: 2023–2031 RHNA Buffer Calculation

Row Identifier	Capacity Category	Very Low	Low	Moderate	Above Moderate	Total
A	RHNA	121	69	87	223	500
B	Pending Projects + Projected ADUs	56	172	69	362	659
C	Remaining Need (A – B)	65	-	18	-	83
D	20% Buffer (C x 0.2)	13	-	4	-	17
E	Remaining Need + Buffer (C+ D)	78	-	22	-	100
F	Total Site Capacity (B + E)	134	172	91	362	759

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.

As a part of the Housing Element update process, the City reviewed all applications for development received. There were no applications for development in the 5th Cycle that were denied, reduced in size, or withdrawn.

Multifamily developments in the City have had success in meeting the densities required by the Zoning Ordinance. Table 78 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 78. This lowered the average yield from 109% to 83%, as shown in Table 78. 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.

The realistic capacity calculations above consider the potential for commercial development on the site in the three mixed-use zones in the City. The RHNA inventory only includes sites in the CMU and RMU mixed-use zones. The inventory does not include any sites in zones that do not allow for 100 percent residential development. The RMU zone requires at least 51 percent residential use. Both the RMU and CMU allow for 100 percent residential developments. CMU allows up to 100 percent of the floor area for residential use for developments with the inclusionary affordable housing component and community benefits as specified in the General Plan.

The City reviewed recent development, both residential and non-residential, in the mixed-use zones to determine realistic capacity. Seventy percent (70%) of all development projects in the mixed-use zones in the last eight years have been either entirely residential or mixed-use. An average yield of the residential projects in the RMU and CMU zone is 107 percent of the maximum residential density. The combined yield is 75% (70% of sites x 107% of max density). The City has had three recent redevelopment of sites as commercial-only uses. All occurred in the CMU zoning district which is oriented towards commercial in general and allows for 100 percent commercial uses onsite by right. These developments included a Valero gas station demolished and rebuilt as a 7-Eleven gas station, an approved demolition

and rebuild of the majority of the aging Appian 80 Shopping Center and Safeway supermarket, and redevelopment of a vacant medical office building as a CVS pharmacy. The Valero gas station site was small, adjacent to the freeway, and not generally suitable for housing; the Appian 80 site maintains the same shopping center use but is not precluded from future additional redevelopment for residential opportunities; and the CVS site replaces a vacant office building with a commercial building compatible with the commercial and office development in the surrounding area. As discussed above and shown in Table 78 below, realistic capacity calculations take into consideration the capacity for commercial development through the reduction of yield from the 107% in zones that allow commercial use to 70%. The assumed 70% yield is less than 75% combined yield (70% of mixed-use zoned sites x 107% of max residential density).

Table 78: Recently Built, Approved, or Proposed Multifamily Projects

Project	Land Use	Zoning	Project Density (du/acre)	Acres	Num. of Units	Max Density	Yield Percent	Calculated Percent (100% max)
Vista Woods	MUSA	R4	89	2.01	179	50	178%	100%
Appian Village	SSA, Appian Way Corridor	RMU/ CMU	20.9	7.37	154	32.7*	63%	63%
BCRE Mixed-Use Office and Residential	SSA, Pinole Valley Road Corridor	OPMU	16.6	0.61	29	30	55%	55%
SAHA Veteran's Housing	MUSA	CMU	55	1.79	34	30	183%	100%
Pinole Vista	SSA, Appian Way Corridor	CMU	37.6	5.93	223	30	125%	100%
1479 San Pablo Ave	MUSA	RMU	29.7	0.10	3	35	85%	85%
810 E Meadow	Suburban Residential	R2	15.2	0.33	5	20	76%	76%
						Average	**109.3%**	**82.7%**

* 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 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 79 displays the assumed yields for multifamily zones, by zone and provides and 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.

Table 79: 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 du/ac range. The sites in the inventory are assumed at a mix of very low-, and 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 the size criteria for the lower-income units.

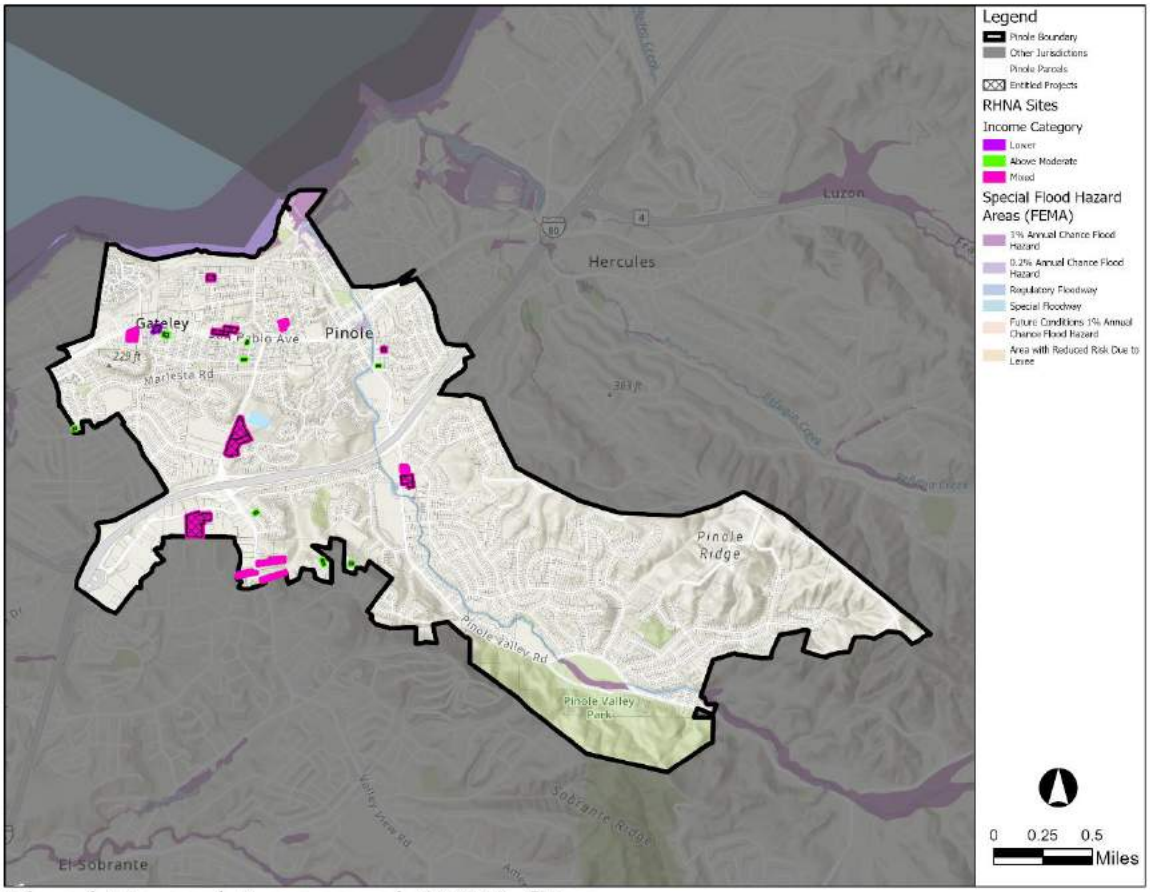
Environmental and Infrastructure Constraints

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 50 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.

Figure 50: Flood Hazard Zones



Flood Hazard Areas and RHNA Sites

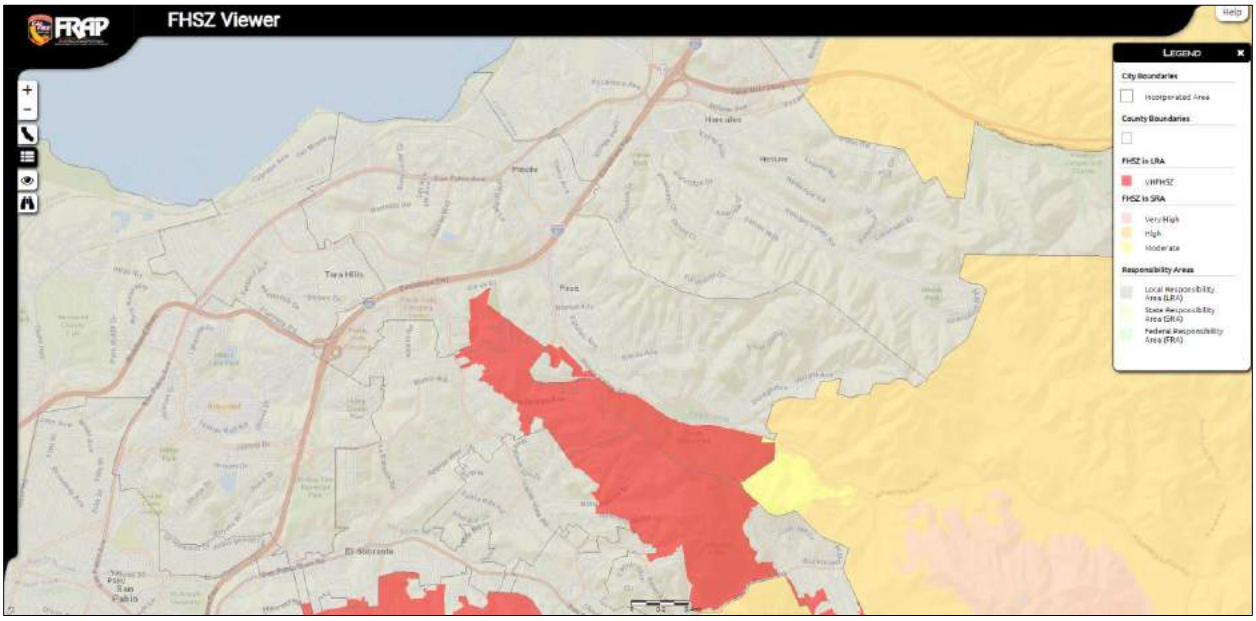
Source: Federal Emergency Management Agency.

Fire

There are few areas in the City that fall into a Very High Fire Hazard Severity Zone (VHFHSZ), as shown in Figure 51. Areas in the VHFHSZ are along the southeastern edge of the City, along the City boundary. None of the RHNA sites fall into the 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.

Figure 51: 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 are not included in the RHNA inventory. All of the RHNA sites are served by the necessary infrastructure for 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.

Entitled and Pending Projects

A total of 635 entitled units are counted toward meeting the RHNA, as listed in Table 80. There are enough entitled, deed-restricted low-income units to fully meet the low-income RHNA of 69. There are 165 low-income pending units, which yields a surplus of 96 units beyond the RHNA. There are also 359 pending above moderate units which exceed the RHNA of 223 by 136 units. In addition, there are 49 pending very low units and 62 pending moderate units.

All entitled projects are anticipated to be completed in the 6th Cycle. There are no known barriers to the completion of any of these projects within the 6th Cycle. The City reviewed residential development applications received during the previous cycle, and there were no projects that were withdrawn, decreased in size, or denied.

Entitled and pending projects are described in detail below. Appendix D includes letters from developers of these projects indicating their intent to complete the projects in the next eight years. Appendix B provides additional information on pending projects. The City is committed to ensuring adequate sites are available to meet the RHNA, and should circumstances change and any of these projects are not anticipated for completion during the 6th Cycle, the City will identify additional sites and programs as necessary (see Program 1).

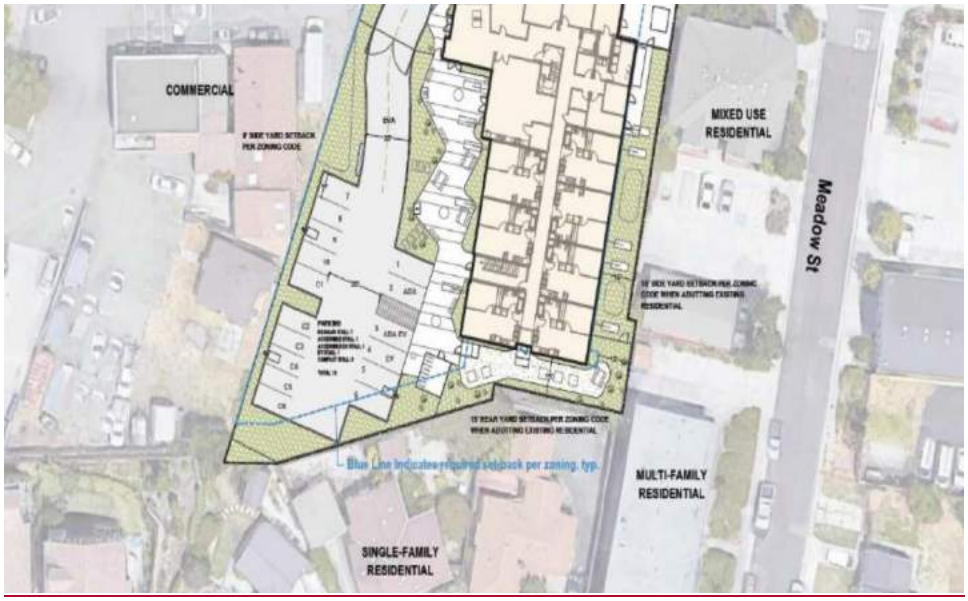
Projects with affordable units are deed-restricted for a length of 55 years. All very low, low, and moderate income units listed in Table 80 will be deed-restricted. Agreements approved by City Council are required for all projects with affordable (including moderate-income) units to document the terms of affordability. The approval of agreements are required prior to final inspection. 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.

Appian Village

Appian Village is an all-electric residential condominium housing development. It consists of 154 units including 8 units for sale to low-income households and 23 units for sale to moderate income households. It is the reuse of a former hospital site. The project was entitled in one hearing with the Planning Commission. The demolition permit was issued on September 9, 2022 and the building permit submitted on December 13, 2022.

SAHA Affordable Veteran's Housing

The Satellite Affordable Housing Associates (SAHA) development is 33 units on a 0.61 acre previously vacant infill parcel. The development is all lower-income housing units. The project is on city-owned land and the City is contributing over three million dollars in Housing Asset Funds towards the project's construction. The project was entitled in under five months from application submittal and in one hearing with the Planning Commission. A grading permit was submitted on July 5, 2022 and building permit was submitted on December 12, 2022. Construction will begin in June 2023.

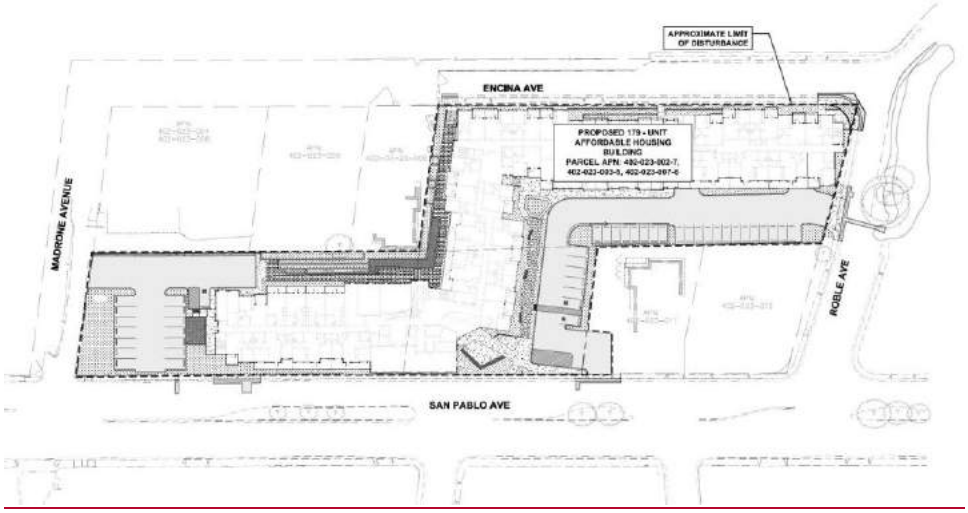


BCRE Mixed-Use

This mixed-use project consists of adding 29 units and additional office/commercial space to an existing office/commercial use on a 1.79 acre site. It was entitled in one hearing with the Planning Commission. The grading permit was submitted on January 30, 2023.

Vista Woods

The Vista Woods project is 179 units on a 2.01 acre site and is 100 percent affordable senior housing. The project is currently under construction. The project was entitled in less than six months from the application submittal and in one hearing with the Planning Commission. Building permits were issues within four months of building permit submittal. The Affordable Housing Agreement was approved by City Council on November 16, 2021.



Pinole Vista

The Pinole Vista project is a 223 unit redevelopment project on a 5.93 acre site with a vacant former commercial building. There are 13 very low and 14 low income units included in the development. The project includes horizontal mixed use and connections to existing transit. It was entitled in one hearing with the Planning Commission and one hearing with the City Council. The building permit application is anticipated by October 2023.

Other Developments

There are eight of other small developments included in the pending project list, totaling 17 units. Appendix B provides additional information on these pending projects. They include:

- -Four new single family homes with new ADUs (8 total units)
- Two new single family homes
- A new triplex

- A new four-lot subdivision, including one for sale moderate income unit

Table 80: Entitled and Pending Projects

Entitled and Pending Projects	Very Low	Low	Moderate	Above Moderate	Total
Single Family Homes, ADUs, triplex, and lot subdivisions	-	-	2	15	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**	**62**	**359**	**635**

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 and Program 23 to incentivize and encourage ADU development. This includes continuing the process of working with the state to update the ADU ordinance to comply with state law. 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. The programs also include monitoring the affordability levels of ADUs to ensure they are being built at the projections below. If annual production and affordability rates do not match the estimates included in the Sites and 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 or identify additional sites using the additional development opportunity list the City maintains.

The ADU programs also ~~This~~ include~~s~~ measures to specifically facilitate ADU construction for lower-income households per California Government Code Section 65583(c)(7).

ADU Production Trends

Table 81 illustrates trends in ADU production since 2018. ADU production has grown and is expected to continue expanding throughout the 6th Cycle. In 2022, the City has permitted four ADUs through September, with 6 additional applications undergoing review. The 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 81: ADUs Building Permits Issued

Year	# of ADUs
2018	1
2019	2
2020	5
2021	3
2022	4*
Average	**3**

Source: City of Pinole.
* Through September 2022

Affordability Trends

To best predict future affordability levels, the City relies on the ABAG "Using ADUs to Satisfy RHNA" Technical Memo,[24] which contains the affordability assumptions for ADUs as shown in Table 82. 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 82: ADU Affordability Assumptions

Percent	Income Category	# of ADUs
30%	Very Low	7
30%	Low	7
30%	Moderate	7
10%	Above Moderate	3

[24] ABAG. "Using ADUs to Satisfy the RHNA." https://abag.ca.gov/sites/default/files/documents/2022-06/ADUs-Projections-Memo_final.pdf

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 of the unmet RHNA units (83). The existing zoning has capacity to meet the RHNA without rezoning, as shown in Table 83, through pending projects, ADUs, and both vacant and non-vacant sites. The development considered in this table takes development constraints into consideration when evaluating each site's development potential, such as environmental constraints and split-zoning.

To meet the unmet 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 sites are projected with a mix of very low- and moderate- incomes.

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 does not include any sites used in previous cycles. Thus, this provision is not applicable to the sites inventory for Pinole.

Table 83: Housing Capacity

Row Identifier	Category	Very Low	Low	Moderate	Above Moderate	Total
A	RHNA Requirement	121	69	87	223	500
B	Pending Projects	49	165	62	359	635
C	ADUs	7	7	7	3	24
D	*Unmet RHNA (A – B – C)*	*65*	-	*18*	-	*83*
E	*Unmet RHNA + 20% Buffer (D x 1.2)*	*78*	-	*22*	-	*100*
F	Vacant Opportunity Site Capacity	45	-	15	-	60
G	Non-Vacant Opportunity Site Capacity	40	-	12	-	52
H	**Total Identified Capacity (B + C + F +G)**	**141**	**172**	**96**	**362**	**771**
I	Opportunity Site Capacity Buffer ([F +G] / D)	31%	-	50%	**-**	**-**

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 84. Ninety percent (170 units) of the 190 lower-income RHNA units will be met by the pending entitlement sites, projected ADUs, and vacant RHNA sites. The remaining 10 percent (20 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 (165 units). In addition to meeting the low-income RHNA already, the City has 49 pending very low-income units and 7 projected very-low income ADUs. This sums to a total of 125 pending units and ADUs (69 pending low-income units, 49 pending very-low income units, 7 projected very low ADUs).

Beyond this, the City also has capacity on vacant sites for additional 45 lower-income units. This totals to 170 units on vacant, pending sites, or ADUs, resulting in an excess capacity of 75 units beyond the 50 percent that is needed per Government Code Section 65583.2 (g) (2).

Table 84: Lower-Income Capacity

Category	Units	% of Lower-Income RHNA
Low and Very Low Income RHNA	*190*	*100%*
50% of Low and Very Low Income RHNA	*95*	*50%*
Total Provided	**170**	90%
Low Income RHNA (Met by Pending Units)	69	36%
Very Low Income Pending Units	49	26%
Very Low Income Projected ADUs	7	4%
Lower Income Capacity: Vacant Sites	45	24%
Excess Capacity beyond 50%	75	-

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 permanent and add significantly to the value of the property."[25] The vacant site capacity is shown by zone in Table 85.

[25] HCD. Housing Element Sites Inventory Guidebook. https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf.

Table 85: Vacant Site Capacity

APN	Zone	Capacity
401350015	R2	11
426020027	RMU	25
430290006	RMU	12
430290026	RMR/R*	12
Total:	-	**60**

*Capacity calculated for RMU portion of parcel only.

Non-Vacant Sites

There are two 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 and RMU) as sites that have been recently developed. Existing uses include small, older commercial buildings on large mixed-use parcels. 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 87 summarizes the capacity of non-vacant sites included to meet the RHNA. The realistic capacity of non-vacant sites is 40 very low and 12 moderate units.

As shown in Table 84, 170 units (90 percent) of the 190 lower-income RHNA units will be met by the pending entitlement sites, projected ADUs, and vacant RHNA sites. The remaining 20 units (10 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 recently approved project 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 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.~~ Recent development of non-vacant sites in the City include:

- An entitled redevelopment of a former Kmart into a mixed-use development with 223 units.
- The demolition of the existing vacant Doctors Medical Center Pinole Campus and a subsequent development of 154 units.

- 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.
- A former redevelopment property adding four units into an existing mixed-use building
- A former redevelopment property adding two units into an 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 1.0, with the sites having ratios of 10.0 and 1.2.

The table below compares aspects of recent redeveloped sites to RHNA opportunity sites. The opportunity sites share similarities with the recent redeveloped sites such as the year built, acreage, land improvement ratio, and maximum density. Especially when comparing the opportunity sites to the BCRE project, the similarities are even closer in addition to each of the projects being mixed-use. The comparison on non-vacant sites to recent projects below can be used as justification for likelihood of redevelopment.

A floor area ratio is not utilized in any of the zones of Pinole. The two opportunity sites have significant additional floor area that could be developed before reaching any maximum floor area requirements. There is no maximum developable floor area or building coverage; the sites are just limited by setbacks and height.

Table 86: Comparison on Non-Vacant Sites to Recent Projects

Project	Jurisdiction	Year Built	Acreage	LIR	Max. Density
Appian Village	Pinole	1967	7.37	38.4	32.7*
BCRE Mixed-Use	Pinole	1984	0.61	0.8	30
Pinole Vista	Pinole	1981	5.93	5.6	30
Vista Woods	Pinole	1948, 1984	2.01	120	50
612 Tennent	Pinole	1908	0.12	0.57	35
2279 Park	Pinole	1945	0.12	1.4	35

Opportunity Site #1	Pinole	1975	0.6	10.0	30
Opportunity Site #3	Pinole	1966	1.6	1.2	35

Table 87: Non-Vacant Site Capacity

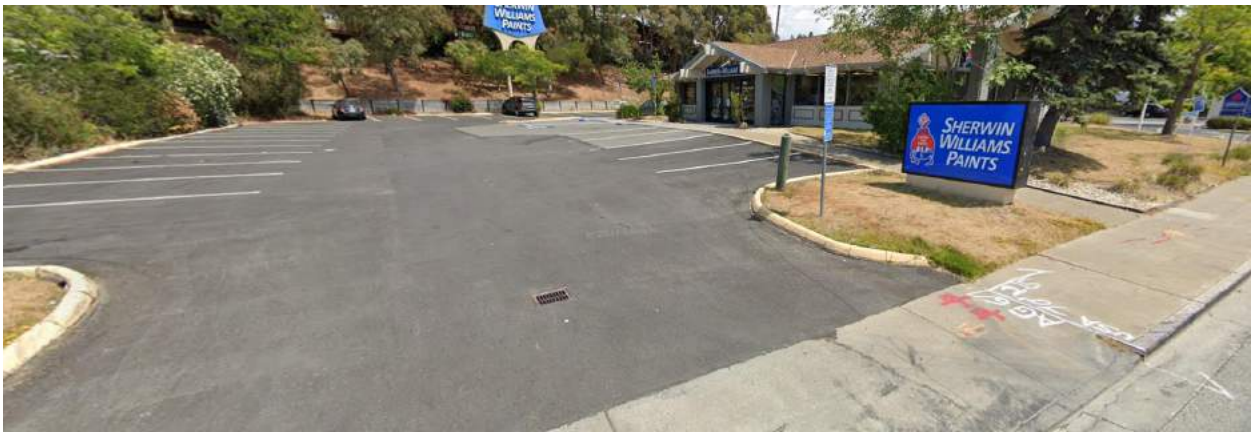
Opportunity Site #	APN	Zone	Capacity
Opportunity Site #1	360010031	CMU	14
Opportunity Site #3	403051012	RMU	38
Total:		**-**	**52**

2727 PINOLE VALLEY ROAD (CMU)

APN 360010031

2727 Pinole Valley Road, APN 360010031

This 0.63-acre site at 2727 Pinole Valley Road is currently about 12 percent occupied by a paint store. The building was built between 1968 and 1980. 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 grocery stores, restaurants, personal services, a library, tennis courts, transit stops, 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. The existing commercial use is not anticipated to be an impediment to redevelopment due to the age of the building, high land-improvement ratio, and location of the parcel. The existing use could be maintained with redevelopment, similar to a recently approved project in the OPMU mixed-use zone. There is no maximum developable floor area or building coverage; the site is limited by applicable setbacks and height.



2727 Pinole Valley Road, APN 360010031

725 San Pablo Avenue (RMU)

APN 403051012

725 San Pablo Avenue, 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, similar to a recently approved project in the OPMU zone. 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 38 units. The existing commercial use is not anticipated to be an impediment to redevelopment due to the age of the building, high land-improvement ratio, and location of the parcel.

725 San Pablo Avenue, APN 403051012

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 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 7, 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 19).

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
- 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 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 88: 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 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 cites 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
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 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 6).

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 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.

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.

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.

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 89.

- 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).

Table 89: 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.

The City is not including any reused sites from the 4th or 5th Cycle in the inventory to meet the RHNA. Therefore, the requirements of Government Code sections 65583.2(h) and (i) do not apply. The statutory requirements of Government Code sections 65583.2(h) and (i), require by-right approval of housing development that includes 20 percent of the units as

housing affordable to lower-income households on 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.

The City will keep a list of additional development opportunity sites to be used in the case of a net loss situation. Should the City have a net loss during the Cycle, this list shall provide the priority replacement sites to add to the RHNA site inventory. The City has begun development of this list, which currently includes six sites that have the combined capacity for 109 units eligible for lower-income development. These additional development opportunity sites provide for an additional 131% of the unmet RHNA (83 total units).

The City will conduct a mid-cycle review of units built and capacity to meet the RHNA in 2027. If the entitled projects are not anticipated to be completed during the 6th at this time, the City will identify additional sites from the list described above and/or programs to adequately meet the RHNA.

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. Creation of additional development opportunity site list to use in the case of a net loss within three months of Housing Element adoption. Mid-cycle review by Q1 2027. Identification of additional sites or programs by Q3 2027.

Funding Source: General Fund

Quantified Objective: Provide adequate sites to accommodate the City's entire RHNA allocation of 500 units, including the 83 units not met with pending projects or projected ADUs. 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.

Program 3. Outreach to Developers 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.
- Facilitate communication with applicants and PG&E to assist with requirements of utility undergrounding.

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.
- Annual and proactive outreach to developers of housing for special needs and lower-income households. The City shall contact ~~affordable~~ such 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 on 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 affordable housing builders annually with information about sites to facilitate development of affordable rental housing and housing for special needs populations. 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 23, 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.

If annual production and affordability rates do not match the estimates included in the Sites and 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 ~~revisit ADU promotion strategies and resources~~adopt another ADU program or identify additional sites using the additional development opportunity list the City maintains 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 achieves the RHNA projections (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.
- **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~~ 5 – 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 or in-lieu fees, 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; additional ADU program or identification of sites within 6 months if production and affordability are not matching estimates. 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. SB 9 Technical Assistance and Facilitation

The City is in the process of creating informational materials to assist applicants and property owners in submitting applications for the development of SB 9 projects, which would highlight permit requirements and development standards to promote greater clarity in preparing submittals. Materials are anticipated to be completed in 2023. In the interim, City staff provides guidance to applicants and owners through correspondences by phone, email, and counter meetings to help applicants understand State standards and provisions under SB 9, discuss preliminary design concepts, and explain permit procedures. Additionally, the City is in the process of establishing objective design standards. Objective design standards would provide greater predictability and clarity regarding design attributes for new residential development and support ministerial review and are anticipated to be completed within two years of Housing Element adoption.

The City has recently received its first SB 9 application. In an effort to encourage and facilitate development in single family zone, the City will pursue a number of technical assistance and facilitation efforts including:

- Updating the zoning code. This will include a review of developmental standards that could constrain SB 9 development and updating the zoning code to remove such constraints.
- Creating a simplified lot split form to process SB 9 projects and provide the form online
- Ensure objective design standards for SB 9 units (Program 13)

This program works in conjunction with Program 23, ADU, JADU, and SB 9 Education, which provide a variety resources and outreach to homeowners regarding SB 9.

Implementing Agency: Community Development Department

Supporting Agency: Finance Department

Timeline: Zoning amendments and objective design standards by Q2 2025. Creation of simplified lot split form by Q1 2024.

Funding Source: General Fund,

Quantified Objective: Facilitation of 10 SB 9 applications.

Geographic Targeting: Targeted promotion in the R1 zone. Targeted promotion of SB 9 units in neighborhoods where geographic review identifies fewer were built.

~~Program 5.~~Program 6. 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 7).
- Prepare, update, or revise EIR as appropriate to provide CEQA clearances for projects that comply with existing zoning . The City will review and update as necessary the EIR prepared for the GP and Specific Plan so that individual projects can utilize opportunities for tiering from environmental documentation and streamlining provided under CEQA, where applicable, which can reduce duplicative analyses and streamline environmental review. The City will begin the review within 3 years of Housing Element adoption and complete it within 6 years of adoption.
- 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. Begin the review of environmental documents within 3 years of Housing Element adoption and complete it within 6 years of adoption.

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.~~Program 7. 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 and provide ownership of housing for moderate and lower-income households 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 8).

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.

Geographic Targeting: Target 50 percent of affordable housing funding towards development of affordable housing and facilitating ownership of housing for moderate and lower-income households in higher opportunity areas.

~~Program 7.~~Program 8. 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 ~~above~~ in excess of the 15 percent inclusionary units requirement~~d~~.

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 Agency: 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.

~~Program 8.~~Program 9. Housing for Extremely Low, Very Low, Low, and Moderate Income Households and Special Needs Households, Including Persons with Disabilities

To encourage and facilitate the development of housing for lower income households, especially ~~ELI~~extremely low income households and special needs households, including housing for persons with disabilities, the City ~~-~~is pursuing a number of efforts identified in this program and in coordination with other programs in the Housing Element. As identified

in the needs analysis of this Housing Element, special needs households with the greatest identified need in Pinole include the elderly and persons with disabilities. Specific actions and timelines to assist in the development of housing for extremely low-, very low-, low-, and moderate-income households, as well as housing for persons with special needs are as follows:

- Develop a Housing Successor's Low and Moderate Income Housing Asset Fund Policy that prioritizes affordable housing developments for extremely-low income households, households with special needs and households with persons with disabilities. ~~(see Program 7).~~ The policy guide will consider RHNA requirements, local housing needs, such as the needs of special needs households, demographics, and fair housing objectives, among other factors and will be completed within 3 years of Housing Element adoption. (see Program 7).
- Develop a fee waiver program that would provide low or no-cost building permits to age-qualified, ~~ELI~~ lower income households, and qualified special needs ~~disabled~~ households to make improvements to their home for universal design. The fee waiver program will help reduce costs for qualifying special needs households to improve their homes. The City will develop a list of qualifying households and qualifying upgrades for the program. Eligible improvements may include plumbing, roofing, water damage, accessibility/mobility modifications, and improvements to make moving around inside and outside the home easier, such as stair lifts and hand rails. The Program will be completed with 18 months of Housing Element adoption.
- Reduce parking standards for ~~ELI~~ lower-income household developments. Zoning Ordinance amendments for will be completed within two years of Housing Element adoption.
- Contact housing service providers within Contra Costa County to determine the best way to facilitate development of housing for extremely low-income households and special needs households, including persons with disabilities within one year of Housing Element adoption~~.~~
- 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), and other special needs households.
- Implement a waiver of park impact fees for all deed-restricted affordable units in excess of the 15 percent inclusionary units requirement within two years of Housing Element adoption (see Program 8.)
- A suite of actions to encourage development of housing for seniors as outlined Program 10. Actions include reducing parking for senior housing developments, a home sharing and tenant matching program, enhanced rebate options for energy efficient home improvements, and participation in regional programs.

- Annually contact developers of special needs and lower income housing to assist in development where feasible by:
  - Assisting and supporting new applications.
  - Providing priority processing, in coordination with Program 8.
  - 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 and proactive contact of housing developers. Coordination with Contra Costa County within one year of Housing Element adoption. ~~Use of one or more incentives for ELI lower income 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.

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. Assist 25 lower income or special needs households with the fee waiver program. Use of one or more incentives for lower income and/or households with persons with disability housing development in one project throughout the planning period.

~~Program 9.~~Program 10. 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 9).
- Enhanced rebate incentives for homeowners to make it financially feasible to undertake energy efficient and weatherization projects (per Program 19).

- Promote home match shared housing programs (per Program 11), 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. Continue the partnership with the Contra Costa and Solano Food Bank to provide food resources to the community and 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.~~Program 11. 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 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 23 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.

A Home Sharing and Tenant Matching program can also assist in helping those who work in Pinole, including teachers, find housing options in the City.

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 23).
- Active promotion of the shared housing program through senior citizen organizations such as the Pinole Senior Center and educational institutions in the City.

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.~~Program 12. 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 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).

- Review and revise standards and definitions for both group homes and residential care facilities to ensure that they are fully compliant with all appropriate state laws and that there are no constraints on group homes in the Zoning Code. This includes an amendment to allow group homes in the R zone as a permitted use by right as is allowed in all other residential zones and adding a definition of group residential to the Zoning Code.
- Review the definition of family and revise as appropriate to ensure that the definition does not require, or imply that it requires a single lease or rental agreement.
- Amend the zoning ordinance to comply with state density bonus law (California Government Code section 65915). Specifically the update will increase the maximum density bonus from 35 to 50 percent, add student housing as a housing type that is eligible for density bonus incentives, reduce parking from 2 to 1.5 spaces for two and three bedroom units and from 2.5 to 2 spaces for four or more bedroom units. The City is complying with state density bonus law though the code is not yet updated.
- The City will reduce the level of approval for a parking reduction or shared parking agreement from a conditional use permit to an administrative use permit, which approval by the Zoning Administrator. The City will review the four criteria for a parking reduction to evaluate additional criteria or/and reduce the minimum number of required criteria.
- The City will further study parking requirements and reduce them so they do not post a constraint on development. Specifically, the City will do one or more of the following: remove or reduce guest parking, remove covered parking requirements, allow tandem parking, or reduce minimum parking requirements. The City is pursuing assistance with parking evaluation and reduction through MTC-ABAG's parking policy technical assistance.
- ***Implementing Agency:*** Community Development Department

Supporting Agency: N/A, MTC-ABAG (parking policy technical assistance)

Timeline: Within two years of Housing Element adoption.

Funding Source: General Fund

Quantified Objective: Not Applicable

~~Program 12.~~Program 13. SB 330 Objective Design Standards and SB 35 Streamlining Compliance

SB 330 enacts changes to local development policies, permitting, and processes that will be in effect through January 1, 2025. SB 330 places new criteria on the application requirements and processing times for housing developments; prevents localities from decreasing the housing capacity of any site, such as through downzoning or increasing open space requirements, if such a decrease would preclude the jurisdiction from meeting its RHNA

housing targets; prevents localities from establishing non-objective standards; and requires that any proposed demolition of housing units be accompanied by a project that would replace or exceed the total number of units demolished. Additionally, any demolished units that were occupied by lower-income households must be replaced with new units affordable to households with those same income levels.

The City will ensure compliance with SB 330, by requiring any demolished units that were occupied by lower-income households to be replaced with new units affordable to households with those same income levels and establishing objective design standards.

Pursuant to SB 330, the City will review and amend the Zoning Ordinance and Design Review Guidelines to ensure that all development standards, design guidelines, and findings are objective, and promote certainty in the planning and approval process. The objective standards will also include standards for SB 9 projects. The City has begun the process and is currently cataloging existing objective and subjective standards. Through implementing objective design standards, the City is aiming to reduce the time it takes to complete the comprehensive design review process.

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. Faster permit turnaround time.

~~Program 13.~~Program 14. 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 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.~~Program 15. 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 8)

The City is in the process of implementing an electronic permitting application and tracking system. The online permitting process will help to expedite permitting procedures and will make permitting submittals and subsequent reviews easier for applicants, including allowing applicants to review items needed for submittals, check current project status, and digitally submit materials.

Implementing Agency: Community Development Department

Supporting Agency: Public Works Department

Timeline: Within two years of Housing Element adoption. Electronic permitting process anticipated to be in place by the end of 2023.

Funding Source: General Fund

Quantified Objective: Amended zoning ordinance.

Conserve, Preserve, and Improve the Housing Stock

~~Program 15.~~Program 16. 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.~~Program 17. 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.

Implementing Agency: Community Development Department

Supporting Agencies: Finance Department and City Manager Department

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.~~Program 18. Housing Preservation/Below Market Rate Regulations and Conversions

The City will take appropriate steps to preserve affordable units. This includes ensuring~~e~~ that the units with ~~covenants for below-market rate units~~affordability covenants 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.

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.~~Program 19. 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. Goals in the draft EJ Element are organized and grouped into the following topic areas:

- Equity in Access: healthy food, public facilities, public transit, key employment centers, government services, medical/health services, quality schools, and childcare.
- Equity in Environment: air quality, water quality, health risks associated with climate change and climate vulnerability, safe and sanitary housing.
- Equity in Civic Engagement Opportunities: access to civic engagement opportunities, access to voting/polling places
- Equity in Generations: preserving the right of future generations to live, work, and enjoy 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, and park quality 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.

- **Park Master Plan:** 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. The master plan will also consider differences in quality between parks on a geographic level and address this accordingly in the plan.
- **Improvements at Fernandez Park:** Replacement of rubberized surface improvements at tot lot and replacement of existing engineered mulch with rubberized surface at older age play equipment.

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.~~Program 20. 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.

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.~~Program 21. 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 20.

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.

Geographic Targeting: Conduct the source of income protection/tenant's rights workshop in west Pinole.

Housing Education and Community Outreach

~~Program 21.~~Program 22. 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 20.

Promotion of housing resources and education efforts will be done in accordance with the recently adopted Communication and Engagement Plan that was created to help strengthen the City's communication efforts and effectively reach and engage residents. The Plan includes steps to develop a defined process for translation services and include bilingual communication in social media posts.

Implementing Agency: Community Development Department

Supporting Agency: 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.~~Program 23. 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 an JADU process and what financial resources are available, such as CalHOME funding for homeowners to build ADUs. 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 provide information regarding ADUs, JADUs, and SB 9 opportunities at no less than 2 events annually. Events could include workshops, a Q&A session, or presence at community events throughout the year. Examples of community events where the City may provide the information include National Night Out, the summer concert series, the Earth Day Event, and the Easter Egg Hunt.

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 20. 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 property.

This program will work in conjunction with Program 11. 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 Agency: Public Works Department, Community Services Department, City Manager's Department, Pinole Community Television

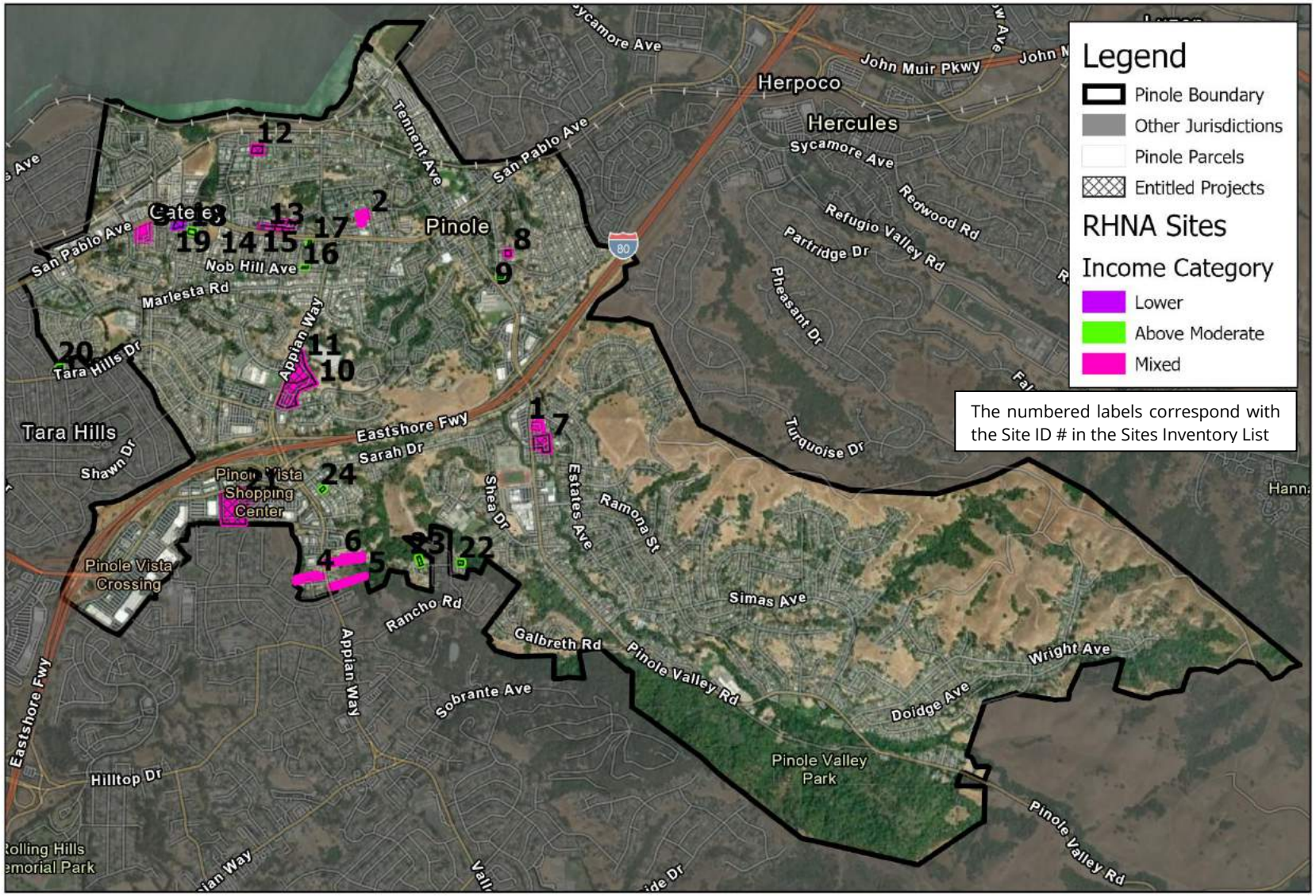
Timeline: Develop outreach strategies and compile resources within two years of Housing Element adoption. Promotion of Home Sharing and Tenant Matching (Program 11) six months after program development. Outreach at no less than 2 events annually.

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



Michael Baker INTERNATIONAL

0 0.5 1 Miles

Pinole RHNA Sites and Entitled Projects

APPENDIX B: SITES INVENTORY LIST

Opportunity Site Inventory

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	4th Cycle	5th Cycle
1	2727 PINOLE VALLEY RD	94564	360010031	Service Sub-Area	CMU	30	0.67	11	3	0	14	Yes	-	Commercial	-	-
2	LAUREL AVE, north of 580 Laurel Ave*	94564	401350015	Medium Density Residential	R2	20	0.78	8	3	0	11	Yes	-	Vacant	-	-
3	725 SAN PABLO AVE	94564	403051012	Mixed Use Sub Area	RMU	35	1.56	29	9	0	38	Yes	-	Commercial	-	-
4	APPIAN WAY, south of 2672 Appian Way*	94564	426020027	Mixed Use Sub Area	RMU	35	1.03	19	6	0	25	Yes	-	Vacant	-	-
5	2693 APPIAN WAY	94564	430290006	Mixed Use Sub Area/Rural	RMU	35	1.04	9	3	0	12	Yes	-	Vacant	-	-
6	APPIAN WAY, south of 2655 Appian Way*	94564	430290026	Mixed Use Sub Area/Rural	RMU/R	35	1.63	9	3	0	12	Yes	-	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.**

Entitled Projects Inventory

Site ID # (On Map)	APN	Address	Zip Code	Zoning	Lower Income Units	Moderate Income Units	Above Moderate Income Units	Total Units
7	360010029	2801 Pinole Valley Road	94564	OPMU	4	0	25	29
8	401192015	2525 Brandt Court	94564	R-1	0	1	1	2

Site ID # (On Map)	APN	Address	Zip Code	Zoning	Lower Income Units	Moderate Income Units	Above Moderate Income Units	Total Units
9	401193006	1169 Pinole Valley Road	94564	R-1	0	0	2	2
10	401240017	2151 Appian Way	94564	RMU/CMU	8	23	123	154
11	401240018		94564	RMU/CMU	*	*	*	*
12	402013060	1630 Hazel Street	94564	R-1	0	1	3	4
13	402023002	600 Roble Ave, 1109 San Pablo Ave, 1230 San Pablo Ave	94564	R-4	142	37	0	179
14	402023003	600 Roble Ave, 1109 San Pablo Ave, 1230 San Pablo Ave	94564	R-4	*	*	*	*
15	402023007	600 Roble Ave, 1109 San Pablo Ave, 1230 San Pablo Ave	94564	R-4	*	*	*	*
16	402050021	980 Second Ave	94564	R-1	0	0	1	1
17	402050023	1479 San Pablo Ave	94564	RMU	0	0	3	3
18	402161025	816 E Meadow	94564	R-2	0	0	5	5
19	402166030	811 San Pablo Ave	94564	CMU	33	0	0	33
20	403500020	472 Limerick Rd	94564	R-1	0	0	2	2
21	426391010	1500 Fitzgerald Drive	94564	CMU	27	0	196	223
22	430240025	8 N. Rancho Court	94564	R-1	0	0	2	2
23	430260013	209 N Rancho Pl	94564	R-1	0	0	1	1
24	430302012	2529 Lynn Dr	94564	R-1	0	0	1	1

APPENDIX C: PUBLIC PARTICIPATION

Return to Agenda

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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
- 11 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.

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.

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**.**

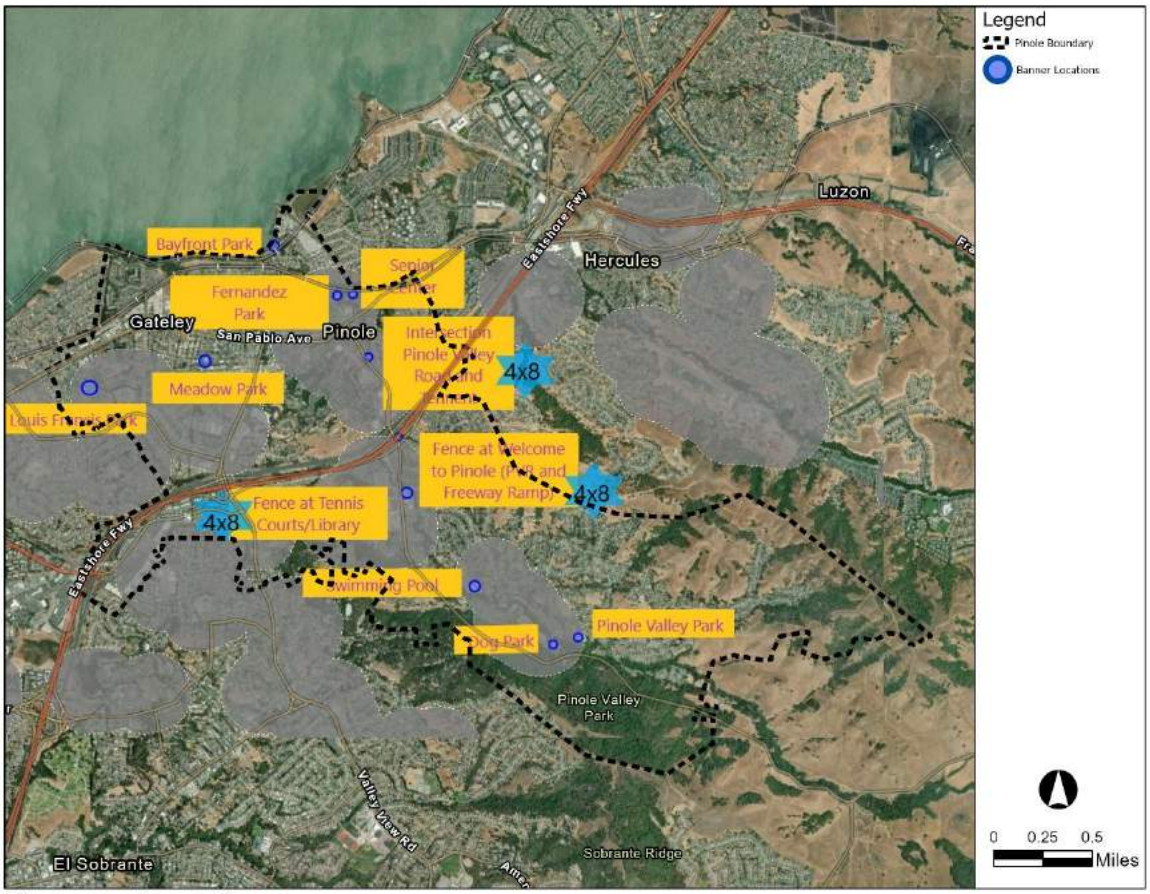
Meeting links and announcements were regularly updated on the City's Housing Element website and social media accounts, including Instagram and Facebook. survey was conducted to obtain "local knowledge" about housing, health and safety, and environmental justice. A total of 149 people participated in the online survey, which was offered in English, Spanish, Cantonese, and Tagalog. The results of the housing portion of the survey are reported below. Some survey questions presented the option to select "other" and include written responses. Those write-in responses are reported following the original survey question.

Group Category	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

	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

BANNERS LOCATIONS AND PHOTOS

A map of the locations of the eleven banners posted across the City and photos of the banners are shown below.



Banner Locations

Banner at Pinole Swimming Pool

Banner at Pinole Senior Center

Banner at San Pablo Avenue and Oak Ridge

Banner at PVR Park

Banner at PVR Park and Tennent

Banner at Lou Francis Park

Banner at Pinole Valley Road and Freeway Entrance

Banner at Meadow Park

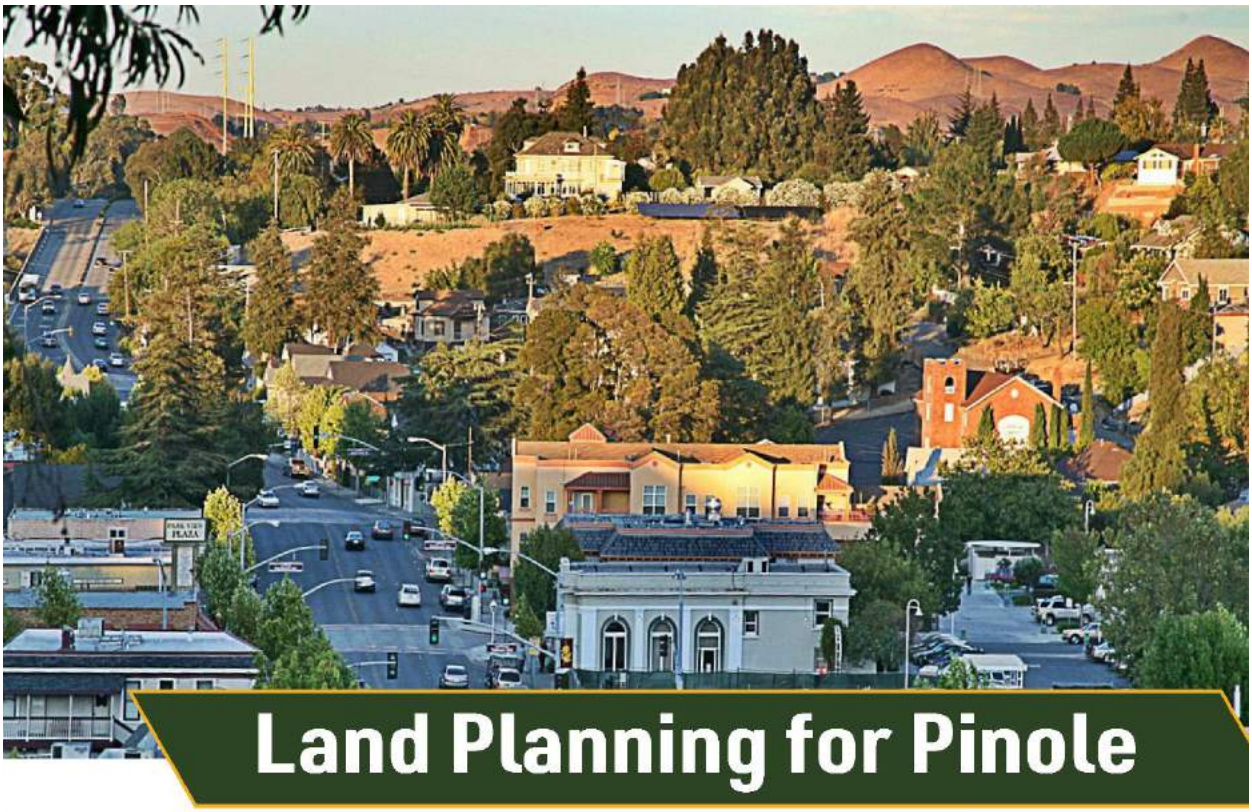
Banner at Fernandez Park

Banner at Bayside Park

Banner at Pinole Valley Dog Park

SOCIAL MEDIA POSTS

The social media posts that were posted on various social media sites including Instagram, Facebook, and Nextdoor and fliers used are shown below. Provided are the social media posts and flier for the October 24th Planning Commission meeting and November 15th City Council meeting, flier advertising the survey, informational screen shown on Pinole TV Channels, and postcard advertising the survey and community meeting on May 11th and June 9th.



City Council Meeting

Mark your calendars for a discussion on the Housing Element draft and update on Safety, and Health & Environmental Justice Elements.

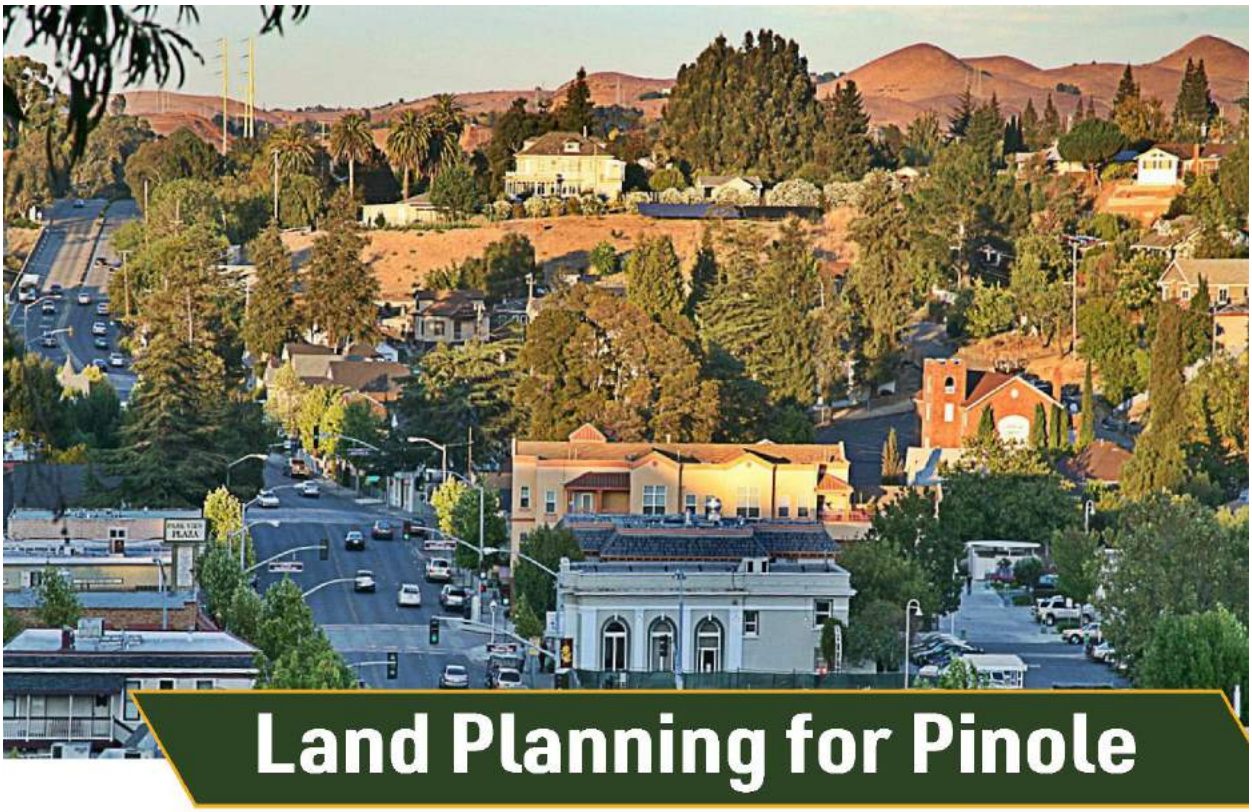
TUESDAY, NOVEMBER 15th at 6:00 PM

Participate In-person - 2131 Pear Street, Pinole CA 94564

Participate Virtually- https://us02web.zoom.us/j/89335000272

LANDUSEPLANNINGFORPINOLE.COM

ContactUs@LandUsePlanningForPinole.com



Planning Commission Meeting

An informational update on Housing Element will be provided at the Planning Commission meeting on:

MONDAY, OCTOBER 24th at 7:00 PM

2131 Pear Street, Pinole CA 94564

LANDUSEPLANNINGFORPINOLE.COM

ContactUs@LandUsePlanningForPinole.com

LAND PLANNING FOR PINOLE
An update and discussion on the Housing, Safety, and Health & Environmental Justice Elements will be held on:
TUESDAY, NOVEMBER 15th at 6:00 PM
2131 Pear Street, Pinole CA 94564
Participate Virtually- https://us02web.zoom.us/j/89335000272
LANDUSEPLANNINGFORPINOLE.COM
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Land Planning for Pinole

Housing, Safety, Health & Environmental Justice Elements

The City of Pinole is updating its General Plan to create a more resilient future. The update will focus on:

Housing

The Housing Element analyzes the City's demographics, economics and housing supply, analyzes housing constraints and resources, evaluates appropriate sites for potential housing, and develops housing goals, objectives, policies, and programs for the next eight years.

Safety

The Safety Element aims to reduce potential short and long-term risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, droughts, earthquakes, landslides, climate change, and other hazards.

Health and Environmental Justice

The Health and Environmental Justice Element evaluates areas of the City which face higher environmental, economic, and social challenges. This Element ensures all parts of the City have the same degree of protection from environmental and health hazards and equal access to the decision-making process.

The public review draft of the Housing Element Update will be available starting October 17th, at:

LANDUSEPLANNINGFORPINOLE.COM

Public comments on the draft Housing Element Update will be accepted from October 17th through November 17th via e-mail:

ContactUs@LandUsePlanningForPinole.com

Comments can also be provided in-person or virtually at the City Council meeting on November 15th.

Planning Commission Meeting

An informational update on Housing Element will be provided at the Planning Commission meeting on **October 24, 2022**.

City Council Meeting

Mark your calendars for a discussion on the Housing Element draft and update on Safety, and Health & Environmental Justice Elements.

TUESDAY, NOVEMBER 15th at 6:00 PM

Participate In-person - 2131 Pear Street, Pinole CA 94564

Participate Virtually- https://us02web.zoom.us/j/89335000272

Land Use Planning for Pinole

Environmental Justice	Housing	Health	Safety

JOIN US FOR A VIRTUAL INTERACTIVE COMMUNITY WORKSHOP ON

June 9th, 7:00 PM

on Zoom

Community Survey and meeting link at:

LandUsePlanningForPinole.com

City of Pinole
General Plan Updates

Environmental Justice | *Housing* | *Safety* | *Health*

YOU ARE INVITED TO PARTICIPATE IN LAND USE PLANNING ACTIVITIES FOR PINOLE

The City of Pinole is in the process of updating portions of the City's General Plan, which is a long-range vision for the future of the community. The City will be updating its plans for both housing, health and safety and adopting a plan for environmental justice. It's a great time to get involved in land use planning in Pinole! Please see the back of this card for information on upcoming community outreach meetings and to take the survey about housing, health, safety and environmental justice issues in Pinole.

We Need Your Input!
Who in our community has the greatest need for housing and related services? How concerned are you about evacuating in the event of a disaster? Are you worried about health risks associated with climate vulnerability (such as wildfire, flood, sea level rise)? Does everyone in Pinole have access to affordable and healthy food?
Take the survey (see reverse) today!

酒店提供翻譯服務。 畀我哋發電子郵件，畀我哋知您的需求。

Translation services are available. Email us to let us know about your needs.

Los servicios de traducción están disponibles. Envíenos un correo electrónico para informarnos acerca de sus necesidades.

Available ang mga serbisyo sa pagsasalin. Mag-email sa amin upang ipaalam sa amin ang tungkol sa iyong mga pangangailangan.

ContactUs@LandUsePlanningForPinole.com

Community Meetings

MEETING ONE
May 11, 7:00 PM

MEETING TWO
June 9, 7:00 PM

Zoom link to meetings:
https://us06web.zoom.us/j/81837284958

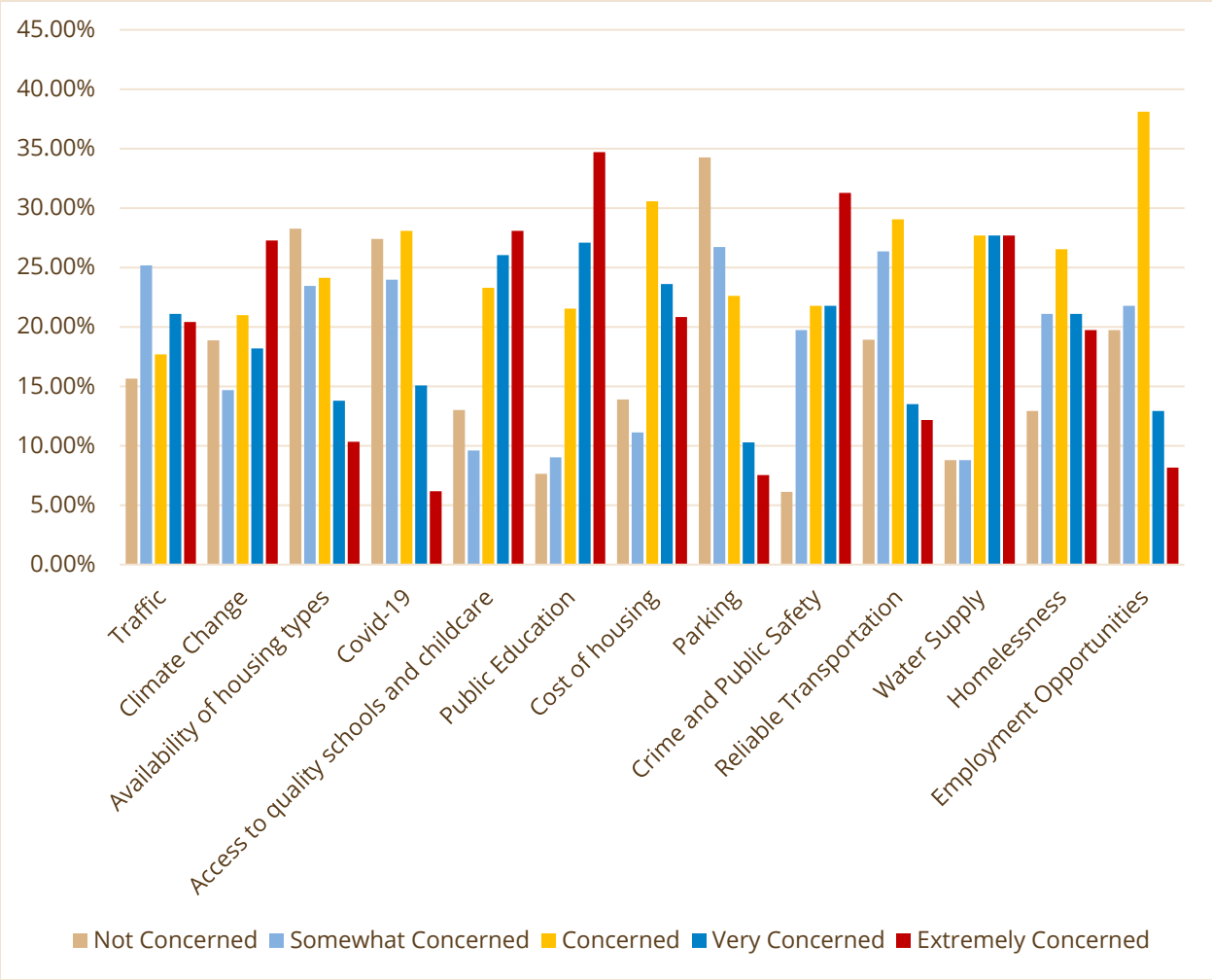
Community Survey

SCAN FOR SURVEY.
AVAILABLE IN ENGLISH, TAGALOG, CANTONESE AND SPANISH

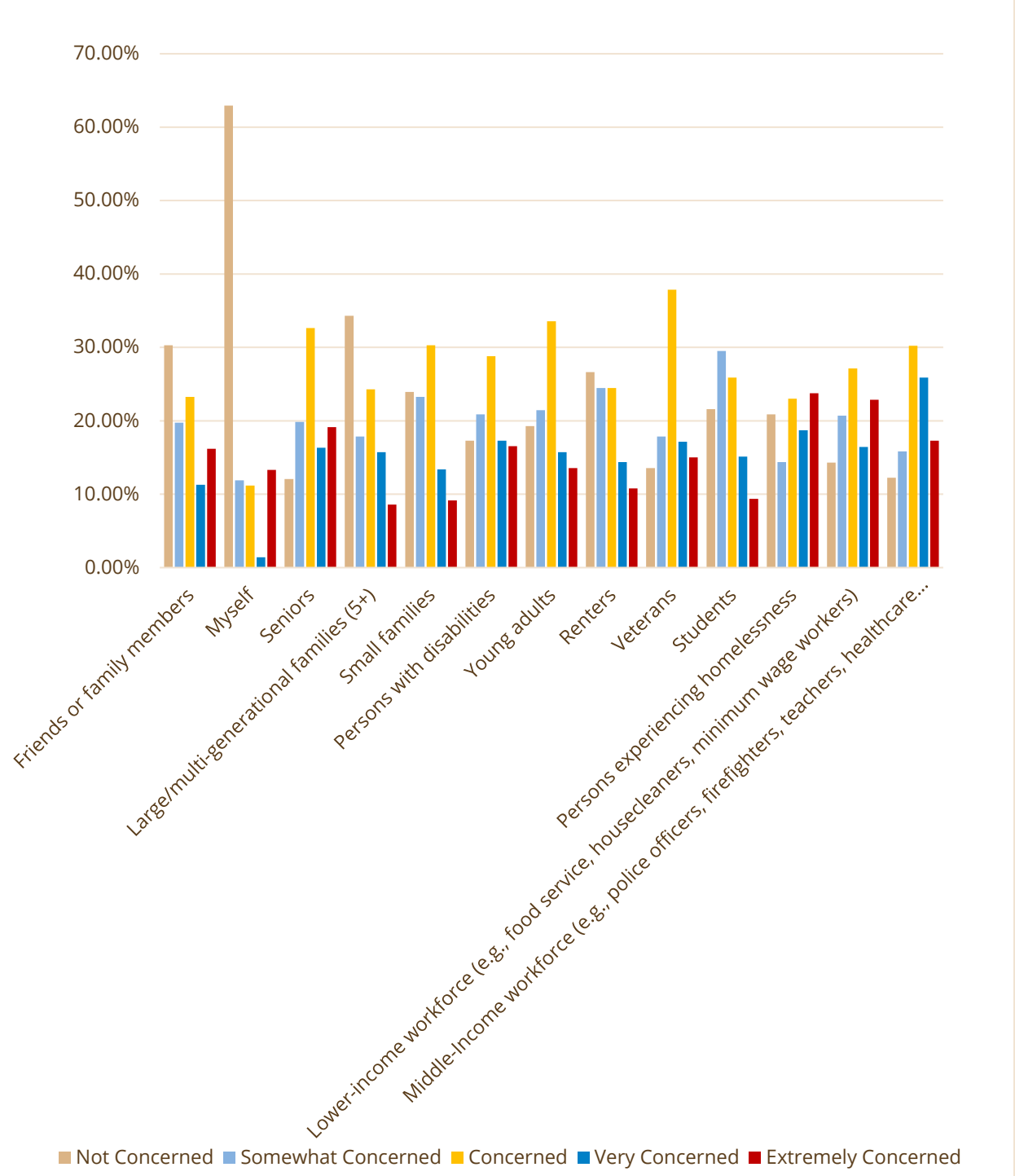
LandUsePlanningforPinole.com

ONLINE SURVEY RESULTS

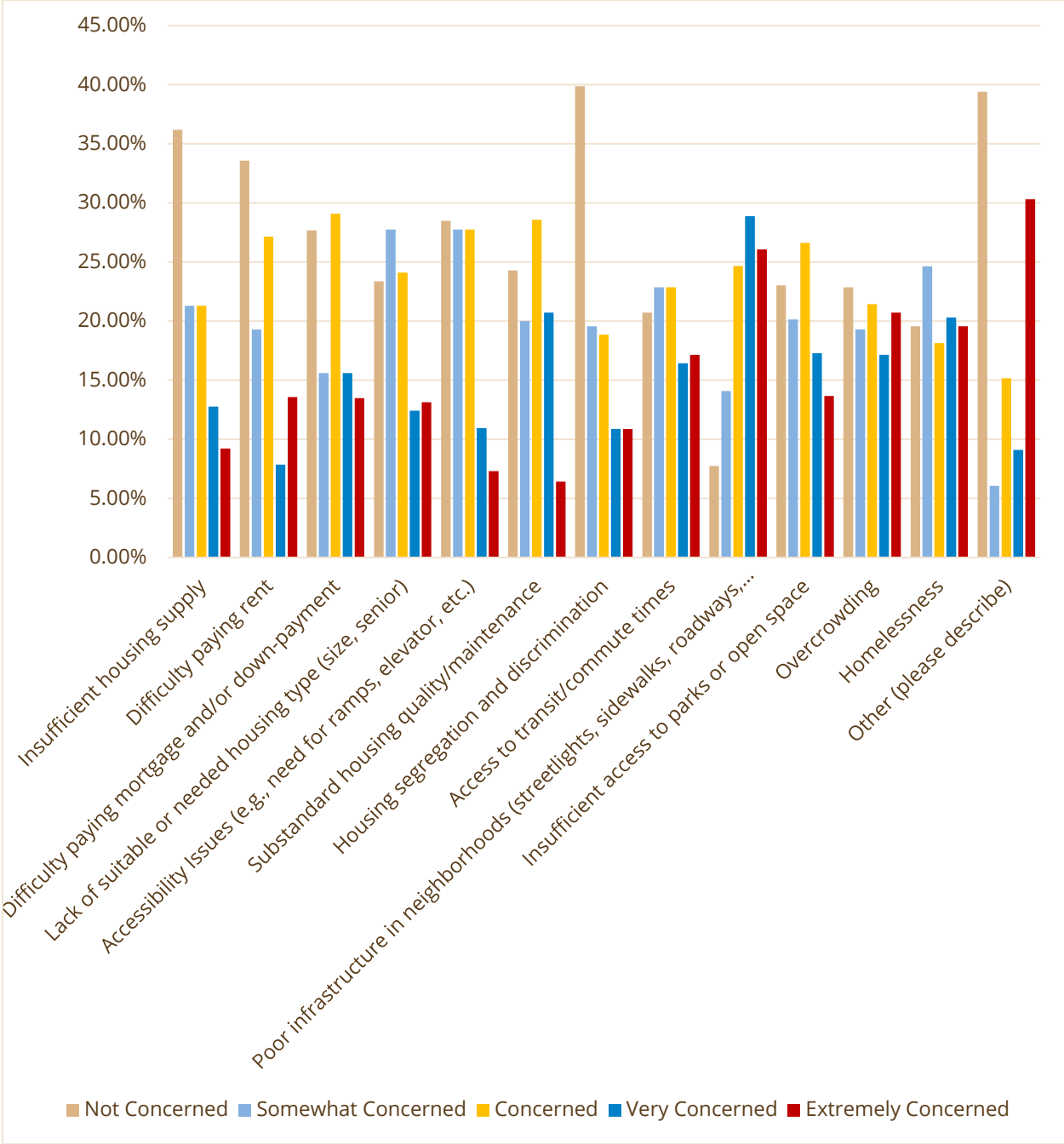
Q1. The following is a list of issues facing Pinole. Please indicate how concerned you are about each of the following items using a scale of not concerned, somewhat concerned, concerned, very concerned, or extremely concerned.



Q2. Please indicate your level of concern about the following groups and their ability to find an affordable place to live in Pinole:



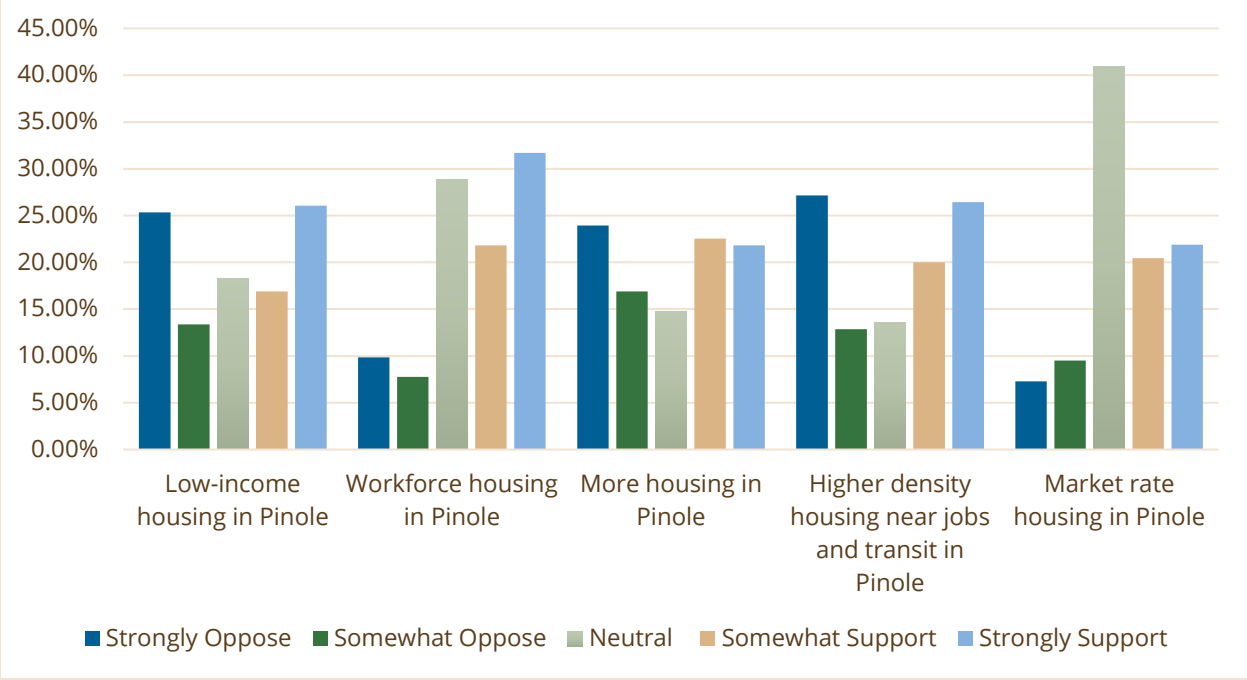
Q3. Indicate your level of concern about the following housing issues in Pinole.



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

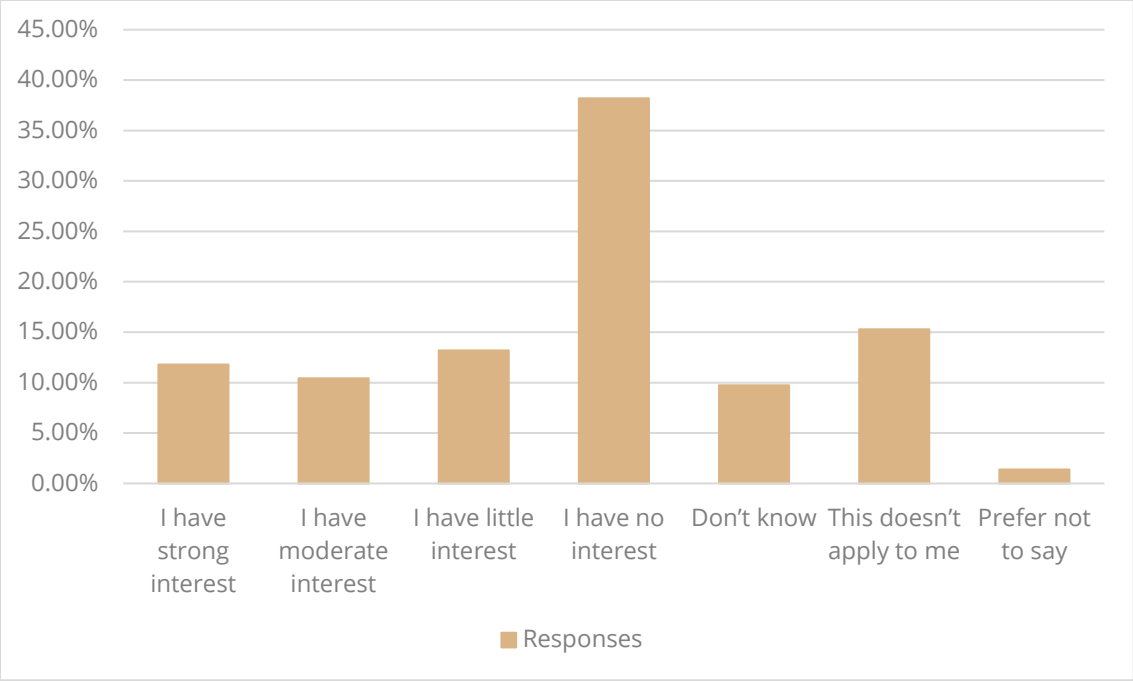
Q4. Using the scale of 1 = Strongly Oppose and 5 = Strongly Support, please indicate your level of support for each of the following in Pinole:



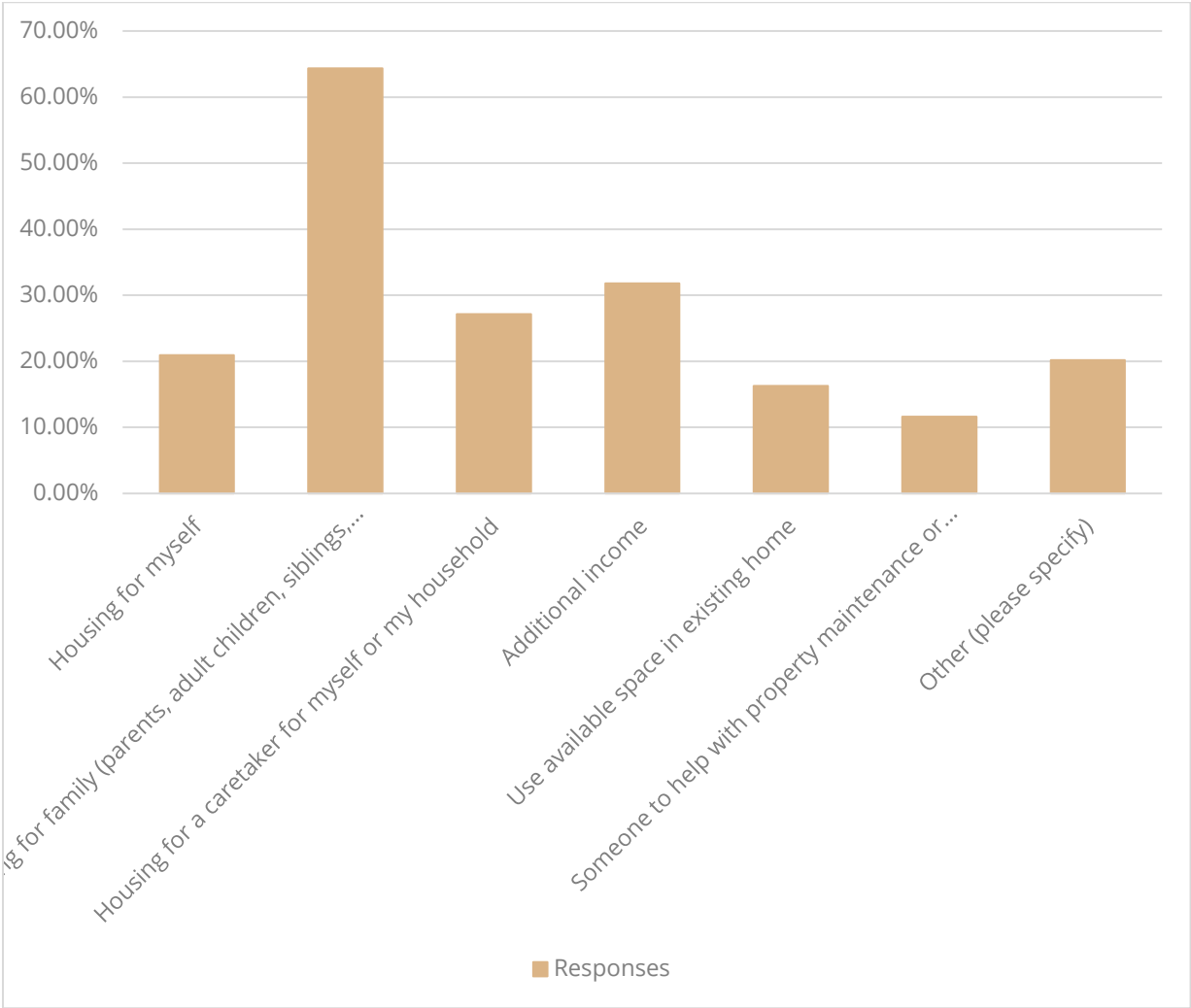
Q5. Next you will read a list of potential proposals around housing policy in Pinole. Using the scale of 1 = Strongly Oppose and 5 = Strongly Support, please indicate your level of support.

	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

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?



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:

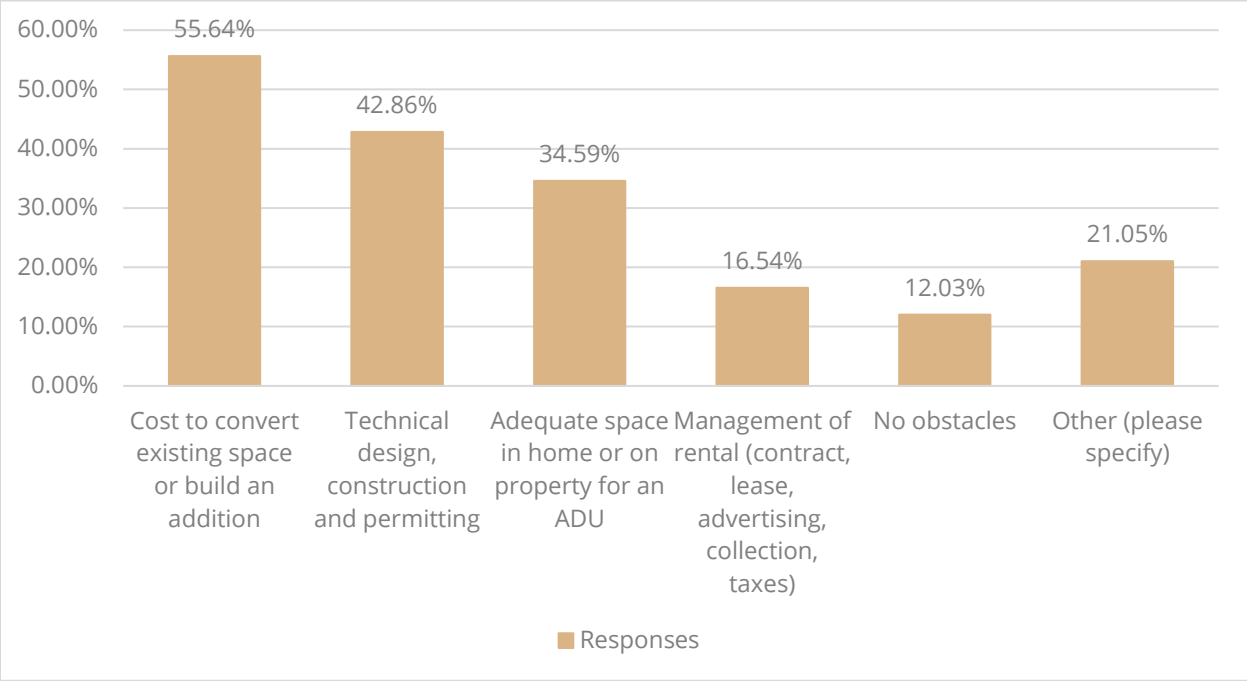


Q7. "Other" responses.

#	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

	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

Q8. Please choose what obstacles may prevent you from building an ADU on your property. (Please select all that apply.)



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

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

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

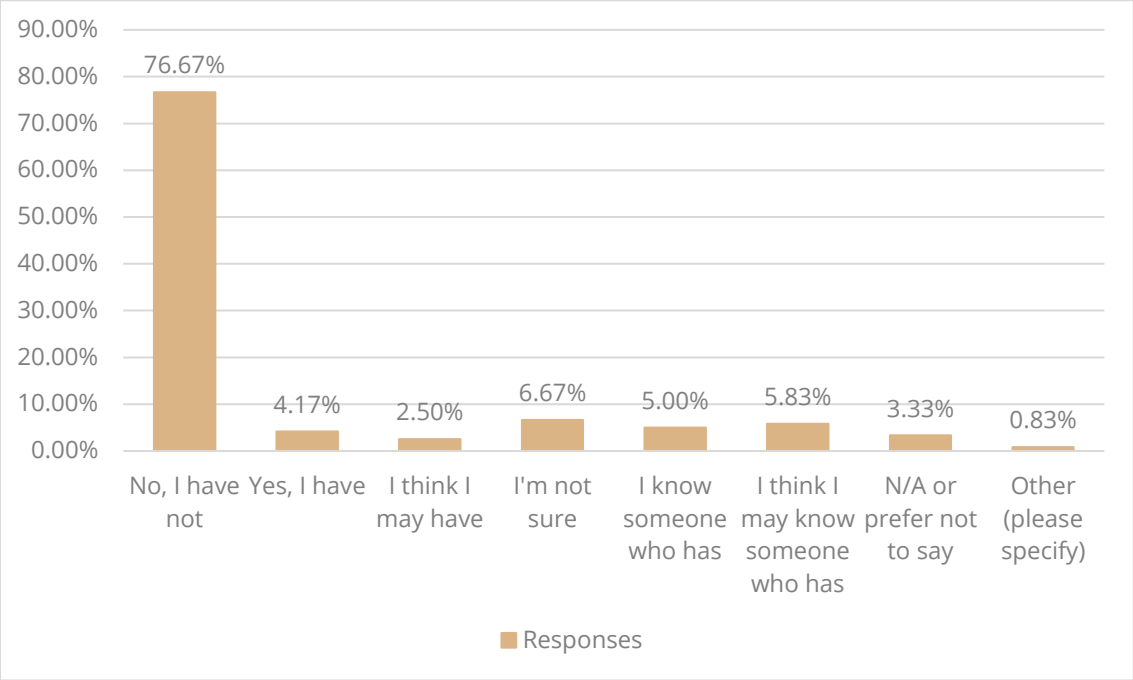
	encampments. Find transitional housing in unused warehouses.	
39	Making the permitting process easier for ADU's and adding extra rooms to an existing house	5/17/2022 1:20 PM
40	We desperately need a hospital in our area!!	5/16/2022 5:46 PM
41	Pinole needs urgent care facilities or a hospital. I have 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

	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

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.

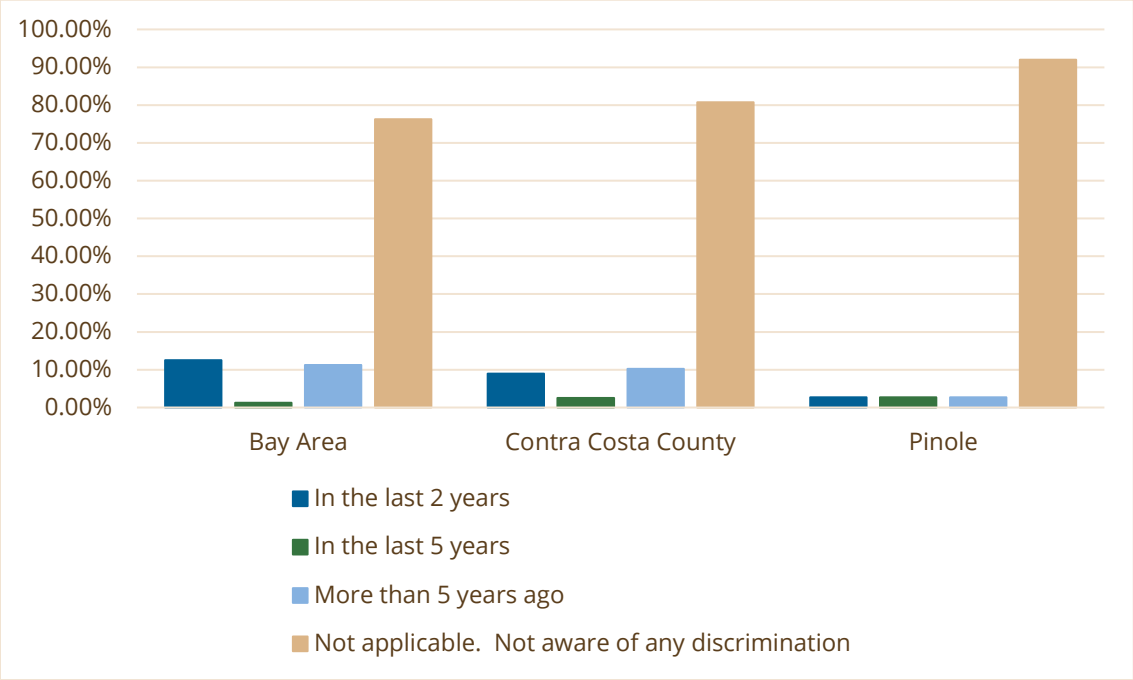
Have you or someone you know ever encountered any of the forms of housing discrimination described above? (Please select all that apply.)



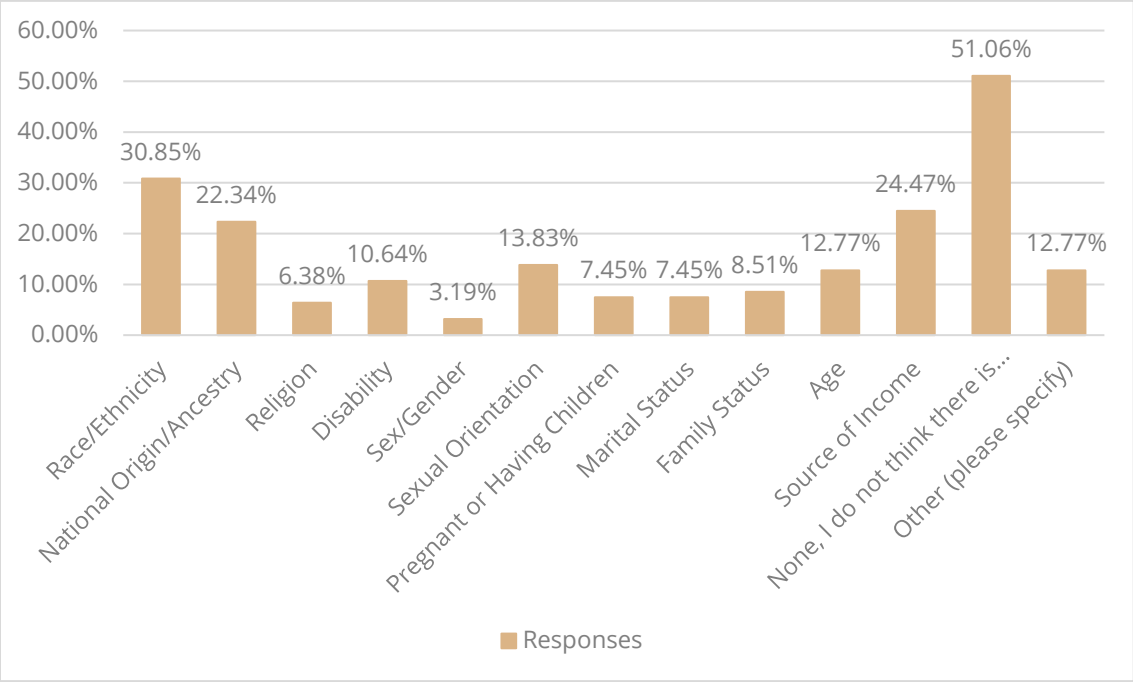
Q10. "Other" responses.

#	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

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.)



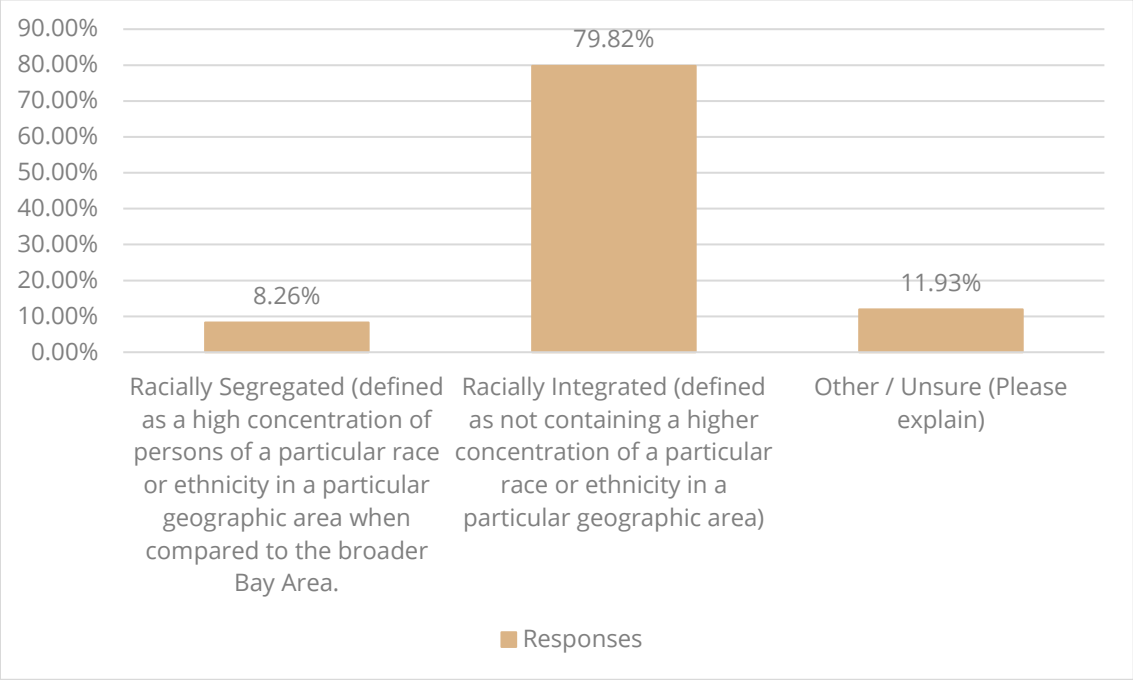
Q12. If you think housing discrimination is occurring in Pinole, what types of discrimination do you think are prevalent? (Please select all that apply.)



Q12. "Other" responses.

#	OTHER (PLEASE SPECIFY)	DATE
1	As long as you have a diverse population there is going to be discrimnation 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 anwser 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

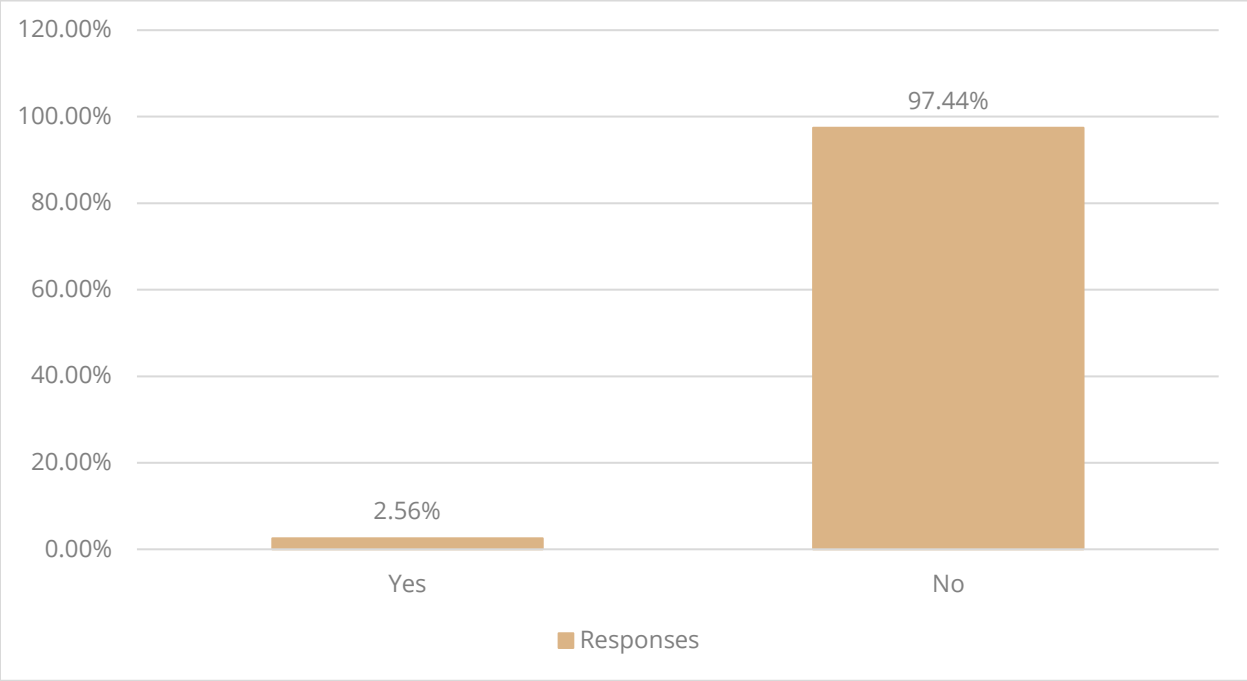
Q13. Please indicate whether you feel Pinole is: (Select one)



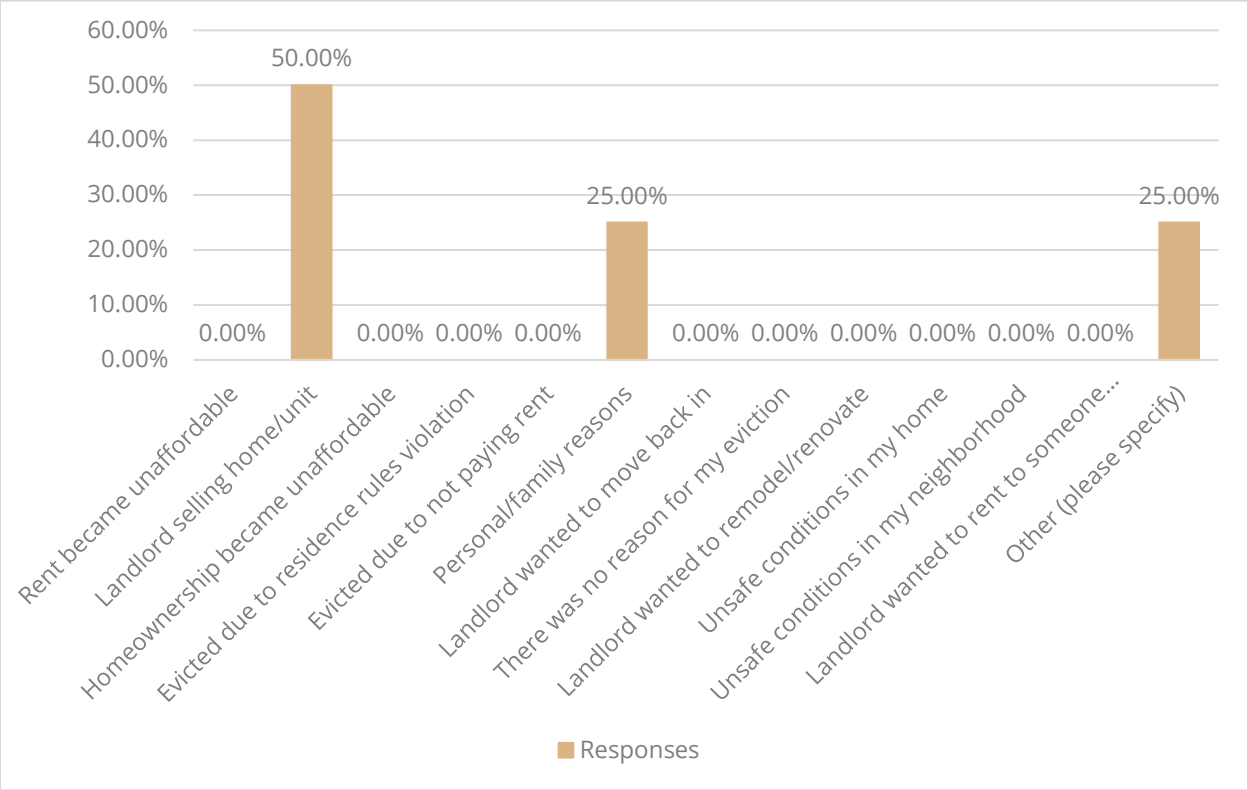
Q13. "Other" responses.

#	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

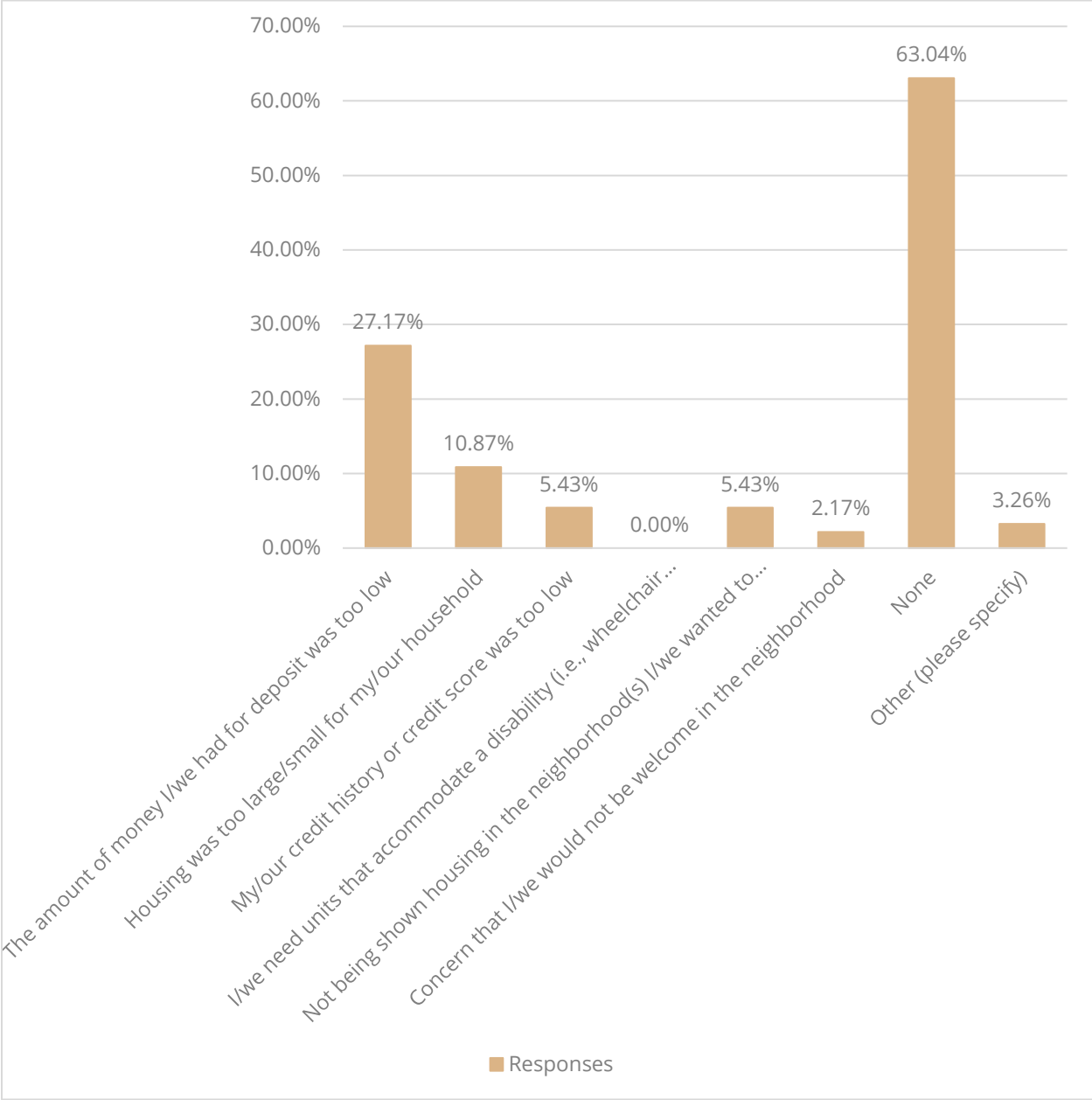
Q14. Since 2015, have you had to move out of your residence in Pinole when you did not want to move?



Q15. If you answered yes to the previous question, why did you have to move? (Please select all that apply.)



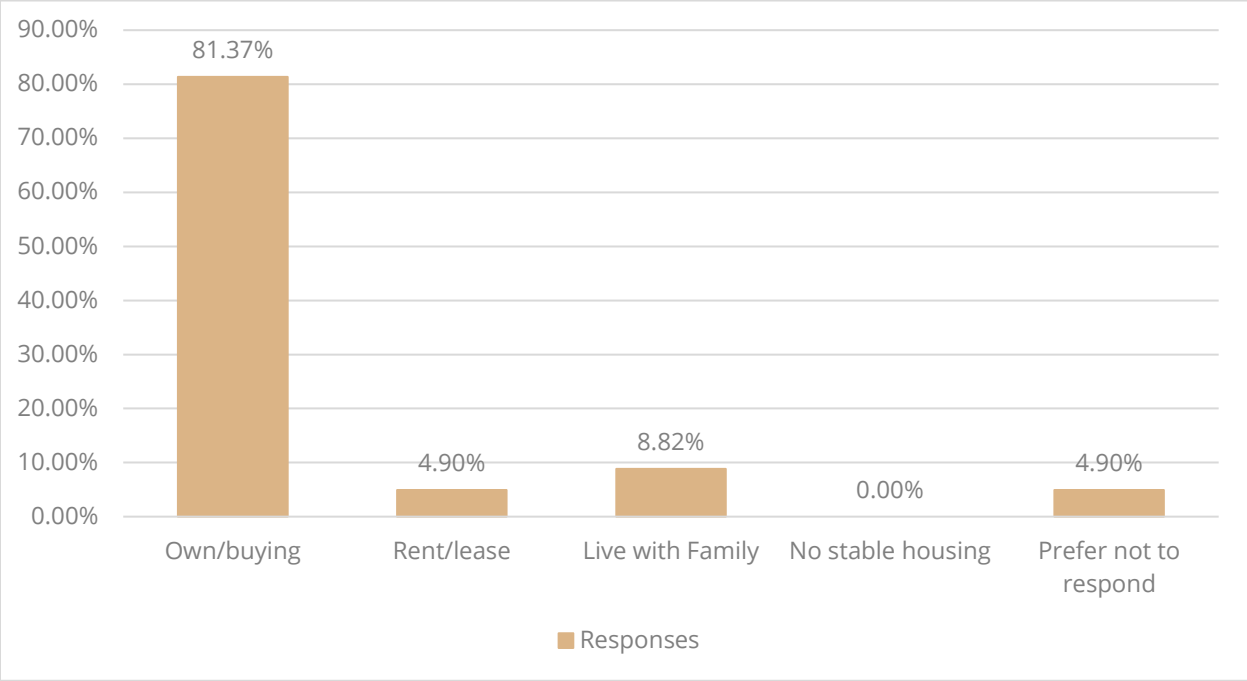
Q16. Which of the following issues, if any, have restricted the housing options you were able to consider? (Please select all that apply.)



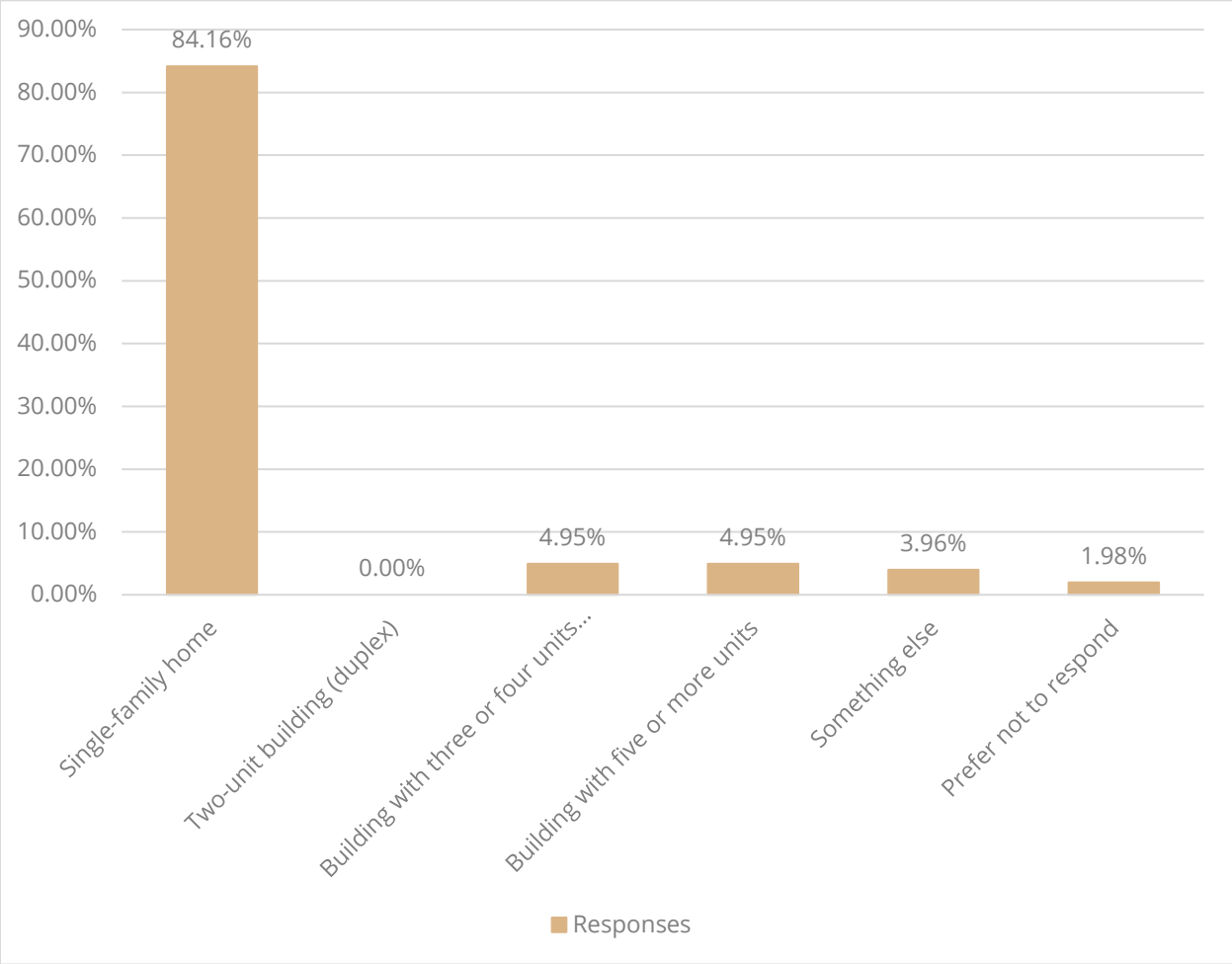
Q16. "Other" responses.

#	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

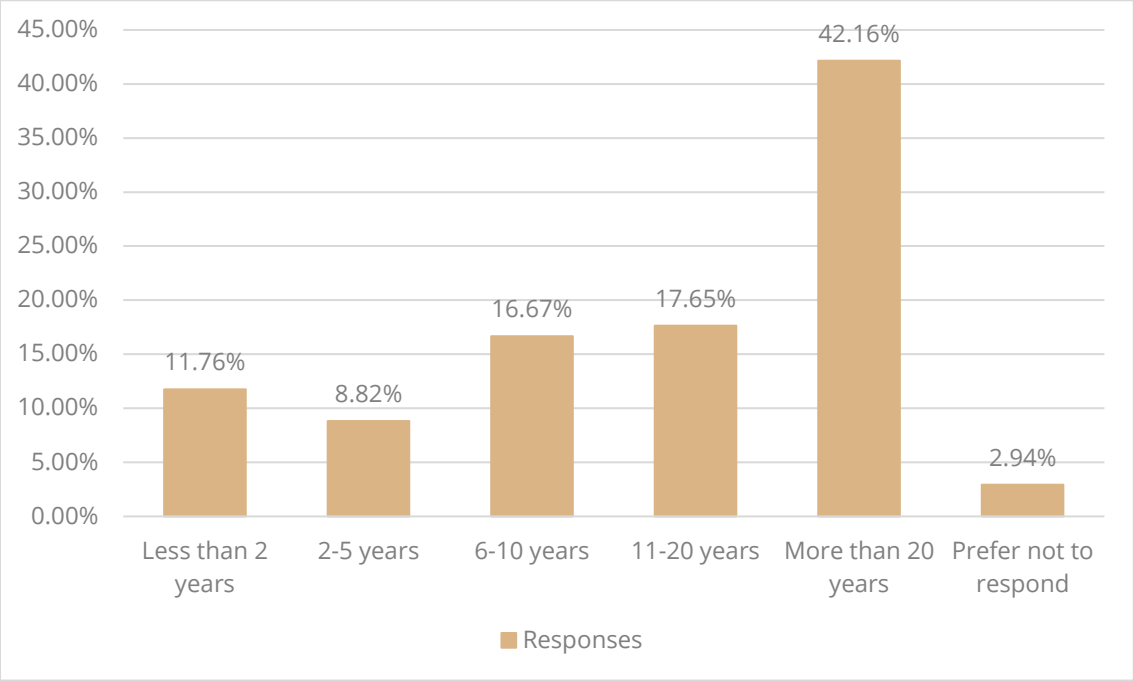
Q17. Do you currently own the home or apartment where you live, do you rent, do you live with family, or do you not have stable housing?



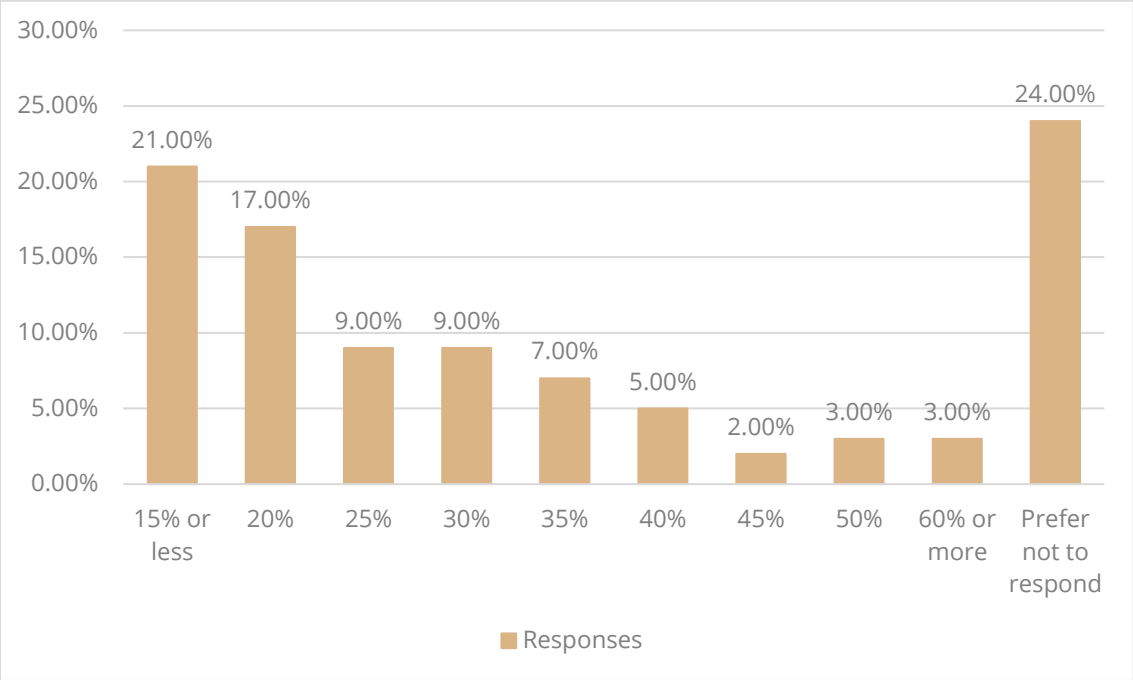
Q18. Do you live in a:



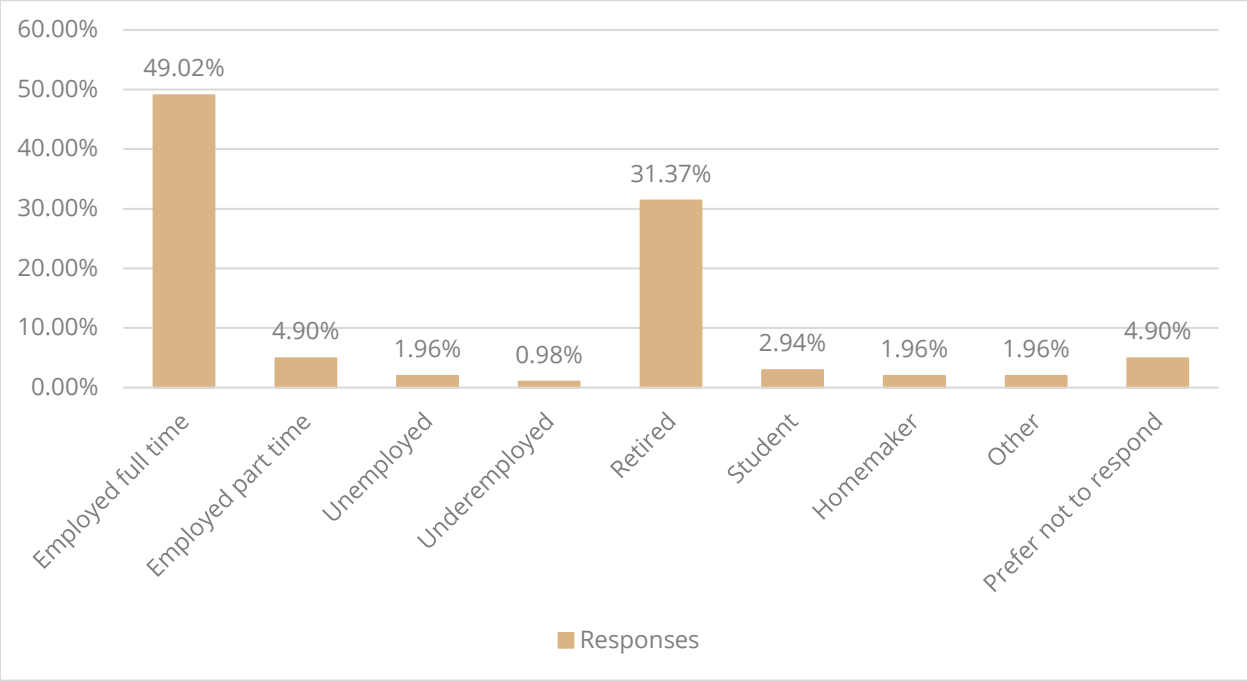
Q19. How many years have you lived at your current address?



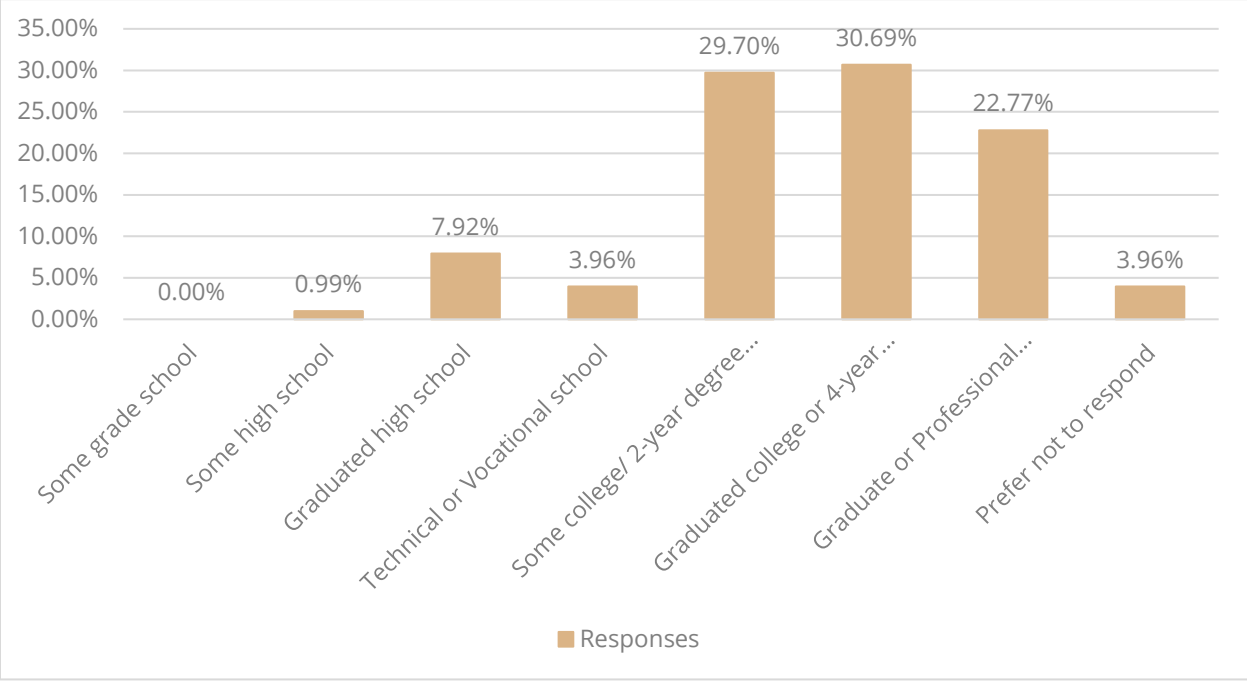
Q20. Approximately what percentage of your gross household income do you spend on housing? Example: If your monthly gross income is $4,000 and you spend $1,500/month on rent, you would spend 37% of your household income on housing.



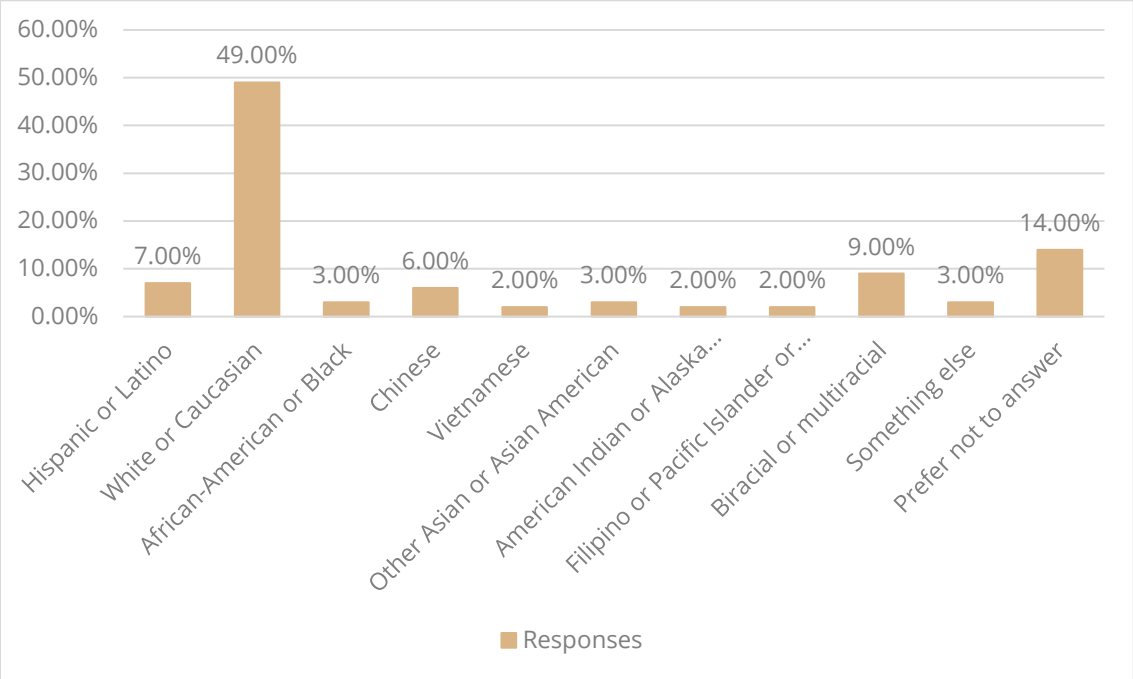
Q21. In terms of your job status, are you:



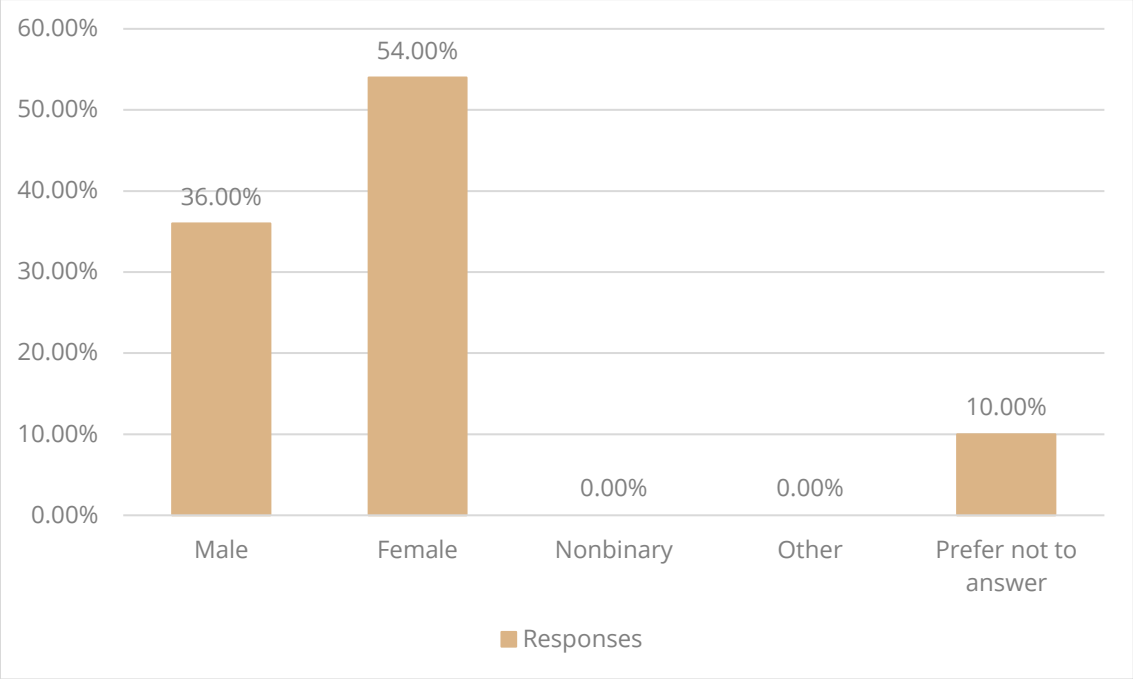
Q22. What is the last grade you completed in school?



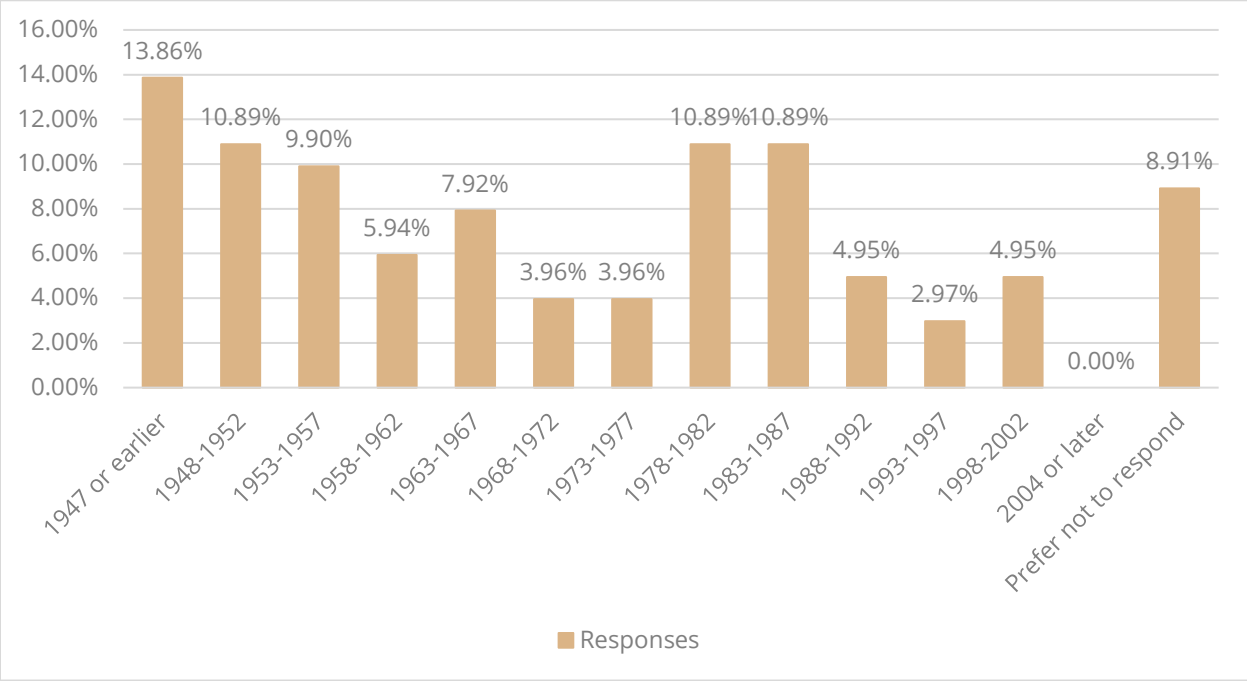
Q23. Do you consider yourself to be:



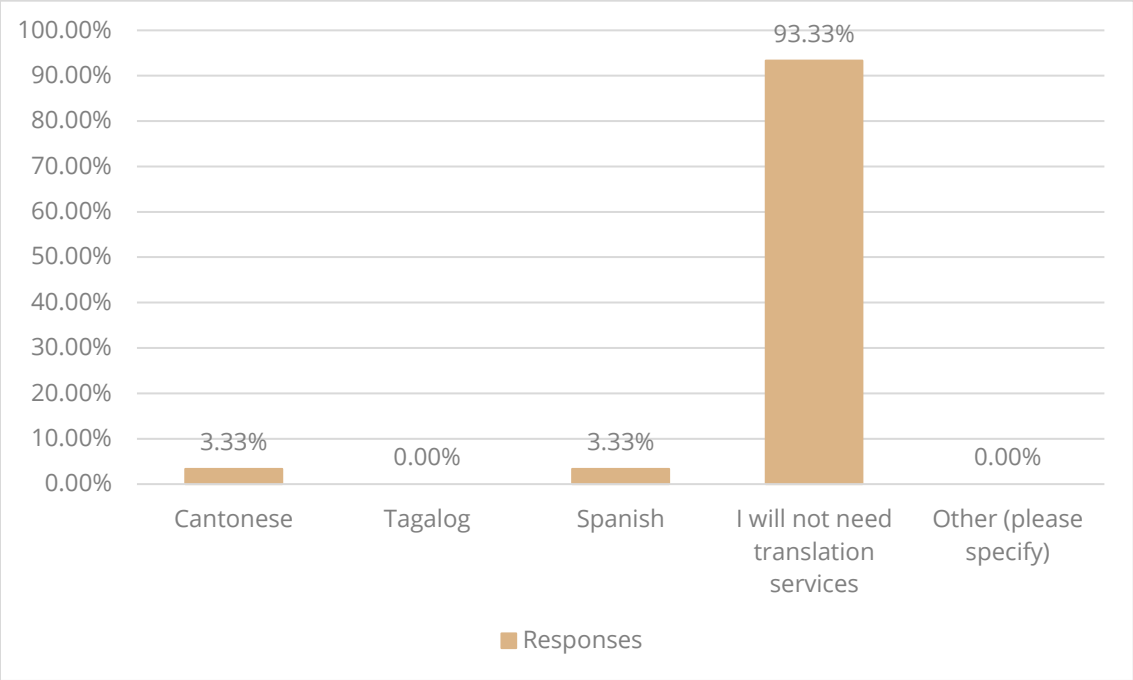
Q24. Do you identify as male, female, nonbinary, or something else?



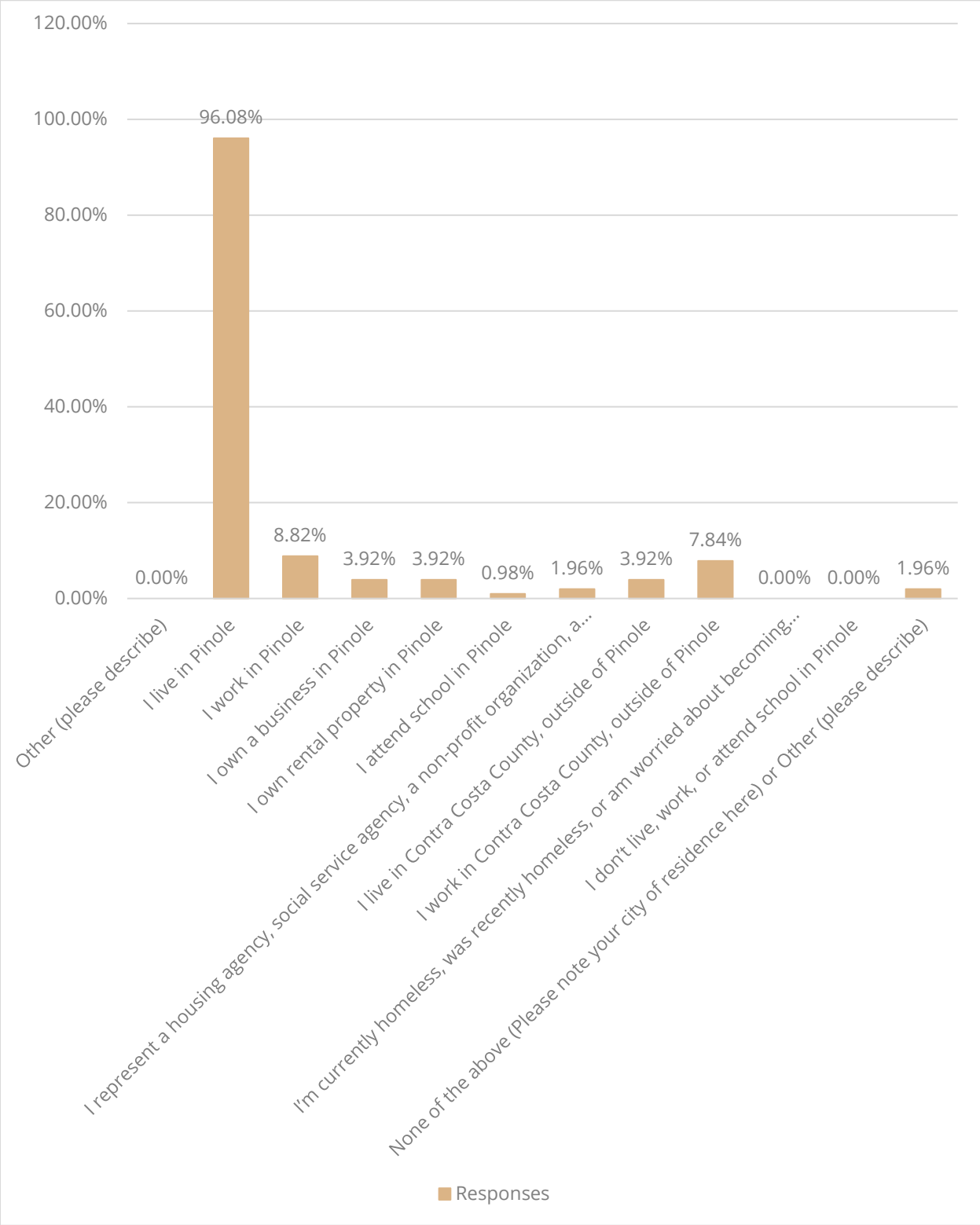
Q25. In what year were you born?



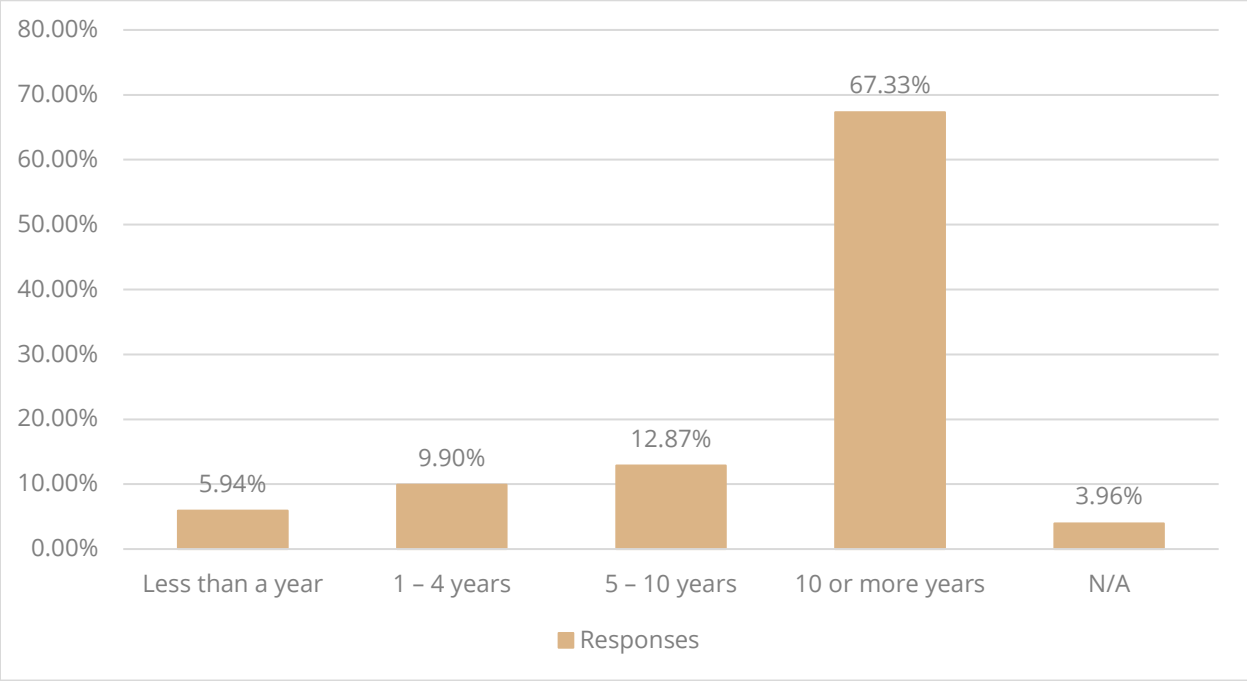
Q26. We want to ensure everyone can participate in this process. Community workshops will be held in English. If a live translator would be helpful for you to participate in community workshops, what language would you prefer?



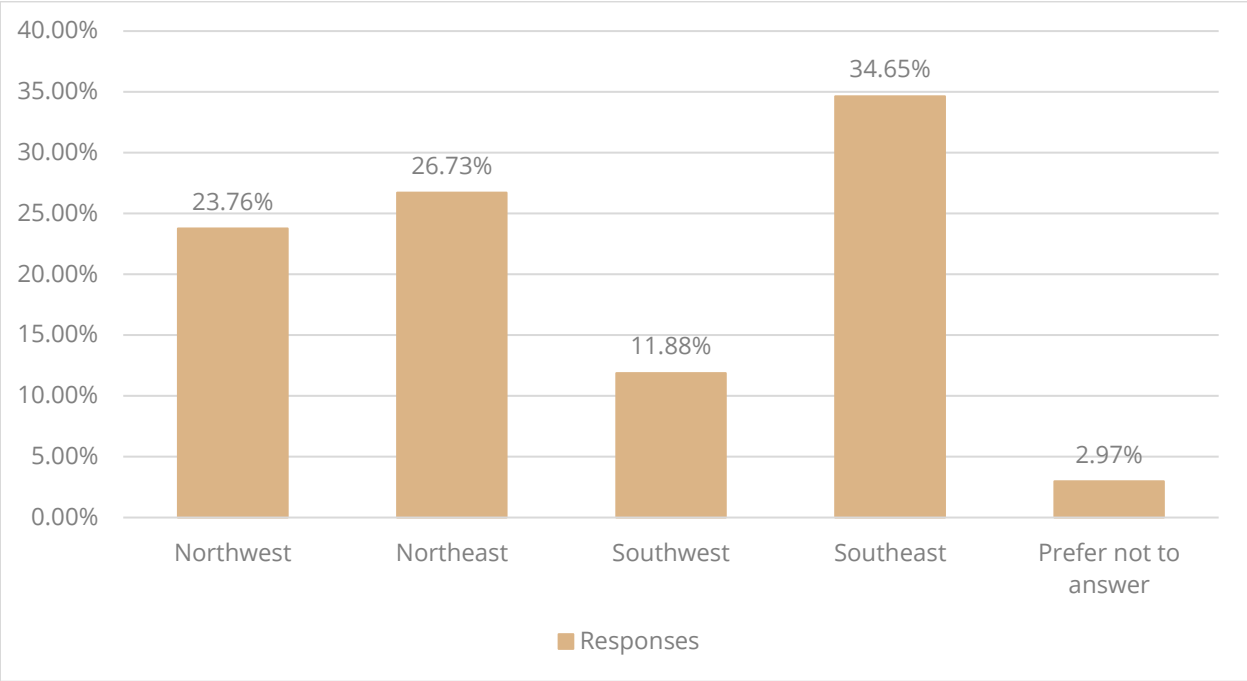
Q27. Please note your connection to the City of Pinole. (Please select all that apply.)



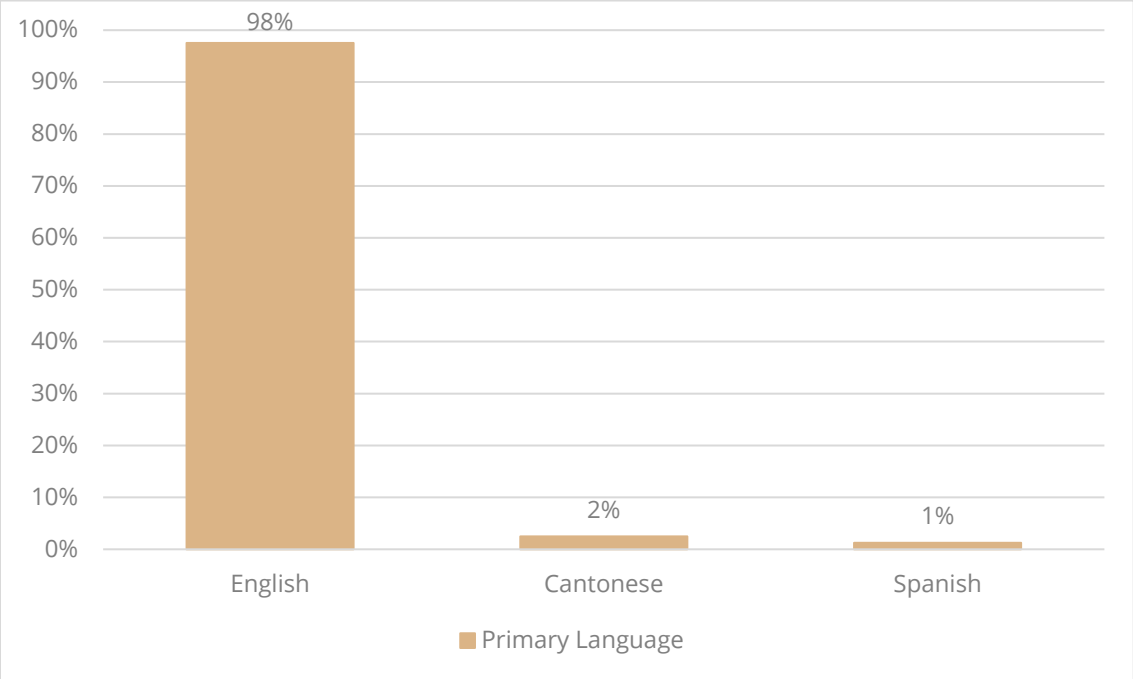
Q28. How long have you had this connection in Pinole?

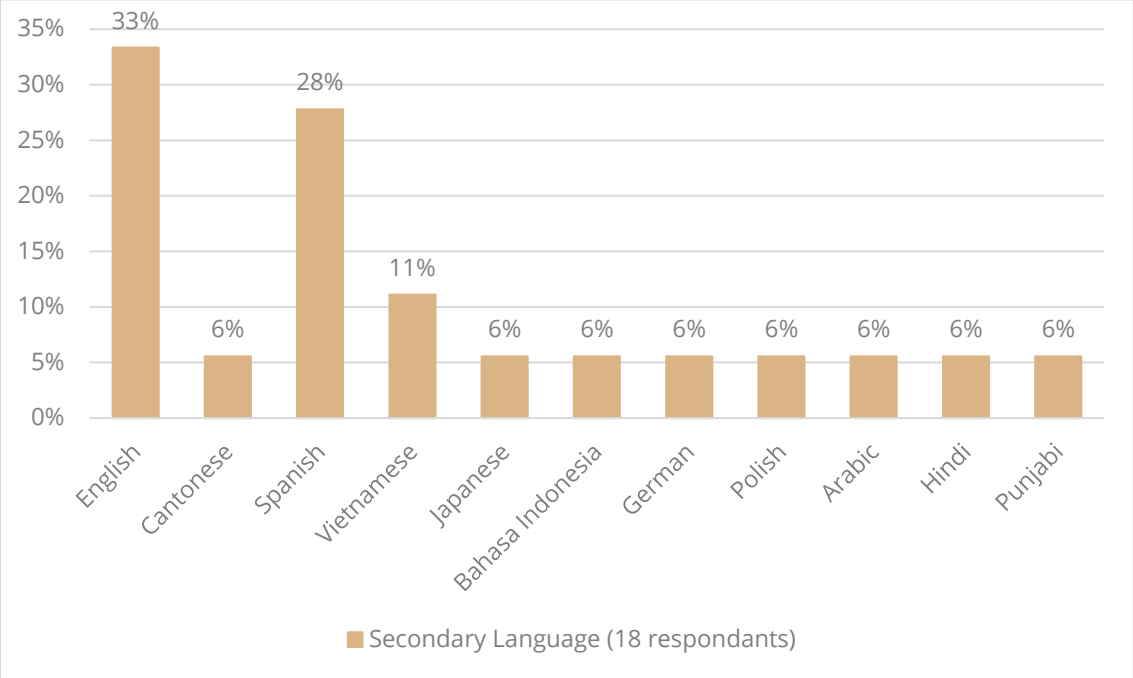


Q29. Using the map of Pinole's census tracts, please indicate in which part of Pinole you live, work, or spend the most your time. (Select one.)

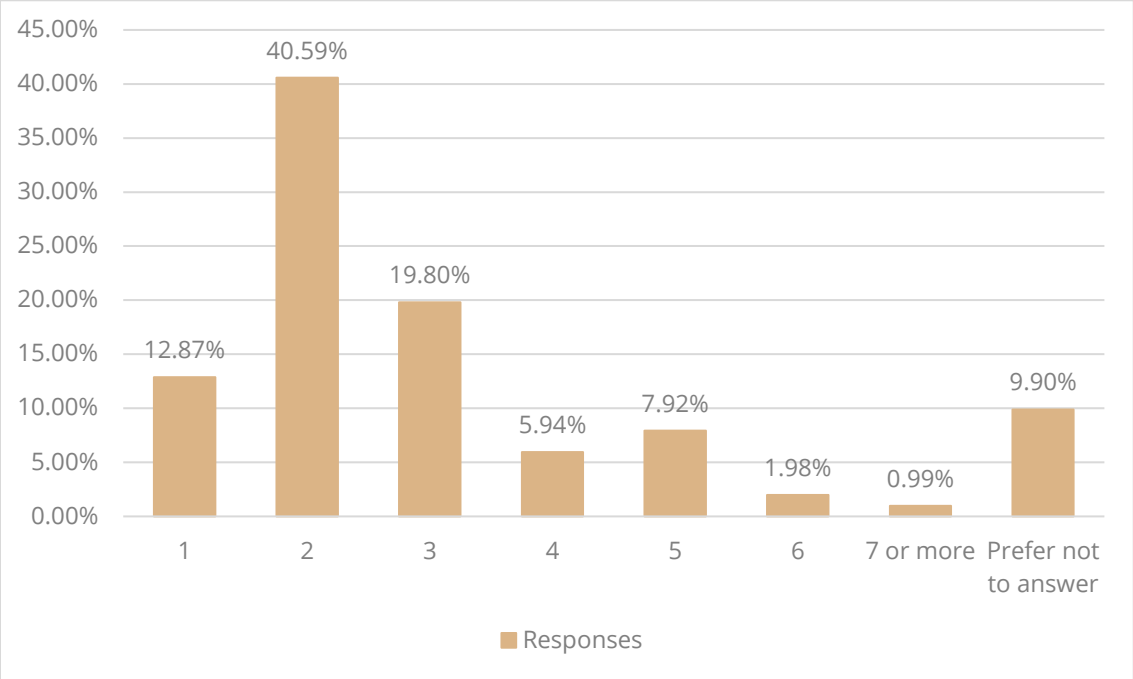


Q30. Please specify the primary language and any other secondary languages spoken in your household:

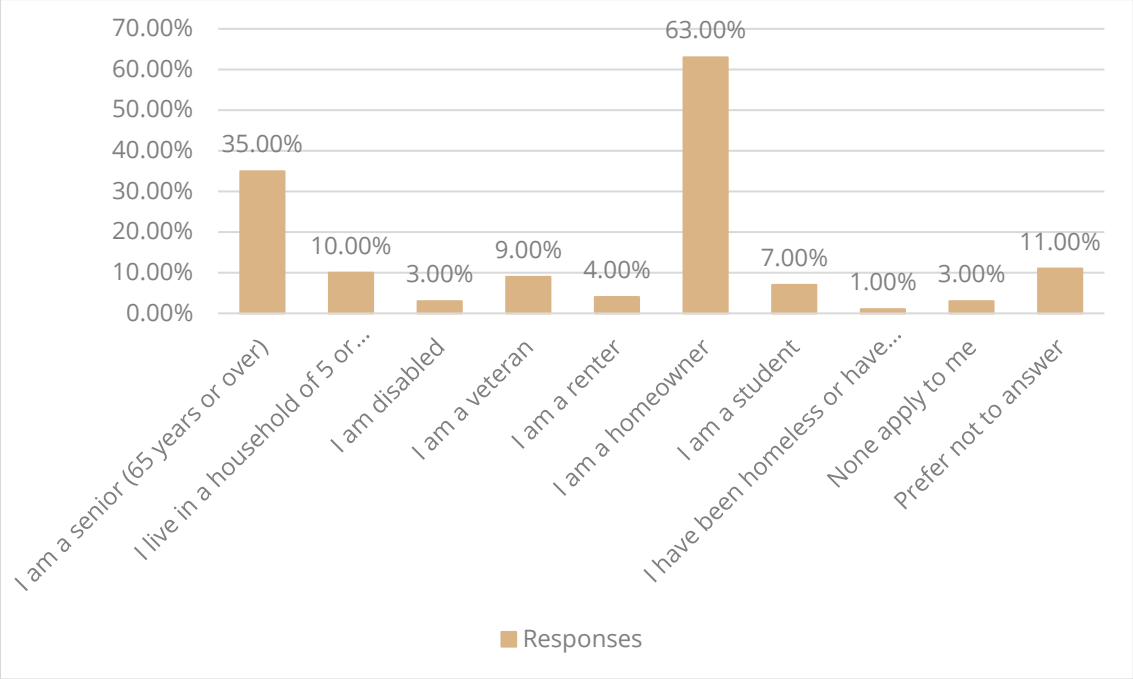




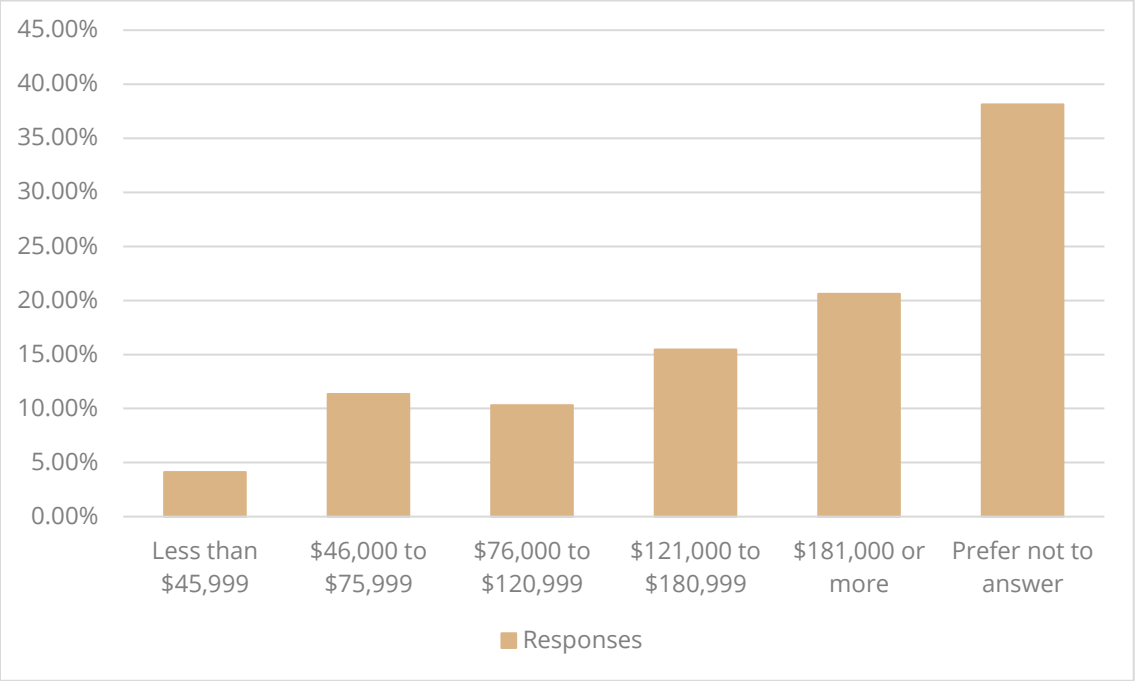
Q31. How many people including yourself live in your household?



Q32. Please select all that apply to you:



Q33. Please share the total (gross) annual household income for all adults in your household.



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-on 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:

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

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

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[26], 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[27] 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.

[26] https://give.richmondcf.org/campaigns/17536-black-wealth-builder-s-fund

[27] https://www.car.org/difference/haf/hafclosingcostgrantprogram

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.

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

Tagalog	(0/6) 0%
Cantonese	(0/6) 0%
English	(6/6) 100%
Spanish	(0/6) 0%

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

Less than 5 years	(3/8) 38%
5 - 10 years	(0/8) 0%
More than 10 years	(5/8) 63%
I do not live/work in Pinole	(0/8) 0%

Question 3

Poll | 1 question | 7 of 9 (77%) participated

1. Please select those that apply to you: (Multiple Choice) *

7/7 (100%) answered

Homeowner	(5/7) 71%
Renter	(2/7) 29%
Landlord	(0/7) 0%
Other (please note using Q&A box)	(0/7) 0%

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

Single-family dwelling	(11/11) 100%
Accessory dwelling unit	(0/11) 0%
Duplex, Triplex, Quadplex	(0/11) 0%
Condominium	(0/11) 0%
Apartment Building	(0/11) 0%
Mobile Home	(0/11) 0%
Assisted/Group/Senior Housing	(0/11) 0%

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

Northwest	(2/8) 25%
Northeast	(3/8) 38%
Southwest	(1/8) 13%
Southeast	(2/8) 25%
Unsure	(0/8) 0%

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

Difficulty paying rent, mortgage, down-payment, etc.	(4/8) 50%
Lack of suitable or needed housing type (size, senior, group)	(1/8) 13%
ADA accessibility	(0/8) 0%
Substandard housing quality/maintenance	(0/8) 0%
Housing segregation and discrimination	(0/8) 0%
Access to transit/commute times	(3/8) 38%
Overcrowding	(0/8) 0%
Homelessness	(0/8) 0%
Other? (Please Describe)	(0/8) 0%

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%

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

I live in the community	(1/6) 17%
I regularly shop, visit, and/or recreate in the community	(1/6) 17%
None of the above apply to me	(4/6) 67%

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.

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!

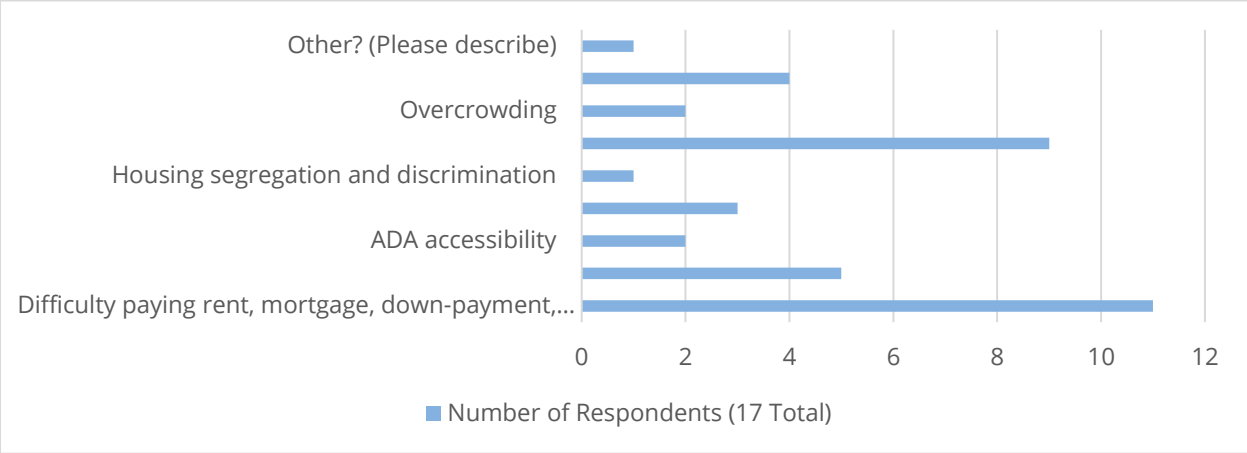
Question 10: I noticed that all the respondents (at least at the start of the meeting) were using the English room. Is there a way the city could do more targeted outreach to Spanish/Cantonese/Tagalog-speaking communities in Pinole?

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.

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.

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.

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.

APPENDIX D: DEVELOPER LETTERS

MRK PARTNERS INC

Lilly Whalen
Community Development Director
City of Pinole
2131 Pear Street
Pinole, CA 94564

February 6, 2023

Dear Lilly,

As you know, MRK Partners Inc. (via Pinole Venture LP) submitted a development application to the City of Pinole in 2021 to construct 179 units of affordable housing for seniors at 600 Roble Avenue. In January 2022 the project was issued permits and construction began shortly thereafter. We are currently at approximately 40% completion, with delivery of the new apartments targeted for year end 2023.

Our experience working with the City on this project has been positive overall. Navigating an often daunting landscape of overlapping Federal, State, County, and City regulations is no easy task, especially when operating under the tight deadlines required for tax credit applications in California. City staff understood these requirements and the timing needs in order to make the project a success, and it was clear the City was truly a partner throughout. We look forward to wrapping up this project over the next year and delivering new affordable housing stock to Pinole, and we would welcome the opportunity to work with the City again on a future development.

Sincerely,

Sydne Garchik

Manager, Pinole Venture LP

Principal, MRK Partners, Inc.

sgarchik@mrkpartners.com

(424) 999-4588

2711 N. Sepulveda Blvd. #526 Manhattan Beach, CA 90266 (O) 424-999-4580

SAHA
SATELLITE AFFORDABLE HOUSING ASSOCIATES

1835 Alcatraz Avenue
Berkeley, CA 94703
P 510.647.0700
F 510.647.0820

WWW.SAHAHOMES.ORG

February 7, 2023

Lilly Whalen
Community Development Director
City of Pinole
2131 Pear Street
Pinole, CA 94564

RE: 811 San Pablo Avenue, Pinole

Dear Ms. Whalen,

I am writing this letter on behalf of Satellite Affordable Housing Associates (SAHA) to emphasize our commitment to completing the construction of 811 San Pablo ("the project") within the next 8 years (by 2031). As you are aware, SAHA and the City of Pinole entered into a Disposition and Development Agreement in July 2021 to acquire and develop the vacant land located at 811 San Pablo Avenue, Pinole. The project will provide 33 units of affordable housing for low-income veterans, including households experiencing disability and chronic homelessness.

In Contra Costa County, there were 127 Veterans identified in the Point-in-Time Count conducted in January 2020. Over the last three years, the County has observed a 6% increase in veteran homelessness. The 811 San Pablo project represents a unique opportunity to address this issue and increase both the County and City of Pinole's supply of much needed affordable housing for low-income veteran households. This opportunity was made possible by the City's comparatively easy design review process, effort in advocating for the project, and staff support for permit applications throughout the past year and a half.

In addition to the City's short entitlement timeframe (within four months of submittal), its financial assistance for land and construction loan funds also contributed a great benefit to the project. By having local funding committed and site control, SAHA was able to garner additional funds from the Contra Costa County, California Department of Housing & Community Development, California Tax Credit Allocation Committee and California Debt Limit Allocation Committee. The project will begin construction in May 2023 with projected

SAHA
SATELLITE AFFORDABLE HOUSING ASSOCIATES

1835 Alcatraz Avenue
Berkeley, CA 94703
P 510.647.0700
F 510.647.0820

WWW.SAHAHOMES.ORG

construction completion to be August 2024.

On behalf of SAHA, we look forward to continue our work with the City on this project, and developing more projects in Pinole in the future.

Sincerely,

Susan Friedland
Chief Executive Officer

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ROIC
RETAIL OPPORTUNITY INVESTMENTS CORP

February 7,2023

Lilly Whalen
Community Development Director
City of Pinole
Community Development Department
2131 Pear Street, Pinole, CA 94564

RE: Pinole Vista - Redevelopment of the Kmart Site

Dear Lilly,

Thank you for reaching out to Chris regarding the 223 Unit Pinole Vista Housing Project.

ROIC has enjoyed working with the City of Pinole and appreciates the collaborative entitlement process.

We were attracted to the Pinole opportunity because it lines up nicely with ROIC's goal of reimagining outdated concepts and adding vitality to their shopping centers. The revisioning of the Kmart site is a great example of how synergies can be opened between a proposed residential use and an adjacent retail shopping center. From an environmental perspective, creating a place where people can live, shop, and dine without having to get into a car is a real positive.

ROIC's intent is to have the redevelopment of the site take place by 2031. The current challenge is the inflationary pressure on building materials and rising interest rates.

We look forward to working with the City of Pinole during the building permit process.

Sincerely,

Rich Schoebel
Chief Operating Officer
RETAIL OPPORTUNITY INVESTMENTS CORP.

Retail Opportunity Investments Corp.
11250 El Camino Real Suite 200, San Diego, CA 92130 Ph: (858) 677-0900 Fx: (858) 408-3668
NASDAQ: ROIC

From: Trent Sanson <trent@denovahomes.com>
Sent: Friday, February 10, 2023 3:02 PM
To: Lilly Whalen <lwhalen@ci.pinole.ca.us>; David Hanham <dhanham@ci.pinole.ca.us>; Justin Shiu <jshiu@ci.pinole.ca.us>
Subject: Appian Village - 154 unit multifamily project

***** EXTERNAL MESSAGE *****

Good afternoon Lilly, Dave, and Justin. Happy Friday! I hope all is well with you all.

Please accept this email as our formal correspondence demonstrating our ongoing desire and commitment to work towards bringing our project, Appian Village (containing 154 multi-family housing units), to life. Since the Planning Commission approved our project and granted us our entitlements back on April 11, 2022, we have closed escrow on the property and continued to heavily invest in our property and project.

Since closing escrow, we have commenced with the following activities to further invest in the project and hope shows our commitment to seeing it be built sooner than later (or at least within the next 8 years for the City's next RHNA/Housing Element cycle); on top of our immediate investment in Pinole to acquire the property outright from the previous land owners:

- Demolition – being an abandoned and old hospital facility, we have commenced and are

nearing completion of the massive demolition efforts to clear the property of its previous hospital uses to clear the way for future redevelopment to proceed with grading and improvements for the future housing

- Plan Preparation and Plan Checking -
    - Paid the hundreds of thousands of dollars to the City's building and engineering divisions for parallel and ongoing plan check efforts for all horizontal plans (grading plans, improvement plans, final map) and vertical plans (master building plan review for each multi-family building) for future building permit issuances once land development for the necessary infrastructure is completed
    - We have submitted all related plans to EBMud for their separate but parallel review of the water plans for them to service the project with other city services
    - We have prepared and submitted all related joint trench/dry utility plans and applications to PG&E for their review of the future electric infrastructure (this is an all electric project with no gas infrastructure) and communications with phone/internet providers
    - HOA/DRE preparations – we have continued to invest in preparing the needed various CC&Rs and condo plans to be ready to submit the CA Department of Real Estate when ready … but also need to be transparent that due to market conditions have put a slight pause on those efforts as we may need to pivot and re-evaluate the project becoming a rental community rather than for-sale, but that is still to be determined while we advance the construction plans through plan check and evaluate the ever evolving national economy and local market conditions as a result

We are committed to continuing processing our project through plan check and continue advancing the project forward and investing in Pinole here at Appian Village, and hope to be able to start land development activities as soon as we can (given ongoing evolution of market conditions however), but I do not see any reason why this project won't be constructed within the next 8 year RHNA/Housing Element cycle with how far along we are already since approvals/entitlements were first granted.

My team and I at DeNova Homes develop all over the greater Bay Area in multiple counties and jurisdictions (projects as small as 7 lots in Walnut Creek or 15 lots in Calistoga, mid-sized apartment/townhome projects spread across the Bay Area of various sizes ranging from 25 multifamily units in Fairfield up to 172 multifamily units in Livermore, all the way up to 500+ unit master plans in various areas in eastern Contra Costa County), but what attracted us to our property/project and wanting to invest in Pinole was the unique nature of this property being a promoted housing site in the Appian Way Land Use Plan that was within the Three Corridors Specific Plan (Three Corridors Specific Plan - City of Pinole, CA) where we knew we could collaboratively and constructively work with City Staff and Leadership in Pinole to develop an economically viable project that we and the City of Pinole could all be proud of for generations to come while helping achieve the housing goals for Pinole and the State of California given the ongoing housing crisis our communities face.

It has been a pleasure collaborating and working with all members of Pinole City Staff across all departments, naturally we will never agree on everything but we truly value us being able to

collaboratively and productively work together to achieve all of our goals with our project to make not only beautiful but viable to build. We look forward to continuing our ongoing project review and plan checking efforts to work towards getting this project built as soon as we can (but again I do not see any reason why it would take the entire 8 years of the current RHNA/Housing Element cycle to achieve those goals).

Based on our respect and great working relationship with City Staff we hope we can find another property owner to work with in Pinole for us to do more projects in the near and distant future!

Please do not hesitate to give me a call with any questions. Thank you all for everyone's continued thoughtful consideration and support to bring Appian Village to life!

All the best,

Trent Sanson
Vice President of Land Acquisition & Entitlements
DeNova Homes, Inc.
1500 Willow Pass Court
Concord, CA 94520
Office: (925) 852-0541
Cell: (925) 382-0245
Fax: (925) 685-0660

DeNova Homes
Building a Better Community

YellowRoof FOUNDATION
Home for a brighter tomorrow

501(c)(3) Public Charity
Tax ID NO. 83-0606549
https://www.yellowroffoundation.org/

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Contra Costa
555 Escobar Street
Martinez, CA 94553

From: (Public Agency): City of Pinole
2131 Pear Street, Pinole, CA 94564

(Address)

Project Title: 2023-2031 (6th Cycle) Housing Element Update

Project Applicant: City of Pinole

Project Location - Specific:

The entire incorporated city limits of the City of Pinole.

Project Location - City: Pinole Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:
The project is an update to the City of Pinole Housing Element as required by State law. The 6th Cycle update analyzes the projected housing needs of residents and plans for housing to the meet the City's RHNA during the 2023-2031 planning period by identifying adequate sites and adopting goals, policies, and programs.

Name of Public Agency Approving Project: City of Pinole

Name of Person or Agency Carrying Out Project: Planning Division

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☒ Statutory Exemptions. State code number: 15061(b)(3)

Reasons why project is exempt:
The project does not have the potential to cause a significant effect on the environment. See attachment.

Lead Agency Contact Person: Lilly Whalen Area Code/Telephone/Extension: (510) 724-9832

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: _____ Date: _____ Title: Community Dev. Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

California Environmental Quality Act (CEQA) Statutory Exemption 15061(b)(3) Findings

City of Pinole 2023-2031 (6th Cycle) Housing Element

Introduction and Project Overview

The proposed project is an update to the City of Pinole Housing Element, as required by State Law. The 6th Cycle update analyzes the projected housing needs of residents during the 2023-2031 planning period and plans for housing to the meet the City's Regional Housing Needs Allocation (RHNA) by identifying adequate sites and adopting goals, policies, and programs. These findings demonstrate the eligibility of the City's 6th Cycle Housing Element update to be exempt from the provisions of the California Environmental Quality Act (CEQA).

Statutory Authority

California Code of Regulations, Title 14 (CEQA Guidelines) Section 15061, Review for Exemption, sets forth certain types of projects that are exempt from expanded environmental review pursuant to CEQA. CEQA Guidelines Section 15061(a) states that once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA. Section 15061(b) states that a project is exempt from CEQA if:

1. The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
2. The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
3. The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
4. The project will be rejected or disapproved by a public agency. (See Section 15270[b]).
5. The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.

Based on the nature of the project, and as further described below, the 6th Cycle update to the City of Pinole Housing Element qualifies for a "common sense exemption," as provided by CEQA Guidelines Section 15061(b)(3).

Applicability of Statutory Exemption 15061(b)(3)

Updates to the City of Pinole Housing Element include identification of sites and the adoption of goals, policies, and programs to meet the City's RHNA and provide opportunities for affordable housing within the City. The project does not provide entitlements to land use development projects, nor does it propose development of the identified RHNA sites that could have an effect on the environment. No changes to the General Plan land use designations within the City are proposed. Future development proposals for RHNA sites identified during this planning cycle would be subject to environmental review pursuant to the provisions of CEQA, as appropriate.

Finding

As described above, the City of Pinole 6th Cycle Housing Element update does not have the potential to cause a significant effect on the environment. Therefore, the project is exempt from further environmental review pursuant to CEQA Statutory Exemption 15061(b)(3).

ATTACHMENT B

PLANNING COMMISSION RESOLUTION 23-01
WITH EXHIBIT A: REVISED 2023-2031 HOUSING ELEMENT
AND EXHIBIT B: NOTICE OF EXEMPTION

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF GENERAL PLAN AMENDMENT 22-01 FOR ADOPTION OF THE REVISED 2023-2031 HOUSING ELEMENT AND APPROVAL OF THE CEQA EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3) FOR THE 2023-2031 HOUSING ELEMENT UPDATE

WHEREAS, California Government Code Sections 65580-65589.8 require amendment of the City's current General Plan Housing Element to address the assigned housing needs of current and future City residents; and

WHEREAS, the City of Pinole's share of regional housing need is established by the Association of Bay Area Governments ("ABAG") and this period's related Regional Housing Needs Allocation ("RHNA") was adopted by ABAG in December 2021; and

WHEREAS, ABAG determined that Pinole's fair share of the RHNA for the period between 2023 and 2031 is a total of 500 units in the following housing affordability income categories: 121 very low income units, 69 low income units, 87 moderate income units, and 223 above moderate income units; and

WHEREAS, on March 22, 2022, the City Council received an introduction to the Land Use Planning for Pinole process, which included the Housing Element Update as well as updates to the existing Health and Safety Element and preparation of a new Environmental Justice Element; and

WHEREAS, from March 2022 through July 2022, the City conducted extensive public outreach to understand housing needs from the community, which included creating a housing element update website, posting a multilingual survey, conducting a focus group, stakeholder interviews, and two virtual community workshops, and advertisements of engagement opportunities and information through social media, email, notifications in the City's bi-weekly reports, mailed postcards, flyers, community TV advertisements, and banners posted throughout the city; and

WHEREAS, on July 13, 2022, the City Council and Planning Commission held a special joint meeting to receive a comprehensive status update of the project; and

WHEREAS, on October 17, 2022, the public review draft of the Housing Element was released for public review and comment, with a digital copy available through the City's webpage, which links to the dedicated General Plan Update, and a hardcopy available at City Hall;

WHEREAS, on October 24, 2022, the Planning Commission reviewed the public review draft Housing Element and provided feedback and recommendations to the City Council; and

WHEREAS, on November 15, 2022, the City Council reviewed the public review draft Housing Element; and

WHEREAS, on December 2, 2022, the 2023-2031 Housing Element was prepared,

which incorporated updates to the public review draft following consideration of feedback received through the public comment period, the Planning Commission meeting, and City Council meeting, and was submitted to the California Department of Housing and Community Development (HCD) for review; and

WHEREAS, on December 12, 2022, the Planning Commission reviewed the 2023-2031 Housing Element and recommended adoption to the City Council; and

WHEREAS, on January 17, 2023, the City Council reviewed and adopted the 2023-2031 Housing Element; and

WHEREAS, on January 30, 2023, City staff received preliminary review comments on the 2023-2031 Housing Element from HCD; and

WHEREAS, on February 17, 2023, City staff prepared and published an updated draft of the 2023-2031 Housing Element to respond to preliminary review comments received from HCD; and

WHEREAS, on March 2, 2023, City staff received formal review comments on the 2023-2031 Housing Element from HCD; and

WHEREAS, on March 24, 2023, City staff prepared and published the revised 2023-2031 Housing Element based on preliminary and formal review comments received from HCD; and

WHEREAS, the City initiated consultation with Native American Tribes to invite consultation on the Housing Element update, pursuant to SB18, via email sent on December 19, 2022, certified mail sent on December 21, 2022, and followed up with phone calls on December 21, 2023 and January 5, 2023; and

WHEREAS, the City received one written request via email for maps on February 22, 2023, replied to the email with map attachments on February 27, 2023, and received no further comments; and

WHEREAS, the City prepared the revised 2023-2031 Housing Element in consideration of State and local planning policies and local conditions and context, including economic, environmental, and fiscal factors; and

WHEREAS, the Housing Element must be adopted to comply with State law, affirmatively further fair housing, and facilitate and encourage a variety of housing types for all income levels, including multifamily housing; and

WHEREAS, the Housing Element update qualifies for an exemption in the California Environmental Quality Act ("**CEQA**") under CEQA Guidelines Section 15061(b)(3), as the project does not provide entitlements to land use development projects, nor does it propose development of the identified RHNA sites that could have an effect on the environment, and no changes to General Plan land use designations within the City are proposed; and

WHEREAS the Planning Commission held a duly noticed public hearing on March 27, 2023, and considered the staff report and related background documents and materials as well as the testimony of all persons speaking or providing information on this matter; and

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pinole hereby recommends that the City Council approve General Plan Amendment 22-01 to adopt the revised 2023-2031 Housing Element, attached as Exhibit A, to repeal and replace the existing Housing Element of the General Plan, and approve the CEQA Exemption for the Housing Element Update, attached as Exhibit B, based on the following determinations:

1. The above information within this resolution is true and correct; and

2. The Housing Element Update qualifies for a California Environmental Quality Act (CEQA) Exemption under CEQA Guidelines section 15061(b)(3); and

3. The amendments to the City's General Plan Housing Element are consistent with applicable provisions of State law.

BE IT FURTHER RESOLVED THAT that the Planning Commission of the City of Pinole hereby recommends that the City Council authorize the City Manager to make iterative changes to the revised 2023-2031 Housing Element in response to comments from HCD to support state certification of the revised 2023-31 Housing Element. Such changes by the City Manager shall not change the policy of the City or include any legislative actions.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 27th day of March 2023, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Ann Moriarty, Chair 2022-2023

ATTEST:

_____
David Hanham, Planning Manager

Return to Agenda

EXHIBIT A

REVISED 2023-2031 HOUSING ELEMENT

Return to Agenda

EXHIBIT B

NOTICE OF EXEMPTION

Response to HCD Comments for the City of Pinole's 6th Cycle (2023-2031) Draft Housing Element
3/24/2023

ATTACHMENT C

	A	B	C	D	E	F
1	Response to HCD Letter dated March 2. 2023					
2	#	Chapter	Topic	Comment	Section / Page Number	Summary of Response
3	1	A. Housing Needs Resources and Constraints	Housing Costs	While the element includes estimated rents for residents, it utilizes American Community Survey (ACS) data. The element should supplement census data with other sources (e.g., local knowledge).	Rental Prices: 51-52	Expanded the Rental Prices section to include a local average rent data source to supplement census data .
4	2	A. Housing Needs Resources and Constraints	Disproportionate Housing Needs, Including Displacement Risk:	The element includes some general information on persons experiencing homelessness and housing conditions but should also evaluate those needs, impacts and patterns within the City, such as areas of higher need. For homelessness, the element should examine patterns of need or areas with higher concentrations of persons experiencing homelessness, including access to transportation and services. For housing conditions, the element should discuss any areas of potentially higher needs of rehabilitation and replacement. The element should utilize local data and knowledge such as service providers and code enforcement officials to assist this analysis.	Disproportionate Housing Needs: Substandard Housing and Displacement; 172-173, 175-178	Conducted a review of code enforcement cases from 2020 through 2023 and identified both homeless encampment cases and substandard housing cases. Mapped each type of cases, analyzed spatial trends, and provided resources available for each group. Conducted outreach with the Pinole Police department to identify homeless encampment areas in the City and for local knowledge from the Pinole Police Department's Homeless Outreach Program. Added Figure 46 - a map of homeless spots identified by code enforcement cases and through the Police Department's Homeless Outreach. Updated the PITC information to 2020 data, as Contra Costa County is unable to verify the 2022 data and the 2023 data is not out.
5	3	A. Housing Needs Resources and Constraints	Local Data and Knowledge	The element must include local data, knowledge, and other relevant factors to discuss and analyze any unique attributes about the City related to fair housing issues. The element should complement federal, state, and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates and service providers, City staff and related local and county planning documents and service providers, City staff and related local and county planning documents and should include an analysis of the history of exclusionary zoning in the City as well as how it contributes to existing patterns of segregation.	Disproportionate Housing Needs: Substandard Housing and Displacement; 172-173, 175-178, Other Contributing Factors: 180-184, Appendix D	The Housing Element was revised to include additional local data and knowledge from local sources. The following updates were made: - An analysis and review of code enforcement data from the past three years as it relates to homeless encampments and substandard housing - Information on the location of homeless encampments from the City of Pinole Police Department - Data on participation by census tract in BayREN programs over the last 8 years - Information from developers who have recently gone through the permitting process in the City - The experience of local real estate professionals regarding fair housing in the City - Additional review of the survey responses from residents discussing their experience with segregation and fair housing issues in the City
6	4	A. Housing Needs Resources and Constraints	Affirmatively Furthering Fair Housing (AFFH) and Sites Inventory:	The element must analyze how the identified sites contribute to or mitigate fair housing issues. An analysis should address all of the income categories of identified sites with respect to location, the number of units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). If sites exacerbate conditions or isolates the RHNA by income group, the element should identify further program actions (not limited to the RHNA) that will be taken to promote equitable quality of life throughout the community (e.g., housing mobility and new opportunities in higher resource areas)	AFFH: 141-143	Added a table to the City Overview in the AFFH to compare the tracts in the City and to show that there is no significant, pervasive pattern of segregation that could be exacerbated by site selection or location. Included a map to show the bounds of the census tracts that intersect with Pinole to illustrate that may discrepancies in the opportunity scoring may be do to land uses outside the City bounds. Cited programs that promote housing mobility and housing options of various income levels in high opportunity areas
7	5	A. Housing Needs Resources and Constraints	Contributing Factors to Fair Housing Issues	Based on the outcomes of a complete analysis, the element must re-assess and prioritize contributing factors to fair housing issues.	Fair Housing Issues, Contributing Factors, and Meaningful Action: 183, 185-200	Re-prioritized contributing factors, including moving access to opportunities from a Moderate priority to a High priority. Updated program list to include SB 9 program to promote housing mobility

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8	6	A. Housing Needs Resources and Constraints	Progress toward the Regional Housing Needs Allocation (RHNA):	The housing element appears to rely on approved and pending projects to accommodate a portion the City's regional housing need for lower-income households. While the housing element includes the number of units for each project by income group, it should also demonstrate the affordability, specifically for moderate income units. The element should utilize anticipated or actual rents, sales prices, or other mechanisms (e.g., financing, affordability restrictions) ensuring their affordability.	Entitled and Pending Projects; 210-216	Added clarification that all of the lower and moderate income units in the pending projects will be deed restricted. Projects with affordable units are deed-restricted for a length of 55 years. All very low, low, and moderate income units listed in Table 78 will be deed-restricted. Agreements approved by City Council are required for all projects with affordable (including moderate-income) units to document the terms of affordability. The approval of agreements are required prior to final inspection
9	7	A. Housing Needs Resources and Constraints	Suitability of Non-Vacant Sites	The element should analyze the extent that existing uses may impede additional residential development. For example, the element could describe examples (City or comparable areas) of converting existing uses to higher density residential development, include current market demand for the existing use, provide analysis of existing leases or contracts that would perpetuate the existing use or prevent additional residential development and include current information on development trends and market conditions in the City and relate those trends to the sites identified. The element should also consider indicators such as age and condition of the existing structure, existing versus allowable floor area, low improvement to land value ratio, as well as acreage of properties and support the validity of those assumptions based on recent trends or other information.	Non-Vacant Sites: 221-223	Expanded non-vacant sites analysis to include a table to compare year built, acreage, land improvement ratio, maximum density an allowable vs actual FAR of pending projects and opportunity sites to support development assumptions. The non-vacant sites share similarities with recently developed projects and are comparable when considering age, LIR, acreage, allowable density, and existing vs allowable floor area ratio.
10	8	A. Housing Needs Resources and Constraints	Zoning for a Variety of Housing Types	Emergency Shelters: For your information, if applicable, the element may need to address new requirements related to capacity and other factors for emergency shelters. For more information, including timing requirements, please see HCD's memo at https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf	Emergency Shelters: 105-106	The City is compliant with AB 2339 (2023) that requires zoning designations identified to allow emergency shelters as a permitted use without a conditional use or other discretionary permits also allow residential uses. The City allows emergency shelters without a conditional use or other discretionary permits in the OIMU zone. This is a mixed-use zone that also permits residential use including two-family dwellings, ADUs, JADUs, supportive housing, and transitional housing. The OIMU in the service sub-area also allows live-work facilities and allowed multi-family residential with a CUP.
11	9	A. Housing Needs Resources and Constraints	Zoning for a Variety of Housing Types	Permanent Supportive Housing: Supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement and include programs as appropriate.	Supportive and Transitional Housing; 106-107	Supportive housing is a permitted use by-right in every residential zone in the City. This includes all zones in the City were multifamily and mixed uses are allowed, as well as nonresidential zones permitting multifamily uses, as shown in Table 59. Transitional is also permitted use by-right in every zone in the City were multifamily and mixed uses are allowed, as well as nonresidential zones permitting multifamily uses, as shown in Table 59. Transitional housing is not permitting in the rural (R) zone; however, only single-family dwellings are permitted in this zone, and no multifamily uses or mixed-use are permitted. As defined in section 17.22.020 of the Pinole Municipal Code, both supportive and transitional housing "shall be permitted, conditionally permitted or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law."

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10	A. Housing Needs Resources and Constraints	Electronic Sites Inventory:	Pursuant to Government Code section 65583.3, subdivision (b), upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov. Please note, the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-download-tool for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.	N/A	The electronic sites inventory was submitted to HCD on 03-07-23.
11	A. Housing Needs Resources and Constraints	Land Use Controls:	The element must identify and analyze all relevant land use controls impacts as potential constraints and evaluate the cumulative impacts of land use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. Specifically, the element should analyze heights and setbacks and add or modify programs as necessary.	Cumulative Effect of Development Standards: 97-98	New table shows how the maximum density is met and exceeded in recent projects with existing development standards. This comparison and analysis includes heights and setbacks. In some cases project exceed density maximums by leveraging concessions for density bonuses and inclusionary housing.
12	A. Housing Needs Resources and Constraints	Parking Requirements:	The element must analyze the parking requirements (pp. III-7) for multifamily residential dwellings for its impact as a potential constraint on housing and include a program to address identified constraints. For additional information, see the Building Blocks at https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/land-use-controls.	Development Standards: 94-96 Program 12: 248-250	Added a cost estimate per parking space. Added a commitment to Program 12 to do one of more of the following: remove or reduce guest parking, remove covered parking requirements, allow tandem parking, and reduce minimum parking requirements.
13	A. Housing Needs Resources and Constraints	Building Codes:	The element should identify any local amendments to building codes analyze impacts on housing costs.	California Building Code: 121-122	Expanded California Building Code section to include analysis of local amendments to the building code for impacts on housing costs.
14	A. Housing Needs Resources and Constraints	Housing for Persons with Disabilities	The element describes the City's definition of family utilized in zoning then concludes its not a constraint but should include analysis to support this conclusion or consider other conclusions. For example, the family definition appears to require a single lease agreement which may be an impediment to housing for persons with disabilities. In addition, the element should describe and analyze which zones permit group homes (regardless of licensing) for six or fewer and seven or more persons and the accompanying permit procedures. An analysis should address any exclusion of group homes from residential zones and permit procedures such as conditional use permits which may act as a constraint on housing for persons with disabilities.	Housing for Persons with Disabilities: 120-121	Added an analysis regarding group residential homes to the Housing for Persons with Disabilities section. There are no restrictions on group residential in single or multi-family zones. A conditional use permit is required in the mixed-use zones. The group residential use does not have any cap or limit on the number of residents. There is no difference in review or policy for group homes with more than six residents. Modified Program 12 to include amending the Zoning Ordinance so that group residential is allowed in the R zone, a definition of group homes is added, and to make any other modifications to group home and residential care facility requirements to ensure they are compliant with state law and additionally do not pose any constraints on housing for persons with disabilities. Added clarification that the single lease agreement is an example, not a requirement. Modified Program 12 to include a review and revision of the definition of household to ensure clarity that a single lease is not required.

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17	15	A. Housing Needs Resources and Constraints	Processing and Permit Procedures	The element must describe and analyze permit processing procedures as potential constraints on housing supply, cost, timing, feasibility and approval certainty, particularly for residential development affordable to lower-income households. The element should discuss what processes are discretionary versus ministerial and clarify whether design review is discretionary. Further, design review processes should be analyzed for impacts on the number of units and denial of projects as well as disparities in processing times between single family and multifamily housing projects. Further, the element should analyze the total average permit processing time between single family and multifamily housing.	Permit Processing Procedure: 108-114	Added a step-by-step outline of the permitting process in Pinole and 7 examples of the permitting timelines, 5 multifamily and 2 single family examples. Added a subsection for the discretionary design review processes. The City conducted a review of recent projects since 2015 that went through the Comprehensive Design Review Process. The Comprehensive Design Review process was not used to reduce the density, size of units, or number of units for any project. Two recent projects increased in size throughout the review process, with the Pinole Vista projecting increasing from 214 to 223 units and the Hazel Street subdivision increasing from three to four units, including one unit for sale at the moderate income level. All of the reviewed projects were approved in one Planning Commission hearing.
18	16	A. Housing Needs Resources and Constraints	Approval Time and Requests for Lesser Densities:	The element must address requests to develop housing at densities below those anticipated in the sites inventory and the length of time between receiving approval for housing development and submittal of application for building permits. The analysis must address any hinderances on housing development and programs should be added as appropriate.	Requests to Develop Below The Anticipated Density: 123-124	Clarified and added analysis to "Requests to Develop Below Anticipated Density" section. The City received 3 requests for development on 5th cycle sites. All of the sites developed with more units than projected on the 5th Cycle Housing Element. Two sites developed at higher densities, and one developed at a lower density, but developed with an adjacent parcel, so still yielded more nits.
19	17	B. Housing Programs		As noted in Finding A3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.	Entitled and Pending Projects; 210-216, Non-Vacant Sites: 221-223	The Housing Element has been revised to include a complete sites analysis. Revisions to the sites inventory included: - Clarification that all lower and moderate income units in the approved projects with be deed restricted for a period of 55-years. - Adding a table of recent development trends comparing qualities of the two non-vacant sites in the inventory and recent projects in Western Contra Costa County. This analysis helped to show trends that the non-vacant sites and the recently developed sites have in common to establish the viability of the two sites in the inventory. Factors considered include acreage, building age, and LIR, among others. Reduce parking standards for ELI lower-income household developments. Zoning Ordinance amendments for will be completed within two years of Housing Element adoption. - 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 within one year of Housing Element adoption. - 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), and other special needs households. - Implement a waiver of park impact fees for all deed-restricted affordable units in excess of the 15 percent inclusionary units requirement within two years of Housing Element adoption (see Program 8.) - A suite of actions to encourage development of housing for seniors as outlined Program 10.

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20	18	B. Housing Programs	Assist in Development Programs:	The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-, very low-, low-, and moderate-income households, including specific actions to assist housing for persons with special needs (e.g., farmworkers, elderly, homeless and persons disabilities, including developmental).	Program 9: 243-245	Program 9: Housing for Lower Income Households and Special Needs Households, Including Persons with Disabilities, was modified to include more specific actions and timelines. Specific actions and timelines included in the Program are: - Develop a Housing Successor's Low and Moderate Income Housing Asset Fund Policy that prioritizes affordable housing developments for extremely-low income households, households with special needs and households with persons with disabilities. The policy guide will consider RHNA requirements, local housing needs, such as the needs of special needs households, demographics, and fair housing objectives, among other factors and will be completed within 3 years of Housing Element adoption. (see Program 7). - Develop a fee waiver program that would provide low or no-cost building permits to age-qualified, ELI lower income households, and qualified special needs disabled households to make improvements to their home for universal design. The fee waiver program will help reduce costs for qualifying special needs households to improve their homes. The City will develop a list of qualifying households and qualifying upgrades for the program. Eligible improvements may include plumbing, roofing, water damage, accessibility/mobility modifications, and improvements to make moving around inside and outside the home easier, such as stair lifts and hand rails.
21	19	B. Housing Programs		As noted in Findings A4 and A5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.	Program 12: 248-250	The Housing Element has been revised to include a complete constraints analysis. Revisions and additions to the constraints chapter include: - An analysis of how recent projects meet and exceed the maximum density with the City's existing development standards, including an analysis on setbacks and heights - A clarified, step-by-step outline of the permitting process -Recent projects timelines showing the timelines of the permitting process - Clarification that the City has received 3 developments on 5th Cycle sites. One development yielded lower density than anticipated, though still had 43 more units than anticipated as it was developed with an adjacent parcel - An added a commitment to Program 12 to do one of more of the following: remove or reduce guest parking, remove covered parking requirements, allow tandem parking, and reduce minimum parking requirements.
22	20	B. Housing Programs		As noted in Finding A2, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, milestones, and geographic targeting as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.	Housing Programs: 235-257	The Housing Element has been revised to include a complete analysis of fair housing. Revisions and additions to the AFFH section include: - A spatial analysis of homelessness and local data from code enforcement and the Pinole Police Department - A spatial analysis of substandard housing using data from code enforcement - Local data on BayREN programs participation over the last 8 years - A summary of sources used for local data including code enforcement, BayREN, Contra Costa County, local real estate professionals, developers with projects in the City, and knowledge from the planning department - Additional analysis on how RHNA sites do not exacerbate, but improve, fair housing conditions.
23	21	B. Housing Programs	ADU Programs	While the element includes Program H2-4: Accessory Dwelling Units (ADUs), which includes a commitment to create a public outreach program to encourage ADU development, it does not include a timeline of when or how often the outreach will occur. The Program should be revised to include a timeline which sets forth a schedule of actions during the planning period.	Program 23: 256-257	The City will provide information regarding ADUs, JADUs, and SB 9 opportunities at no less than 2 events annually. Events could include workshops, a Q&A session, or presence at community events throughout the year.

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24	22	C. Public Participation		While the element includes a general summary of the public participation process. The element could describe the efforts to circulate the housing element among lower- and moderate-income households and organizations that represent them and to involve such groups and persons in the element throughout the process. In addition, the element should also summarize the public comments and describe how they were considered and incorporated into the element.	Public Participation: 5, 9-10, 12-13 AFFH: 134	Expanded on the Public Participation section to include outreach efforts to developers during the 90-day HCD review. Added a summary of the two letters that were received prior to and during the public review period. Expanded on the Outreach section in the AFFH Chapter to discuss efforts to reach lower-and moderate-income individuals as well as included Program 20-22 to show the City's commitment for continued outreach to service providers and lower-income population.

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25	**Informal Comments from Meeting with HCD on January 30, 2023 - Resolved with Interim Draft dated February 17, 2023**					
26	**#**	**Chapter**	**Topic**	**Comment**	**Section / Page Number**	**Summary of Response**
27	Initial Informal Comment	Housing Needs Assessment	Lower Income Households Overpaying	While the element includes overall overpayment analysis, the element should include explicit data regarding overpayment.	Housing Needs: Housing Stock Characteristics; 56	The HE includes overpayment by income level and tenure, including low, very low, and extremely low income households broken down in Table 28 with a county comparison. The element also includes overpayment by extremely low income households in Table 53. Added Table 29 to sum overpayment data for each of the lower income levels.
28	Initial Informal Comment	Housing Needs Assessment	People with Developmental Disabilities	The element should supplement census data with other sources (e.g., local knowledge).	Housing Needs: Special Housing Needs; 63, 78 - 79, Program 9: 243 - 245	Added local disability data to needs section; Table 35 lists resources available in the City for persons with developmental disabilities. Local services to support persons with developmental disabilities include Cole Vocational Services and Pathway to Choices, which provide living services, adult day programs, behavior management, and competency training to people with developmental disabilities. Program 9 includes developing a fee waiver program that would provide low or no-cost building permits to age-qualified, ELI households, and households with persons with disabilities to make improvements to their home for universal design.
29	Initial Informal Comment	Sites Inventory and Analysis	RHNA Progress	The element must describe and analyze availability, including any known barriers, phasing, build out horizons, drop out rates and anticipated completion. Affordability should be established.	Sites and Resources: Entitled and Pending Projects; Realistic Capacity; 210, 327 - 334	Added a subsection documenting the status of each large pending projects, including short approval time frame. Added Appendix D of letters from developers indicating their anticipation of and commitment to completing their projects within the next 8 years. The City reviewed its 5th Cycle applications and found no projects that were withdrawn, reduced in size, or denied. Added note that affordability is maintained through agreements approved by City Council prior to receiving the certificate of occupancy of the project.
30	Initial Informal Comment	Sites Inventory and Analysis	Realistic Capacity	The element must describe and analyze the likelihood for 100 percent non-residential uses in zones that allow commercial development	Sites and Resources: Realistic Capacity; 204	Added discussion of capacity for 100 percent non-residential uses and recent commercial to commercial redevelopment. All sites are in zones that allow 100% residential development. The realistic capacity calculations take into consideration the capacity for commercial development through the reduction of residential yield from the 106.5% in zones that allow commercial use to 70%.
31	Initial Informal Comment	Zoning for a Variety of Housing Types	ADUs	The City ADU ordinance was found out of compliance, HCD to send ADU team letter. The element must demonstrate compliance with this requirement and include programs as appropriate. Affordability of ADUs should be established.	Sites and Resources: Accessory Dwelling Units; 103, Program 4: 238 - 240	The City streamlines the permitting of ADUs by processing them as a plan check of a building permit and does not require separate planning permits for ADUs. Program 4 includes the necessary revisions to the ADU ordinance to comply with State Law: 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. If annual production and affordability rates do not match the estimates included in the Sites and 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 or identify additional sites using the additional development opportunity list the City maintains.
32	Initial Informal Comment	Zoning for a Variety of Housing Types	Emergency Shelters	Development standards cleared up with program 11. However, emergency shelters are only allowed in one zone, and through discretionary review. Should be allowed by right. Establish suitability of zone/ adjacent to transportation and fit for human habitation. The element must demonstrate compliance with this requirement and include programs as appropriate.	Fair Housing Issues, Contributing Factors, and Meaningful Action: 183, 185-200	Program 11 is included to revise emergency shelter standards so that they comply with state law. 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. Emergency shelters are allowed by-right in the OIMU zone in the Three Corridor specific plan. This area along San Pablo is fit for human habitation, has access to infrastructure, is within 0.5 miles of transit stops, along the most walkable area in Pinole, and provides access to employment centers and commercial amenities. There are a number of residential uses at varying densities adjacent to this zone. The zone does not allow for heavy industrial uses. Other residential uses allowed in the OIMU zone include two-family dwellings, ADUs and JADUs, supportive housing, and transitional housing. The element identified 5.6 acres of vacant OIMU uses, which is more than adequate to provide for capacity for emergency shelters for the City's PITC (7).

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33	Initial Informal Comment	Governmental and Non-governmental Constraints	SROs	SROs are approved through conditional use permit only. The element must demonstrate compliance and include a program to facilitate construction.	Constraints on Housing: Providing for a Variety of Housing Types; 107 Program 8: 242 - 243 Program 9: 243 - 245	The Housing Element was revised provide the following analysis on SROs in the City: There is no potential constraint on the development of SRO residences. The code allows the construction of very small, efficiency, or micro-units of all affordability levels in all zones that allow residential uses. The City's definition for SROs is "multi-unit housing for very low-income persons that typically consists of a single room and shared bath and also may include a shared common kitchen and common activity area. SROs may be restricted to seniors or be available to persons of all ages. Subsidized versions may be supervised by a government housing agency." SROs are eligible for reduced parking standards through Program 9 and affordable housing incentives in Program 8.
34	Initial Informal Comment	Governmental and Non-governmental Constraints	SB330	The element should include a program to establish compliance with SB 330 and needs more specific language.	Housing Programs: Program 13; 248 - 249	Included Program 13 language to constraints section; Modified Program 13 (SB 330 compliance) to provide specific language that the City will ensure compliance with SB 330, by requiring any demolished units that were occupied by lower-income households to be replaced with new units affordable to households with those same income levels and establishing objective design standards.
35	Initial Informal Comment	Governmental and Non-governmental Constraints	Fees	The element must describe and analyze impact fees used in cumulative analysis and provide a comparison to neighboring jurisdictions	Constraints: Planning, Building, and Development Impact Fees; 119, 115 Program 14: 249 - 250	Added total row for development impact fee table by use. Included neighboring jurisdictions to the Planning Related Fees table as well as included a Regional Fee Comparison section. Noted that most of the Pinole fees compare favorably with fees required by other cities in the region. Referenced Program 14, Fee Evaluation and Publicization, including review of development impact fees by Q4 2023. Noted that the 2022 Fee Study led to a reduced fee schedule. A developer specifically noted that the reduced fees in Pinole were attractive and were more fair for larger projects. Table 64 demonstrates that the review fees are proportionate - smaller for smaller, missing middle projects. Also noted that ADUs are processed ministerially with just a building permit, not a separate planning permit or fee.
36	Initial Informal Comment	Governmental and Non-governmental Constraints	On-/Off-site Improvements	The element must describe and analyze development standards and evaluate cost impacts for on and off site improvements.	Constraints: On-and Off-Site Improvements; 123 - 124 Program 3: 237 - 238	Added specific standards of on and off-site improvements and evaluated the cost of their requirement. Added technical assistance and coordination with PG&E to assist with facilitating the requirement of undergrounding utilities to Program 3
37	Initial Informal Comment	Governmental and Non-governmental Constraints	Ordinance Analysis	The inclusionary housing requirement needs more analysis as a constraint, such as the lack of an in-lieu fee and application to quadplexes. Include or revise programs as appropriate.	Constraints: Inclusionary housing; 98 Program 6: 241	Added trends of recent development to establish that 40% is not a constraint to development. Included a recent example where the developer proposed more than (48%) the minimum 40% very low income units. This and other recently approved market and affordable housing projects demonstrate that the cumulative regulations are resulting in the desired effect of meeting over 80% of the City's RHNA before the 8-year planning period began. Clarified that Program 6 **commits** to creating an in-lieu fee so that the inclusionary housing ordinance is not a constraint on smaller projects.
38	Initial Informal Comment	Governmental and Non-governmental Constraints	Density Bonus	The element must establish compliance / add specificity to its density bonus program.	Constraints on Housing: Density Bonus; 100 Program 12: 247 - 248	The Housing Element notes that the existing density bonus provisions need to be updated to be compliant with current state law and that the City is implementing and complying with State standards. Program 12 includes an update to ensure compliance with density bonus law, and specifically identifies required revisions. Specifically the update will increase the maximum density bonus from 35 to 50 percent, add student housing as a housing type that is eligible for density bonus incentives, reducing parking from 2 to 1.5 spaces for two and three bedroom units and from 2.5 to 2 spaces for four or more bedroom units. The City is complying with state density bonus law though the code is not yet updated.
39	Initial Informal Comment	Governmental and Non-governmental Constraints	Conserve and Improve, preserving outreach	The element must include a housing preservation program.	Program 18: 251 - 252	Modified/clarified that Program 18 is a preservation of below market rate units in the City.
40	Initial Informal Comment	Governmental and Non-governmental Constraints	Affirmatively Furthering Fair Housing	Element must include timing for alternative actions if assumptions regarding sites and approved projects are not met.	Program 1: 235 - 236; 239	Amended Program 1 to add a mid-cycle review of the HE to ensure adequate sites and progress in 2027. Modified ADU program to ensure additional programs or strategies within 6 months of any identified shortfall.

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25	**Informal Comments from Meeting with HCD on January 30, 2023 - Resolved with Interim Draft dated February 17, 2023**					
26	**#**	**Chapter**	**Topic**	**Comment**	**Section / Page Number**	**Summary of Response**
41	Initial Informal Comment	Governmental and Non-governmental Constraints	ADUs	Element must include timing for alternative actions if assumptions regarding ADU production not met.	Programs: Adequate Sites and Housing Production to Meet Regional Needs; 239	Modified Program 4 to state that if ADU production does not match the estimates in the sites inventory the City will either adopt additional ADU programs or identify additional sites using the additional development opportunity list the City maintains.

ATTACHMENT D

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY GAVIN NEWSOM, *Governor*

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

March 2, 2023

Lilly Whalen, Director
Community Development Department
City of Pinole
2131 Pear Street
Pinole, CA 94564

Dear Lilly Whalen,

RE: City of Pinole's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the City of Pinole (City) draft housing element update received for review on December 2, 2022, along with revisions received February 17, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. HCD considered comments from YIMBY Law, CarLa and 350 Contra Costa, pursuant to Government Code section 65585, subdivision (c). as well as conversations facilitated by City Staff on January 30 and February 28, 2023.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to make prior identified sites available or accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory

deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the City fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until all necessary rezones are completed pursuant to Government Code section 65583, subdivision (c)(1)(A) and Government Code section 65583.2, subdivision (c).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: https://www.opr.ca.gov/planning/general-plan/guidelines.html.

We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Connor Finney, of our staff, at Connor.Finney@hcd.ca.gov.

Sincerely,

Paul McDougall
Senior Program Manager

Enclosure

APPENDIX
CITY OF PINOLE

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at http://www.hcd.ca.gov/community-development/building-blocks/index.shtml and includes the Government Code addressing State Housing Element Law and other resources.

A. Housing Needs Resources and Constraints

1. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

   Housing Costs: While the element includes estimated rents for residents, it utilizes American Community Survey (ACS) data. The element should supplement census data with other sources (e.g., local knowledge).

2. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2…shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

   Disproportionate Housing Needs, Including Displacement Risk: The element includes some general information on persons experiencing homelessness and housing conditions but should also evaluate those needs, impacts and patterns within the City, such as areas of higher need. For homelessness, the element should examine patterns of need or areas with higher concentrations of persons experiencing homelessness, including access to transportation and services. For housing conditions, the element should discuss any areas of potentially higher needs of rehabilitation and replacement. The element should utilize local data and knowledge such as service providers and code enforcement officials to assist this analysis.

   Local Data and Knowledge: The element must include local data, knowledge, and other relevant factors to discuss and analyze any unique attributes about the City related to fair housing issues. The element should complement federal, state, and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates and service providers, City staff and related local and county planning documents and should include an analysis of the history of exclusionary zoning in the City as well as how it contributes to existing patterns of segregation.

Affirmatively Furthering Fair Housing (AFFH) and Sites Inventory: The element must analyze how the identified sites contribute to or mitigate fair housing issues. An analysis should address all of the income categories of identified sites with respect to location, the number of units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). If sites exacerbate conditions or isolates the RHNA by income group, the element should identify further program actions (not limited to the RHNA) that will be taken to promote equitable quality of life throughout the community (e.g., housing mobility and new opportunities in higher resource areas).

Contributing Factors to Fair Housing Issues: Based on the outcomes of a complete analysis, the element must re-assess and prioritize contributing factors to fair housing issues.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

   Progress toward the Regional Housing Needs Allocation (RHNA): The housing element appears to rely on approved and pending projects to accommodate a portion the City's regional housing need for lower-income households. While the housing element includes the number of units for each project by income group, it should also demonstrate the affordability, specifically for moderate income units. The element should utilize anticipated or actual rents, sales prices, or other mechanisms (e.g., financing, affordability restrictions) ensuring their affordability.

   Suitability of Nonvacant Sites: The element should analyze the extent that existing uses may impede additional residential development. For example, the element could describe examples (City or comparable areas) of converting existing uses to higher density residential development, include current market demand for the existing use, provide analysis of existing leases or contracts that would perpetuate the existing use or prevent additional residential development and include current information on development trends and market conditions in the City and relate those trends to the sites identified. The element should also consider indicators such as age and condition of the existing structure, existing versus allowable floor area, low improvement to land value ratio, as well as acreage of properties and support the validity of those assumptions based on recent trends or other information.

   Zoning for a Variety of Housing Types:

   - *Emergency Shelters*: For your information, if applicable, the element may need to address new requirements related to capacity and other factors for emergency shelters. For more information, including timing requirements, please see HCD's memo at https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf.

- *Permanent Supportive Housing:* Supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement and include programs as appropriate.

Electronic Sites Inventory: Pursuant to Government Code section 65583.3, subdivision (b), upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov. Please note, the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-download-tool for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).).*

Land Use Controls: The element must identify and analyze all relevant land use controls impacts as potential constraints and evaluate the cumulative impacts of land use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. Specifically, the element should analyze heights and setbacks and add or modify programs as necessary.

Parking Requirements: The element must analyze the parking requirements (pp. III-7) for multifamily residential dwellings for its impact as a potential constraint on housing and include a program to address identified constraints. For additional information, see the *Building Blocks* at https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/land-use-controls.

Building Codes: The element should identify any local amendments to building codes analyze impacts on housing costs.

Processing and Permit Procedures: The element must describe and analyze permit processing procedures as potential constraints on housing supply, cost, timing, feasibility and approval certainty, particularly for residential development affordable to lower-income households. The element should discuss what processes are discretionary versus ministerial and clarify whether design review is discretionary. Further, design review processes should be analyzed for impacts on the number of units and denial of projects as well as disparities in processing times between single

family and multifamily housing projects. Further, the element should analyze the total average permit processing time between single family and multifamily housing.

Housing for Persons with Disabilities: The element describes the City's definition of family utilized in zoning then concludes its not a constraint but should include analysis to support this conclusion or consider other conclusions. For example, the family definition appears to require a single lease agreement which may be an impediment to housing for persons with disabilities. In addition, the element should describe and analyze which zones permit group homes (regardless of licensing) for six or fewer and seven or more persons and the accompanying permit procedures. An analysis should address any exclusion of group homes from residential zones and permit procedures such as conditional use permits which may act as a constraint on housing for persons with disabilities.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including… …requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)*

   Approval Time and Requests for Lesser Densities: The element must address requests to develop housing at densities below those anticipated in the sites inventory and the length of time between receiving approval for housing development and submittal of application for building permits. The analysis must address any hinderances on housing development and programs should be added as appropriate.

B. Housing Programs

1. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

   As noted in Finding A3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs

to address a shortfall of sites or zoning available to encourage a variety of housing types.

2. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

   Assist in Development Programs: The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-, very low-, low-, and moderate-income households, including specific actions to assist housing for persons with special needs (e.g., farmworkers, elderly, homeless and persons disabilities, including developmental).

3. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

   As noted in Findings A4 and A5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

4. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

   As noted in Finding A2, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, milestones, and geographic targeting as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

5. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)*

   While the element includes Program H2-4: Accessory Dwelling Units (ADUs), which includes a commitment to create a public outreach program to encourage ADU development, it does not include a timeline of when or how often the outreach will occur. The Program should be revised to include a timeline which sets forth a schedule of actions during the planning period.

C. Public Participation:

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)

While the element includes a general summary of the public participation process. The element could describe the efforts to circulate the housing element among lower- and moderate-income households and organizations that represent them and to involve such groups and persons in the element throughout the process. In addition, the element should also summarize the public comments and describe how they were considered and incorporated into the element.

Return to Agenda

CITY COUNCIL REPORT

12A

DATE: **APRIL 4, 2023**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **LILLY WHALEN, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: **FRAMEWORK FOR NEW OUTDOOR DINING REGULATIONS**

RECOMMENDATION

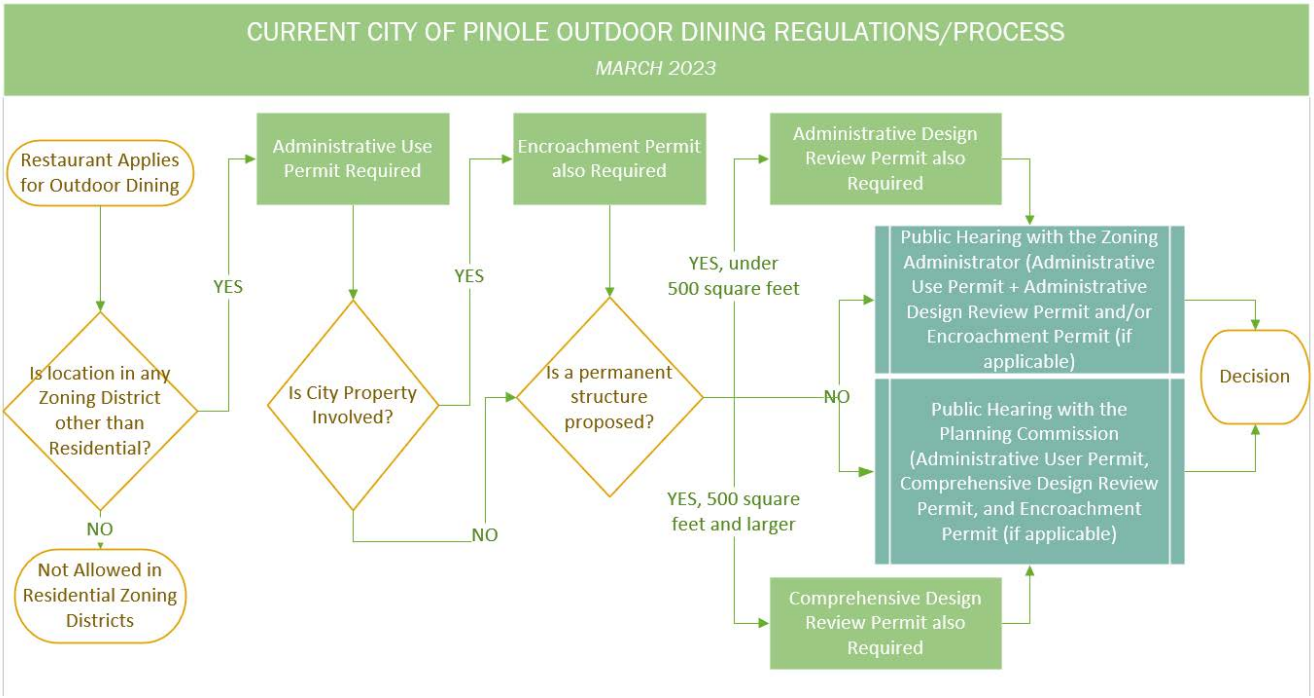
Staff recommends the City Council provide direction on establishing new regulations for outdoor dining in Pinole.

BACKGROUND

Outdoor dining extends restaurants' seating into the sidewalk, street or underutilized areas and can enliven the street, support economic development and help re-prioritize public space for human use. The City of Pinole's current outdoor dining program was established in 2010 with a major Zoning Code Amendment. Pursuant to Chapter 17.68 (Outdoor Sales, Display, Storage, and Outdoor Seating), outdoor dining is allowed in all zoning districts, with the exception of residential zoning districts, with approval of an Administrative Use Permit and an Encroachment Permit (if City property is involved). An Administrative Design Review or Comprehensive Design Review may also be required depending on the proposed structure. Structures under 500 square feet in size may be processed through an Administrative Design Review Permit. Structures 500 square feet and larger may be processed through a Comprehensive Design Review Permit.

Section 17.68.030 (D) outlines the requirements for permanent outdoor seating and includes standards for maintenance, accessibility, and additional off-site parking. Prior to the COVID-19 pandemic, and since 2010, the City had issued five Administrative Use Permits for outdoor dining under Section 17.68.020. See **Figure 1** for a flow chart outlining the current process in the City's Municipal Code.

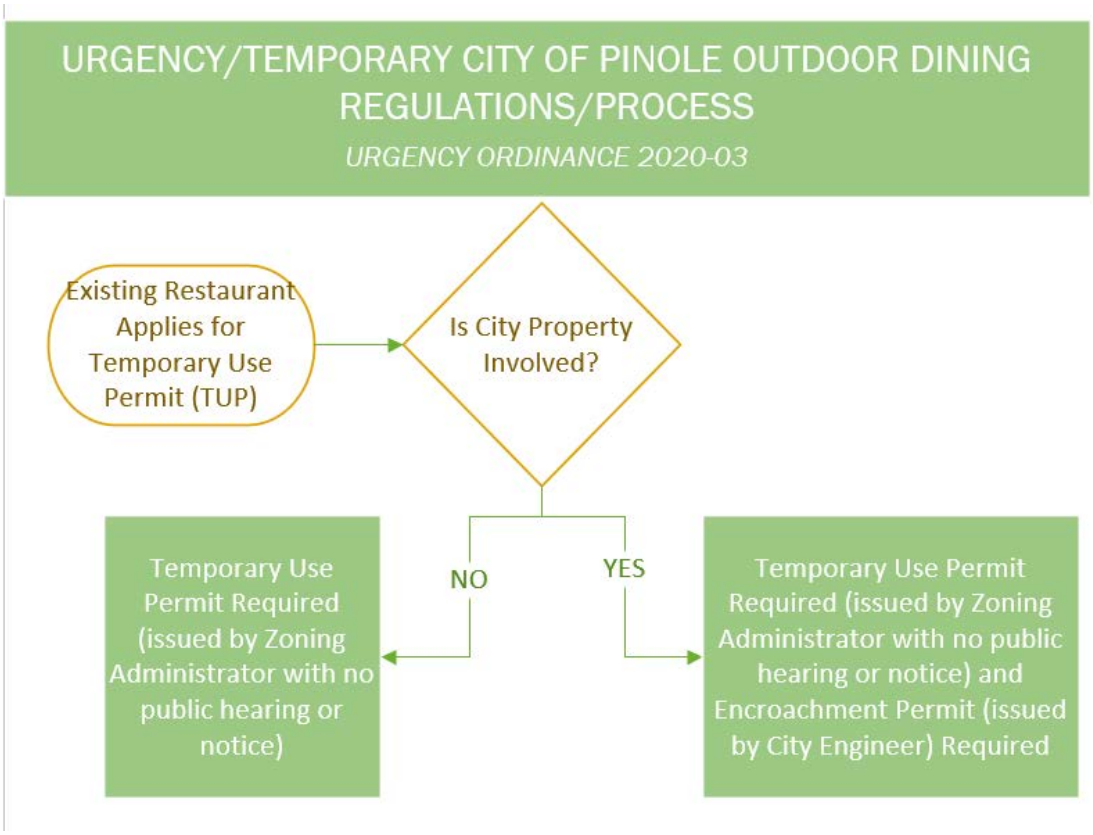
Figure 1: Current Outdoor Dining Application Process



During the COVID-19 pandemic, several businesses requested the ability to accommodate outdoor seating in order to continue to provide food service to customers while complying with local health restrictions regarding dining indoors. Similar to many other jurisdictions during the pandemic, the City Council adopted an urgency ordinance (Urgency Ordinance No. 2020-03, see **Attachment A**) on June 2, 2020, for the purpose of streamlining and expediting temporary outdoor seating permits to support continued operation of businesses while also complying with health orders.

Section 3 of the Urgency Ordinance defined the role of the Zoning Administrator to waive code requirements of Title 17 of the Zoning Code and establish a Temporary Use Permit (TUP) process for business owners to establish temporary outdoor dining. The process authorized by the Urgency Ordinance allowed businesses to obtain TUPs to engage in certain activities through an expedited, modified process. See **Figure 2** for a flow chart outlining the TUP process in the Urgency Ordinance.

Figure 2: Urgency Ordinance Outdoor Dining Application Process



The City granted 10 TUPs through the process authorized by the Urgency Ordinance for eating establishments to provide outdoor dining. Nine of the eating establishments with TUPs located outdoor dining areas in their respective parking lots, where only one located outdoor dining in the public right-of-way (ROW). Four of the 10 businesses utilized a physical shelter structure to protect patrons from inclement weather. Three of the 10 TUPs issued under the Urgency Ordinance are still active. Restaurants that were issued a TUP are listed in **Table 1**, below, along with the location of the outdoor dining, if it is covered or enclosed, and if the permit is still active.

Table 1: Restaurants with a TUP for outdoor dining

Business Name	Street Address	Location	Covered/Enclosed?	Active?
Pear Street Bistro	2395 San Pablo Avenue	Between Bank Building and existing restaurant	Covered and enclosed	Yes
East Bay Coffee Company	2529 San Pablo Avenue	Lot next door to East Bay Coffee Building	Covered	No, removed

Business Name	Street Address	Location	Covered/Enclosed?	Active?
Tina's Place	2300 San Pablo Avenue	Private parking lot	Covered and enclosed	Yes
Applebee's	1369 Fitzgerald Drive	Private parking lot	Not enclosed or covered	No, removed
Antlers	2284 San Pablo Avenue	Private parking lot	Enclosed	No, removed
Que Onda	1473 Fitzgerald Drive	Private parking lot	Covered	No, removed
Il Grand	812 San Pablo Avenue	In front portion of the building	Not enclosed or covered	No, removed
Mel's Diner	1441 Fitzgerald Drive	Private parking lot	Covered and enclosed	No, removed
Sue's Place	2265 Pear Street	Parklet in public right-of-way	Covered and Enclosed	Yes

Section 2 and 5 of the Urgency Ordinance determined the expiration of the Temporary Use Permits. Section 2 indicated that TUPs were valid for 90 days, unless extended by the Zoning Administrator. Section 3 requires that the Ordinance remain in effect until the expiration of the declaration of local emergency by the Pinole City Council. TUPs were informally extended by the Planning Manager during the pandemic.

DISCUSSION AND ANALYSIS

The COVID-19 pandemic provided an opportunity for cities to examine their existing outdoor dining regulations and consider permanent modifications to their regulations to allow for additional safe and aesthetically pleasing outdoor dining opportunities. There are a number of benefits associated with outdoor dining. First, outdoor dining helps to define a neighborhood's character, vibrancy and sense of place. Second, when restaurant patrons dine outdoors, public spaces such as sidewalks can become enlivened and activated, promoting a sense of community and safety by encouraging a mixture of uses and street vitality at the pedestrian scale. Associated streetscape improvements such as landscaping, aesthetically pleasing sidewalk furniture and lighting benefits these public spaces as well.

Additionally, outdoor dining may help contribute to local economic development by attracting patrons to new businesses, encouraging them to stay longer/come back more often, and can be combined or enhanced with larger community events. Lastly, open air dining may be more enticing to certain patrons than indoor dining. For example, outdoor

dining may be appealing to families looking for a more casual atmosphere to dine with young children, or for pet owners to dine with their leashed dogs.

The purpose of this discussion item is to review current regulations related to outdoor dining, and if desired by the Council, develop a recommended framework for requirements applicable to outdoor seating areas on sidewalks, in street parking areas, and on public and private property. A number of communities in Contra Costa County have prepared updated outdoor dining regulations in their communities during the pandemic. Staff has prepared information highlighting new regulations from other jurisdictions transitioning temporary to long-term facilities (**Attachment B**) and a sampling of general outdoor dining regulations in some Contra Costa communities (see **Attachment C**).

In order to provide guidance to the City Council, the Planning Commission discussed outdoor dining and parklets first at their March 28, 2022 meeting. During the discussion, issues and concerns were raised regarding the temporary outdoor eating areas authorized under TUPs including the size, quality, and maintenance of the dining structures as well as adequate access to street parking, drive aisles, driveways, and open parking stalls. The Commission directed the Commission's Ad-Hoc subcommittee to work with staff to develop a recommended framework. The Ad-Hoc subcommittee discussed this topic at their August 4, 2022 meeting. Finally, at the February 13, 2023 Planning Commission meeting the Planning Commission reviewed and refined the recommended framework of improved outdoor dining regulations for Council discussion (see **Attachment D** for Planning Commission minutes).

To set the stage, current outdoor dining regulations allow outdoor dining through an Administrative Use Permit (AUP) and installation of features in the public right-of-way through an Encroachment Permit. The AUP process provides a mechanism for administrative review at a public hearing to ensure compatibility with the project site and surrounding uses. An Encroachment Permit is an administrative review of proposed features in the public right-of-way for protection of the public interest, safety, and welfare. An Administrative Design Review or Comprehensive Design Review may also require depending if there is a proposed structure and how large it is.

PMC Section 17.68.020.E.1 requires, in part, that outdoor seating may only be established where:

- There is a continuous path of travel of at least six feet in width.
- Pedestrian and accessibility access and views of traffic devices is not obstructed.
- Access to meters, fire hydrants, or other objects (street hardware) in the right-of-way.

Current regulations are lacking with respect to design standards for outdoor dining. Pages 17-18 in Chapter 7.0 of the Three Corridors Specific Plan provides some performance guidelines for outdoor seating, but guidance is limited in detail. These include a 6-foot clearance in the sidewalk right of way and design standards which are limited to enclosed

cafes (e.g., use of clear glass, base walls no greater than 12 inches in height, and outside window heights not less than eight feet).

Outdoor Dining Framework Topics

The Planning Commission considered the following overarching discussion topics to establish a framework for coordinated standards and guidelines for new outdoor dining regulations:

- Define **categories** of outdoor dining (on sidewalks: “sidewalk dining areas”, in parking spaces in the right-of-way or on public property: “parklets”, and on private property: “outdoor dining areas”)
- Establish the **permitting process** for outdoor dining, including opportunities for public input, annual renewal or inspections, one-time and annual fees, maintenance, and liability
- Describe the **locations** and/or zoning districts where different categories of outdoor dining are allowed through a permitting process
- Establish **standards** for design and materials, size, landscaping, accessibility, circulation, lighting, safety features (such as guardrails, wheel stops, visible vertical elements) signage, heating, air circulation and outdoor furniture
- Consider **encouraging** other elements such as public art and bicycle parking
- Establish **standards** that address use of the area (i.e., hours, public access, and equity)
- Address **parking** requirements
- Address the **transition** from temporary outdoor dining areas to permanent dining areas (i.e., establish a transition period for existing temporary permit holders to apply for a permanent outdoor dining area).

Ultimately, the framework will be used to establish an Ordinance and guidelines that enhance the City’s current outdoor dining regulations and activates the street, with the intent to create a welcoming environment for residents and visitors when dining outdoors in the City of Pinole.

Categories of Outdoor Dining

Through the Planning Commission’s discussion, three main categories of outdoor dining were discussed: sidewalk dining, private outdoor dining areas and public parklets. Sidewalk dining areas are located on public and private sidewalks. Sometimes there is a clearly defined eating area, and other times there is not. **Figure 3** provides examples of sidewalk dining in other communities. Private outdoor dining areas are located on private property that serves a restaurant or cafe, and may be incorporated in private parking lots, outdoor patios, recessed entries immediately adjacent to the public right-of-way and alleys adjacent to the operating business. **Figure 4** provides examples of private outdoor dining areas in other communities.

Lastly, parklets are typically curbside parking spaces in the right-of-way that have been converted to public seating platforms. They are intended to provide amenities, green space, or recreational areas to the public. The purpose of a community parklet is to maximize the sense of community by utilizing public spaces for aesthetic amenities to create features of interest or opportunities for informal gatherings. They have been traditionally open to any member of the public. **Figure 5** shows examples of different parklets in other communities.

Figure 3: Sidewalk Dining Area Examples

Figure 4: Outdoor Dining Area Examples

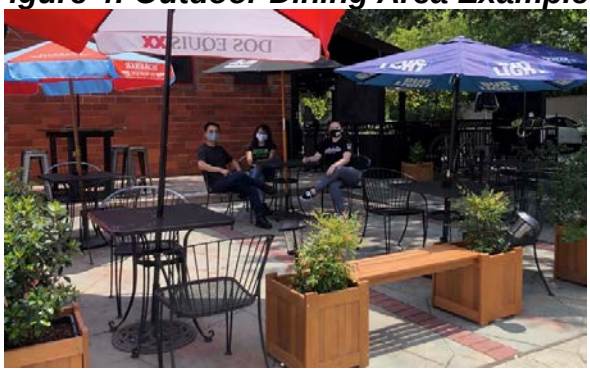


Figure 5: Parklet Examples

PERMITTING PROCESS

The Commission is recommending different permitting processes dependent on the type of outdoor dining proposed. The following **Table 2** reflects the general Planning Commission consensus on permitting processes.

Table 2: Planning Commission Consensus on Permitting Process

Topic	Subtopic	Planning Commission Recommendation	Staff Comment
Initial Permitting Process	Parklets or Public Property	Planning Commission review, with recommendation to City Council for a final decision.	The Municipal Code does not contemplate larger parklet or other structures in right-of-way or other public property. The Code currently only requires an Encroachment Permit for outdoor activities within the public right-of-way, in required parking spaces or within designed vehicle drive aisles, or within required landscape planter areas. Additional standards should be considered for safety and aesthetics.
	Sidewalk dining	Zoning Administrator hearing with Zoning Administrator providing final decision (appeal authority to the Planning Commission, City Council).	The Commission's recommendation is aligned with the existing Code process. Additional standards should be considered for safety and aesthetics.
	All other private outdoor dining areas	Zoning Administrator hearing with Zoning Administrator providing final decision (appeal authority to the Planning Commission, City Council).	The Commission's recommendation is aligned with the existing Code process. Additional standards should be considered for safety and aesthetics.
Annual Review		Consider annual inspection requirement, particularly for parklets.	This would be a new requirement that does not currently exist in the outdoor dining process.
Fees		Recommended application fee to be based on staff costs. For parklets and sidewalk dining, consider annual fees to compensate loss	The current fee for an Administrative Use Permit is $875, Administrative Design Review Permit is $725 and a Comprehensive Design Review Permit is $3,700. The current fee

Topic	Subtopic	Planning Commission Recommendation	Staff Comment
		of public parking spaces and/or City property and annual inspection (if required).	for an Encroachment Permit varies depending on the type of work proposed.
Standard Conditions of Approval		There should be requirements for owner maintenance and liability. Regular/daily maintenance and removal of litter should be required. City must decide if parklets are open to the public or for private use. Consider appropriate conditions of approval for parklets open to the public.	The current Code requires the following as standard conditions for outdoor dining: • Outdoor activity areas shall be kept free of garbage and other debris. Permittee shall be responsible for, and exercise reasonable care in, the inspection, maintenance, and cleanliness of the area affected by the outdoor seating, including any design requirements hereafter enacted, from the building frontage to the curb. • Hours of operation for outdoor activities shall be consistent with those for the corresponding primary use. • Any noise generated by the outdoor activity shall be consistent with the city's Noise Ordinance. • No additional business identification or advertising signs for the outdoor activity may be permitted above the maximum allowable sign area for the corresponding primary use. • The outdoor seating is restricted to the approved location and ensure compliance with all applicable laws including laws against blocking the public right-of-way, health and safety laws, public cleanliness laws, and laws regulating sale and public consumption of alcohol.

LOCATIONS/ZONING DISTRICTS

The Commission is recommending outdoor dining be allowed in all zoning districts that allow for restaurant use, consistent with current regulations. Staff suggests that there may be additional restrictions considered for traffic and pedestrian safety reasons that would restrict and limit parklets in specific locations in the City, such as at intersections where visibility is a concern and/or other safety hazards exist. For example, San Pablo Ave is a regionally significant route. Although it is within Pinole's city limits and managed by the City, the City may want to consider utilizing standards published by Caltrans for parklets along highways.

AESTHETIC, COMFORT AND SAFETY STANDARDS

With respect to design of outdoor facilities, the Planning Commission is recommending the following:

- An emphasis on safety, visibility and more permanent barriers.
- Consideration of more heavy weight barriers, wheel stops, wheelchair accommodations, and reflective corner elements.
- Maintaining sight distance/visibility between patrons and traffic. Coverings could have openings or plexiglass/acrylic windows/doors to ensure visibility.
- Limit use of tents and guardrails, which give a temporary look.
- In general, the Commission requests the Council carefully weigh regulations that further the City's sustainability goals against the financial and operational impact on small businesses.

INCORPORATION OF OTHER FUNCTIONAL ELEMENTS

The consensus of the Planning Commission was to encourage other elements such as public art and bike parking into outdoor dining areas. The Commission recommends that opportunities for outdoor dining areas in Old Town should incorporate safe bicycle parking spaces, which also facilitates pedestrian navigation. Staff suggests the Council could consider if incorporation of sustainability features (native plants, locally-sourced or recycled/reclaimed materials, low-emission and sustainable woods/paints).

PUBLIC USE OF AREA

The Planning Commission had a robust discussion regarding consideration needed for public access to outdoor dining areas on public property. Some of the questions the Commission discussed included:

- Should parklets or other dining on public property be accessible to the public regardless of patronizing a particular business?

- Does the public have access at all times? Can access be controlled? Should a business owner have the right during business hours to control use of the area?

The Commission further discussed access being controlled through an Agreement process for parklets, or through conditions of approval regarding use of the right-of-way. There was no strong consensus from the Commission regarding this topic.

PARKING REQUIREMENTS

The Commission discussed how to address the loss of parking from parklets and other forms of outdoor dining, but did not reach a consensus. Options discussed included allowing a maximum number of spots to be removed, not allowing any required parking for the business to be removed, or allowing required parking to be removed if excess parking capacity existed in the area. Staff has illustrated the different decision points gleaned from the Planning Commission discussion within Table 3 below. Please note the staff recommended option is identified with an asterisk.

Table 3: Parking Requirements for Outdoor Dining Use/Replacement of Parking

Outdoor Dining Type	*Current Pinole Regulations*	Less Restrictive Option	Neutral Option	More Restrictive Option
Parklet	*No Current Regulations*	No replacement parking required; no additional parking required	No parking replacement required if parklet is open to the public and not restricted to specific restaurant patrons*	For every off-street parking space utilized by outdoor dining an off-site replacement space should be provided
Sidewalk Dining	*Case-by-case basis; the CDD is allowed to determine if the additional seating would lead to new demand that exceeds available supply.*	No additional parking is required*	No additional parking is required if current use is compliant with parking requirements; if not compliant, additional parking required to either make existing use compliant, or in a ratio i.e., for every so many sq ft of dining space, a fraction of an off-site parking space is required)	Parking for outdoor dining required at a ratio (i.e., for every so many sq ft of dining space, a fraction of an off-site parking space is required)

Public/ Private (Parking Lot)	*No current regulations*	Private: No replacement parking required; no additional parking required* Public: City Council authorization during review/ approval of outdoor dining*	Private: No additional parking is required if current use is compliant with parking requirements; if not compliant, additional parking required to either make existing use compliant, or in a ratio i.e., for every so many sq ft of dining space, a fraction of an off-site parking space is required) Public: City Council authorization during review/approval of outdoor dining	Private: For every off-street parking space utilized by outdoor dining an off-site replacement space should be provided Public: City Council authorization during review/approval of outdoor dining

**Staff recommended option*

TRANSITION PERIOD

There was consensus among the Planning Commissioners to not allow existing temporary structures to remain, and to require business owners that desired future outdoor dining to apply for permits for permanent structures. To allow businesses time to transition to a permanent structure after new regulations are in place, the Commission recommended Council consider allowing businesses to maintain their temporary use permits for six months after the adoption of any new regulations. Staff has the following additional recommendations:

- Upon adoption of any new regulations, or direction from the Council to discontinue the TUPs, staff will notify businesses about permanent facility/outdoor dining permitting processes, the date the TUPs will expire and obligations to remove the temporary structure.
- In order to remain during the transition period, temporary structures associated with the TUPs should have a safety inspection by the Building Official to ensure they are in good, usable, working order.
- Staff will work with businesses interested in permanent outdoor dining facilities to prepare applications.

Summary and Next Steps

In summary, the current Municipal Code provides a process pathway for outdoor dining on sidewalks and private outdoor areas in Pinole. However, standards related to aesthetics, safety, design and durability are lacking and could be revisited and refreshed.

Additionally, there is not a clear process pathway for parklets, or permanent outdoor dining, on public property.

The desired direction from Council at this stage is if staff should return with a specific proposal on modified outdoor dining regulations to support and encourage outdoor dining in the City, or not. If guidance is given to proceed with developing a specific proposal, Council may then provide specific direction related to the different types of outdoor dining and other standards/considerations such as parking and exclusive access/use. The Council may provide that direction at the March 21 meeting, or consider those items when staff returns with a specific proposal, which will incorporate best practices from other jurisdictions. The Council may also desire to direct staff to conduct outreach to businesses to determine the level of interest in more clearly defined outdoor dining processes and standards, and opportunities for parklets.

If Council is not interested in pursuing additional regulations related to outdoor dining, staff recommends the Council give staff direction on when to expire the TUPs and begin enforcing the removal of temporary outdoor dining structures.

FISCAL IMPACT

There is no fiscal impact to receiving this report. Depending on the complexity of the desired regulations, there is anticipated to be approximately 50-100 hours of Community Development and legal staff time associated with developing regulations for Council consideration.

ATTACHMENTS

A- Urgency Ordinance
B- Sampling of New Regulations from other Jurisdictions Transitioning Temporary to Long-Term Facilities
C- Sampling of General Outdoor Dining Regulations in Some Contra Costa Communities
D- Planning Commission Draft Minutes - February 13, 2022

ATTACHMENT A

ORDINANCE NO. 2020-03
AN URGENCY ORDINANCE OF THE CITY OF PINOLE AUTHORIZING THE ZONING ADMINISTRATOR TO WAIVE REQUIREMENTS OF TITLE 17 OF THE PINOLE MUNICIPAL CODE TO FACILITATE BUSINESS OPERATIONS IMPACTED BY NOVEL CORONAVIRUS (COVID-19)

WHEREAS, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease named "coronavirus disease 2019" ("COVID-19"); and

WHEREAS, COVID-19 is easily transmissible from person to person, and community spread of the diseases has occurred throughout the United States and California, including in Contra Costa County; and

WHEREAS, on January 31, 2020, the Secretary of the United States Department of Health and Human Services declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of California proclaimed a state of emergency regarding COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors declared a local health emergency; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national state of emergency in response to the spread of COVID-19 within the United States of America; and

WHEREAS, in accordance with Government Code Section 8630 and Pinole Code Section 2.32.060, the Director of Emergency Services proclaimed the existence of a local emergency caused by the COVID-19 on March 18; and

WHEREAS, on March 24, the City Council ratified and confirmed the proclamation of the existence of a local emergency issued by the Director of Emergency Services; and

WHEREAS, on March 16, 2020, the Contra Costa County Health Officer, along with six other health officers within six Bay Area counties, took a unified step to slow the spread of COVID-19 and preserve critical health care capacity across the region by issuing a legal order directing their respective residents to shelter at home beginning March 17, 2020. The order in Contra Costa County limited activity, travel, and business functions to only the most essential needs. The guidance comes after substantial input from the CDC and best practices from other health officials around the world; and

WHEREAS, on March 19, 2020, the Governor of California issued Executive Order N-33-20 ordering all individuals within the State of California to stay home or at their place of residence, except as needed

to maintain continuity of operation of the federal critical infrastructure sectors, critical government services, schools, childcare, and construction; and

WHEREAS, the Pinole City Council has repeatedly adopted resolutions confirming the continued existence of local emergency due to COVID-19, most recently on June 2, 2020; and

WHEREAS, the Contra County Health Officer has issued multiple orders extending the shelter in place order; and

WHEREAS, the State Public Health Officer has articulated a four-stage framework to allow for gradually resuming various activities while continuing to preserve public health; and

WHEREAS, On May 4, 2020, the Governor of California issued Executive Order N-60-20 ordering all individuals within the State of California to comply with the State Public Health Officer's framework unless stricter local regulations exists; and

WHEREAS, on May 18, 2020 the Contra Costa County Health Officer issued a health order allowing certain businesses to partially resume operations with certain safety precautions, such as retail stores for curbside or storefront pickup only; and

WHEREAS, stage 2 of the State Public Heath Officer's roadmap for reopening is split into an earlier and later stage 2 ("Stage 2b"); and

WHEREAS, during Stage 2b, dine in restaurants and in-person retain shopping are allowed to occur, with certain safety precautions; and

WHEREAS, during Stage 3 of the State Public Heath Officer's roadmap for reopening personal services such as hair and nail salons, gyms and fitness studios, as well as hospitality services will be allowed to operate; and

WHEREAS, it is anticipated that in the coming weeks or months the Contra Costa County Health Officer will issue health orders allowing additional business to resume operations in a manner similar to Stage 2b and Stage 3 of the State Public Heath Officer's roadmap for reopening; and

WHEREAS, business allowed to reopen will be subject to health and safety guidelines to minimize the risk of spread of COVID-19, such as increased physical distance between tables, required use of face coverings by staff, frequent cleaning of high touch surfaces, suspended use of shared food items such as condiment bottles and reusable menus, and similar restrictions; and

WHEREAS, the State Department of Public Health's guidelines for restaurants specifically recommend prioritizing outdoor seating and curbside pickup to minimize cross flow of customers in enclosed environments, and guidelines for other industries contain similar recommendations and requirements; and

WHEREAS, during this time of shelter in place and other social distancing, many businesses are experiencing substantial declines in business income as a result of business closures or the loss of hours, which threatens businesses ability to pay rent, maintain payroll, and continue operating; and

WHEREAS, many businesses may face layoffs or permanent closure as a result of the pandemic; and

WHEREAS, even as certain shelter in place restrictions begin to ease, many local businesses will continue to be affected by social distancing requirements; and

WHEREAS, businesses are an integral part of the economy and community of Pinole; and

WHEREAS, local businesses are a significant source of jobs, tax revenue and essential services for the community; and

WHEREAS, business closures will negatively impact the local economy by laying off employees and ceasing to provide services to residents of the City, and negatively impact local health by reducing the number of retail and commercial spaces available to provide essential services while maintaining social distancing, and will decrease tax revenues available to the City to respond to COVID-19 and other public health and safety concerns; and

WHEREAS, the Zoning Code contains various requirements regarding for outdoor seating, outdoor display of merchandise, off-street parking, and similar restriction; and

WHEREAS, to assist businesses that are experiencing, and will continue to experience, severe negative economic impacts due to the COVID-19 pandemic, the City desires to authorize the Zoning Administrator to approve temporary waivers from the strict application of the Zoning Code to facilitate a return to business operations; and

WHEREAS, California Constitution, Article XI, Section 7, provides cities and counties with the authority to enact ordinances to protect the public health, safety, and general welfare, of their citizens; and

WHEREAS, California Government Code Section 36937 authorizes the City Council to introduce and adopt an ordinance it declares to be necessary as an urgency measure to preserve the public peace, health, and safety at one and the same meeting if passed by at least four-fifths affirmative votes; and

WHEREAS, COVID-19 and the public health orders designed to reduce the virus's spread have had a significant impact on the economy of the City, requiring the closure of numerous business, and this Urgency Ordinance will facilitate the prompt reopening of businesses impacted by COVID-19 consistent with anticipated public health orders thereby minimizing negative economic impacts; and

WHEREAS, the Urgency Ordinance is designed to reduce and slow the transmission of COVID-19 by facilitating required social distancing between and among patrons and employees; and

WHEREAS, the Urgency Ordinance is designed to promote economic business stability and prevent business closures during the COVID-19 pandemic by streamlining the process for a business to obtain a

waiver of Zoning Code requirements to enable business operations in a manner that complies with social distancing orders and protocols, thereby serving the public peace, health, safety, and public welfare; and

WHEREAS, the City Council finds and determines that allowing the Zoning Administrator to waive certain requirement of the Zoning Code to facilitate business operations impacted by COVID-19 in compliance with applicable health orders is essential to support economic development, prevent layoffs, and maintain tax revenue in the City and thereby serve the public peace, health, and safety; and

WHEREAS, an urgency ordinance that is effective immediately is necessary to avoid the immediate threat to public peace, health, and safety as failure to adopt this urgency ordinance could result in the avoidable closure of local businesses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PINOLE, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings The City Council of the City of Pinole finds that all of the above Recitals are true and correct and incorporated herein by reference. The provisions of the Governor's "resilience roadmap for state reopening" as published on the State of California's official COVID-19 website, www.covid.ca.gov, are incorporated herein as if fully set forth.

SECTION 2. Urgency Findings

The City Council of the City of Pinole hereby finds that there is a current and immediate threat to the public health, safety and/or welfare and a need for immediate preservation of the public peace, health, or safety that warrants this urgency ordinance, which finding is based upon the facts stated in the recitals above, and in the staff report dated June 2, 2020, as well as oral and written testimony at the June 2, 2020 City Council meeting. This Ordinance is declared by the City Council to be an urgency measure necessary for the immediate preservation of the public peace, health or safety. The facts constituting such urgency are all of those certain facts set forth and referenced in this Ordinance and the entirety of the record before the City Council.

SECTION 3. Ordinance

The City Council hereby makes the findings contained herein and hereby adopts the uncodified Ordinance to read as follows:

ORDINANCE AUTHORIZING THE ZONING ADMINISTRATOR TO WAIVE REQUIREMENTS OF TITLE 17 OF THE ZONING CODE DUE TO COVID 19.

Section 1. Authority of Zoning Administrator

The Zoning Administrator shall have the authority to issue a temporary use permit waiving any requirements and/or standards of Title 17, Zoning, of the Pinole Municipal Code to facilitate business operations affected by public-health orders of the federal, state, or county government designed to slow the transmission of the Novel Coronavirus (COVID-19). Temporary use permits issued pursuant to this Ordinance shall not be subject to the requirements of Municipal Code section 17.12.070. The Zoning Administrator may condition the issuance of a temporary use permit on compliance with any conditions

he or she determines appropriate. Failure to comply with such conditions may result in the revocation of the temporary use permit.

Without limiting the foregoing, temporary use permits may waive requirements related to outdoor seating, outdoor merchandise displays, required off-street parking, signage and similar restrictions, including conditions contained in existing permits. Temporary use permits shall not be issued pursuant to this Ordinance to authorize wholly new businesses, but rather only to facilitate the continued operation of existing uses in compliance with applicable health orders.

Section 2. Duration of Temporary Use Permit

A temporary use permit issued by the Zoning Administrator pursuant to this Ordinance shall last for no longer than ninety (90) days, except that the temporary use permit may be extended by the Zoning Administrator if the Zoning Administrator determines, in his or her sole discretion, that such waiver remains necessary to facilitate business operations affected by public-health orders of the federal, state, or county.

Section 3. Procedures

An individual or entity seeking a temporary use permit must submit an application on a form designated by the Zoning Administrator, along with any other documentation or information required by the Zoning Administrator. No public hearings or notices are required prior to the issuance of a Temporary Use Permit. There shall be no fee for the submittal of an application for a Temporary Use Permit pursuant to this Ordinance.

Section 4. Use of Right-of-Way

Any individual or entity seeking to use the sidewalk or other public property for their business operations must obtain an encroachment permit from the City, and must obtain and maintain appropriate insurance as required by the City. There shall be no fee for the submittal of an application for an Encroachment Permit pursuant to this Ordinance. Business operations shall not be permitted on the sidewalk or other public property if such operations will interfere with the ADA accessible path of travel or cause other safety hazards.

Section 5. Termination

The ordinance shall take effect immediately and shall remain in effect until the expiration of the declaration of local emergency by the Pinole City Council.

SECTION 4. Severability

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Pinole hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 5. Effective Date

Following adoption by at least a four-fifths vote of the City Council, this Ordinance shall be effective immediately upon adoption pursuant to Government Code section 36937. The City Clerk shall certify as to the adoption of this Urgency Ordinance and shall cause it to be published within fifteen (15) days of the adoption and shall post a certified copy of this Urgency Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with California Government Code Section 36933.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 2nd day of June 2020, by the following vote:

AYES:	COUNCILMEMBERS:	**Martinez-Rubin, Salimi, Swearingen, Tave**
NOES:	COUNCILMEMBERS:	**None**
ABSENT:	COUNCILMEMBERS:	**Murray**
ABSTAIN:	COUNCILMEMBERS:	**None**

Roy Swearingen, Mayor

ATTEST:

Heather Iopu, CMC
City Clerk

APPROVED AS TO FORM:

Eric S. Casher, City Attorney

3531204.1

Attachment B:
Outdoor Dining/Parklets - New Regulations Transitioning Temporary to Long-Term Facilities

City name	Walnut Creek	Martinez	Albany
Population size	70,127	37,287	20,271
Types of outdoor dining allowed (sidewalk, parklets etc)	On-street parking, parking in private lots, city-owned property, private property, sidewalks	Designated areas of Downtown right of way: Along the frontage and in parking lots	Parking spots on street in Solano Avenue commercial district
Most recent date of update to outdoor dining regulations	1/17/2023	4/4/2022	9/19/2022
Permitting process for outdoor dining (i.e., staff level, pc, etc.)	Applicable in Outdoor Dining Overlay Zone. Needs to comply with Outdoor Dining Policy which contains the standards. Public Works Department issues permit (operator permit, or operator permit + license agreement in ROW). Ministerial review in ROW, Staff design review on property if meeting standards; Design Review Commission for custom standards in public or private parking space.	Encroachment permit	Encroachment permit; use of 3 angled parking spaces is subject to Planning & Zoning Commission recommendation

Attachment B:
Outdoor Dining/Parklets - New Regulations Transitioning Temporary to Long-Term Facilities

City name	Walnut Creek	Martinez	Albany
Categories of standards/items regulated	Construction and design (including perimeters, heaters, railings, design - preselected or custom); safety; fees	Width based on business frontage, clear path standards, hours, applicant responsible for set up/removal of furniture	Max number of parking spaces used, setback from other parking spaces, maintain access to utilities in the sidewalk and roadway, perimeter barriers, platform standards, materials, ADA compliance, fire safety compliance, maintenance, signage prohibited
Any special requirements (equity, etc)	License Agreement for use of City property; insurance required on City property; on-going space use fees for City property; one time parking in-lieu fee for private parking lot space in a certain district with an established in-lieu fee structure)	Commercial liability insurance and add City as additional insured	Commercial liability insurance and add City as additional insured
Parking replacement	Use of public parking spaces: $48/sf annually		

Attachment C:

Sampling of General Outdoor Dining Regulations in Some Contra Costa Communities

City name	**Orinda**	**Richmond**	**El Cerrito**	**Concord**
Population size	19,514	116,448	25,962	125,410
Types of outdoor dining allowed (sidewalk, parklets etc)	Outdoor Dining in the Downtown Commercial District	Outdoor Dining	Outdoor Dining in Public Right of Way	Sidewalk cafes and outdoor eating areas
Most recent date of update to outdoor dining regulations	2007		2008	2012
Permitting process for outdoor dining (ie., staff level, pc, etc)	Outdoor dining permit (ministerial review)	Encroachment permit if in the public right of way	Admin use permit and admin design review through Zoning Administrator. Encroachment permit	Sidewalk café: Admin permit and encroachment permit. Outdoor Eating Area: Minor use permit if less than 300 feet from residential zoning or dwelling. Admin permit when 300 feet or more.

Attachment C:

Sampling of General Outdoor Dining Regulations in Some Contra Costa Communities

City name	**Orinda**	**Richmond**	**El Cerrito**	**Concord**
Categories of standards/items that are regulated	No furniture in clear vision triangles of intersections, furniture materials, umbrella vertical clearance, heater clearance, ADA requirements, pedestrian clearance, vehicle buffer zone, management of furniture during non-business hours	Accessory use conducted on the same lot or adjacent lot. Enclosures (awnings or umbrellas), movable furniture and fixed lighting, litter removal, hours of operation, outdining less than 200 sf does not require additional parking, pedestrian clearance, 25% of seating accessible by wheelchair.	No use of a street or alley, pedestrian circulation clearance, vehicle sight clearance, display window and sign visibility of adjacent businesses, no additinoal parking required for outdoor dining, signage allowances, maintain clean conditions, annual renewal, hours of operation.	General: ADA access, business hours, lighting, area kept clean, clear equipment during non-operating hours. Sidewalk Cafes: furniture design compatibility and quality, fencing, furniture clearance, furniture portability. Outdoor Eating: location allowed in alleys, plazas, courtyards, or other interior outdoor space.
Any special requirements (equity, etc)				Entertainment and amplified music may require noise analysis
Parking replacement				

ATTACHMENT D

DRAFT

MINUTES OF THE REGULAR MEETING
PINOLE PLANNING COMMISSION

February 13, 2023

THIS MEETING WAS HELD IN A HYBRID FORMAT
BOTH IN-PERSON AND ZOOM TELECONFERENCE

A. **CALL TO ORDER**: 7:04 p.m.

B1. **PLEDGE OF ALLEGIANCE**

B2. **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.*

B3. **ROLL CALL**

Commissioners Present:	Benzuly, Kurrent, Menis, Vice Chairperson Martinez, Chairperson Moriarty
Commissioners Absent:	Banuelos
Staff Present:	David Hanham, Planning Manager Alex Mog, Assistant City Attorney

C. **CITIZENS TO BE HEARD**

Planning Manager David Hanham reported there were no comments from the public.

D. **MEETING MINUTES**

1. Planning Commission Meeting Minutes from January 23, 2023.

MOTION with a Roll Call vote to approve the Planning Commission Meeting Minutes from January 23, 2023, as shown.

MOTION: Benzuly **SECONDED: Menis** **APPROVED: 5-0-1**
ABSENT: Banuelos

E. **PUBLIC HEARINGS:** None

ATTACHMENT D

F. **OLD BUSINESS**: None

G. **NEW BUSINESS**

1. **New Outdoor Dining Regulation Framework**

Staff is seeking Planning Commission feedback regarding a framework for new outdoor dining regulations on sidewalks, in street parking areas and on public and private property for City Council consideration.

Planning Manager Hanham provided a PowerPoint presentation of the New Outdoor Dining Regulation Framework, as outlined in the February 13, 2023 staff report.

Mr. Hanham recommended the Planning Commission consider the following discussion topics that would establish the framework for coordinated standards and guidelines for parklets/outdoor dining use:

- Define categories of outdoor dining (on sidewalks: “sidewalk dining in areas,” parking spaces in the right-of-way or on public property: “parklets,” and on private property: “outdoor dining areas”).
- Establish the permitting process for outdoor dining, including opportunities for public input, annual renewal or inspections, one-time and annual fees, maintenance, and liability.
- Describe the locations and/or zoning districts where different categories of outdoor dining are allowed through a permitting process.
- Establish standards for design and materials, size, landscaping, accessibility, circulation, lighting, safety features (such as guardrails, wheel stops, visible vertical elements) signage, heating, air circulation and outdoor furniture.
- Consider encouraging other elements such as public art and bicycle parking.
- Establish standards that address use of the area (i.e., hours, public access, and equity).
- Address parking requirements.
- Address the transition from temporary outdoor dining areas to permanent dining areas (i.e., establish a transition period for existing temporary permit holders to apply for a permanent outdoor dining area).

Mr. Hanham explained that the framework would be used to establish an ordinance and guidelines to enhance the City’s current outdoor dining regulations and activities on the street with the intent to create a welcoming environment for residents and visitors when dining outdoors in the City of Pinole. The Planning Commission was asked to provide feedback regarding the framework for New Outdoor Dining Regulations on sidewalks, in street parking areas and on public and private property for City Council consideration.

Responding to the Commission, Mr. Hanham stated public comment could be solicited after each topic for discussion.

Assistant City Attorney Alex Mog suggested instead that public comment be solicited after Planning Commissioners provide feedback on the different topics.

Mr. Hanham explained that staff would like the Planning Commission to reach a consensus on the topics of discussion.

Reporting on ex-parté communications, Commissioner Menis stated he had sent out information about the Planning Commission meeting to his email list and had ex-parté communications with Tina Holtzclaw, the owner of Tina's Place about this agenda item topic a few months ago.

Mr. Hanham also clarified in response to the Commission with respect to the three existing businesses in Pinole that had temporary use permits for outdoor eating areas, his understanding the parking as part of Tina's Place located at 2300 San Pablo Avenue was part of the business, but he would have to conduct some research to verify that information. As to Sue's Café, the parklet was out in the street using public right-of-way (ROW). The walkway at Pear Street Bistro was part of the bistro and part of the City of Pinole, with the majority of the walkway the City's at one time, although when sold to the private owner, Pear Street Bistro, the bistro had a lease agreement to use the ROW.

At this time, the Planning Commission discussed the topics identified by staff one-by-one and offered feedback.

Define categories of outdoor dining (on sidewalks: "sidewalk dining in areas," parking spaces in the right-of-way or on public property: "parklets," and on private property: "outdoor dining areas").

Commissioner Kurrent opposed parklets utilizing the City's ROW since there were some safety issues when extending a dining area out into the street or if located adjacent to parking spaces with potential conflicts with vehicular traffic. He pointed out Sue's Café was the only establishment in Pinole that had taken advantage of the opportunity to have a parklet during the pandemic. He suggested there was no place in the City where parking spaces should be lost to parklets. He also had concern with the maintenance and ownership of parklets and suggested this was a path the City should not go down. He recommended that parklets not be considered at all and the Planning Commission only consider eating areas that were part of a strip mall parking lot or part of an establishment. While parklets had been nice during the pandemic and had served a purpose, he suggested they were no longer viable in the City of Pinole. He had no issues with sidewalk dining areas or any other outdoor dining that did not encroach out into the street.

Commissioner Benzuly supported the flexibility parklets provided for eating establishments. He understood the safety concerns and suggested the location of a parklet should include recommendations from the Police Department on possible barriers, as an example, and with the City to sort out the maintenance and liability issues as part of the permitting process. He had no concerns with sidewalk dining or private outdoor dining areas.

Commissioner Menis had a slight issue with some of the examples of sidewalk dining areas that appeared to encroach into the ROW and which may block access to wheelchairs. He wanted to ensure that was avoided if sidewalk dining areas were allowed. As to parklets, while they did encroach somewhat into the public ROW, that could be an advantage for the business. He understood a number of cities had ordinances for parklets that worked out well and it would have been helpful to have some of that information for this presentation. If designed properly parklets would be beneficial. He suggested any design standards should be explicitly part of an ordinance for parklets. He also suggested parklets could act as a traffic calming and safety measure since they extended out into the ROW drawing a driver's attention and making people be more cautious and aware of one's environment.

Commissioner Menis was unaware of any issues with the parklet at Sue's Café. He suggested any parklet should be built to withstand at the least a glancing impact, but the fact was they were in the public ROW and could have beneficial traffic calming impacts, such as in the Old Town area of San Pablo Avenue.

Vice Chairperson Martinez supported all three ideas staff had outlined but emphasized that ensuring safety was key. The City currently had one parklet at Sue's Café and having recently patronized the establishment, he reported on a close call he had experienced with a passing vehicle. If parklets were permitted, there needed to be thoughtful and clearly defined safety guidelines in place with a requirement for possible barriers to eliminate any safety risks.

Commissioner Kurrent suggested if parklets were allowed cement barriers, as an example, needed to be considered to protect diners; however, he reiterated his concerns with allowing parklets at all in the City of Pinole.

Chairperson Moriarty suggested the discussion on parklets needed to continue. She did not see that parklets made sense in Pinole but for an establishment like Sue's Café, it had worked well. She summarized the comments from the Commission that there was consensus for sidewalk dining areas as long as there was room. There was also Commission consensus for outdoor dining areas but the question was with parklets. The main concerns with parklets was owner maintenance, liability and design standards to ensure the parklet appeared to be more permanent than temporary. Safety was the highest consideration which would determine the dimensions and materials to be used for the parklet and there should be traffic calming provided to slow things down as much as possible.

Establish the permitting process for outdoor dining, including opportunities for public input, annual renewal or inspections, one-time and annual fees, maintenance, and liability.

Mr. Hanham highlighted the options to establish a permitting process for outdoor dining (parklets, outdoor dining or on private property: outdoor dining areas) which included: Administrative Permit Process: (a new Outdoor Dining Permit) approved by the Planning Manager/Community Development Director. A hearing process (Administrative Use Permit (AUP), Conditional Use Permit (CUP), and Zoning Administrator Permit, a New

Outdoor Dining Permit) through the Zoning Administrator with appeal rights to the Planning Commission.
A hearing process (AUP, CUP, ZA permit, with a New Outdoor Dining Permit) through the Planning Commission with an appeal to the City Council or a hearing process (AUP, CUP, ZA permit, a new Outdoor Dining Permit) through the Planning Commission with a recommendation to the City Council.

Commissioner Benzuly suggested different permit processes for the different types of outdoor dining. He clarified with the Assistant City Attorney that an Ad-Hoc Committee would have no authority to make decisions. For parklets, he suggested those permits should go before the Planning Commission given the concerns raised. For the other two outdoor dining categories, he suggested it would be heavy handed to require Planning Commission approval, and rather he recommended once a minimum standard had been established administrative approval by the Planning Manager or Zoning Administrator made more sense.

Commissioner Menis suggested there was no need to consider the fourth permit option outlined by staff since the Planning Commission had the power to make decisions on CUPs without requiring City Council approval. For outdoor dining areas, it would be reasonable to have that require an administrative hearing process but for sidewalk areas and for parklets, he recommended the Planning Commission process given the ROW concerns and which would provide for community input. He did not see there was a need for an annual review of the permit, although annual inspections would be a good idea particularly for parklets, and to a lesser extent outdoor and dining areas. Fees should be based on the nexus of staff costs and there should be a requirement for maintenance and liability incumbent on the property owner, although he could see a split between the City and the property owner in terms of liability for parklets. Maintenance for parklets should be borne by the private property owner making the improvements and that should also be a condition of approval.

Vice Chairperson Martinez suggested as part of any CUP any outdoor activities should be insured properly and the insurance of the property should be well over $1 million removing liability from the City, and that any organization/establishment that had any outdoor activities should be responsible for regular/daily maintenance and removal of litter. He appreciated the fact that the owners of Trader Joe's Shopping Center conducted annual maintenance and removal of litter and he wanted it made clear that if outdoor activities were allowed, that space should appear new all of the time and there would be an annual renewal of the use each year.

Vice Chairperson Martinez cited East Bay Coffee as an example of a business with an approved outdoor venue, which required Planning Commission review and approval given concerns with the use and which involved public input. He liked the idea of the permit requiring Planning Commission review and approval and possibly the Planning Commission Development Review Ad-Hoc Subcommittee could provide feedback prior to approval by the Planning Commission.

Assistant City Attorney Mog clarified that anything that operated in the public ROW, whether a sidewalk or a street, must obtain an encroachment permit from the City of Pinole Public Works Department even if the use went through a CUP process. As part of the

encroachment permit process and as outlined in the Pinole Municipal Code (PMC), $2 million minimum in insurance was required with the City indemnified from any liability.

Commissioner Kurrent agreed there should be a more straightforward permit process for outdoor dining areas than for parklets. He suggested that outdoor dining areas should go through a Zoning Administrator public hearing process given there could be neighborhood impacts and people who lived within 300 square feet of a use should be allowed the ability to comment on any changes in their neighborhood. For parklets, he recommended a public hearing process with a recommendation from the Planning Commission to the City Council. In that case, the City would be giving away City property and there should be some compensation to the City in the payment of annual fees to compensate the City for the loss of any parking spaces along with annual inspections. Issues related to ownership also needed to be addressed as it related to parklets, and he was unsure citizens could be restricted from using City property to the benefit of someone else.

Chairperson Moriarty summarized the Commission consensus for outdoor dining or on private property: outdoor dining areas; there be a public hearing process through the Zoning Administrator with appeal rights to the Planning Commission. For sidewalk dining areas, there was consensus for the same public hearing process.

Commissioner Menis pointed out that sidewalk use may impact a broader group of people that may not be normally notified of a public hearing process. He asked of the cost differences for an applicant for a public hearing before the Zoning Administrator as opposed to the Planning Commission.

Mr. Hanham stated that administrative use permits go through staff or the Zoning Administrator. A CUP process cost was about $7,300 whereas the Zoning Administrator process was about $1,500, with the costs mostly related to staff time and public noticing requirements.

Assistant City Attorney Mog clarified the costs for a CUP and for Zoning Administrator permits pursuant to the PMC excluding staff costs or noticing requirements.

Commissioner Menis recognized if public input was desired it would impose costs on an applicant regardless of whether a public hearing before the Zoning Administrator or the Planning Commission. Even with the associated costs and whether an administrative or Planning Commission public hearing, he suggested for sidewalk level activities that should require Planning Commission review and approval since it would impact a broader swath of the community.

Chairperson Moriarty suggested the specifications for sidewalk activities needed to be clear since the sidewalk user would likely be a pass-through person and there was a need to ensure space for people to walk and wheelchairs and the like that could be determined administratively as well as by the Planning Commission and those who would likely want to provide public comment, which were those who lived in the area of the use and who would be affected or had an adjacent business. She suggested the actual wording could be designed to ensure that pass-through people who were not impacted to the same degree would be addressed.

Assistant City Attorney Mog commented the City had standards that must be met and which would be evaluated by the Public Works Director as part of the encroachment permit process to ensure Americans with Disabilities Act (ADA) accessibility in the ROW.

Chairperson Moriarty stated she would be in favor of keeping the private outdoor dining and the sidewalk at the same level with administrative approval by the Zoning Administrator and with appeal rights to the Planning Commission. In terms of parklets, she agreed they should require Planning Commission review with a recommendation to the City Council.

There was Planning Commission consensus that parklets be reviewed by the Planning Commission with a recommendation to the City Council.

Chairperson Moriarty recognized that issues related to maintenance and liability would be part of the encroachment permit process. She suggested consideration of annual inspections and one time annual fees should be discussed further.

In terms of parklets and in response to Commissioner Benzuly, Mr. Hanham clarified that any structure that was more than 120 square feet in size or had electrical work would require approval of a Building Permit. The subject discussion for this topic was how to process permits with the current consensus for outdoor dining permits for sidewalks and privately obtain permits as part of the Zoning Administrator permit process, with parklets to be reviewed by the Planning Commission with a recommendation to the City Council.

Describe the locations and/or zoning districts where different categories of outdoor dining are allowed through a permitting process.

While there was Planning Commission consensus for the different categories of outdoor dining for “Commercial Establishments” or “Eating Establishments” to be allowed Citywide, with the exception of Residential Districts, staff sought identification of the different Zoning Districts where different categories of outdoor dining would be allowed through a permitting process.

Chairperson Moriarty asked staff to make the recommendation fit into the specific Zoning Districts.

Assistant City Attorney Mog explained that restaurants were defined uses in the PMC and staff could tie the use to an operating restaurant, which use was not allowed in Residential Zoning Districts.

The Planning Commission discussed the possibility of non-food based uses for parklets, which should be discussed and there was a recommendation by Commissioner Menis to confine parklets to the Old Town Subarea rather than citywide to address risks with encroachment; although Commissioner Kurrent disagreed and suggested that taking away a parking space was an inexpensive way to expand a business. He could foresee a business owner install a parklet, with the City having limited parking spaces, and he sought a restriction on parklets.

Mr. Hanham added that there were restrictions on outdoor storage for outdoor dining, which was why this was primarily for eating establishments and restaurants.

Chairperson Moriarty summarized the Planning Commission consensus to link the locations and/or zoning districts where different categories of outdoor dining were allowed through a permitting process, to current eating/restaurant establishments citywide, with the exception of where there was actual Commercial restaurant establishments.

> ***Establish standards for design and materials, size, landscaping, accessibility, circulation, lighting, safety features (such as guardrails, wheel stops, visible vertical elements) signage, heating, air circulation and outdoor furniture.***

Mr. Hanham provided visual examples of heavy and lightweight barriers that could be considered including conceptual drawings and photographs of existing parklet designs. He also suggested a cover design that entirely covered the parklet could be considered or a covering which included openings at the top, and he asked the Planning Commission to provide feedback.

Chairperson Moriarty disliked the idea of something that was temporary, such as the barriers used at Sue's Café as compared to the more permanent barrier examples. She also preferred well thought out options keeping in mind safety, visibility and a more permanent solution.

Commissioner Kurrent emphasized that visibility and safety was important whether a concrete barrier/bollards or some other barrier mechanism but something that protected diners from an errant vehicle and allowed appropriate sight distance/visibility between patrons and vehicular traffic. He suggested that a covering which consisted of Plexiglas or which had an opening should be considered.

Commissioner Menis understood that the details around design and materials would naturally come before a design subcommittee with the details brought back to the Planning Commission for a formal vote. He suggested that being able to have the parklets covered was a good idea during inclement weather. As to heating, he asked whether or not the City could mandate the use of electric heating and bar the use of natural gas or propane given studies around the negative health impacts of using those materials.

Assistant City Attorney Mog suggested any mandate should come from the City Council and not be determined project-by-project.

Commissioner Menis suggested to make parklets more consistent with the Sustainability and Safety Elements of the General Plan, the Planning Commission should encourage the City Council to bar the use of fossil fuel burning elements and require the use of electrical heating elements. He otherwise agreed with the need for more sturdy barriers taking into account safety and visibility.

Vice Chairperson Martinez commented that other cities allowed the lower portion of the parklets to be as tall as but no taller than 36 inches with a requirement to use Plexiglas or acrylic material on the sides, with that area to be as clear as possible. Some cities had also required a distance of six to eight feet from the floor of the parklet to the ceiling for

some type of roof or plastic covering during the winter months. Fire retardant materials would have to be used and some umbrellas were required to be properly treated with fire retardant materials. Other cities had also mandated that each component of the exterior walls of the parklets be at a minimum weight of at last 250 pounds so they were not easily knocked over, which was a nice standard that should be added.

Vice Chairperson Martinez also wanted to see the edges where the end points were located come together on the street and the use of appropriate reflective taping, which would be reflective during the evenings.

Commissioner Benzuly agreed with limiting the use of tents or guardrails which resulted in a temporary look and rather preferred a more permanent solution as discussed. In terms of heating and roofing, he was not opposed to the parklets having roofs and heating, which could be an impetus for the applicant but which would meet code for a permanent or semi-permanent structure.

Mr. Hanham suggested the Planning Commission identify a desired standard and allow the applicant to provide options and depending on those options standards could be established.

Commissioner Benzuly agreed that minimum standards must be considered to allow some flexibility.

Chairperson Moriarty referenced design standards provided from the City of San Mateo, which jurisdiction had criteria that addressed drainage with the platforms for the parklets required to allow for curbside drainage flow; criteria for bolting which was not allowed; maintenance access; platforms required to be constructed from durable materials that could withstand the wear and tear of elements and pouring concrete was not allowed, as examples. She suggested looking to the standards used by other jurisdictions for permanent and semi-permanent parklets consistent with what the Planning Commission was seeking.

Mr. Hanham suggested recommendations could be made to the City Council for a safety and visibility standard, with a review of any lighting, as an example, the structure to be more permanent in nature, with the micro details yet to be resolved. He again displayed example criteria for heavy and lightweight barriers, acknowledged a recommendation for the City Council to consider more heavyweight barriers, include additional design features for visual vertical elements, and consider reflective corner elements, wheel stops, wheelchair accommodations, Americans with Disability Act (ADA) accessibility and the like, as discussed.

Commissioner Menis reiterated his recommendation that any heating element in the parklets be electrical and not use natural gas, and that the outdoor eating areas be electrical as well in order to comply with the Sustainability and Safety Elements of the General Plan.

Chairperson Moriarty suggested staff could make it clear to the City Council that was something the Planning Commission would like the City Council to consider.

Vice Chairperson Martinez urged caution since the State had an electricity provider that had consistently proven itself unreliable and if mandating that one electricity supplier which had a monopoly, it could prevent a business from heating food for guests and was an area that the market should determine. As an example, he had reviewed different environments that used outdoor electric heaters and commented on the significant cost for such equipment, which was why many restaurateurs used natural gas heaters. Mandating the use of electricity could be a significant impact to small businesses.

Chairperson Moriarty suggested that this issue was a much deeper discussion as it related to the City's Climate Action Plan (CAP), and was a discussion she did not recommend the Planning Commission have at this time. She asked staff to make it clear the Planning Commission was asking the City Council to "consider" a prohibition on the use of natural gas and that the City Council consider potential impacts to the small business owner.

Mr. Hanham agreed with the Chair's comments and clarified that a deeper discussion of electric versus natural gas would be discussed in the future.

Commissioner Menis commented the City Council had decided not to mandate citywide electrification in new buildings in 2021 or in 2022, as part of Reach Codes. As a result, when projects came before the Planning Commission, there had been a request for the City Council to voluntarily consider Reach Codes, which had not been supported. He suggested that addressing this issue on a case-by-case basis was unreasonable.

Chairperson Moriarty again suggested the City Council could "consider" the recommendation, as discussed and consider it fairly. She recognized this was a bigger issue but she wanted to move that discussion to the City Council level.

Consider encouraging other elements such as public art and bicycle parking

There was consensus from the Planning Commission to encourage other elements such as public art and bicycle parking.

Commissioner Menis clarified with Mr. Hanham that the City did not have a current policy for public art and a program could be established for parklets and outdoor dining areas.

Mr. Hanham stated he would not recommend public art as a requirement but that it be "encouraged," and acknowledged that could be a Planning Commission decision. While the Planning Commission could set standards for what it wanted to see for public art in parklets and outdoor dining areas, he recommended considering whether or not public art should be allowed without getting into the details at this time.

Vice Chairperson Martinez commented on the bicyclists who traveled through Old Town Pinole on weekends with parking on the sidewalks, which had been a challenge for pedestrians to navigate and which issue needed to be addressed by creating safe bicycle parking spaces achieved by working with the business owners.

Establish standards that address use of the area (i.e., hours, public access, and equity)

Commissioner Benzuly suggested the hours of operation should be considered on a case-by-case basis. In terms of limiting access to the outdoor dining areas, he had not seen an establishment regulate access other than pulling the furniture inside.

Mr. Hanham commented that sometimes ropes were used when the area was not in use and it was more of a passive area.

Chairperson Moriarty referenced Contra Costa County's regulations related to the use of parklets, which required the parklet to be free and open to all members of the public regardless of whether or not they patronized any particular business.

Commissioner Menis commented that this tied into the City imposing regulations on who owned the parklet and who controlled access. If they were saying the public had universal right of access to the parklet at certain hours at all times, they were also saying the City controlled who could enter or leave it. He cited Supreme Court decisions in other contexts where the right of ejection was one of the fundamental property rights, which could change some of the arguments over fee structure, permitting process and the like if they were saying the City had the right to control access. He understood that this would apply to parklets and sidewalk dining and not as much to the private dining spaces that would be in parking lots or within the physically controlled property. As to whether the public should have full access to property within the public ROW regardless of improvements made, limited access or no access in specific periods of time was something the City Council needed to resolve as to who the spaces were for, when, how and for what purpose. As an example, if a homeless person wanted to sleep in the area after the business was closed for the day, was it the responsibility of the business to monitor that or make it physically impossible for that access to occur, which tied into issues of equity and public access.

Mr. Hanham cited the Bear Claw as an example, which establishment left its tables and chairs outside 24/7 and while secured anyone could sit down at any time. As to Sue's Café, that establishment closed off its outdoor dining area after the close of business.

Assistant City Attorney Mog clarified that access could be addressed in the agreement for parklets or the City Council may establish a policy for how it wanted to address any condition about the use of the public ROW in exchange for the use of the property.

Commissioner Menis suggested depending on how permanent the sidewalk improvements access restrictions may apply to that area as well.

Commissioner Kurrent suggested if the City were to give ownership or lease the public ROW to restaurant owners the City should control who used the space. If the business was leasing space from the City vis-à-vis the public ROW, he suggested there should be fees commensurate with the square footage of rental, not just a freebee.

Vice Chairperson Martinez agreed and suggested if the business owner was paying for the improvements the business owner should have the ability to restrict access.

Commissioner Benzuly suggested a business owner should have a say as to who sat in

the outdoor dining area during business hours. After business hours, one should be allowed to sit in that space if not impeding operations.

The Commission discussed the topic at length and Assistant City Attorney Mog explained that the City could decide whatever it wanted; the area could be restricted and secured at night or not with the area open to any member of the public, and all of those options were open since it involved City property someone was requesting to be used.

Mr. Hanham commented that as the Planning Commission further discussed design guidelines it would have the opportunity to take a look at this topic during a subcommittee process and it may look different after feedback from the Planning Commission, City Council and the public.

At this time, Mr. Hanham recommended that given this was a major issue and the Planning Commission wanted to consider a lot of different ideas, the Commission could provide additional feedback for a more comprehensive discussion at a later date.

Chairperson Moriarty stated the rights of the public versus the rights of the business owner was a question the City Council needed to consider along with the Planning Commission.

Commissioner Menis added it should be noted for the City Council that the Planning Commission had been unable to reach a consensus on this topic.

Mr. Hanham advised that staff would forward the comments from the Planning Commission to the City Council so that the City Council was aware of the concerns raised.

Address parking requirements

Mr. Hanham explained that the City had conducted a parking study for the downtown Commercial District on the parking being used. As an example, if Tina's Place took up four parking stalls, should a parking study be prepared to identify the viability of parking.

Commissioner Kurrent suggested there should be a re-analysis of the parking requirements to ensure the use still met the PMC for required parking.

Commissioner Benzuly suggested a maximum percentage should be identified before the next step of requiring a potential costly parking study.

Chairperson Moriarty understood they were speaking mostly of reducing the parking in a parking lot for a private use. As an example, the Bear Claw had two parking spaces in front of the business and if they were to build a parklet in the front of that business and use those two parking spaces there would be a different standard.

Mr. Hanham explained that the City's parking requirements were based off of off-street parking. A business of 5,000 square feet required one parking space per every 50 square feet of gross floor area off-street. In the downtown area, all parking spaces had been incorporated within the square footage, which was why the City had ample parking spaces in the downtown core since both off and on-street parking was used.

Commissioner Kurrent reiterated that parklets should not be a giveaway. There should be a cost per square footage and if the cost was market rate as opposed to nominal the City would find that establishments would not want to construct parklets. He suggested parklets were not a good business model for Tina's Place and Mel's.

Vice Chairperson Martinez wanted to be careful that the City was not seen as being non-business friendly. He cited a number of jurisdictions that did not charge market rate for parklets, and if the City of Pinole was the only jurisdiction charging those fees businesses would not come to Pinole. He recommended that the City not set such a precedent
Chairperson Moriarty suggested if using a private lot that would impact other business owners the question was whether the size of the parklet should be restricted to give back for that use.

Mr. Hanham clarified that the parklet would be located in the public ROW and the only area that would be losing parking spaces would be in the area within the private outdoor dining area adjacent to the business, and which would be those types of businesses that would affect the on-street parking requirements. The question was how to address that either by a percentage or by the PMC.

Chairperson Moriarty agreed that parklets should not necessarily be a giveaway. If parklets affected the availability of parking that would impact other businesses that needed to be addressed in some way.

In response to Commissioner Menis, Assistant City Attorney Mog explained that if a business owner had a use permit that required a certain number of parking spaces and if the business was below that amount, it was at the discretion of the City whether or not to allow a reduction in the required parking.

Commissioner Menis understood that much of this was policy the City Council would have to make since it was ultimately a policy level decision on how the City was structured, whether to prioritize people versus vehicles and weigh the values of those, which was beyond the Planning Commission's level.

Assistant City Attorney Mog clarified that parking was within the purview of the Planning Commission and its role as a Planning Commission. Planning and zoning standards involved recommendations to the City Council. If the Planning Commission had a recommendation on how a parking standard should apply it was within the purview of the Commission to provide a recommendation to the City Council to adopt all policies.

As an example, the previously discussed recommendation for a mandate on the use of natural gas heaters was not a planning issue and was outside the Planning Commission's jurisdiction, while parking standards were within the purview of the Planning Commission.

Commissioner Kurrent reiterated that if parking spaces were removed the business should be required to prove it could still live up to the PMC parking requirements.

Chairperson Moriarty was unsure the Planning Commission would reach a consensus on this topic.

Mr. Hanham suggested the Planning Commission could make a recommendation to the City Council to evaluate the parking requirements as part of the overall design standards.

Chairperson Moriarty confirmed the consensus that the Planning Commission would make a recommendation to the City Council to evaluate the parking requirements as part of the overall design standards, and that outdoor dining in private areas would be considered separately from a parklet taking up public ROW parking. She suggested discussion on this topic needed more time along with more data.

Mr. Hanham agreed that until a specific project had been proposed where the required parking would be identified and whether or not some parking could be reduced in different areas, additional studies were needed but the Planning Commission may recommend that the City Council review the parking requirements as part of this process.

Chairperson Moriarty suggested this could be a topic for the Planning Commission Ad-Hoc Subcommittee.

Address the transition from temporary outdoor dining areas to permanent dining areas (i.e., establish a transition period for existing temporary permit holders to apply for a permanent outdoor dining area)

Mr. Hanham confirmed there were currently only three establishments that had been issued temporary use permits under the Urgency Ordinance, which were still active and which had been identified in the staff report as Tina's Place, Sue's Café and the Pear Street Bistro.

Commissioner Kurrent suggested there was a natural time consideration in that the outdoor dining areas were more popular during the summer months, and that October 1 was a good time to obtain a CUP if the business desired.

Mr. Hanham stated since the City had lifted the Urgency Ordinance, it could suspend the temporary use permits, but if the business wanted to continue to use the outdoor dining space the Planning Commission needed to consider the following: setting a timeline for converting from a temporary program to a new program; work with existing businesses to address a new design program and institute a potential fee deferral program for compliance or consider a full amnesty program for existing businesses that wanted to have an outdoor dining area.

Assistant City Attorney Mog suggested the Planning Commission provide direction on how a transition should happen and whether the business should be allowed to maintain the outdoor dining area or meet new standards, as described.

Commissioner Benzuly suggested the business should have nine months to a year to determine and resolve all issues before transitioning from a temporary to a permanent dining area. He was not a fan of an amnesty program but supported the three businesses that had stuck it out and made it work, and possibly a fee deferral program could be

considered while those businesses worked towards transitioning to a permanent solution and meeting yet to be determined new design standards.

Commissioner Menis asked whether staff was aware of those cities that had shifted out of the state emergency from a temporary to a more permanent model, the timeline involved and whether that timeline had been effective.

Mr. Hanham stated he could not provide an answer since some communities had required the temporary use to be removed within 90 to 120-days from the date of the lifting of the emergency ordinance. Currently in Pinole, if a business desired to continue the outdoor dining use, the business would be required to comply with Section 17.68, Outdoor Dining, of the PMC and as new guidelines were established the business would have to comply with those new guidelines.
Assistant City Attorney Mog clarified in response to the Chair that if a business were to continue in its current form of providing outdoor dining in the interim of the City considering new regulations, the City Council would be required to adopt something before the new regulations were formally adopted.

Commissioner Menis suggested it was reasonable to give the current existing businesses more time to adapt since the City needed to figure out what it wanted to do. He was uncertain of the time it would take to build out a more permanent structure and suggested it would be beneficial to allow the current temporary uses to continue for a period of time after the adoption of a new ordinance, not just after the end of the emergency that would require City Council action.

Commissioner Menis disagreed there should be amnesty for the existing structures to continue on indefinitely. He wanted to eventually shift from the temporary to a more permanent structure, which would result in better quality construction and something that met the City's guidelines. He suggested six months to a year from the passage of the ordinance could be a possible timeline.

Vice Chairperson Martinez was also uncertain that amnesty should be considered but he recognized the City was not done imposing new design guidelines. He asked staff once the City's work had been completed whether six months would be a reasonable timeline to require compliance with new guidelines. He asked whether that was a consistent timeline as compared to what other jurisdictions had imposed.

Mr. Hanham suggested staff work with the existing businesses to see where they were at in terms of their design components. He confirmed the three establishments had been informed the City was in the process of adopting a new program and it was a matter of how long the temporary uses would be allowed to remain.

Vice Chairperson Martinez asked the Assistant City Attorney to provide guidance on liability. He asked if an accident occurred at any of the three existing businesses whether the City would be liable.

Assistant City Attorney Mog suggested there would not be issues of significant liability in such a situation for the City. He acknowledged that whenever an accident occurred the City was often named since it had deeper pockets, the City had a number of immunities

and defenses available and he was not concerned about significant liability. The business would also have insurance that protected the City's ROW.

Vice Chairperson Martinez suggested if the businesses were allowed to continue business as usual, he wanted assurance that the City was not liable if the business was sued and Assistant City Attorney Mog reiterated the City would not be on the "hook."

Vice Chairperson Martinez was okay with allowing the businesses to continue business as usual but suggested those businesses be provided an action plan that the City was creating a new program and compliance would be required at some point.

Commissioner Kurrent suggested there would be a natural end point once the weather had improved and there would be a natural timeline limit of October 1 or November 1. Of the three existing businesses that had outdoor seating, and citing Tina's Place as an example, he was uncertain how that business would transition to a more permanent use since they had incorporated a walkway between Pear Street Bistro and the Bank of Pinole. He was uncertain that would be considered outdoor dining requiring a permit from the City.

Commissioner Kurrent suggested Sue's Café was the only business that would likely want to continue with its parklet. He again suggested that a parklet was an expansion of the business, and he reiterated his recommended timeline that offered a natural break.

Chairperson Moriarty stated in her opinion it depended on when the City had actual regulations in place and having a hard and fast date did not make sense to her. She clarified Planning Commission consensus was that no amnesty program be considered. There was also Planning Commission consensus to allow the businesses to continue business as usual until a target changeover date had been identified and new regulations had been implemented.

Mr. Hanham explained he would have to work with the City Attorney's Office to prepare something to allow the businesses to continue and inform them of a specific time to comply with a new ordinance. As an example, from the time of the adoption of a new ordinance the business owner would likely have three to six months to comply, and if not, outdoor dining would not be allowed.

Commissioner Menis suggested it was open to question whether the businesses were aware of what the City was doing, but Mr. Hanham reiterated the three businesses identified were aware that the City was starting the process for a more permanent solution.

On the discussion, Chairperson Moriarty reiterated the consensus of the Planning Commission to recommend to the City Council not to allow any amnesty program. Until new regulations were in place, the businesses would be status quo with the temporary use permit and with the business to be permitted six months to a year to transition to a permanent structure after new regulations were in place.

PUBLIC COMMENTS OPENED

Mr. Hanham reported there were no comments from the public.

PUBLIC COMMENTS CLOSED

Mr. Hanham thanked the Planning Commission for the feedback.

H. CITY PLANNER'S / COMMISSIONERS' REPORT

Mr. Hanham reported that staff was finalizing the administrative draft for the environmental work for the Pinole Shores II project, with the project to be presented to the Planning Commission on March 13, 2023. In other matters, use permit applications were being processed for a massage therapy business and a paint booth on San Pablo Avenue, and a tentative map application, which applications had been tentatively scheduled to be presented to the Planning Commission in the next month.
In addition, the New Outdoor Dining Regulations Framework would be presented to the City Council in the next few months.

Commissioner Kurrent commented on a notification he had received that the Bank of America in the Appian/80 Shopping Center would close in July. He asked whether the closure was temporary due to the expansion of the shopping center or permanent, and Mr. Hanham advised he would have to check since the property had a new owner.

Commissioner Kurrent also asked staff the status of a pending lawsuit against the City related to its Housing Element, and Assistant City Attorney Mog reported he could not go into detail about the lawsuit filed against the City related to its Housing Element but the lawsuit alleged the Housing Element had been adopted prematurely and was not compliant with State law. He expected a revised Housing Element may come to the Planning Commission at a future meeting after comments had been received from the State Department of Housing and Community Development (HCD). The City Attorney's Office would respond to the lawsuit and after comments had been received from HCD it was possible the lawsuit may become moot.

Vice Chairperson Martinez asked the status of a parcel on San Pablo Avenue between the bank and the Community Corner which had some activity, and Mr. Hanham explained that the site was for a project for outdoor space for special events and food trucks, which had been approved in 2020. The project involved some undergrounding work, fencing and signage.

Commissioner Menis reported he had been invited to a forum to be held with one of the entities suing the City of Pinole to discuss their side of things in March and stated he had been informed he could invite staff from the City to attend. He asked whether it would be an issue for him to attend personally or as a Planning Commissioner and whether staff may also attend the forum.

Assistant City Attorney Mog clarified that Commissioner Menis was able to attend any event in his personal capacity but not representing the City or the Planning Commission in any way. He requested that Commissioner Menis provide a copy of the invitation to the City Attorney's Office for review. He added that City staff generally did not attend such events.

Chairperson Moriarty inquired of the status of the Adobe Road Trail breaches, a concern raised by a citizen during a prior Planning Commission meeting, and Mr. Hanham reported the Public Works Department was working on repairing the breaches. As part of the Pinole Vista project, there was a condition that as the developer excavated soil, the City had first priority for the soil which could be moved towards that area.

Chairperson Moriarty inquired of the status of the objective design standards and Parks and Tree Master Plans, and was informed by Mr. Hanham that staff was preparing a schedule for the objective design standards to be presented to the Planning Commission for review possibly for the March 27, 2023 Planning Commission meeting.

As to the status of the Parks and Tree Master Plans, Mr. Hanham understood consultants had been hired and he would have to check with staff to get more details.

Chairperson Moriarty commented on a tree that had been illegally removed and not replaced at 2018 San Pablo Avenue and asked whether or not the property owner had been fined, and Mr. Hanham understood the property owner was paying for the illegal removal of the tree but the City was planting the tree.

Chairperson Moriarty asked the status of in-person meetings and quorum requirements, and was informed by Assistant City Attorney Mog that Assembly Bill (AB) 361 would be eliminated on February 28, 2023 as part of the Governor's declaration to end the State of Emergency regarding the pandemic.

After that time, Planning Commissioners would be required to participate in-person and traditional Brown Act requirements to participate remotely would apply. There was a possibility to participate remotely for just cause or emergency circumstances subject to limitations.

Mr. Hanham stated he would provide the Planning Commission with a copy of the resolution adopted by the City Council on this topic.

Chairperson Moriarty asked staff to consider increasing the font size for future PowerPoint presentations.

I. COMMUNICATIONS

Commissioner Menus reported he had received a communication from a member of the public who reported wash-out damage on the Bay Trail out of Tennent Avenue, the walking area between Tennent Avenue and Pinole Shores. That individual had asked whether there were any plans to repair the blocked walking path between those two points.

Mr. Hanham stated he would have to review the matter with staff and would email Commissioner Menis an update, although Chairperson Moriarty stated the Bay Trail was under the jurisdiction of the East Bay Regional Park District (EBRPD).

J. NEXT MEETING

ATTACHMENT D

The next meeting of the Planning Commission to be a Regular Meeting scheduled for February 27, 2023 at 7:00 p.m.

K. **ADJOURNMENT**: 10:45 p.m.

Transcribed by:

Sherri D. Lewis
Transcriber

Revisions by: Planning Staff

Return to Agenda

CITY COUNCIL REPORT

12B

DATE: April 4, 2023

TO: MAYOR AND COUNCIL MEMBERS

FROM: JEREMY ROGERS, COMMUNITY SERVICES DIRECTOR
MARIA PICAZO, RECREATION MANAGER

SUBJECT: OPTIONS TO CELEBRATE PRIDE IN 2023

RECOMMENDATION

City staff recommends that the City Council receive a report on options to celebrate pride in the City of Pinole for the City's 120th birthday, Juneteenth, as well as LGBTQ Pride Month, June 2023, and provide direction to staff.

BACKGROUND

At its meeting on December 6, 2022, the City Council approved a future Council agenda item to discuss options for a City-coordinated community event in June 2023 celebrating civic pride and LGBTQ pride.

Pride is defined as a feeling of deep pleasure or satisfaction derived from one's own achievements, the achievements of those with whom one is closely associated, or from qualities or possessions that are widely admired.

Pride in Pinole

In 1823, Ygnacio Martínez, commandant of the Presidio of San Francisco, received a land grant, a 17,786 acre parcel stretching from San Pablo Bay to the Carquinez Strait, from the Mexican government. Martinez built a hacienda in Pinole Valley at the present site of Pinole Valley Park. During the 1850s, Bernardo Fernandez, a Portuguese immigrant, started a trading facility on the shores of San Pablo Bay and eventually built the historic Fernandez Mansion, which still stands today at the end of Tennent Avenue. From these early beginnings, a small but thriving community grew into the city now known as Pinole. 2023 marks the 200-year anniversary of the land grant mentioned above.

The settlement grew with the coming of the Southern Pacific Railroad in 1878 and the establishment of the California Powder Works in nearby Hercules. During this period, Pinole had an active waterfront and was a regional commercial and banking center. The first post office also opened in 1878. The City of Pinole was incorporated in 1903. The City will celebrate Pinole's 120th birthday in June of 2023.

LGBTQ Pride

The concept of Pride Month began with the Stonewall riots, a series of riots for gay liberation that took place beginning on June 28, 1969. The riots began after a police raid at the Stonewall Inn, a gay bar located within Lower Manhattan in New York City. Activists Marsha P. Johnson, Sylvia Rivera, and Stormé DeLarverie are credited for inciting the riots.

In June 1999, President Bill Clinton declared "the anniversary of the Stonewall riots every June in America as Gay and Lesbian Pride Month". In 2011, President Barack Obama expanded the officially recognized Pride Month to include the whole of the LGBT community. In 2017, however, Donald Trump declined to continue the federal recognition of Pride Month in the United States, though he later recognized it in 2019 in a Tweet later used as a Presidential Proclamation. After taking office in 2021, President Joseph Biden recognized Pride Month and vowed to push for LGBT rights in the United States.

Juneteenth

Juneteenth is a federal holiday in the United States commemorating the emancipation of enslaved African Americans. Deriving its name from combining "June" and "nineteenth", it is celebrated on the anniversary of General Order No. 3, issued by Major General Gordon Granger on June 19, 1865, proclaiming freedom for slaves in Texas. Originating in Galveston, Juneteenth has since been observed annually in various parts of the United States, often broadly celebrating African-American culture. The day was first recognized as a federal holiday in 2021, when President Joseph Biden signed the Juneteenth National Independence Day Act into law after the efforts of Lula Briggs Galloway, Opal Lee, and others.

The holiday is considered the longest running African American holiday and has been called "America's second Independence Day". Juneteenth is usually celebrated on the third Saturday in June.

City Events in Summer 2023

During summer 2023, the City will coordinate the Concert/Movie in the Park series, which will take place on July 13th, July 27th, and August 10th (concerts) and July 7th, July 21st, August 4th (movies), the 4th of July fireworks show, the Senior Center summer craft fair on July 29th and the annual Car Show and Pancake Breakfast which will take place on June 25th.

REVIEW AND ANALYSIS

The City has many options to celebrate civic pride, LGBTQ pride, and Juneteenth in summer 2023. City staff recommends that the City do the following:

- Issue proclamations recognizing the anniversary of the land grant, City's incorporation, Pride Month, and Juneteenth (the City Council has already directed that the City will issue proclamations for Pride Month and Juneteenth in 2023)
- Establish pages on the City website to share information on and resources regarding the anniversary of the land grant, City's incorporation, Pride Month, and Juneteenth
- Hang a banner across San Pablo Avenue recognizing these events
- Partner with the Pinole branch library to highlight materials regarding these events
- Fly the Pride Flag at City Hall during the month of June (the City Council has already directed that the City will fly the Pride Flag at City hall during the month of June)
- Feature movies as part of the City's annual Concert/Movie in the Park series highlighting these events
- Hold a festival at Fernandez Park on the afternoon of June 11, 2023 to highlight and celebrate these events, featuring two bands, food trucks, activities/games for youth, and informational exhibits by community-oriented organizations

FISCAL IMPACT

The total out-of-pocket cost to implement the activities recommended above would be $8,000 or less. Public Works staffing would be just under $900 for two employees to work that day. Police staffing would be similar to support this event. There are sufficient funds in the FY 2022/23 Community Services Department special events budget to cover these expenses.

ATTACHMENTS

None