

**CITY COUNCIL MEETING  
MINUTES  
November 7, 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**

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

City Clerk Heather Bell announced the agenda had been posted on Thursday, November 2, 2023 at 1:30 p.m. with all legally required written notices. Several written comments had been received in advance of the meeting, distributed to staff and the City Council, posted to the City website and made available in the Council Chambers.

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

**4. CONVENE TO A CLOSED SESSION:**

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

**A. CONFERENCE WITH LABOR NEGOTIATORS**

Gov. Code § 54957.6

Agency designated representatives: City Attorney Eric Casher

Employee Organization: Interim City Manager

**B. PUBLIC EMPLOYMENT**

Gov. Code § 54957

Title: City Manager

**C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Gov. Code § 54956.9 (d)(1)

MVP Construction

**PUBLIC COMMENTS OPENED**

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

**PUBLIC COMMENTS CLOSED**

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

At 6:35 p.m., Mayor Murphy reconvened the meeting into open session and announced there was no reportable action for Items 4A and 4C. For Item 4B, the City Council provided direction to staff to issue a Request for Proposal (RFP) for a consultant to lead the executive search for a permanent City Manager.

**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.*

Bob Kopp, Pinole, asked why the City Council had fired the City Manager, the cost of the City Manager's severance package, and why the City Council wanted to change the current procedures for the selection of Mayor and Mayor Pro Tem.

Ann Moriarty, Pinole, Friends of Pinole Creek Watershed, expressed her gratitude to the many volunteers involved in the restoration of Pinole Creek including City of Pinole staff and former City Manager Andrew Murray, who had been a real advocate for the creek. Friends of Pinole Creek Watershed hoped to continue a relationship with the Interim City Manager and the next City Manager on that commitment. She also expressed her appreciation to Code Enforcement Officer Sarrah Patton for her commitment to the enforcement of Pinole Creek and stated the City of Pinole was lucky to have her.

Ms. Moriarty also thanked the Public Works Director, Public Works Manager and Public Works Department crew for the installation and maintenance of a trash can behind the Pinole Valley Shopping Center and recognized the Department's work with the unhoused that hung out behind the Pinole Library. Next events for Friends of Pinole Creek Watershed included an event scheduled for Thursday, November 9, 2023 and Saturday, November 11, 2023 for the Pollinator Garden and Upper Watershed, and on Saturday, November 18, 2023 for the Earth Team, with Pinole Valley High School to sponsor a Community Creek Clean-Up at Fernandez Park. More information on all events was available by scanning the QR codes around the City or at the Friends of Pinole Creek website.

Rafael Menis, Pinole, commented on the differences and confusion between operations and strategy and defined each term which he stated was relevant to the conflicts between Russia and Ukraine, and Israel and Palestine; the ultimate strategic aims for each and the potential different strategic outcomes yet to be defined. As the City Council considered various actions, he asked the City Council not to confuse operations with strategies and just because it could do something did not mean that it should be done if it ultimately did not lead towards the desired goal.

Peter Murray, Pinole, spoke to the need for street striping around the City, particularly along Pinole Valley Road where it was difficult to visualize the road absent adequate lighting, which was a safety issue. He also referred to the option to participate in City meetings remotely as a courtesy and as posted on the meeting agenda, and while he was aware of the problems in some cities with remote participation, he questioned giving the Mayor the sole authority to stop public participation remotely at any time. He stated that should be up to the entire City Council and the issue should be discussed amongst the entire City Council.

## **7. REPORTS & COMMUNICATIONS**

### **A. Mayor Report**

#### **1. Announcements**

Mayor Murphy thanked the City Clerk and City Manager's Departments for the wonderful Commissioner's Dinner, which he understood would be posted on Pinole Community Television (PCTV). He recognized all volunteer Commissioners for their work for the City of Pinole. He also reported he had joined fifty other United States Mayors and Council members advocating the President and Environmental Protection Agency (EPA) administrators' support for local governments to reduce methane emissions in landfills, and he looked to a more robust conversation at the National League of Cities Conference in the next week. In addition, he was proud of the work of Marin Clean Energy (MCE), which had lobbied for more resources for the community to build more clean energy projects, and reported that MCE had received a \$1 million contract from the Department of Energy (DOE) to support cities in the member communities.

### **B. Mayoral & Council Appointments: None**

### **C. City Council Committee Reports & Communications**

Mayor Pro Tem Toms reported she had attended a two-day Contra Costa Transportation Authority (CCTA) Workshop, titled Changing the Landscape of Transportation and Advancing the Organization.

Mayor Pro Tem Toms had also attended this date the Shaping the Future, the Key Trends in Real Estate Finance and Economic Development sponsored by the Institute for Local Government, briefing the City Council on all discussions. She also reported the County Office of Emergency Services was engaging in preparing its Local Hazard Mitigation Plan (LHMP) with a survey to be distributed to the community, to be posted on the City's social media pages and in biweekly reports. As the County completed its LHMP, the City would be required to adopt its own plan to be eligible for pre-planning and Federal Emergency Management Agency (FEMA) reimbursement in the event of an emergency.

Council member Martinez-Rubin reported that she too had attended Shaping the Future, the Key Trends in Real Estate Finance and Economic Development sponsored by the Institute for Local Government, and she also briefed the City Council on the discussions and expressed the willingness to provide information from the sessions to staff that could be distributed to the City Council. She invited the public to the Veterans Day Memorial and Flag Retirement Ceremony scheduled for November 11, 2023 at 11:00 a.m. at Fernandez Park, sponsored by the Pinole Historical Society and the City of Pinole.

Council member Sasai reported he had attended a West Contra Costa Transportation Advisory Committee (WCCTAC) Board meeting and briefed the City Council on the discussions, with more information available on the wcctac.org website. He had also attended the City Seal Ad Hoc Subcommittee meeting along with Council member Martinez-Rubin and briefed the City Council on the discussions. He added he had been appointed to the League of California Cities Public Safety Policy Committee through the California Asian & Pacific Islander (API) Legislative Caucus.

#### PUBLIC COMMENTS OPENED (Items 7A through 7C)

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

#### PUBLIC COMMENTS CLOSED

#### D. Council Requests for Future Agenda Items

Council member Martinez-Rubin offered a motion for staff to plan with the City Council sometime in the first six months of 2024 and prior to the 2024/25 budget development process, a workshop to allow the City Council to visit the status of the different Master Plans in place and identify next steps relative to the Long-Term Financial Plan (LTFP) as a future agenda item.

There was no second to the motion and the motion failed.

**ACTION: Motion by Council members Sasai/Tave for a discussion item on the next steps to declare City Parcel 401-161-009 (property on Pear Street directly across from the U.S. Post Office) as surplus land including actions to market and sell the property.**

<b>Vote:</b>	<b>Passed</b>	<b>4-1</b>
	<b>Ayes:</b>	<b>Murphy, Toms, Sasai, Tave</b>
	<b>Noes:</b>	<b>Martinez-Rubin</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>None</b>

Mayor Murphy requested a presentation from Contra Costa Community Awareness and Emergency Response as a future agenda item. He clarified, when asked, that Contra Costa Community Awareness and Emergency Response was a Countywide non-profit public benefit corporation of public emergency response agencies, local government officials and facilities and businesses that used, stored, handled, produced and transported hazardous materials, with cities in jurisdictions in Contra Costa County represented on the body, although the City of Pinole was currently not a member.

Council member Martinez-Rubin understood the group was a statewide organization and suggested a better approach would be for everyone to visit the group website. After that research the City Council could come back and discuss the specifics to possibly work together.

Mayor Murphy clarified the group was a Countywide not a statewide organization with many members locally. The City of Pinole was not a member at this time and a presentation would allow an opportunity for everyone to educate themselves around the work of this group.

**ACTION: Motion by Mayor Murphy/Council member Sasai for a future agenda item for a presentation from Contra Costa Community Awareness and Emergency Response.**

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

**ACTION: Motion by Mayor Murphy/Mayor Pro Tem Toms to direct staff to arrange in the next year a rotation of Departmental Updates to learn more about what each Department was doing.**

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

PUBLIC COMMENTS OPENED (Item D)

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

PUBLIC COMMENTS CLOSED

E.      City Manager Report / Department Staff

Interim City Manager Gang also recognized the City Clerk's Office for its work on the Commissioner's Dinner and he thanked all volunteers for their service to the community. He highlighted the upcoming United Against Hate Week (UAHW) events, particularly United We Heal Sound Bath scheduled for Sunday, November 19, 2023 at the Senior Center at 10:00 a.m., with a second event scheduled due to demand on Wednesday, November 15, 2023 from 6:00 to 7:30 p.m.

Interim City Manager Gang reported the City had engaged the professional services of Townsend Public Affairs (TPA) to support the City with grant services. Staff had met with TPA to review the scope of work, roles and responsibilities of TPA and City staff, with the next step for TPA to meet with each Department individually to determine funding needs and develop a Comprehensive Needs Assessment to best match the City's funding needs with available funding opportunities on an ongoing basis.

Interim City Manager Gang also provided an update on the relationship between the Contra Costa County Fire Protection District (CCCFFPD) and the City of Pinole, and briefed the City Council on recent discussions about ways to continue to build the relationship through collaboration and with an open invitation extended to the CCCFFPD to any and all Citywide events. An open house would also be scheduled at the one-year anniversary of the opening of Fire Station 74.

At this time, PCTV provided a brief video of the recent National Night Out event.

Public Works Director Sanjay Mishra provided an update on the use of the Beehive Software Program for Public Works Department operation and maintenance activities and tracking system, with staff being trained on the software program. He reported there had been a total of 348 service requests logged for the year to date into the system with a total of 42 service requests for the month of October, and with 16 outstanding items to date. Pending service requests included street lights, facilities, roads, potholes, stormwater and illegal dumping. Six emergency callouts had been logged for the year to date and two emergency calls had been logged for the month of October, along with 42 road-related service requests logged for the year to date and nine requests for the month of October, mostly related to pothole patching.

Repairs had been completed on Appian Way where the City had received numerous reports on damaged road conditions and the City was working with FEMA on major repair work. A contractor had refreshed the therma-plastic striping on Appian Way from Allview Avenue to Michael Drive, and the City Council had been provided a handout sample of the reports from the Beehive Software Program for informational purposes.

Interim City Manager Gang expressed his hope the new Beehive Software Program would provide more accurate information for ongoing road work activities.

Council member Tave thanked staff for the report, looked forward to monthly reports, but commented on concerns in the community with illegal dumping, oftentimes from people who were not residents of Pinole. He asked how the community could address the situation.

Public Works Director Mishra commented that absent a proper photograph of a license plate it was difficult to identify an individual who was illegally dumping.

Interim City Manager Gang also commented on the challenges with illegal dumping and explained that sometimes the owner of the vehicle was not the violator illegally dumping and there had to be positive proof of the person committing the act. A photograph of the person and license plate would enhance an investigation that could occur.

Mayor Pro Tem Toms asked that the Public Works Director's report be posted in the biweekly administrative report.

Council member Martinez-Rubin suggested it would be helpful to post on the City website that residents who hired small business haulers demand to the extent possible a receipt or invoice proving item(s) had been dumped legally, which could be discussed in the future as to how that could be done formally. The City should also encourage residents to consider that Republic Services provided at least two large haul pickups each year for residents as part of garbage service. She added there were areas in the City in need of road striping and asked where in the report that information would be presented.

Public Works Director Mishra stated that information would be provided under the roads category but it could be split into a subcategory in future reports.

F. City Attorney Report: None

PUBLIC COMMENTS OPENED (Items 7E through 7F)

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

PUBLIC COMMENTS CLOSED

## **8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS**

*Please note: Not all proclamations were read into the record by the City Council and some of the proclamations were taken out of order from how they had been shown on the meeting agenda.*

### **A. Proclamations**

#### **1. Pancreatic Cancer Awareness Month**

The City Council read into the record a proclamation recognizing the month of November as Pancreatic Cancer Awareness Month with the proclamation presented to Community Development Director Lilly Whalen in memory of her mother Susan Schinsing.

Community Development Director Lilly Whalen thanked the City Council for the proclamation and recognition of the month of November as Pancreatic Cancer Awareness Month.

#### **2. World Town Planning Day**

The City Council read into the record a proclamation recognizing November 8, 2023 as World Town Planning Day with the proclamation presented to Community Development Director Whalen.

Mayor Murphy acknowledged the following proclamations that were not read into the record:

3. Sikh Awareness Month
4. United Against Hate Week
5. Native American Heritage Month
6. Shelter in Place Education Day

PUBLIC COMMENTS OPENED (Item 8A, 1-6)

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

## PUBLIC COMMENTS CLOSED

### **B. Presentations**

#### 1. CA vs. Hate Initiative

Becky Monroe, Civil Rights Attorney, California Civil Rights Department (CRD), the State's civil rights agency whose mission was to protect the people of the State of California from unlawful discrimination in employment, housing, and public accommodation and from hate violence and human trafficking, provided a PowerPoint presentation titled, Earning Trust and Combating Hate: California vs. Hate Resource Line and Network. The presentation included an overview of CRD's comprehensive approach to combat hate; the civil rights laws enforced by CRD; California vs. Hate Resource Line and Network; CA. vs. Hate Intake Process; CA vs. Hate – There's Support When You Report; CA vs. Hate Content Hub and the background of UAHW with UAHW Week to take place from November 12 through 18, 2023. Additionally, resources such as the California Commission on the State of Hate and Community Conflict Resolution Team were also highlighted.

Council member Sasai appreciated the interagency collaboration between WCCTAC, the City of Pinole, and the CA vs. Hate Initiative. Speaking to the Israeli-Palestine conflict, he asked whether or not CRD had seen an uptick in hate crimes for those specific communities.

Ms. Monroe acknowledged the CRD had been responding to a great deal of pain across the State and more data was due to be released in the next week, but she acknowledged reports of antisemitism and anti-Muslim hate moving through the State of California. Also, Cal State San Bernadino had established a center on hate and extremism, and frequently reported that when there was conflict in the Middle East there was an increase in antisemitism and anti-Muslim bigotry. It was important to recognize that this was the opportunity for UAHW and others to come together in solidarity and it was important to get the word out now. California was lucky to have advocates and leaders who were making sure they were doing everything possible to combat hate and anyone feeling threatened was welcome to join available webinars and share resources.

Council member Sasai asked how local law enforcement agencies could leverage and expand access to State resources to those who reported hate incidents and crimes locally and whether there were any recommendations to improve local law enforcement agencies hate crime policies.

Ms. Monroe commented on her background as a Civil Rights Lawyer and she again outlined the free resources and support, as shown in the PowerPoint presentation, where materials could get out to law enforcement agencies. CRD was encouraging city leaders and law enforcement to share all information as a way to build trust and most law enforcement agency leaders recognized the need to track incidents and crimes as a best practice, and the CRD could provide support for that to occur.

Council member Martinez-Rubin walked through with Ms. Monroe the types of civil legal resources available to anyone who may experience or need to report a hate crime or act of discrimination and how someone could file a claim with the CRD and/or obtain mental health services.



## PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, commented that much of what had been discussed were ways to deal with incidents of hate after the fact. He asked the Interim City Manager whether the City currently recorded hate incidents as opposed to hate crimes, whether there was a way to address those situations and for the CRD and the City to more broadly work to build an environment that was less hateful and create a space for truth and reconciliation with a broader source of processes to lower the temperature. He referred to the Israel-Palestine conflict where there had been thousands of fatalities of civilians on both sides. He suggested that reporting attacks was not enough and they should go beyond that and create a more collaborative and safer space to discuss things before conflicts came up and be able to understand each other better before disagreements reached that point.

## PUBLIC COMMENTS CLOSED

Ms. Monroe emphasized that prevention was being done through some of the work described. She suggested in terms of prevention they could help to support people when in pain, either when being targeted for a crime or incident and build trust, and she again detailed the work of the Community Conflict Resolution Team, which was not a criminal, legal or civil option but involved community civil rights mediators who helped to identify common values, addressed those values and offered tips on de-escalation. There were ways to work with proactive cities to address a high-profile act of hate and to ensure the City was effectively communicating with local government and the local community to build relationships in advance. She was strongly of the opinion that enforcing other civil rights protections was critical to creating a climate to combat hate. Additionally, the Commission on the State of Hate worked on prevention and she encouraged everyone to participate remotely in a meeting scheduled for Thursday, November 9, 2023 at 6:00 p.m. with the Commission on the State of Hate. More information was available online. Identification of de-escalation techniques to prevent incidents of hate was also important.

Interim City Manager Gang agreed that collaboration was important before an incident occurred. He introduced the City's Hate Crime Coordinator, Commander Matt Avery, and commented that this was a community-wide effort and the Police Department was one component of that effort. He noted that CA vs. Hate Initiative resources would be distributed during the UAHW events planned and would also be made available at City Hall. He added that since 2015, there had been five recorded hate incidents in the City of Pinole.

Pinole Police Department Commander Matt Avery, Hate Crime Coordinator, explained that he would take the information from CA vs. Hate Initiative for use in the Police Department training that was done annually and which identified, investigated and documented hate crimes. He provided an overview of the Department's policies in reporting, investigating and documenting hate crimes and would ensure policies were current and included the information provided as part of this presentation from CA vs. Hate Initiative.

Council member Sasai thanked the City Council for allowing the presentation. In terms of public safety and in an equity lens, he suggested the City had to allocate resources to people most impacted at the moment. This was a passion of his given the increase in anti-Asian hate crimes in the Bay Area during the pandemic. Given the increase in antisemitism, anti-Black and anti-LGBTQ+ crimes in the State, expanding and leveraging State resources and getting it out to residents was very important.

Council member Sasai offered a motion, seconded by Council member Tave, to direct staff to consult with the CA vs. Hate Initiative to develop custom materials for a social media outreach and posters for display in City facilities.

On the motion, Mayor Pro Tem Toms asked whether a motion could be made as part of a presentation.

City Attorney Eric Casher explained the motion was to direct staff to conduct an administrative function to move this item forward and was not a formal action approving a contract or anything beyond direction to staff.

**ACTION: Motion by Council members Sasai/Tave to direct staff to consult with the CA vs. Hate Initiative to develop custom materials for a social media outreach and posters for display in City facilities.**

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

Mayor Pro Tem Toms thanked Ms. Monroe for the presentation and looked forward to sharing the materials from CA vs. Hate Initiative with the community.

Mayor Murphy also thanked Ms. Monroe for the presentation and welcomed annual presentations from CA vs. Hate Initiative.

## **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 Special City Council Meeting on September 11, 2023 and the Minutes of the Regular City Council Meeting on October 17, 2023
- B. Receive the October 14, 2023 – November 3, 2023 – List of Warrants in the Amount of \$1,745,270.83 and the October 27, 2023 Payroll in the Amount of \$492,070.46
- C. Adopt a Resolution Authorizing the City Manager to Enter into an Agreement with Folsom Lake Ford to Purchase Two Patrol Vehicles at a Total Cost of \$104,964.38 **[Action: Adopt Resolution per Staff Recommendation (Avery)]**
- D. Fiscal Year (FY) 2023/24 First Quarter Report on Status of Capital Improvement Plan (CIP) Projects **[Action: Receive Report (Mishra)]**

- E. Receive the Quarterly Report on Implementation of the Greenhouse Gas Inventory and Climate Action and Adaptation Plan for Fiscal Year (FY) 2023/24 First Quarter **[Action: Receive Report (Whalen)]**
- F. Receive the Fiscal Year (FY) 2023/24 First Quarter Financial Report **[Action: Receive Report (Guillory)]**
- G. Receive the Quarterly Investment Report for the First Quarter (Ending September 30, 2023) **[Action: Receive Report (Guillory)]**
- H. Determination of Public Convenience or Necessity (PCN) for Anabi Shell Station Located at 1401 Fitzgerald Drive (CUP 23-04) **[Action: Adopt Resolution per Staff Recommendation (Hanham)]**
- I. Declare the Listed Property as Surplus and Designate a Purchasing Officer to Dispose of the Listed Property in Accordance with the City of Pinole Financial Policies – Capital Assets Policy and Procedures **[Action: Adopt Resolution per Staff Recommendation (Bingaman)]**

Speaking to Item 9A, the Regular City Council Meeting Minutes for October 17, 2023, City Clerk Bell requested the following revisions:

Page 28 of 219 of the agenda packet, the first sentence of the comments attributed to Rafael Menis to be revised to read:

*Rafael Menis, Pinole, commented based on his experience attending the Community Services Commission meeting when the Sister City Policy had been discussed, that the Commission had been relatively hostile to the item since they felt that it would be using City funds.*

To the same page and the comments again attributed to Mr. Menis, in the first sentence of the second paragraph of his comments to be revised to read:

*Mr. Menis also commented that a few Council members had an idea to potentially include people outside of the City Council to take part in the Sister City process and it would be worthwhile to have the City Council consider having that input such as from the Rotary Club of Pinole and former Mayor Salimi, who had contacts with other cities in other countries.*

Speaking to Item 9D, Public Works Director Mishra advised a correction memorandum had been prepared to add to the Capital Improvement Plan (CIP) Fiscal Year (FY) 2023/24 First Quarter Report on the Status of CIP Projects. He reported the City Council had received a report and directed staff to take necessary steps to sell the Faria House on September 19, 2023. City staff would be working on the next steps and would update the City Council in the future. There were no other updates at this time and this project would be removed from the CIP Project List in the next budget cycle.

**PUBLIC COMMENTS OPENED**

Irma Ruport, Pinole, referenced Item 9D, and thanked the Public Works Director for the report, but commented the City Council had voted 4-1 on September 19, 2023 to sell the Faria House and if no agreement was reached within 90-days, there was also an initial 60-day period. She asked whether the project would be fast-tracked since there were deadlines involved. As to the project description sheet for the CIP projects, she commented that some of the projects had been removed from certain areas of funding or non-funding, and suggested there should be a footnote included for the projects to inform residents of the status of all projects and how the City Council had voted on the projects, a suggestion she had provided to the Public Works Director.

## PUBLIC COMMENTS CLOSED

**ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin to approve Item 9A as modified by the City Clerk, Item 9D, subject to the staff clarification and Items 9B, 9C and 9E through 9I, as shown.**

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

### 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 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.*

### 11. OLD BUSINESS

#### A. Project Labor Agreement with Contra Costa Building and Construction Trades Council [**Action: Adopt Resolution per Staff Recommendation (Mishra)**]

Public Works Director Mishra presented the staff report dated November 7, 2023, and recommended the City Council adopt a resolution approving the Project Labor Agreement (PLA) and related side letter included as Attachment A to the staff report, and authorize the Interim City Manager to sign the Project Labor Agreement with the Contra Costa Building and Construction Trades Council and its affiliated local Union.

Council member Martinez-Rubin asked why the PLA Ad Hoc Subcommittee had focused on a PLA from the City of El Cerrito as the most appealing to work off of and what it was about the other PLAs the Subcommittee had reviewed that had not been appealing to consider including in a PLA for the City of Pinole.

Public Works Director Mishra explained that the City of El Cerrito, also located in Contra Costa County, was of a similar size with similar-sized projects as the City of Pinole and had been used as a base document, with a local hire clause added which had been taken from the City's PLA for the Pinole-Hercules Wastewater Treatment Plant project. The PLA also determined local hires as people who lived within a 30-mile radius of the City of Pinole or project location.

Council member Martinez-Rubin understood one of the purposes of a PLA was to avoid the possibility of labor strikes or the possibility of any other activity by a contractor or their workers that could impede the timely completion of a project at any phase. She asked whether that had been a problem in the City of Pinole.

Public Works Director Mishra reported he was unaware of any such problems in the recent past or as part of the last major projects in the City of Pinole. The Pinole-Hercules Wastewater Treatment Plant was the last large project in Pinole that had been built under a PLA and there had been no issues. He understood strikes had not been an issue for any other City projects.

Council member Martinez-Rubin asked why a PLA was an approach the City desired to take proactively, to which City Attorney Casher explained he had no knowledge of any labor strikes creating disruptions or delays on any public works projects within the City of Pinole. The PLA would provide a framework to avoid any strikes if they were to happen.

Council member Martinez-Rubin asked if a strike were to happen what parties would be involved as part of any grievance to come to an agreement to continue work, whether it would involve the City Attorney, other City employees or an arrangement between mediation, the contractor and the laborer.

City Attorney Casher stated it would be a City project with the City involved at the City staff level and the striking laborers and their union engaged with all hands essentially involved.

Council member Martinez-Rubin referenced Pages 2 and 3 of the November 7 staff report and what the PLA was about, particularly a statement that read: *The PLA requires the facilitation of employment of Local Area residents and promotion of Local Hire (as defined in the attached PLA) and the use of resources in the Local Area in construction of the Project.* In that regard, she asked about the purchase of any goods used in any construction project and her understanding where purchases were made and taxes paid, the contractor was to prepare paperwork with the State Department of Finance Administration (DOFA) so that sales taxes generated from the construction project would go to the city where the purchases had been made. She asked for more detail on that consideration as a follow-up and possible inclusion as a requirement in the PLA.

Public Works Director Mishra clarified the PLA did not address material purchases and when the City advertised a contract that could be specified in the contract, although since it could be restrictive most cities did not do that. As an example, a city the size of Pinole may not be able to purchase the materials needed for larger projects. General conditions could be specified in the contract such as Buy America requirements, as an example, as mandated by federally funded projects.

City Attorney Casher confirmed the PLA did not cover local purchasing but the City's Procurement Policy included a section that created a local purchase preference.

Council member Martinez-Rubin also referenced the statement in the staff report which read: *The PLA requires that the City Council receive a report on the status of the PLA no later than six (6) months prior to the five (5) year term expiring, and either party can terminate the PLA with written notice to the other party,* and she asked staff for a clarification of that clause.

Public Works Director Mishra explained the clause referenced was for City staff to bring an update to the City Council six months prior to the expiration of the PLA to report whether or not it had worked for the City.

Council member Sasai thanked the PLA Ad Hoc Subcommittee and the Contra Costa Building and Construction Trades Council, which had been diligent in developing the PLA. He understood the Subcommittee had reviewed other PLAs in the Bay Area, as detailed in the staff report, but asked whether there were clauses from those PLAs that had been excluded in the proposed PLA.

Public Works Director Mishra explained that most PLAs that had been reviewed from jurisdictions in Contra Costa County were similar in nature with the exception of the threshold values.

#### **PUBLIC COMMENTS OPENED**

Irma Ruport, Pinole, a member of the PLA Ad Hoc Subcommittee and a member of the Community Services Commission, commented on her background as a retired government employee and her service as a Chief Steward representative. She thanked the City Council for letting others serve on the PLA Ad Hoc Subcommittee and reported she had provided written comments to the City Council. She requested that the following provisions be included in the PLA: local hiring, entering into total partnership with the City, frequent updates and statistics for Pinole residents including hiring and training, opportunities for minorities and women to apply and train in all fields and careers, inclusion of West County to the sites of training and if not possible in the contract that the City monitor this contract under these terms, and follow-up with monthly quarterly reports either by email reports or to the City Council to ensure compliance with the contract.

Ms. Ruport added that Hercules High School held a career fair/job training, her husband as a retired attorney had been asked to speak during the training, and she wanted to see the City Council task the Community Services Commission with Career Fair/Job Training Apprenticeships in 2024, and partner with the unions on job training in West County as provided in other areas of Contra Costa County.

Samson Quenga, business representative for painters and drywall finishers, representing hundreds of men and women in Contra Costa County, spoke to his experience over the past twelve years in the construction trades, some of which were on PLA jobs. He commented that a PLA would ensure the timely completion of projects either at or under budget; provide signatory employers with a reliable and ready source of highly-trained and skilled workforce through State accredited apprenticeship programs; reduce costs by utilizing apprentices on the jobs who could develop a skill set with schooling at not cost allowing them to earn while learning; would increase diversity, enhance workforce development, provide jobs for communities that were underprivileged and underserved and provide health and safety, all factoring into the success of a job. PLAs also benefitted cities and taxpayer-funded projects and delivered an agreement shared between contractors and clients for a concerted outcome.

Rafael Menis, Pinole, supported the PLA suggesting it would be beneficial to the City preventing strikes and lockouts and would work to regularize processes. While conflicts may arise separate from the quality of union work the PLA would negate that. In terms of the equity lens, he referenced the non-discrimination clause in the PLA, with various elements of the PLA to comply with various state and federal non-discrimination laws.

Mr. Menis understood the State had rules in certain fields banning certain affirmative action type programs and asked if that would apply to the PLA if the City, unions or partners under the agreement wanted to focus on hiring apprentices from certain underrepresented backgrounds and genders. He also spoke to Subsection 2.3.1 of Attachment B, Project Labor Agreement for the City of Pinole, as written, and as shown on Page 187 of 219 of the agenda packets, and asked whether the City currently or planned in the future to have any contractors who would do this sort of work in conflict with this clause. He also referenced the footnote as shown on Page 202 of 219 of the Agenda Packet of Attachment B, and asked whether that would be included in the final document.

Bill Whitney, Chief Executive Officer (CEO), Contra Costa Building and Construction Trades Council, stated he represented 35,000 workers in Contra Costa County with the majority comprised of men and women of color and indigenous peoples. The Council was one of the largest middle class job creators with apprenticeship programs provided at no cost to provide the skills for workers to go out and get a job. A PLA promoted local hires, had people who worked in the area and spent where they lived, and the Council was an organization that was proactive with veterans. He highlighted the Helmet to Hardhats Program and emphasized the Council spent billions in North America on training programs at no cost. He expressed his appreciation to City staff for their cooperation in preparing the PLA that was fair, equitable, balanced and the same as everywhere else.

Tom Hansen, Business Manager, International Brotherhood of Electrical Workers (IBEW) Local 302, and President of the Contra Costa Building and Construction Trades Council, thanked the City Council for the PLA. He pointed out that Pinole Valley High School and other schools had been built under a PLA with the West Contra Costa Unified School District (WCCUSD). He added that PLAs put people to work at home, the City of Rodeo was working on rebuilding its refinery with a PLA, and the provisions in the PLA prioritized local hires in Pinole, Rodeo and Hercules. He thanked City staff and the City Attorney for the great work and he appreciated the City's support.

William Chisholm, International Union of Elevator Constructors, Local 8, which jurisdiction covered Contra Costa County, echoed the previous comments and explained that a PLA was an insurance policy which ensured that the money spent would go towards skilled craftsmen who would do the work right the first time and if that approach was not taken, cheap would come out expensive.

Jason Gallia, Pinole, explained that he had experience in the building trades and projects with PLAs in the Bay Area and had been able to purchase a home and raise his family in the City of Pinole. He was now the Business Manager/Financial Treasurer/Secretary for the Ironworkers and he identified some of the many projects in the Bay Area constructed by the ironworkers and skilled laborers and apprentices who worked all over the Bay Area. He strongly supported the PLA and hoped the City Council would move it forward.

Timothy Jefferies, International Brotherhood of Boilermakers (IBB) Local 549, also spoke to the benefits of PLAs and explained that the PLA would bring a workforce that was fair to women, with women in the building trades to have the same weight as men whether a journeyman, apprentice or superintendent. He emphasized PLAs were also great for veterans like himself.

Cole Batchelder, Pinole, member of IBEW 302, thanked the City Council for considering a Citywide PLA. He looked forward to working and spending more time locally with his family.

Doug LeMoine, Member and Business Agent for the International Union of Operating Engineers, Local 324, assured the City Council that a yes vote on the PLA would put highly skilled and trained men and women from the labor unions to work in Pinole. He explained that most workers came from highly-trained apprenticeship programs with hundreds of hours of on-the-job training before graduating the program. He encouraged the City Council to approve the PLA to allow the men and women of the construction trades to live and work at home.

Maria Alegria, Pinole, affirmed the comments in support of the PLA, and thanked the City Council and particularly the PLA Ad Hoc Subcommittee through the leadership of Council member Tave to bring this matter back to the City Council. She suggested the PLA was almost a decade overdue. She commented that when she had served as Mayor of Pinole, the City Hall building had been built with a PLA and the project had come in under budget and on time despite the fact the City had been sued by ABC to stop the PLA but the City had prevailed and had won the lawsuit. She urged the City Council to support the PLA, bring jobs to Pinole, and make sure working men and women had good jobs and good pay with apprenticeship opportunities for future generations of working families in Contra Costa County and the City of Pinole.

#### PUBLIC COMMENTS CLOSED

Mayor Pro Tem Toms recognized the members of the PLA Ad Hoc Subcommittee and stated all members had brought something to the table along with the labor partners. She agreed the apprenticeship training programs involved excellent facilities. She supported the PLA and emphasized the 30-mile local hire radius would reduce Vehicle Miles Traveled (VMTs) and Greenhouse Gas Emissions (GHGs), which the City may identify in its Climate Action Plan (CAP).

Council member Martinez-Rubin recognized the cost of health benefits unless provided by an employer. The health of the community was important and necessary for the City to thrive economically. She liked the idea of a pipeline of workers who could continue their careers and be part of their city in different ways as workers, consumers and people who could rest assured they would be covered and work on projects that were enduring and had a life over several decades benefitting the public at-large. The PLA would be a tremendous help to the community.

Council member Sasai recognized the benefits, quality of services and safety of a workplace with PLA projects. He found the PLA would benefit the City and he supported the PLA as proposed.

Council member Tave agreed and as one who had been commuting to employment outside of the City of Pinole as did so many others, the PLA and the 30-mile radius provision would allow workers to be with their families. He also recognized there was no shortage of work and he hoped the PLA would include outreach to community members who worked in the construction trades. He supported the PLA and he thanked the PLA Ad Hoc Subcommittee for all of its work.

**ACTION: Motion by Council member Tave/Mayor Pro Tem Toms to adopt a resolution approving the Project Labor Agreement and related side letter included as Attachment A to the November 7, 2023 staff report, and authorize the Interim City Manager to sign the Project Labor Agreement with the Contra Costa Building and Construction Trades Council and its affiliated local Union.**



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

**12. NEW BUSINESS**

**A. Long-Term Financial Plan Strategies [Action: Receive Report and Provide Direction (Guillory)]**

Finance Director Markisha Guillory introduced Steve Montano, Special Advisor, Baker Tilly, the consultant assisting City staff with the strategic planning for the Long-Term Financial Plan (LTFP). She provided an extensive PowerPoint presentation which included an overview of the Five-Year financial forecasts as part of the LTFP forecast that had been extended to 10 years with the FY 2023/24 budget and with the City having extended the forecast to 20 years to capture longer term impacts. The City had forecast a status quo for the General Fund that estimated the City's future revenues and expenditures if the City maintained status quo service and staffing levels.

Finance Director Guillory also highlighted the purpose of the Long-Term Financial Forecast; General Fund 20-Year Financial Forecast; General Fund 20-Year Financial Forecast Summary; Key Revenue Assumptions; Key Expenditure Assumptions; General Fund 20-Year Financial Forecast – Revenues and Expenditures and Fund Balances. She requested the City Council receive a presentation from Baker Tilly on potential options to increase revenues and decrease expenditures and to model specific revenue and expenditure options in the financial forecast and prepare the LTFP.

Steve Montano, Special Advisor Baker Tilly, also provided an extensive PowerPoint presentation titled City of Pinole Long Range Fiscal Forecast Options, which included an overview of the City's financial condition; assessment of its current and needed future service levels; assessment of the City's budget and development of a LTFP; Proposition 26 which impacted how taxes may be imposed in the State of California; choosing the right revenue strategy; tax revenue options; benefit assessments; fees/charges/rates and cost recovery strategies; financing capital assets; General Fund revenue options for consideration; General Fund expenditure options for consideration and detailed comparisons with benchmark cities.

Mr. Montano asked the City Council to identify which of the revenue and expenditure options could resonate with the Council and the community to allow the consultant to model the options and be able to pursue an action.

Mayor Pro Tem Toms spoke to the comparison of benchmark cities and stated it would be useful to know the percentage coming to the City of the one percent property taxes. She noted the City of Pinole received around 18 percent whereas the City of El Cerrito received around 24 percent. Both cities paid for their own fire services out of their return of property taxes whereas the City of Martinez was part of the CCCFPD. She explained that one of the City of Pinole's largest expenses was the contract for fire services and that should be footnoted in the comparison of benchmark cities for the City of Martinez, as an example, that does not include fire services. She suggested another column in the comparison of benchmark cities should be included with information on the average property tax return.

Council member Martinez-Rubin also spoke to the comparison of benchmark cities and commented on the high Other Post-Employment Benefits (OPEB) liability for the City of Pinole as compared to the other cities, which had been used by the City of Pinole as an attractive means of recruiting staff. She asked whether the other cities used salaries to offset the OPEB. She also asked about the order of events that would be recommended as next steps for the City to be in the position of going the route of debt financing as an example.

Council member Martinez-Rubin also asked in the modeling that there be some sunseting that would occur. As an example, an opportunity to expand on the Utility User's Tax (UUT) to make it more appealing and a success for the City to do so, and understand at what point the City would acquire enough funding at the first phase of events to develop the language that would be included in a ballot measure. She also spoke to Enhanced Infrastructure Financing Districts (EIFDs) and commented the City Council had not discussed that yet nor had discussed in the context of a finance management and fiscal management plan what would happen with the City's economic development strategies and whether to opt or consider options to increase revenues to acquire funds to help with housing sustaining funding or projects in the CIP the City could not currently afford related to climate change and the like. She also stated there was no information on direct lending options in the presentation and she understood there were new ways to obtain larger amounts of monies through direct funding mechanisms rather than just through bonds.

Council member Sasai found the information to be educational. In relation to the General Fund Expenditure Options and the shared services delivery model, he asked what other cities the size of Pinole had been following that model in Contra Costa County.

Mr. Montano reported he had done no recent research in this region although there were examples of cities across the country that followed the model of shared services. He knew the cities had to be contiguous and have a recognized need between the city and the neighboring city, and while not familiar with the region whether that was a feasible option there were examples across the country where that shared services delivery model had been done. He explained it would help to have a model nearby, which would require more research.

Mayor Murphy liked the benchmark comparisons provided, particularly for the City of Emeryville. He referenced wireless phone services related to UUTs and understood that many cities may not be aware it was not being taxed but it was a questionable model since landlines were currently not as popular as they were 20 to 30 years ago. He asked for more detail on that tax structure of a UUT on wireless phone services if the City were to move forward with that option.

Mr. Montano advised there were some benchmark cities using the UUT tax structure for wireless phone services such as the City of Emeryville, but he had no experience working or consulting with a city that used that tax structure. He was aware of some legal cases where some wireless carriers had pushed back on that tax structure, and uncertain of the status of those cases stated that more research was needed. He had already started to prepare a report on fiscal recommendations and could prepare information that would be included in a future report as part the recommendations for the fiscal forecast.

Mayor Murphy understood a tax structure for wireless services through a UUT involved taxing businesses that provided Wi Fi services within the City or individuals, and Mr. Montano stated it could be both and could be one and the same wireless company.

Mr. Montano reported that Verizon provided both wireless and Internet services as an example, and a UUT could be applied to both examples. He could expand on that information in future reports.

Mayor Murphy added that some people had an additional hot spot that was separate from one's phone and he asked whether that would be taxable in that model and what funding was provided based on that model per year, which information would be helpful to have. He also asked about the level of Full-Time Employees (FTEs) as shown in the benchmark comparison, particularly for the City of Dixon of relative size to Pinole, although that jurisdiction had more FTEs.

Finance Director Guillory understood the City of Dixon had more FTE's since it had a Fire Department but that information could be clarified in the benchmark comparison.

Mayor Murphy understood one of the economic development strategies was to review the assessment and feasibility of an EIFD. He asked whether that was something staff was looking into and whether staff was asking for direction from the City Council, and Finance Director Guillory stated she would clarify that information with the Community Development Director.

Mayor Murphy liked the Reduction General Fund Expenditure Options and understood some cities in Contra Costa County had used those options. He asked for estimates around shared services delivery models, which had been done through the City's partnership with the CCCFPD, but he wanted more information and assessment on other service models such as for the Public Works Department. The City Council had previously directed staff to engage in a discussion around Public Works and possible shared services agreements between the Pinole Public Works Department and the Contra Costa County Public Works Department and asked what could be done to set staff up for success in assessing the numbers.

Mr. Montano suggested the Public Works Director would need to prepare a presentation on what Public Works activities/operations would be best suited for joint services, with the next step to determine interest from contiguous and neighboring jurisdictions.

Mayor Murphy asked whether the PowerPoint presentation from Baker Tilly had been shared with the City's Grant Manager, to which Finance Director Guillory stated it had not but could be done and would be helpful to inform the work being done.

Council member Tave asked for more detail on the modeling for 2023/24 for the financial forecast and whether the General Reserve had been built in, and Finance Director Guillory advised that the General Reserve was separate. She again walked through the General Fund Unassigned Fund Balance and the separate General Fund Reserve figures and balances as shown in the PowerPoint presentation.

Council Tave also clarified with the Finance Director a discussion about reducing the General Reserve withholding from 50 percent down to 25 percent, with the fiscal impact a one-time impact.

Mayor Pro Tem Toms also clarified the Special Assessment Bonds option was similar to how the WCCUSD had financed its expenditures, with the tax assessment placed onto the property taxes but which had not included the voter approval threshold.

Mr. Montano understood the threshold was voter majority approval, which could be bookmarked for the future.

#### **PUBLIC COMMENTS OPENED**

Rafael Menis, Pinole, commented that overall medical expenditures had risen sharply and to a large extent had offset the gradual decline in California Public Employee's Retirement System (CalPERS) expenditures after FY 35/36. He asked whether that increase in OPEB accounted for other OPEB expenditures or whether the OPEB cost was in addition to that increase. For the benefit of the consultant, he noted the Real Property Transfer Tax (RPTT) option had been discussed during past City Council meetings but ultimately had not managed to pass the City Council level given a moderate level of public opposition from the community. He also referenced the differences in the revenue amounts in the benchmark comparisons as shown in the PowerPoint presentation, particularly the differences between the cities of Pinole and Emeryville. In terms of property and sales taxes, he pointed out that Pinole was capped out and the City should consider a RPTT and UUT in regards to water and wastewater.

#### **PUBLIC COMMENTS CLOSED**

Mayor Pro Tem Toms referenced the RPTT issue, which had not been popular and commented she had spoken to a number of people opposed to a RPTT since they were of the opinion it targeted a small portion of the population but it benefitted everyone. Some of those same people had been asked whether or not they would support a parcel tax that was equitable across the board and the answer from several was affirmative, which was something the City Council should consider. She also suggested the City Council should consider the Special Assessment Bonds, and while they could not be used for maintenance there were a number of CIP projects that were beyond maintenance and had a need for reconstruction as CIP projects, which could help the City deal with not having to spend General Fund monies.

Council member Tave commented the City Council had discussed this topic for some time and every two years or so the City discussed imposing something to keep up with costs, but the only way to get answers was to go to the voters with a program. He wanted to see the RPTT be modeled and get public feedback for a thorough review. He added the City Council had spent a lot of time since 2019 determining what that revenue source may look like. He also suggested the City Council needed a better understanding of reinvesting back into Pinole and a potential parcel tax, and he was interested in seeing more information and analysis around the Special Assessment Bonds and how much revenue the City could receive from that option. He supported more information on a UUT expanding to water with a model to identify the potential revenue.

Council member Tave also recognized the City informally shared equipment and the cost of the equipment with other jurisdictions through a Memorandum of Understanding (MOU) process and that possibly could be expanded. In terms of health care costs, rather than negotiate as one city, he would rather see Pinole work with other cities and find a way to possibly bring those costs down collaboratively across multiple cities, with a collective agreement that may benefit the City. He recognized something needed to be put in front of the voters given the future fiscal forecasts.

Mayor Murphy requested more information about wireless phone service and what had already been approved by the City Council in terms of an EIFD understanding the City Council had already directed staff to conduct preliminary discussions with consultant firms ideally at no cost.

Mayor Murphy suggested it would be important in that process to have an initial assessment of applicability and cost to the City, particularly for the downtown area and around the Senior Center. He was open to any shared service agreements which had been done with the CCCFPD, and he imagined all cities were working to provide good health care and perhaps there was an opportunity to establish ways to save the City money on that expenditure.

Mayor Murphy also recognized the Finance Director's efforts during his tenure on the City Council to transition the City's forecast every five years and expand that to ten years and now twenty years to allow the City the ability to be strategic and be real with residents. The City had improved on the standards of the past, residents wanted the investments and wanted them done right and to the highest quality. He wanted to show residents what it meant if they did not want those enhanced services and wanted the City to pull back, and in that regard, he was interested in some of the General Fund Expenditure options to reduce the City's budget by four or five percent over the next five years so residents would know what that model looked like. He wanted the residents to be included in the consideration of the modeled options.

Council member Martinez-Rubin recognized the need to provide essential services such as fire protection and safety and she recognized the City needed to maintain its parks but could not do so with the revenues the City currently had, and there were identified projects in the CIP the City could not afford. She wanted to get the City to a point where it was not at risk of reducing the revenues it had at a faster rate than staff had already projected.

Council member Martinez-Rubin reported she had attended a webinar this date on what a city had as working capital and for emergency events, with reserves for operations. The City Council had previously been presented with information as part of its budget and the potential to consider as an option a reduction in the 50 percent to a smaller percentage. She asked what it would look like if the City set aside 40 percent as a policy and the difference it would make if at all. She understood even at 50 percent the City would not have enough in the General Fund Reserve. She also understood even with personal financing the advantage to seek a source of revenue from multiple streams and to consider taxing options that applied to everyone in the City, which was something she could support otherwise there would be discussions about exemptions, which had occurred during prior discussions about a RPTT.

Council member Martinez-Rubin suggested an EIFD was an attractive source of revenue and had the possibility as taxes increased where those taxes could be used to offset debt, but they had not yet had those discussions where that would apply, and she cited a geographic area on San Pablo Avenue which led into Old Town Pinole but not necessarily the downtown. She would otherwise defer to staff's expertise on what should be done first to allow the City to have sufficient funds to be comfortable and she did not know what that level of comfort should be at this time.

Mr. Montano clarified the 25 percent represented three months of general operating costs for most cities and in an analysis would go to determine the proper reserve amounts. He reported the Government Finance Office Association (GFOA) had a great tool to assess the City's particular risk, and based on that evaluation cities could more confidently determine the reserve amounts. He understood based on that evaluation, the City could lower its reserve requirement.

Council member Martinez-Rubin sought more information to lower the reserve requirement and what that would look like.

Finance Director Guillory clarified that would be a one-time windfall of funds and it would be in year one of the forecast, and the City would not be able to rely on that source of funds.

Council member Martinez-Rubin suggested the modeling should also recognize the fluctuations in the market, which was true for sales and property taxes, and asked what option was more consistent with the projected revenues not as greatly subject to fluctuations, and Mr. Montano advised that property taxes were the most stable revenue source for all cities and sales taxes were not and were a volatile source. The same applied to business license fees.

Council member Tave asked that the model also include sales taxes, and while they may fluctuate, he wanted the citizenry to have all information. He recognized the City was currently giving residents the best it had with the money it currently had but other needs had been identified and the citizenry needed to be so informed.

In response to the Mayor as to whether staff understood the direction from the City Council, Finance Director Guillory stated she understood the different modeling options the City Council wanted to see in the next report and she would compare notes with Mr. Montano.

Mayor Pro Tem Toms spoke to the EIFD and asked staff to describe what taxing entities would forego their portion of the tax increment increase in order to have an EIFD, to be included in future information to be presented to the City Council.

Mr. Montano explained that whatever the entity, it would only forego the incremental increase. Unfamiliar with what properties in Pinole the City Council had in mind, as an example a large retail chain would forego only the incremental increase. EIFD's were an entirely new taxing arrangement written into law and may not apply to other taxing entities, which he would clarify.

When asked to clarify the Council's direction, Finance Director Guillory advised staff and the consultant would model a number of options both on the revenue and expenditure side, pull information on EIFDs, categorize into separate buckets and model them in the forecast. Staff would return with more information at a City Council meeting in January 2024. As to placing a measure on the ballot, she reported the City Council had previously been provided a memorandum with dates and milestones and that information could be resent to the Council. She confirmed public engagement and polling information had been included in the memorandum.

**ACTION: Motion by Mayor Pro Tem Toms/Council member Tave to extend the City Council meeting to 11:30 p.m.**

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

**B. Review of Process for Selection of Mayor and Mayor Pro Tem [Action: Receive Report and Provide Direction (Bell)]**

City Clerk Bell presented the staff report dated November 7, 2023, and asked the City Council to review the process for the selection of Mayor and Mayor Pro Tem and provide direction to staff.

## PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, was uncertain what would be discussed as part of the Mayor and Mayor Pro Tem positions other than a potential adjustment to the rotation. He suggested no adjustment to the process of selection needed to be made regardless of the nature of the adjustment given the broader public benefit of having a routine rotation of the Mayor's office through each member of the City Council in a routine structured fashion based on an objective formula. It was also a matter of democratic legitimization, the order of whom would become Mayor had been based on who got the most votes, which incentivized each Council member to seek out the most votes in their elections to increase where they were on the Mayoral rotation. De-linking who would become Mayor by whatever means from that selection process would create a disconnect between the Mayor and the public. There was also a coercive aspect of maintaining power, which was why he supported a routine rotation year over year for any position of power. He added it was important to maintain the skills training for everyone year over year.

Ruthie Abelson Olivas, Pinole, was confused why the City Council was considering a change in the process for the selection of Mayor and Mayor Pro Tem. She strongly opposed an unnecessary change to a process that had been working and was fair. Mayor Pro Tem Toms was the next in line to serve as Mayor. She was reputable, hard-working, sensible, valued, fair and an experienced leader in the community, and she strongly supported and respected her as did others in the City. She understood the current process for the selection of Mayor and Mayor Pro Tem and suggested having a few Council members consider changes, without having a good reason to do so, was unfair and suggested that voters' wishes were being ignored. If the process was truly problematic, it should be placed on the ballot for voters to decide.

Peter Murray, Pinole, agreed with the comments, and explained that elected Council members were doing their job on behalf of the community, worked with each Council member to reach solutions and worked as a team. He was uncertain exactly what was being presented and noted the current process had been developed so that there would be no issues. Uncertain why this matter was being brought up, he suggested the best solution was to leave the process alone since it worked well, and while some Council members did not get along and there were differing opinions and positions that had to be represented by the community as well, he suggested leaving the process alone would work and not result in contentious issues in the future.

Kent Moriarty, Pinole, stated there had been no explanation why the City Council wanted to interrupt the existing Mayoral rotation and because of that he was uncertain how to respond. He suggested it may be a grab for power and bullying absent a reason and for this to happen, suggested the people involved could be tarnishing their reputation as a public servant, if not destroying it. Absent the knowledge of the intention of this agenda item, he suggested most people would see this item as a grab for power and pushing people out of the way.

Ann Moriarty, Pinole, agreed it was difficult to comment absent the knowledge for the reason for the discussion unless trying to look for a process that was more equitable and democratic. She was open to understanding what that was, although the fear remained that this was something that would go outside of equitability and the democratic process already in place. She suggested if looking carefully at the example of what happened with Supervisor John Gioia that would offer an example of a good spirited wish for a change in process that had produced some very unintended consequences.

Ms. Moriarty expressed her hope in the discussion the City Council had regarding the Mayoral rotation there would not be a sense of division on the Council but a true listening to each other and doing what was fair, right and not what was simply politically motivated for the future. In terms of what the future may be to pursue a change for someone's own political gain, that would not be looked on favorably. She looked forward to that conversation in a positive sense.

Irma Ruport, Pinole, commented this routine had occurred with prior City Councils. She understood the item was a presentation of information for the City Council to receive a report and provide direction, and include a discussion and educate the public with the City Council to make decisions that were best for the City. She suggested the discussion had to occur with civility not on social media, looking at the current process and agreeing it should be taken to the voters. She sought a healthy discussion and education of the public. She suggested a lot of "back door deals" have been done by the City over the years. She also suggested in the future there should be a discussion of the duties of the Mayor and Mayor Pro Tem, suggested those positions had no more votes than any other Council member, they were just titles, with Council members to do their duty and serve the public equally. She urged transparent and open discussions.

City Clerk Bell reported she had received a request for accommodation with the following written comments read into the record by the Deputy City Clerk.

*Debbie Long, Good evening Council. The current process for the Mayor rotation should be kept and therefore allowing Mayor Pro Tem Toms to be Mayor for the coming year. Last year when Mayor Murphy rotated into the position, he along with the Council affirmed the rules of selection and rotation. But now that his year is up, he wants to change that process so he can stay on another year. You might want to ask yourself why. I did and this is what I came up with. 1) It feeds his ego. 2) He feels more powerful and in control. 3) He thinks old people are not fit for office, after all when he came to his first City Council meeting in April of 2018, he made the statement that 'You old people need to step down for the younger generation'. Therefore, he is an ageist. Maureen is over 55 and his wanting to keep her from being Mayor reeks of discrimination. 4) He appears to be discriminating against women. I will add that during a luncheon we both attended he referred to me as 'girl' both demeaning and insulting given my work in the community. 5) He is fearful of what Mayor Pro Tem Toms brings to the table. She is experienced in all things surrounding the community from being a volunteer in swim, Little League and numerous challenger leagues in competitions to serving on the Planning Commission up until her being seated on the Council in 2018, as well as her management position in the County. There is nothing she hasn't touched on and wears many hats when called upon. Her experience has been earned throughout the years of serving the community and she deserves her year as Mayor. 6) When the City was looking at becoming a Charter City two years ago, the Council majority including Mayor Murphy stated 'It was not because they wanted the City to be run by a Mayor' but this is exactly what the outcome of changing the resolution will lead to. 7) Mayor Murphy has higher aspirations than being on this City Council. After all he has previously run for a County position and most likely in the future will be seeking an office outside of Pinole. Why should he be building a résumé on the back of the most qualified seated Council member to take over the role of Mayor for 2024. I'm sure I have ruffled some feathers, but I feel that it is important that the public know who they have elected. While Mayor Murphy brought this forward, take a look at any Council member who supports this change and why it benefits them. I support Mayor Pro Tem Toms. She is qualified, experienced and has earned her spot as Mayor. And by the way people have taken notice. My post on NextDoor neighborhood has had over 3,300 views. If that equates to only ten percent of people from Pinole, that it is 330 that know ten people that*



*know ten people. When you take yourself more seriously than the community you serve, then we have bigger problems that others may not have realized.*

Anthony Vossbrink, Pinole, was disappointed in the Mayor's request to change the makeup of the Mayor's appointment. He agreed with the majority of the speakers in defending what was democracy in the City of Pinole. He stated it appeared some members of the City Council wanted to spend more time creating new situations, new problems or issues for themselves for personal reasons rather than attend to the basic needs and infrastructure problems facing the City. He strongly endorsed the current policy that would rotate Mayors and looked forward to having Mayor Pro Tem Toms serve as the next Mayor based on all of her experience and background, giving up the majority of her time to serve the citizens of Pinole and creating a democratic environment and encouraging engagement rather than being dismissive at times like some Council members and the current Mayor had been known to be when dealing with the public.

#### **PUBLIC COMMENTS CLOSED**

Mayor Murphy thanked the public for their comments. He was aware of the comments on NextDoor and aware the Mayor Pro Tem had provided clarifying comments in her newsletter. He was grateful for the opportunity to serve as Mayor for the past year which had been the honor of a lifetime, but suggested the City needed consistent leadership on the scale of understanding governance. He noted a number of cities had consistent Mayors who were consistent in governance, direction and the outputs of their cities. He stated governance included acquiring, reviewing policies and finding new opportunities to strengthen the direction of the outputs of the City.

Council member Martinez-Rubin interjected. Mayor Murphy asked her not to interrupt while he was speaking. Council member Martinez-Rubin continued to ask what the objective was for bringing the topic for discussion to the Council. Mayor Murphy restated not to interrupt while he is speaking.

Mayor Murphy stated that the benefit of the discussion would be that people would be able to have conversations that had not previously been had and he pointed out that the long-standing tradition of appointing the Mayor had come about only 13 years ago.

Mayor Murphy recommended as a Council member and as a Mayor to have conversations about things that may have worked for some but not for all, and to have a conversation about the systems of government that existed that made them have an inclusive and expansive residency. He had requested that the item be agendaized to discuss things and to talk to each other before placing items in a newsletter. He emphasized the need for consistent leadership in the role of Mayor. His intent for pushing the conversation was not only to express the dire need to review the policy but to ask staff to bring options to the City Council for further discussion, study, exploration and for a ballot measure to create an elected Mayor's position for the City of Pinole.

Mayor Murphy wanted to have those tough conversations which for years had not occurred and he had heard from the community that others also wanted to have those conversations. He acknowledged the public comments received, wanted more input from residents and wanted them to be part of the process, study and exploration.

**ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin to extend the City Council meeting to 11:45 p.m.**

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

Mayor Pro Tem Toms stated several weeks ago a trusted individual had informed her that Council member Sasai would be bringing forward an issue about changing the rotation. When she had heard the rumor, she had not given it much credence since she considered her fellow Council members to have high character, mutual respect, trust, ethics and a desire to work together as a team under the protocols set forth by the City Council; however, Mayor Murphy had brought the item forward at the last City Council meeting and she had done some additional inquiries.

Mayor Pro Tem explained since she knew the Mayor and Council member Sasai were likely on the same page, she would not violate the Brown Act and had not asked them about the matter. She did ask other people and a number of other people had informed her that this was the plan. As evidenced by the public comment, the public respected the City Council's rotation. She found it extremely disrespectful for this to come just a month before her Mayoral rotation was to begin. She hoped to end this conversation by starting anew, maintaining the existing rotation. She pointed out the previous agenda item would require the City Council to work together and having trust with the public to allow the City to move forward in a financially stable way. She requested that the existing Mayoral rotation remain and urged repairing any hiccups in communication amongst the City Council since that was the only way to move forward as best for the City.

Mayor Pro Tem Toms offered a motion, seconded by Council member Martinez-Rubin to not make any changes to the current rotation.

Mayor Murphy reiterated his comments and his desire for the creation for an elected Mayor position. He suggested there had been miscommunication from the Mayor Pro Tem.

Mayor Pro Tem Toms asked the Mayor not to insinuate the miscommunication was on her part.

On the discussion, Council member Tave commented he had seen the posts on NextDoor. He understood this policy was not to be considered until the time for the selection of Mayor and Mayor Pro Tem. He found the miscommunication had become inflated and was confused at this point.

Mayor Murphy restated the motion from the Mayor Pro Tem to reapprove something that was already Council direction. He reiterated his motion to direct staff to bring back options to the City Council for future discussion and study a ballot measure to create an elected-Mayor position for the City of Pinole.

**ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin to retain the current Mayoral rotation schedule.**

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

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

Mayor Murphy again offered a motion, seconded by Council member Sasai to direct staff to bring back options to the City Council for future discussion and study for a ballot measure to create an elected-Mayor position in the City of Pinole for 2024.

On the motion, Council member Martinez-Rubin commented that given the type of existing governance of the City, she asked whether the motion as stated was appropriate to have as a ballot measure.

City Attorney Casher clarified the City of Pinole was a General Law city but the City Council may at any point decide to change that. The motion was to bring back an item for the City Council to discuss the process to have an elected Mayor and staff would review the election and government codes on what that process would entail for a potential ballot measure and the timing for something like that to occur in November 2024. Legally, the City may move to have an elected Mayor, a Strong Mayor, some of which required a vote of the public.

City Attorney Casher again clarified in response to Council member Tave the intent of Mayor Murphy's motion. Staff wanted the City Council to make informed decisions, and if there was an interest in having an elected Mayor, staff would provide the legal process to do so, which would require a ballot measure, and staff could provide the time frame and the City Council would discuss whether or not that was something it wanted to pursue.

Further speaking to the Mayor's motion, Council member Martinez-Rubin pointed out the majority of cities in the State of California did not have elected Mayors other than the larger cities such as San Francisco, Oakland and Los Angeles. She comments that Pinole was not in a district but term limit restrictions had provided an opportunity to have different compositions on the Council. The Council was a reflection of the demographic makeup up the City because that's how it's turned out to be over the past decade. She saw no necessity for an elected Mayor and suggested the Mayor had brought the issue up for discussion as an alternative to the route of a Charter City, which had the option for a Strong or elected Mayor, and she suggested the Mayor was finding another avenue to have an elected Mayor.

Council member Martinez-Rubin commented on the manner of consistency in governance, stating that anyone who was elected had the opportunity to build their familiarity and experience in governance, and working collaboratively did not mean that any single individual elected or not would be the better Mayor for the City. On the question of whether the City of Pinole needed an elected Mayor, she did not believe Pinole needed an elected Mayor.

**ACTION: Motion by Council member Tave/Mayor Murphy to extend the City Council meeting to 12:00 a.m.**

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

Council member Tave suggested this discussion was for the City Council and the public and there needed to be a discussion to follow the City's process, with staff to return with facts, a timeline and a process and then have a discussion as the City Council rather than spend time on hearsay and rumor.

Council member Sasai stated this item had come to the Council via a unanimous vote of the Council. Council member Sasai stated since he had been elected to the City Council, there had been an unspoken agreement to entertain certain requests for future agenda items and for some reason that rule had not been followed. He kept track of emails and calls received from residents and most people had brought this up as a waste of time, and while he agreed to a certain extent since there was so many issues the City Council must address, this conversation needed to take place.

Council member Sasai suggested it was the responsibility of the City Council to educate the public about what was going on at City Hall and the processes the City Council needed to adopt. He had not been aware of the current selection process for Mayor and Mayor Pro Tem until he had been elected to the City Council and he had not fully understood that process until after his election and it had been explained to him by the City Clerk. He asked how they should expect every resident to understand the process and suggested most were likely unaware of the current process. This was an opportunity to educate the public, which was why he voted to place the item on the agenda and he reiterated the entire Council had voted to do that.

Council member Sasai added that since something was a tradition and had always been done was not a good enough reason to continue to maintain the status quo. Questioning the status quo, evaluating it for effectiveness and equity was good governance.

Council member Sasai also referenced the rotation list maintained by the City Clerk, and commented the 2020 Pinole City Council election had involved two seats, which had been uncontested. He stated that Mayor Pro Tem Toms had received the lowest number of votes in that election, which had not shown him the confidence of voters or democracy at work. He was open to input from the City Council, members of the public and staff to further democratize the process. He suggested they needed to show the public the things the City Council had accomplished to drive policy, which should be up to the voters.

Mayor Pro Tem Toms reiterated the previous agenda item included a discussion on revenue generation with the hope to place an item on the ballot in November 2024; however, when adding items to the ballot there was a risk to the primary ballot measure for revenue generation, which was why she could not support the Mayor's motion.

Mayor Murphy stated the data had not suggested that.

Council member Martinez-Rubin commented they all had their perspectives and interpretations of election results and while the seats for the 2020 City Council had been uncontested, it was a year of a very contentious General Election with the increasing use of social media and the kinds of tactics used in campaigning had influenced the number of votes obtained by any candidate. That was not entirely a reflection of how voters expressed their confidence in a candidate. She suggested that its possible that some people mistook the last name Murphy for someone with Irish descent, she didn't know if he did, and that could have had influence.

Council member Martinez-Rubin noted in terms of educating the public, she found it did not mean people were not aware of the processes. This was not unique to the City of Pinole and she again suggested the City of Pinole did not need an elected Mayor and having the opportunity for a number of people running for office meant they also had to educate themselves in advance of running as to what they were in for and how the results were used in existing processes.

Council member Tave called the question.

**ACTION: Motion by Mayor Murphy/Council member Sasai to direct staff to bring back options to the City Council for further discussion, study and exploration for a ballot measure in 2024 creating an elected-Mayor position in the City of Pinole.**

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

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

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

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

Maria Alegria, Pinole, reported she had been raising her hand for the last two agenda items but had not been recognized to speak, although City Clerk Bell reported Ms. Alegria's name had been called and she had responded to an email received by Ms. Alegria but since the City Council had taken action on the last two agenda items, she asked that any comments be provided in writing to be distributed to the City Council.

Ms. Alegria asked how technical difficulties would be handled since she had desired to speak to the serious matters of the last two agenda items and she found that inability frustrating. She also found the City Council had been out of order by allowing a submitted written public comment to be read into the record and asked why an exception had been made in that case.

City Clerk Bell clarified that every now and then a request for accommodation was received. There was language on the cover sheet of the meeting agenda where if anyone had an accommodation request, they were to reach out to the City Clerk's Office and staff would review the request and make a decision. In this case, staff had reviewed the request and granted the accommodation.

Ms. Alegria found that allowing someone to submit something in writing and not others to be inequitable and that discretion being left up to the City Clerk was unfair. She suggested if that was to be allowed for one person it should be allowed for everyone. She asked the City Council to revisit that issue since she and others had been denied having their written comments read

into the record, with those comments distributed to the City Council. She was disappointed the exception had been made for one member of the community but not for all.

City Clerk Bell again responded and explained that the City wanted everyone to have the ability to provide public comment. She read into the record the Americans with Disabilities Act (ADA) statement as shown on Page 2 of the meeting agenda and emphasized that staff aimed to be fair and equitable to all residents.

Anthony Vossbrink, Pinole, commented that during the prior City Council meeting he had been cut off at three minutes and he wanted to complete his thoughts at this time. He asked whether the City's Grant Manager had responded to the open grant available to cities in Alameda and Contra Costa Counties to secure funds to address retail thefts.

Mr. Vossbrink commented on the amount of publicity related to the City of Oakland's missed deadline for this grant opportunity while the City of San Ramon had actively secured a grant in the millions of dollars allowing San Ramon to secure another police officer for its Retail Crime Unit, a retail patrol vehicle and security channels that could be used to prevent retail theft and crime within that city. He also asked about the track record of the Grant Manager the City had hired since Irma Ruport had volunteered her time but had been dismissed.

Mayor Murphy asked Mr. Vossbrink to email his comments about grant opportunities to the Interim City Manager and review the Interim City Manager's Report, which had been provided earlier in the meeting.

Interim City Manager Gang identified his email address at [ngang@ci.pinole.ca.us](mailto:ngang@ci.pinole.ca.us).

**ACTION: Motion by Council member Tave/Mayor Pro Tem Toms to extend the City Council through the end of the meeting agenda.**

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

Irma Ruport, Pinole, agreed with the previous speaker that the City should aggressively pursue all grants. She expressed the willingness to provide assistance to the City in pursuing the grants. She also agreed some written statements had been read into the record while others had not and suggested in the future all written statements be read into the record and be distributed to the entire City Council, and be approved.

Mayor Pro Tem Toms asked that the meeting adjourn in memory of Glenn Rockman, a resident of Pinole who was survived by his wife and two children.

Mayor Murphy asked that the meeting adjourn in memory of Robert "Bob" Burmester, one of the City of Pinole's recently recognized Centenarians.

**14. ADJOURNMENT** to the Regular City Council Meeting of December 5, 2023 in Remembrance of Amber Swartz, Glenn Rockman and Robert "Bob" Burmester.

At 12:04 a.m., Mayor Murphy adjourned the meeting to the Regular City Council Meeting of December 5, 2023 in Remembrance of Amber Swartz, Glenn Rockman and Robert "Bob" Burmester.

**Submitted by:**



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

**Approved by City Council: March 19, 2024**

