CORONAVIRUS ADVISORY INFORMATION:

CLICK HERE for City Updates

CLICK HERE for County Updates

CITY COUNCIL

Roy Swearingen, Mayor
Norma Martinez-Rubin, Mayor Pro Tem
Peter Murray, Council Member
Vincent Salimi, Council Member
Anthony Tave, Council Member

PINOLE CITY COUNCIL MEETING AGENDA

TUESDAY
OCTOBER 20, 2020
VIA ZOOM TELECONFERENCE

6:00 P.M.
The public portion of the agenda will be heard immediately following the conclusion of the Closed Session items.

DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS MEETING IS BEING HELD PURSUANT TO AUTHORIZATION FROM GOVERNOR NEWSOM'S EXECUTIVE ORDERS – CITY COUNCIL AND COMMISSION MEETINGS ARE NO LONGER OPEN TO IN-PERSON ATTENDANCE.

SUBMIT PUBLIC COMMENTS TO CITY CLERK BEFORE OR DURING THE MEETING VIA EMAIL
hiopu@ci.pinole.ca.us

Comments received before the close of the public comment period for that item will be read into the record and limited to 3 minutes. Please include your full name, city of residence and agenda item you are commenting on. Any comments received after the close of the public comment period will be distributed to Council and relevant staff after the meeting and filed with the agenda packet.

WAYS TO WATCH THE MEETING

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

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

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

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

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

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

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

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

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

3. 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Gov. Code § 54957
Title: City Manager

OPEN SESSION WILL COMMENCE UPON COMPLETION OF CLOSED SESSION, WHICH MAY OCCUR BEFORE 7:00 PM

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

5. 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. 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.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations
1. Recognizing Thomas Brooks for His Service to the City of Pinole As Planning Commissioner

B. Presentations / Recognitions
1. Presentation by Supervisor Federal Glover, Supervisor John Gioia and LifeLong Medical Regarding Primary Care and Urgent Care Medical Services in Pinole

7. 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 Meeting of August 18, 2020

B. Receive the October 3, 2020 – October 16, 2020 List of Warrants in the Amount of $616,634.17 and the October 16, 2020 Payroll in the Amount of $467,265.51

C. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**

D. Placement of Liens For Delinquent Unpaid Waste Collection Charges Falling Delinquent Between May and July 2020, Considered at an Administrative Hearing on October 1, 2020 **[Action: Adopt Resolution per Staff Recommendation (Iopu)]**

E. Approve an Amendment to the Contract With MV Cheng & Associates, Inc for Finance Services to Extend the Term and Add $70,200 For A Total Contract Amount of $115,200 **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

8. PUBLIC HEARINGS

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

NONE

9. OLD BUSINESS

NONE

10. NEW BUSINESS

A. Revised City of Pinole Procurement Policy **[Action: Adopt Resolution per Staff Recommendation (Casher)]**

11. REPORTS & COMMUNICATIONS

A. Mayor Report
   1. Announcements

B. Mayoral & Council Appointments
   1. Planning Commission **[Action: Consider Subcommittee Recommendations and Approval of Appointments (Iopu)]**
   2. Library Commission **[Action: Consider Approval of Appointment (Iopu)]**

C. City Council Committee Reports & Communications

D. Council Requests For Future Agenda Items

E. City Manager Report / Department Staff

F. City Attorney Report

12. ADJOURNMENT to the Regular City Council Meeting of November 3, 2020 In Remembrance of Amber Swartz.

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street

Pinole, CA, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

POSTED: October 15, 2020 at 4:00 P.M.

____

Heather Iopu, CMC
City Clerk

CITY COUNCIL MEETING
MINUTES
August 18, 2020

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

The City Council Meeting was held via Zoom videoconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the Regular Meeting of the City Council to order **6:15** p.m. and led the Pledge of Allegiance.

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

A. <u>COUNCILMEMBERS PRESENT</u>

Roy Swearingen, Mayor
Norma Martinez-Rubin, Mayor Pro Tem
Peter Murray, Councilmember (Absent)
Vincent Salimi, Councilmember
Anthony Tave, Councilmember

B. <u>STAFF PRESENT</u>
Andrew Murray, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Tamara Miller, Development Services Director/City Engineer
Neil Gang, Police Chief
Chris Wynkoop, Fire Chief

City Clerk Iopu announced the agenda was posted on August 13, 2020 at 4:00 p.m. All legally required notice was provided.

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

3. CONVENE TO A CLOSED SESSION
<u>Citizens may address the Council regarding a Closed Session</u> *item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.*

At 6:18 p.m. Mayor Swearingen convened the meeting to a closed session.

A. CONFERENCE WITH LABOR NEGOTIATORS
Gov. Code § 54957.6
Agency designated representatives: City Attorney Eric Casher
Unrepresented employee: City Clerk Heather Iopu

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

At 6:27 p.m., Mayor Swearingen reconvened the meeting to open session and announced that there was no reportable action.

Mayor Swearingen gave a report with information regarding the current pandemic and provided local updates with regard to transportation, return to school and planned power outages.

5. CITIZENS TO BE HEARD (Public Comments)

<u>Citizens may speak under any item not listed on the Agenda</u>. The time limit is 3 minutes, and is subject to modification by the Mayor. 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.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **David Ruport, Irma Ruport, Ivette Ricco, Jeff Rubin Rafael Menis, Sarah Flashman**

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

B. Presentations / Recognitions

7. 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.

Council member Tave asked regarding details of the report for Item 7B. City Manager Murray clarified the details of the report.

City Attorney Casher advised that written correspondence had been received and are under review for Item 7D. Asked that the Council continue the item to the next meeting.

ACTION: <u>Motion by Councilmembers Tave/Martinez-Rubin to Continue Item D to the September 1, 2020 meeting</u>

Vote:	**Passed**	**4-0-1**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi, Tave**
	Noes:	**None**
	Abstain:	**None**
	Absent:	**Murray**

A. Approve the Minutes of the Meeting of May 26, 2020 and June 2, 2020

B. Receive the July 18, 2020 – August 14, 2020 List of Warrants in the Amount of $1,226,070.28; the July 24, 2020 Payroll in the Amount of $431,143.46 and the August 7, 2020 Payroll in the Amount of $472,388.77

C. Resolution Confirming Existence of Continued Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**

Return to Agenda

F. Award Of Contract For Construction Of The 2019/20 Residential Pavement Slurry Seal Project At Various Locations To Valley Slurry Seal International Inc. In The Amount Of $763,000 **[Action: Adopt Resolution per Staff Recommendation (Miller)]**

G. Rescinding Resolution No. 18-2009 And Approving A Resolution Authorizing Investment Of Monies In The Local Agency Investment **Fund [Action: Adopt Resolution per Staff Resolution (De La Rosa)]**

ACTION: Motion by Councilmembers Tave/Salimi to Approve Consent Calendar Items A, C, F and G

Vote:	**Passed**	**4-0-1**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi, Tave**
	Noes:	**None**
	Abstain:	**None**
	Absent:	**Murray**

Agenda Item 7E was pulled for further discussion.

E. Authorize Response To Grand Jury Report: "Wildfire Preparedness In Contra Costa County" (Report #2007) **[Action: Approve and Authorize Mayor to Sign Response Letter (Wynkoop)]**

The following speakers submitted written comments on Consent Calendar Item 7E that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport, Maureen Toms**

Fire Chief Wynkoop provided a summary of the staff report and background information. Council members asked questions. Staff responded to questions.

ACTION: Motion by Councilmembers Tave/Martinez-Rubin to Approve Consent Calendar Item 7E

Vote:	**Passed**	**4-0-1**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi, Tave**
	Noes:	**None**
	Abstain:	**None**
	Absent:	**Murray**

8. PUBLIC HEARINGS

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

NONE

Return to Agenda

9. OLD BUSINESS

A. City Of Pinole Strategic Plan 2020 – 2025 Implementation Action Plan **[Action: Receive and File Report (Murray)]**

City manager Murray presented an overview of the item and action. Council members asked questions. Staff responded to questions.

The following speaker submitted written comments on Consent Calendar Item 7E that were read aloud and will be filed with the agenda packet for this meeting: **Rafael Menis**

10. NEW BUSINESS

A. Determination Of Public Convenience Or Necessity (PCN) For East Bay Coffee Company At 2529 San Pablo Avenue (Cup 20-03) **[Action: Adopt Resolution per Staff Recommendation (Hanham)]**

Planning Manger Hanham introduced the item and highlighted the recommended action.

ACTION: Motion by Councilmembers Tave/Salimi to Adopt Resolution Approving Determination Of Public Convenience Or Necessity (PCN) For East Bay Coffee Company At 2529 San Pablo Avenue (Cup 20-03)

Vote:	**Passed**	**4-0-1**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi, Tave**
	Noes:	**None**
	Abstain:	**None**
	Absent:	**Murray**

B. Resolution Authorizing The City Manager To Execute An Agreement With Management Partners To Conduct A Citywide Organizational Assessment **[Action: Adopt Resolution per Staff Recommendation (Murray)]**

City manager Murray presented an overview of the item and action. Council members asked questions. Staff responded to questions.

ACTION: Motion by Councilmembers Tave/Martinez-Rubin to Adopt Resolution Authorizing The City Manager To Execute An Agreement With Management Partners To Conduct A Citywide Organizational Assessment

Vote:	**Passed**	**4-0-1**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi, Tave**
	Noes:	**None**
	Abstain:	**None**
	Absent:	**Murray**

11. REPORTS & COMMUNICATIONS

A. Mayor Report
1. Announcements

Mayor Swearingen thanked the Richmond/El Sobrante Elks Club for their annual donation of $1250 to the Pinole Youth Center.

B. Mayoral & Council Appointments

C. City Council Committee Reports & Communications

Council member Tave reported that Philips 66 and Marathon Refineries have converted to bio diesel fuel business models in response to State's executive order. Provided an update from the Faria House Reuse Ad Hoc Committee. Committee is making progress with fact-finding and will have more detailed report to bring back soon.

Mayor Pro Tem Martinez-Rubin reported out on attendance at WestCat Board meeting and highlighted discussion topics; service contracts and Covid-19 service impacts. Reported on discussion of regional blue ribbon transit task force being formed to coordinate local public transportation amidst the pandemic.

Reported attendance at West County Mayor's Conference and discussion topics; consideration of metrics to use for homelessness/affordable housing planning, emergency services.

City Clerk Iopu provided an update regarding the 2020 Census and the November 3rd General Election 2020. Announced an upcoming presentation by County Elections Staff at the October 6th Council meeting.

Mayor Pro Tem announced an award received by Pinole's Police Department. Chief Police Gang gave details of the 2020 Technology Award for Pinole's Video Reporting model.

D. Council Requests For Future Agenda Items

Mayor Swearingen asked whether there are updates regarding the eviction moratorium. City Attorney Casher responded that we are following the County's current order which is set to expire at the end of September. Request for an agenda item on to discuss any bills that deal with options for landlord relief. Consensus given.

Council member Tave requested an update on downtown parking study. Consensus given.

Mayor Pro Tem Martinez-Rubin requested an update regarding the status of a Preservation Ordinance in Pinole. Community Development Services Director Miller provided an update. City Attorney Casher advised that the Municipal Code Subcommittee will reconvene in order to bring a status report back to Council.

Council member Tave requested a future agenda item to discuss holiday lighting in the downtown area. Consensus given.

Council member Salimi requested a future agenda item to discuss holding a virtual food drive. City Manager Murray stated that there are different resources that are available by other local organizations and advised that the city website has more information listed.

E. City Manager Report / Department Staff

City Manager Murray provided clarification on a question from Council member Tave regarding a payment referenced in Agenda Item 7B, Warrants.

F. City Attorney Report

No report.

12. ADJOURNMENT to the Regular City Council Meeting of September 1, 2020 In Remembrance of Amber Swartz.

At 9:03 p.m. Mayor Swearingen adjourned to the Regular City Council Meeting of September 1, 2020 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

WARRANT LISTING

City of Pinole, CA

By Vendor Name

Payment Dates 10/3/2020 - 10/16/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
19593757 100120	94953	10/09/2020	100-222-42201	PD - DRINKING WATER	170.53
				Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:	**170.53**
Vendor: 2032 - ALMA GOMEZ					
10052020	94954	10/09/2020	209-20308	REFUND FOR CANCELED EVENT 06/12/21	500.00
10052020	94954	10/09/2020	209-552-38112	REFUND FOR CANCELED EVENT 06/12/21	50.00
				Vendor 2032 - ALMA GOMEZ Total:	**550.00**
Vendor: AME52 - AMERICAN MESSAGING SERVICE, LLC					
W4102378UJ	94987	10/16/2020	525-118-43101	FD MESSAGING SVC	43.55
				Vendor AME52 - AMERICAN MESSAGING SERVICE, LLC Total:	**43.55**
Vendor: 2036 - ANACONDA NETWORKS, INC.					
3394	94988	10/16/2020	100-231-42106	FIRE - ANTENNA & ROUTER	1,536.56
				Vendor 2036 - ANACONDA NETWORKS, INC. Total:	**1,536.56**
Vendor: ATT01 - AT&T					
000015294524	94955	10/09/2020	525-118-43101	IT ATT MIS PHONE BILL	1,330.33
000015296285	94955	10/09/2020	525-118-43101	IT FIRE DEPT PHONE BILL	670.01
000015296292	94955	10/09/2020	525-118-43101	COP ADMIN PHONE BILL	1,774.30
000015296293	94955	10/09/2020	525-118-43101	COP REC DEPT PHONE BILL	724.79
000015296294	94955	10/09/2020	525-118-43101	IT CDD PHONE BILL	225.32
000015296296	94955	10/09/2020	525-118-43101	IT EOC PHONE BILL	162.95
000015296819	94955	10/09/2020	525-118-43101	COP ACCOUNTS PAYABLE	208.76
000015354164	94955	10/09/2020	525-118-43101	IT ATT PHONE BILL	2,089.05
				Vendor ATT01 - AT&T Total:	**7,185.51**
Vendor: CAL97 - CALIFORNIA BUILDING STANDARDS COMMISION					
10062020	94956	10/09/2020	212-462-34211	BUILDING STNRD ADMIN RPT FUND 07/01 - 09/30/20	193.50
				Vendor CAL97 - CALIFORNIA BUILDING STANDARDS COMMISION Total:	**193.50**
Vendor: PER03 - CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTM					
100000016192263	94989	10/16/2020	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY	96,163.89
100000016192272	94989	10/16/2020	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY	108,287.08
100000016192278	94990	10/16/2020	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY	184.47
100000016192290	94989	10/16/2020	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY	445.96
100000016192296	94989	10/16/2020	100-117-41004	ANNUAL UNFUNDED ACCRUED LIABILITY	294.19
				Vendor PER03 - CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTM Total:	**205,375.59**
Vendor: CCP03 - CCP INDUSTRIES					
IN02610384	94991	10/16/2020	100-343-42108	PW - SAFETY GLASSES	198.99
				Vendor CCP03 - CCP INDUSTRIES Total:	**198.99**
Vendor: CIT08 - CITY MECHANICAL, INC					
67781	94992	10/16/2020	100-231-42108	WORK ORDER 46397 HVAC	413.76
				Vendor CIT08 - CITY MECHANICAL, INC Total:	**413.76**
Vendor: CON56 - CONCENTRA MEDICAL CENTERS					
69149975	94993	10/16/2020	100-221-42101	PD & FIRE - PHYSICAL EXAMS	930.50
				Vendor CON56 - CONCENTRA MEDICAL CENTERS Total:	**930.50**

WARRANT LISTING **Payment Dates: 10/3/2020 - 10/16/2020**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1727 - CONTRA COSTA COUNTY LIBRARY					
Q4-MAINTENANCE	94957	10/09/2020	100-117-42101	PINOLE LIBRARY MAINTENANCE - Q4	4,201.67
				Vendor 1727 - CONTRA COSTA COUNTY LIBRARY Total:	**4,201.67**
Vendor: 1539 - CORDICO PSYCHOLOGICAL CORPORATION					
4558	94994	10/16/2020	100-221-42101	PD - PRE-EMP PSYCH EVAL	400.00
				Vendor 1539 - CORDICO PSYCHOLOGICAL CORPORATION Total:	**400.00**
Vendor: DAS02 - DASH MEDICAL GLOVES, INC.					
INV1213092	94995	10/16/2020	100-222-42514	PD EXAM GLOVES	198.59
				Vendor DAS02 - DASH MEDICAL GLOVES, INC. Total:	**198.59**
Vendor: DEP02 - DEPARTMENT OF CONSERVATION					
10072020	94958	10/09/2020	212-462-34211	INSTRU & SEISMIC HAZ MAPPING FEE 07-01 - 09/30/20	767.63
				Vendor DEP02 - DEPARTMENT OF CONSERVATION Total:	**767.63**
Vendor: DIV06 - DIVISION OF THE STATE ARCHITECT					
10062020	94959	10/09/2020	226-000-34223	2020Q3 $4 STATE MANDATED FEE (AB1379)	48.00
				Vendor DIV06 - DIVISION OF THE STATE ARCHITECT Total:	**48.00**
Vendor: DOL01 - DOLAN'S LUMBER					
PNINV100412064	94960	10/09/2020	100-343-42108	SHOP - LUMBER	8.93
PNINV100412163	94960	10/09/2020	100-345-42108	VARIOUS SUPPLIES	73.49
PNINV100412313	94960	10/09/2020	100-345-42108	BAY FRONT PARK - CONCRETE	35.43
PNINV100418400	94960	10/09/2020	100-345-42108	PICNIC TABLE	75.12
				Vendor DOL01 - DOLAN'S LUMBER Total:	**192.97**
Vendor: 1779 - D-TAC K9 LLC					
2021	94961	10/09/2020	100-221-42514	PD - K9 TRAINING	700.00
				Vendor 1779 - D-TAC K9 LLC Total:	**700.00**
Vendor: EBM01 - EBMUD					
2317709222020	94962	10/09/2020	100-343-43102	2785 SIMAS AVE--IRRIGATION USE ONLY	155.36
3284109222020	94962	10/09/2020	100-345-43102	3790 PINOLE VALLEY RD-IRRIGATION USE ONLY	8,206.06
5205709222020	94962	10/09/2020	100-345-43102	2690 BOX CANYON RD-IRRIGATION USE ONLY	155.36
5391909032020	94962	10/09/2020	500-642-43102	05005 HYDRAND PERMIT-CONSTRUCTION	534.16
				Vendor EBM01 - EBMUD Total:	**9,050.94**
Vendor: FIS01 - FISHER SCIENTIFIC					
8071801	94996	10/16/2020	500-641-44303	SUPPLIES - TP	59.10
8535672	94996	10/16/2020	500-641-44303	SUPPLIES - TP	186.92
				Vendor FIS01 - FISHER SCIENTIFIC Total:	**246.02**
Vendor: 1979 - GALAXY PRESS					
33670	94963	10/09/2020	100-222-42201	PD - BUSINESS CARDS	62.50
				Vendor 1979 - GALAXY PRESS Total:	**62.50**
Vendor: 2037 - GEORGE PETERSON					
10092020	94997	10/16/2020	100-221-42302	POLICE ACADEMY TRAVEL EXPENSES	3,627.48
				Vendor 2037 - GEORGE PETERSON Total:	**3,627.48**
Vendor: 1112 - GRAY-BOWEN-SCOTT					
9622	94964	10/09/2020	325-342-47205	PEDESTRIAN IMPROVEMENT BNSF RR. CIP #R01710	4,409.81
9679	94998	10/16/2020	325-342-47205	PW PROFESSIONAL SERVICES	7,529.90
				Vendor 1112 - GRAY-BOWEN-SCOTT Total:	**11,939.71**
Vendor: 1161 - HINDERLITER, DE LLAMAS & ASSOCIATES					
SIN003555	94965	10/09/2020	100-115-42101	FI - CONTACT SVCS	1,961.50
SIN003555	94965	10/09/2020	105-115-42101	FI - CONTACT SVCS	150.00

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
SIN003555	94965	10/09/2020	106-115-42101	FI - CONTACT SVCS	150.00
				Vendor 1161 - HINDERLITER, DE LLAMAS & ASSOCIATES Total:	**2,261.50**
Vendor: IED02 - IEDA, INC.					
23165	94966	10/09/2020	100-116-42101	LABOR RELATION CONSULTING OCT 2020	2,274.00
				Vendor IED02 - IEDA, INC. Total:	**2,274.00**
Vendor: 2035 - JACK CLANCY ASSOCIATES					
1302	94999	10/16/2020	100-231-42301	2020 BC & CAPTAIN PROMO ASSESSMENTS	13,500.00
				Vendor 2035 - JACK CLANCY ASSOCIATES Total:	**13,500.00**
Vendor: JAN92 - JAN-PRO OF THE GREATER BAY AREA					
2599	95000	10/16/2020	209-554-42108	YC JANITORAL SVCS - OCT 20	179.70
2600	95000	10/16/2020	209-552-42108	SC JANITORAL SVCS - OCT 20	166.60
2601	95000	10/16/2020	209-552-43810	SC JANITORAL SVCS KITCHEN - OCT 20	155.75
2602	95000	10/16/2020	209-553-42108	TINY TOTS JANITORAL SVC - OCT 20	212.55
				Vendor JAN92 - JAN-PRO OF THE GREATER BAY AREA Total:	**714.60**
Vendor: 1630 - JOHN AND CLAIRE INVESTIGATIONS					
1167	94967	10/09/2020	100-221-42101	INVESTIGATIONS - PD	1,605.45
				Vendor 1630 - JOHN AND CLAIRE INVESTIGATIONS Total:	**1,605.45**
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000029477	95001	10/16/2020	500-641-44302	WPCP - SLUDGE REMOVAL	5,808.33
				Vendor KEL09 - KELLER CANYON LANDFILL Total:	**5,808.33**
Vendor: CUR03 - LN CURTIS & SONS					
INV424251	94968	10/09/2020	100-231-42107	FIRE - HOOKS	280.12
				Vendor CUR03 - LN CURTIS & SONS Total:	**280.12**
Vendor: 1545 - MARITZA SANCHEZ					
10132020	95002	10/16/2020	100-221-42514	REIMBURSEMENT PETTY CASH	251.00
				Vendor 1545 - MARITZA SANCHEZ Total:	**251.00**
Vendor: MCM05 - MCMASTER-CARR SUPPLY C0.					
46072285	95003	10/16/2020	500-641-42108	SUPPLIES - WWTP	397.24
				Vendor MCM05 - MCMASTER-CARR SUPPLY C0. Total:	**397.24**
Vendor: 2033 - MERLYN CONSTRUCTION					
10122020	95004	10/16/2020	100-000-31510	REFUND PERMIT FEES & BIZ LICENSE	70.00
10122020	95004	10/16/2020	212-461-34113	REFUND PERMIT FEES & BIZ LICENSE	100.00
10122020	95004	10/16/2020	212-462-33210	REFUND PERMIT FEES & BIZ LICENSE	476.00
10122020	95004	10/16/2020	212-462-33215	REFUND PERMIT FEES & BIZ LICENSE	2.60
10122020	95004	10/16/2020	212-462-34211	REFUND PERMIT FEES & BIZ LICENSE	1.00
10122020	95004	10/16/2020	212-462-34217	REFUND PERMIT FEES & BIZ LICENSE	40.00
10122020	95004	10/16/2020	226-000-34223	REFUND PERMIT FEES & BIZ LICENSE	4.00
				Vendor 2033 - MERLYN CONSTRUCTION Total:	**693.60**
Vendor: 2034 - MIGUEL GONZALES					
09282020	94969	10/09/2020	212-462-33210	REFUND BUILDING PERMIT FEES 11-06-2019	2,568.81
09282020	94969	10/09/2020	212-462-33211	REFUND BUILDING PERMIT FEES 11-06-2019	3,605.36
09282020	94969	10/09/2020	212-462-33212	REFUND BUILDING PERMIT FEES 11-06-2019	3,605.36
09282020	94969	10/09/2020	212-462-33213	REFUND BUILDING PERMIT FEES 11-06-2019	3,605.36
				Vendor 2034 - MIGUEL GONZALES Total:	**13,384.89**

WARRANT LISTING **Payment Dates: 10/3/2020 - 10/16/2020**

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: MUN07 - MUNICIPAL POOLING AUTH.					
INV001228-B	95005	10/16/2020	100-110-46201	INSURANCE PREMIUMS FY20-21 070120-063021	584.14
INV001228-B	95005	10/16/2020	100-111-46201	INSURANCE PREMIUMS FY20-21 070120-063021	11,104.90
INV001228-B	95005	10/16/2020	100-112-46201	INSURANCE PREMIUMS FY20-21 070120-063021	2,743.34
INV001228-B	95005	10/16/2020	100-113-46201	INSURANCE PREMIUMS FY20-21 070120-063021	51.92
INV001228-B	95005	10/16/2020	100-115-46201	INSURANCE PREMIUMS FY20-21 070120-063021	6,985.83
INV001228-B	95005	10/16/2020	100-116-46201	INSURANCE PREMIUMS FY20-21 070120-063021	1,498.50
INV001228-B	95005	10/16/2020	100-221-46201	INSURANCE PREMIUMS FY20-21 070120-063021	47,764.50
INV001228-B	95005	10/16/2020	100-222-46201	INSURANCE PREMIUMS FY20-21 070120-063021	5,005.27
INV001228-B	95005	10/16/2020	100-223-46201	INSURANCE PREMIUMS FY20-21 070120-063021	19,383.80
INV001228-B	95005	10/16/2020	100-231-46201	INSURANCE PREMIUMS FY20-21 070120-063021	26,846.90
INV001228-B	95005	10/16/2020	100-341-46201	INSURANCE PREMIUMS FY20-21 070120-063021	6,831.50
INV001228-B	95005	10/16/2020	100-343-46201	INSURANCE PREMIUMS FY20-21 070120-063021	9,423.67
INV001228-B	95005	10/16/2020	100-465-46201	INSURANCE PREMIUMS FY20-21 070120-063021	1,372.00
INV001228-B	95005	10/16/2020	105-221-46201	INSURANCE PREMIUMS FY20-21 070120-063021	14,094.77
INV001228-B	95005	10/16/2020	105-231-46201	INSURANCE PREMIUMS FY20-21 070120-063021	6,520.59
INV001228-B	95005	10/16/2020	106-222-46201	INSURANCE PREMIUMS FY20-21 070120-063021	1,102.43
INV001228-B	95005	10/16/2020	106-231-46201	INSURANCE PREMIUMS FY20-21 070120-063021	3,364.66
INV001228-B	95005	10/16/2020	204-227-46201	INSURANCE PREMIUMS FY20-21 070120-063021	1,961.87
INV001228-B	95005	10/16/2020	205-227-46201	INSURANCE PREMIUMS FY20-21 070120-063021	117.00
INV001228-B	95005	10/16/2020	209-551-46201	INSURANCE PREMIUMS FY20-21 070120-063021	1,325.87
INV001228-B	95005	10/16/2020	209-552-46201	INSURANCE PREMIUMS FY20-21 070120-063021	2,782.04
INV001228-B	95005	10/16/2020	209-553-46201	INSURANCE PREMIUMS FY20-21 070120-063021	1,375.65
INV001228-B	95005	10/16/2020	209-554-46201	INSURANCE PREMIUMS FY20-21 070120-063021	2,755.84
INV001228-B	95005	10/16/2020	212-461-46201	INSURANCE PREMIUMS FY20-21 070120-063021	2,510.64
INV001228-B	95005	10/16/2020	212-462-46201	INSURANCE PREMIUMS FY20-21 070120-063021	5,077.28
INV001228-B	95005	10/16/2020	317-345-46201	INSURANCE PREMIUMS FY20-21 070120-063021	207.00
INV001228-B	95005	10/16/2020	500-641-46201	INSURANCE PREMIUMS FY20-21 070120-063021	15,846.84
INV001228-B	95005	10/16/2020	500-642-46201	INSURANCE PREMIUMS FY20-21 070120-063021	4,165.73
INV001228-B	95005	10/16/2020	505-119-46201	INSURANCE PREMIUMS FY20-21 070120-063021	3,668.52
INV001384	94970	10/09/2020	100-117-42514	UNMET LIABILITY DEDUCTABLE JUL 2020	502.00
INV001384	94970	10/09/2020	100-221-46201	UNMET LIABILITY DEDUCTABLE JUL 2020	6,231.28

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
INV001384	94970	10/09/2020	100-343-46201	UNMET LIABILITY DEDUCTABLE JUL 2020	2,496.35
INV001398	94970	10/09/2020	100-221-46201	UNMET LIABILITY DEDUCTABLE AUG 2020	1,518.54
INV001398	94970	10/09/2020	100-343-46201	UNMET LIABILITY DEDUCTABLE AUG 2020	4,445.52
				Vendor MUN07 - MUNICIPAL POOLING AUTH. Total:	**221,666.69**
Vendor: 2024 - MV CHENG & ASSOCIATES, INC.					
09/30/2020	95006	10/16/2020	100-115-42101	FINANACE CONSULTING SERVICES	20,013.75
				Vendor 2024 - MV CHENG & ASSOCIATES, INC. Total:	**20,013.75**
Vendor: O'R01 - O'REILLY AUTOMOTIVE, INC					
AUG 28 2020	94971	10/09/2020	100-231-42107	MONTHLY STMT VARIOUS DEPARTMENTS	52.05
AUG 28 2020	94971	10/09/2020	100-343-42107	MONTHLY STMT VARIOUS DEPARTMENTS	558.50
AUG 28 2020	94971	10/09/2020	100-343-42108	MONTHLY STMT VARIOUS DEPARTMENTS	34.92
AUG 28 2020	94971	10/09/2020	200-342-42514	MONTHLY STMT VARIOUS DEPARTMENTS	222.86
AUG 28 2020	94971	10/09/2020	207-344-42107	MONTHLY STMT VARIOUS DEPARTMENTS	37.11
AUG 28 2020	94971	10/09/2020	500-642-42107	MONTHLY STMT VARIOUS DEPARTMENTS	115.47
				Vendor O'R01 - O'REILLY AUTOMOTIVE, INC Total:	**1,020.91**
Vendor: 1555 - OWEN EQUIPMENT					
00050730	95007	10/16/2020	207-344-42107	SWEEPER MAINTENANCE	4,852.55
				Vendor 1555 - OWEN EQUIPMENT Total:	**4,852.55**
Vendor: CBA00 - PACIFIC CREDIT SERVICES					
171700000017	94972	10/09/2020	209-554-36402	COLLECTION YC	64.62
				Vendor CBA00 - PACIFIC CREDIT SERVICES Total:	**64.62**
Vendor: PET08 - PET FOOD EXPRESS CORP					
02-2009PN	94973	10/09/2020	100-221-42514	K9 SERVICES - POLICE	47.51
40-2009PN	94973	10/09/2020	100-221-42514	K9 SERVICES - POLICE	185.14
41-2008PN	94973	10/09/2020	100-221-42514	K9 SERVICES - POLICE	45.05
				Vendor PET08 - PET FOOD EXPRESS CORP Total:	**277.70**
Vendor: PET02 - PETERSON TRUCKS INC					
227839	95008	10/16/2020	100-231-42107	FIRE - VEHICLE REPAIR	5,377.16
				Vendor PET02 - PETERSON TRUCKS INC Total:	**5,377.16**
Vendor: PGE01 - PG&E					
008109172020	94974	10/09/2020	200-342-43103	2501 SAN PABLO AVE TRAFFIC CONTROLLER	71.60
020909172020	94974	10/09/2020	200-342-43103	S/E CORNER SAN PABLO AVE & TENNENT TRAFFIC SIGNAL	79.21
046609172020	94974	10/09/2020	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	9.86
046609172020	94974	10/09/2020	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	14.78
081309162020	94974	10/09/2020	200-342-43103	2149 1/2 APPIAN WAY TRAFFIC SIGNAL	48.48
112109172020	94974	10/09/2020	200-342-43103	DEL MONTE & SAN PABLO TRAFFIC CONTROL LIGHT	67.23
123309172020	94974	10/09/2020	200-342-43103	SAN PABLO AVE TRAFFIC SIGNAL	88.98
222208252020	94974	10/09/2020	100-345-43103	STREET AND HIGHWAY LIGHTING	991.27
222208252020	94974	10/09/2020	200-342-43103	STREET AND HIGHWAY LIGHTING	0.20
222208252020	94974	10/09/2020	310-347-43103	STREET AND HIGHWAY LIGHTING	5,619.67

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
222208252020	94974	10/09/2020	310-348-43103	STREET AND HIGHWAY LIGHTING	8,028.09
261509172020	94974	10/09/2020	100-345-43103	S/E CORNER OF ROGERS & NOB HILL SPRINKLER SYSTEM	9.86
262009172020	94974	10/09/2020	200-342-43103	N/W CORNER APPIAN WAY & FITZGERALD DR TRAFFIC SIG	93.16
279309172020	94974	10/09/2020	200-342-43103	1451 FITZGERALD DR TRAFFIC SIGNAL	76.71
331109172020	94974	10/09/2020	200-342-43103	PINOLE VALLEY RD & HENRY TRAFFIC CONTROLLER	98.56
419309172020	94974	10/09/2020	200-342-43103	HWY 80 PINOLE VALLEY RD TRAFFIC CONTROLLER	53.67
512709172020	94974	10/09/2020	500-642-43103	893 1/2 SAN PABLO AVE PUMP STATION	119.32
513709152020	94974	10/09/2020	209-557-43103	2450 SIMAS AVE SWIM CTR	896.42
537409172020	94974	10/09/2020	200-342-43103	1220 PINOLE VALLEY RD TRAFFIC SIGNAL	84.78
538709172020	94974	10/09/2020	100-345-43103	588 MARLESTA RD LOUIS FRANCIS PARK	40.07
604309102020	94974	10/09/2020	100-231-43103	3790 PINOLE VALLEY RD	22.17
711409172020	94974	10/09/2020	200-342-43103	2429 SAN PABLO AVE	55.67
808609172020	94974	10/09/2020	200-342-43103	N/S BORDER CITY OF PINOLE	106.33
868709172020	94974	10/09/2020	200-342-43103	FITZGERALD DR IFO LONG JOHN SILVERS TRAFFIC SIGNAL	83.58
982409172020	94974	10/09/2020	310-347-43103	1303 PINOLE VALLEY RD TRAFFIC CONTROL SVC	104.28
				Vendor PGE01 - PG&E Total:	**16,863.95**
Vendor: QUI11 - QUINCY ENGINEERING, INC.					
20-2830.00-3	94976	10/09/2020	325-342-47205	PROFESSIONAL ENGINEERING SVCS PROJECT# R01710	25,085.50
				Vendor QUI11 - QUINCY ENGINEERING, INC. Total:	**25,085.50**
Vendor: 2025 - RAY MORGAN COMPANY, LLC.					
3085482	94977	10/09/2020	525-118-42107	IT SERVICES CANON	523.16
				Vendor 2025 - RAY MORGAN COMPANY, LLC. Total:	**523.16**
Vendor: 1792 - RODEO AUTOTECH, INC					
0061661	94978	10/09/2020	100-221-42107	PD - VEHICLE SERVICE	772.11
0062286	94978	10/09/2020	100-221-42107	PD - VEHICLE SERVICE	655.07
				Vendor 1792 - RODEO AUTOTECH, INC Total:	**1,427.18**
Vendor: 2038 - SOCIAL INTELLIGENCE LATENT KINETICS					
8675309	95009	10/16/2020	100-221-42301	PD TRAINING	6,900.00
				Vendor 2038 - SOCIAL INTELLIGENCE LATENT KINETICS Total:	**6,900.00**
Vendor: SQU00 - SQUARE DEAL GARAGE					
32786	95010	10/16/2020	100-343-42107	PW CAR SERVICE - VALVE ASY	245.24
				Vendor SQU00 - SQUARE DEAL GARAGE Total:	**245.24**
Vendor: STA56 - STAILING S&S RV REPAIRS					
6496-808	94979	10/09/2020	100-221-42107	PD VEHICLE SERVICE	144.00
				Vendor STA56 - STAILING S&S RV REPAIRS Total:	**144.00**
Vendor: STA42 - STAPLES BUSINESS CREDIT					
1630578177	95011	10/16/2020	100-115-42201	MONTHLY STMT FOR VARIOUS DEPT	65.57
1630578177	95011	10/16/2020	100-117-42201	MONTHLY STMT FOR VARIOUS DEPT	63.40
1630578177	95011	10/16/2020	100-222-42201	MONTHLY STMT FOR VARIOUS DEPT	230.11
1630578177	95011	10/16/2020	100-341-42201	MONTHLY STMT FOR VARIOUS DEPT	451.61
1630578177	95011	10/16/2020	209-553-42108	MONTHLY STMT FOR VARIOUS DEPT	382.32
1630578177	95011	10/16/2020	212-461-42201	MONTHLY STMT FOR VARIOUS DEPT	31.72

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
1630578177	95011	10/16/2020	525-118-47102	MONTHLY STMT FOR VARIOUS DEPT	174.76
				Vendor STA42 - STAPLES BUSINESS CREDIT Total:	**1,399.49**
Vendor: STE20 - STERICYCLE, INC.					
3005265331	94980	10/09/2020	100-222-42101	PD HAZARDOUS WASTE	55.44
				Vendor STE20 - STERICYCLE, INC. Total:	**55.44**
Vendor: SUN08 - SUNRISE ENVIRONMENTAL SCIENTIFIC					
114884	95012	10/16/2020	500-641-44410	SUPPLIES - TP	180.02
				Vendor SUN08 - SUNRISE ENVIRONMENTAL SCIENTIFIC Total:	**180.02**
Vendor: 1253 - TARAH ORNELAS					
491	94981	10/09/2020	209-554-42514	GRAPHIC DESIGN SVCS - REC	199.67
				Vendor 1253 - TARAH ORNELAS Total:	**199.67**
Vendor: OFF11 - THE OFFICE CITY					
IN-1661468	94982	10/09/2020	100-117-42201	CH OFFICE SUPPLIES	43.61
				Vendor OFF11 - THE OFFICE CITY Total:	**43.61**
Vendor: UNI17 - UNIQUE PRINTING					
27520	95013	10/16/2020	100-231-42104	FIRE PRE-HOSPITAL FIELD FORM	229.95
				Vendor UNI17 - UNIQUE PRINTING Total:	**229.95**
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
480940	95014	10/16/2020	100-343-42108	CH JANITORAL SERVICE	1,070.00
480941	95014	10/16/2020	100-222-42108	PD & FIRE JANITORAL SERVICE	1,176.00
480941	95014	10/16/2020	100-223-42108	PD & FIRE JANITORAL SERVICE	1,176.00
480942	95014	10/16/2020	209-557-42108	SWIM CTR MONTHLY JANITORAL SVC	914.00
				Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:	**4,336.00**
Vendor: USB06 - US BANK					
09222020	94983	10/09/2020	100-20018	CREDIT CARD BILL	9,604.55
				Vendor USB06 - US BANK Total:	**9,604.55**
Vendor: WCC01 - WCCTAC					
10072020	94984	10/09/2020	212-462-34210	STMP FEE COLLECTED 07/01 - 09/30/20	6,169.10
				Vendor WCC01 - WCCTAC Total:	**6,169.10**
Vendor: 1520 - WEX BANK					
67911583	95015	10/16/2020	100-221-44301	FUEL PURCHASES - PD	90.00
				Vendor 1520 - WEX BANK Total:	**90.00**
Vendor: XER01 - XEROX CORPORATION					
011359198	94985	10/09/2020	525-118-42107	CANON METER USAGE - CH	288.02
011359199	94985	10/09/2020	525-118-42107	METER USAGE SC	213.68
				Vendor XER01 - XEROX CORPORATION Total:	**501.70**
Vendor: ZOL02 - ZOLL					
INV00068978	94986	10/09/2020	525-118-42106	FIRERMS ENTERPRISE ED PER STATION QTR MAINT	157.50
				Vendor ZOL02 - ZOLL Total:	**157.50**
				Grand Total:	**616,634.17**

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	451,608.06
105 - Measure S -2006	20,765.36
106 - MEASURE S-2014	4,617.09
200 - Gas Tax Fund	1,231.02
204 - Police Grants	1,961.87
205 - Traffic Safety Fund	117.00
207 - NPDES Storm Water Fund	4,889.66
209 - Recreation Fund	11,970.89
212 - Building & Planning	28,754.36
226 - CASp Certification and Training Fund	52.00
310 - Lighting & Landscape Districts	13,752.04
317 - Pinole Valley Caretaker Fund	207.00
325 - City Street Improvements	37,025.21
500 - Sewer Enterprise Fund	27,413.13
505 - Cable Access TV	3,683.30
525 - Information Systems	8,586.18
Grand Total:	**616,634.17**

Account Summary

Account Number	Account Name	Payment Amount
100-000-31510	Other Tax/Business License	70.00
100-110-46201	Insurance/General Liability	584.14
100-111-46201	Insurance/General Liability	11,104.90
100-112-46201	Insurance/General Liability	2,743.34
100-113-46201	Insurance/General Liability	51.92
100-115-42101	Prof Svcs/Professional Ser…	21,975.25
100-115-42201	Office Expense	65.57
100-115-46201	Insurance/General Liability	6,985.83
100-116-42101	Prof Svcs/Professional Ser…	2,274.00
100-116-46201	Insurance/General Liability	1,498.50
100-117-41004	Emp Benefits/PERS Retir…	205,375.59
100-117-42101	Prof Svcs/Professional Ser…	4,201.67
100-117-42201	Office Expense	107.01
100-117-42514	Admin Exp/Special Depart	502.00
100-20018	Accounts Payable/CalCard	9,604.55
100-221-42101	Prof Svcs/Professional Ser…	2,935.95
100-221-42107	Prof Svcs/Equipment Mai…	1,571.18
100-221-42301	Travel & Training/Conf-Re…	6,900.00
100-221-42302	Travel & Training/Mileage,…	3,627.48
100-221-42514	Admin Exp/Special Depart	1,228.70
100-221-44301	Other Materials Supp/Fuel	90.00
100-221-46201	Insurance/General Liability	55,514.32
100-222-42101	Prof Svcs/Professional Ser…	55.44
100-222-42108	Prof Svcs/Building-Structu…	1,176.00
100-222-42201	Office Expense	463.14
100-222-42514	Admin Exp/Special Depart	198.59
100-222-46201	Insurance/General Liability	5,005.27
100-223-42108	Prof Svcs/Building-Structu…	1,176.00
100-223-46201	Insurance/General Liability	19,383.80
100-231-42104	Prof Svcs/Paramedic Servi…	229.95
100-231-42106	Prof Svcs/Software Maint…	1,536.56
100-231-42107	Prof Svcs/Equipment Mai…	5,709.33
100-231-42108	Prof Svcs/Building-Structu…	413.76
100-231-42301	Travel & Training/Conf-Re…	13,500.00
100-231-43103	Utilities/Electricity & Pow…	22.17
100-231-46201	Insurance/General Liability	26,846.90
100-341-42201	Office Expense	451.61

Account Summary

Account Number	Account Name	Payment Amount
100-341-46201	Insurance/General Liability	6,831.50
100-343-42107	Prof Svcs/Equipment Mai…	803.74
100-343-42108	Prof Svcs/Building-Structu…	1,312.84
100-343-43102	Utilities/Water	155.36
100-343-46201	Insurance/General Liability	16,365.54
100-345-42108	Prof Svcs/Building-Structu…	184.04
100-345-43102	Utilities/Water	8,361.42
100-345-43103	Utilities/Electricity & Pow…	1,041.20
100-465-46201	Insurance/General Liability	1,372.00
105-115-42101	Prof Svcs/Professional Ser…	150.00
105-221-46201	Insurance/General Liability	14,094.77
105-231-46201	Insurance/General Liability	6,520.59
106-115-42101	Prof Svcs/Professional Ser…	150.00
106-222-46201	Insurance/General Liability	1,102.43
106-231-46201	Insurance/General Liability	3,364.66
200-342-42514	Admin Exp/Special Depart	222.86
200-342-43103	Utilities/Electricity & Pow…	1,008.16
204-227-46201	Insurance/General Liability	1,961.87
205-227-46201	Insurance/General Liability	117.00
207-344-42107	Prof Svcs/Equipment Mai…	4,889.66
209-20308	Deposits Payable/Recreat…	500.00
209-551-46201	Insurance/General Liability	1,325.87
209-552-38112	Rental Income/Facility Re…	50.00
209-552-42108	Prof Svcs/Building-Structu…	166.60
209-552-43810	Program Cost/Center Mai…	155.75
209-552-46201	Insurance/General Liability	2,782.04
209-553-42108	Prof Svcs/Building-Structu…	594.87
209-553-46201	Insurance/General Liability	1,375.65
209-554-36402	Recreation Chg/Members…	64.62
209-554-42108	Prof Svcs/Building-Structu…	179.70
209-554-42514	Admin Exp/Special Depart	199.67
209-554-43103	Utilities/Electricity & Pow…	9.86
209-554-46201	Insurance/General Liability	2,755.84
209-557-42108	Prof Svcs/Building-Structu…	914.00
209-557-43103	Utilities/Electricity & Pow…	896.42
212-461-34113	Review Fees/Gen-Specific…	100.00
212-461-42201	Office Expense	31.72
212-461-46201	Insurance/General Liability	2,510.64
212-462-33210	Permits/Building Permit	3,044.81
212-462-33211	Permits/Electrical Permit	3,605.36
212-462-33212	Permits/Mechanical Perm…	3,605.36
212-462-33213	Permits/Plumbing Permit	3,605.36
212-462-33215	Permit/Seismic (Strong M…	2.60
212-462-34210	Fees/STMP Fee	6,169.10
212-462-34211	Fees/CA State Building Fee	962.13
212-462-34217	Fees/Permit Automate-Te…	40.00
212-462-46201	Insurance/General Liability	5,077.28
226-000-34223	Fees/CASp Fee	52.00
310-347-43103	Utilities/Electricity & Pow…	5,723.95
310-348-43103	Utilities/Electricity & Pow…	8,028.09
317-345-46201	Insurance/General Liability	207.00
325-342-47205	Improvements/Streets	37,025.21
500-641-42108	Prof Svcs/Building-Structu…	397.24
500-641-44302	Other Materials Supp/Slu…	5,808.33
500-641-44303	Other Materials Supp/Ch…	246.02
500-641-44410	Safety Clothing	180.02
500-641-46201	Insurance/General Liability	15,846.84
500-642-42107	Prof Svcs/Equipment Mai…	115.47

Return to Agenda

Account Summary

Account Number	Account Name	Payment Amount
500-642-43102	Utilities/Water	534.16
500-642-43103	Utilities/Electricity & Pow…	119.32
500-642-46201	Insurance/General Liability	4,165.73
505-119-43103	Utilities/Electricity & Pow…	14.78
505-119-46201	Insurance/General Liability	3,668.52
525-118-42106	Prof Svcs/Software Maint…	157.50
525-118-42107	Prof Svcs/Equipment Mai…	1,024.86
525-118-43101	Utilities/Telephone	7,229.06
525-118-47102	FF&E/Computer Equipme…	174.76
	Grand Total:	**616,634.17**

Project Account Summary

Project Account Key		Payment Amount
None		616,634.17
	Grand Total:	**616,634.17**

Approved by:____________________ **Date:** 10/15/2020

CITY COUNCIL REPORT 7C

DATE: OCTOBER 20, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

BY: ALEX MOG, ASSISTANT CITY ATTORNEY

SUBJECT: RESOLUTION CONFIRMING CONTINUED EXISTENCE OF LOCAL EMERGENCY

RECOMMENDATION

Staff recommends that the City Council adopt a resolution confirming the continued existence of a local emergency.

BACKGROUND & DISCUSSION

On March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The emergency declaration was based on public health and safety concerns for persons and property within the City as a consequence of the global spread of novel coronavirus 2019 ("COVID-19"), including confirmed cases in Contra Costa County, as well as, the Contra Costa County Department of Health's shelter in place order dated March 16, 2020. The City Council subsequently adopted a resolution affirming the City Manager's emergency declaration.

The California Emergency Services Act requires the City Council to review the need for continuing the local emergency at least once every 60 days. Although the local emergency does not end until terminated by the City Council, the Pinole Municipal Code requires the City Council to periodically review the need for continuing the local emergency. The City Council has confirmed the continued existence of the local emergency multiple times since the emergency was first declared, most recently on October 6, 2020.

Community transmission of COVID-19 continues to occur, and the number of cases within Contra Costa County has continued to rise. There have now been approximately 18,000 cases of COVID-19 within the County and approximately 233 deaths. There have been over 1,500 new cases in the last 2 weeks alone. In Pinole, the rate of new cases over the last 14 days is approximately 32 new cases per 100,000 people. Contra Costa County is still classified as being within the "substantial" tier in the State's four tier blueprint for a safer economy. The “substantial” tier, also known as the red tier, is the second strictest tier. This means that the State still considers COVID-19 to be a serious risk to public safety.

Public health and safety concerns for persons and property within the City as a consequence of the global spread of novel coronavirus 2019 continue to exist.

If the proposed resolution is adopted, the City Council will confirm the continued existence of the local emergency. In accordance with state law and the Municipal Code, the City Council will review the emergency declaration periodically until the conditions warrant a termination of the emergency declaration.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of the resolution ratifying a local emergency. However, the City will consider all options available to seek reimbursement for indirect expenses and fiscal impacts through the appropriate authorities.

ATTACHMENTS

A. Resolution Confirming Continued Existence of Local Emergency

Return to Agenda

ATTACHMENT A

CITY OF PINOLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE CONFIRMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY DUE TO COVID-19

WHEREAS, Government Code Section 8630 and Pinole Municipal Code Section 2.32.060 authorize the Director of Emergency Service to proclaim a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist if the City Council is not in session and provides that the City Council shall ratify the proclamation within seven days thereafter; and

WHEREAS, in accordance with Government Code Section 8630 and Pinole Code Section 2.32.060, the Director of Emergency Services proclaimed the existence of a local emergency caused by the Novel Coronavirus (COVID-19), a respiratory disease first identified in China that may result in serious illness or death that is easily transmissible from person to person, on March 18; and

WHEREAS, on March 24, the City Council ratified and confirmed the proclamation of the existence of a local emergency issued by the Director of Emergency Services; and

WHEREAS, pursuant to Government Code Section 8630 and Pinole Municipal Code Section 2.32.060, the City Council must periodically review the need for continuing the local emergency; and

WHEREAS, the conditions that prompted the original declaration of a local emergency continue to exist; and

WHEREAS, the recitals contained in Resolution No. 2020-13, adopted by the City Council on March 24, are incorporated into this Resolution as if stated herein; and

WHEREAS, there have now been approximately 18,000 cases of COVID-19 and approximately 233 deaths within the County, and over 1,500 cases in the last 2 weeks alone; and

WHEREAS, the rate of new cases in Pinole over the last 14 days is approximately 31 per 100,000 people; and

WHEREAS, Contra Costa is still classified as being within the “substantial” tier in the State’s four tier blueprint for a safer economy; and

WHEREAS, the public health and safety concerns for persons and property within the City as a consequence of the global spread of COVID-19 continue to exist; and

ATTACHMENT A

WHEREAS, the health, safety, and welfare of Pinole residents, businesses, visitors, and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, the City may require additional assistance in the future, and a formal declaration of emergency allows the City to access resources in a timely manner in a timely fashion; and

WHEREAS, the City Council finds that conditions of extreme peril to the safety of persons and property within the territorial limits of the City related to COVID-19 pandemic continue in existence; and

WHEREAS, the City Council finds that extraordinary measures are required to protect the public health, safety, and of persons and property within the City that are or are likely to be beyond the control or capability of the services, personnel, equipment, and facilities of the City; and

WHEREAS, the City Council have continued existence of a local emergency periodically since it was first declared on March 18, 2020; and

WHEREAS, the City Council desires to confirm the continued existence of a local emergency within Pinole due to COVID-19.

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

1. The local emergency declared by Resolution No. 2020-13 due to the COVID-19 Pandemic continues to exist within the City of Pinole.

2. During the existence of the declared local emergency, the powers, functions, and duties of the City Manager, acting as Director of Emergency Services, and the emergency organization of this City shall be those prescribed by State law and by ordinances and resolutions of the City of Pinole.

3. The declaration of local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated.

ATTACHMENT A

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the 20th day of October 2020 by the following vote:

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

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 20th day of October 2020.

____
Heather Iopu, CMC
City Clerk

Return to Agenda

CITY COUNCIL REPORT 7D

DATE: OCTOBER 20, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: HEATHER IOPU, CITY CLERK

SUBJECT: PLACEMENT OF LIENS FOR DELINQUENT UNPAID WASTE COLLECTION CHARGES FALLING DELINQUENT BETWEEN MAY AND JULY 2020, CONSIDERED AT AN ADMINISTRATIVE HEARING ON OCTOBER 1, 2020

RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing the placement of liens for the purpose of collecting outstanding payments for garbage collection services pursuant to PMC Section 8.08.110 (b) and (c).

BACKGROUND

Pursuant to Section 8.08 of the Pinole Municipal Code, an administrative hearing was held on October 1, 2020, regarding unpaid garbage collection services that fell delinquent between May and July 2020. No parties attended the hearing to protest the charges. The administrative hearing was the final step in the process to collect the delinquencies, prior to Council approval to place the liens on the subject properties to recover the full amount owed, including delinquent charges and administrative fees.

FISCAL IMPACT

The City of Pinole receives an administrative recovery charge for each lien at the time of tax settlement or payment of the lien. There are 85 properties on which liens are being imposed, representing a total of $38,089.07 in delinquent service charges. The total administrative recovery fee is $60 per lien, a portion of which is remitted to Contra Costa County. The administrative recovery fees are $5,100.00, the total lien amount including recovery fees are $43,189.07.
Following approval by Council, a revised list will be provided to the City Clerk for recording, removing properties where accounts have been brought current since the publication of this report.

ATTACHMENT

A: Resolution

Return to Agenda

ATTACHMENT A

RESOLUTION NO. 2020-___

RESOLUTION OF THE CITY COUNCIL OF PINOLE, CALIFORNIA, PLACING LIENS ON PROPERTIES SITUATED IN THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS UNPAID WASTE COLLECTION CHARGES FROM AN ADMINISTRATIVE HEARING CONDUCTED OCTOBER 1, 2020

WHEREAS, pursuant to the Municipal Code of the City of Pinole, Chapter 8.08, Section 8.08.090, subscription to garbage collection service is required for all premises in the City of Pinole, and the premises described in Exhibit "A" located in the City of Pinole, County of Contra Costa, State of California, were provided with garbage collection services as required by PMC, Chapter 8.08; and

WHEREAS, pursuant to the provisions of Section 8.08.110, the owners of said premises were notified in writing of their requirement to subscribe to and make payment for garbage collection services as provided in said Code Section; and

WHEREAS, the owners of the premises failed to make payment for garbage collection services as required (collection charges fell delinquent between May and July 2020); and

WHEREAS, pursuant to the provisions of Section 8.08.110, a hearing was held on October 1, 2020; and

WHEREAS, as a result thereof, the City of Pinole has incurred expenses for delinquent collection charges and administrative costs as enumerated in Exhibit "A"*, which amounts remain unpaid.

NOW THEREFORE BE IT RESOLVED that pursuant to Section 8.08.110 of the Municipal Code of the City of Pinole, the City Council of the City of Pinole does hereby place a lien against said premises for the amounts as described above and as applicable to each specific premise identified as Exhibit "A" attached hereto and, by this reference, incorporated herein; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record this resolution with the Office of the Recorder of Contra Costa County, California.

PASSED AND ADOPTED this 20th day of October**, 2020,** by the following vote:

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

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 20th day of October 2020.

____

Heather Iopu, CMC
City Clerk

*** Exhibit A is not included as an attachment to this resolution that is posted on the City website or disseminated as part of the City Council Agenda Packet. The names of the individuals are kept confidential until the liens are recorded and become public record.**

Return to Agenda

CITY COUNCIL REPORT

7E

DATE: OCTOBER 20, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: HECTOR DE LA ROSA, ASSISTANT CITY MANAGER

SUBJECT: APPROVE AN AMENDMENT TO THE CONTRACT WITH MV CHENG & ASSOCIATES, INC FOR FINANCE SERVICES TO EXTEND THE TERM AND ADD $70,200 FOR A TOTAL CONTRACT AMOUNT OF $115,200

RECOMMENDATION

It is recommended that the City Council approve a resolution to:

1. Authorize the City Manager to execute an amendment in standard form to the contract with MV Cheng & Associates, Inc. for finance services to extend the term and add $70,200, for a total contract amount of $115,200.

BACKGROUND

In July 2020, the City Manager approved a contract in the amount of $45,000 with MV Cheng & Associates, Inc. to provide the City with finance services while it recruited a new Finance Director. The funding for the contract was derived from salary savings in the Finance Department due to the Finance Director vacancy. The term of the agreement was through October 31, 2020 or until the funds were expended.

As of September 30, 2020, a total of $43,503.75 has been expended. The City is currently in the process of selecting a new Finance Director. However, the successful candidate might not start until as late as January 2021. Therefore, the City continues to need the services of MV Cheng & Associates, Inc. for at least a few more months.

REVIEW & ANALYSIS

Staff is recommending approval of an amendment to the MV Cheng & Associates, Inc. contract. The City might opt to continue to use MV Cheng & Associates, Inc. following the hiring of a new Finance Director for other technical assistance, such as training, process improvement, documentation, and special projects. As such, staff is recommending a contract extension through June 2021.

FISCAL IMPACT

The originally approved contract was for the amount of $45,000. This amendment will increase the contract by $70,200 for a total of $115,200.

A total of $346,000 was budgeted in the Finance Department salary and benefits line items for the fiscal year. It is estimated that there is sufficient salary savings to continue the contract with MV Cheng for finance consulting support. Staff will reevaluate the budgeted salary savings used to fund this contract at the Mid-Year budget review.

ATTACHMENTS

A. Resolution
B. MV Cheng & Associates Contract Amendment

Return to Agenda

ATTACHMENT A

RESOLUTION NO. 2020-

RESOLUTION OF THE CITY OF PINOLE APPROVING AN AMENDMENT TO THE CONTRACT WITH MV CHENG & ASSOCIATES, INC FOR FINANCE SERVICES IN AN ADDITIONAL AMOUNT OF $70,200 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $115,200

WHEREAS, on July 7, 2020, the Finance Director submitted a letter of resignation with an effective of July 31, 2020 and

WHEREAS, on July 27, 2020, the City Manager, under his authorized spending limit, approved a contract in the amount of $45,000 with MV Cheng & Associates, Inc. to provide the City with professional services for the efficient administration of all finance service affairs; and

WHEREAS, as of September 30, 2020, a total of $43,503.75 has been expended; and

WHEREAS, the continuation of the finance consulting services is needed while the City progresses through the recruitment process, continues to maintain daily operations but also to complete the year end audit process; and

WHEREAS, the annual cost of the contract for FY 2020-21 will be funded with the projected salary savings in the Finance Department budget through June 30, 2021; and

NOW, THEREFORE, BE IT RESOLVED that the City of Pinole does hereby:

Section 1: Approve and authorize the City Manager to execute an amendment to the contract with MV Cheng & Associates, Inc. in the amount of $70,200 to provide professional services for the efficient administration of the City's finance service affairs for a total not to exceed amount of $115,200.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the 20th day of October 2020 by the following vote:

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

I hereby certify that the foregoing resolutionwas regularly introduced, passed, and adopted on this October 20, 2020.

____

Heather Iopu, CMC
City Clerk

ATTACHMENT B

AMENDMENT TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF PINOLE AND MV CHENG & ASSOCIATES, INC

This Amendment to the Consulting Services Agreement dated July 27, 2020 (the "Agreement"), between the City of Pinole, a general law city and municipal corporation, ("City") and MV Cheng & Associates, Inc. ("Consultant") (together sometimes referred to as "Parties") is approved as of the date executed below.

Effect of Amendment. The terms and conditions of this Amendment are intended by the Parties to modify the Agreement. To the extent there is any inconsistency between the terms of this Amendment and the terms of the Agreement and/or its Appendix, the terms of this Amendment shall control.

1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on or about June 31, 2021, and Consultant shall complete the work described in Exhibit A of the original contract by that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.

Section 2. COMPENSATION. City hereby agrees to pay Consultant an amount not to exceed $115,200, for all work set forth in Exhibit A of the original contract, which includes all reimbursable expenses incurred in performing the work. In the event of a conflict between this Agreement and Consultant's proposal regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

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

With the exception of the foregoing, all other terms and conditions in the Services Agreement, dated July 27, 2020, remain in force and effect.

ATTACHMENT B

The Parties have executed this Amendment to the Agreement as of the date signed by the City

City of Pinole	Contractor
______________________________	________________________
Andrew Murray City Manager	
Dated: ______________________	Dated: ___________________
Approved as to Form	Attest:
________________________________	_____________________________
Eric S. Casher City Attorney	Heather Iopu, CMC City Clerk
Dated: _______________________	Dated: _______________________

Return to Agenda

CITY COUNCIL REPORT

10A

DATE: OCTOBER 20, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

SUBJECT: REVISED CITY OF PINOLE PROCUREMENT POLICY

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving the revised City of Pinole Procurement Policy.

BACKGROUND

The City of Pinole's Procurement Policy (the "Procurement Policy") was adopted on May 15, 2007. Since adoption there have been very few updates to the policy.

On November 15, 2016, the City of Pinole adopted the California Uniform Construction Cost Accounting Act which adjusted the approval process for public projects falling within specific monetary thresholds. On March 7, 2017, the City adopted Ordinance #2017-02, increasing the City Manager's signing authority from $20,000 to $45,000, consistent with the California Uniform Construction Costs Accounting Act. Finally, on January 16, 2018 the Procurement Policy was updated to incorporate language needed for Caltrans funding requirements. Besides the before mentioned updates, no other substantive changes have been made to the Procurement Policy.

For a number of reasons City Staff now recommends a substantive update to the Procurement Policy to clarify inconsistencies in policy language, to incorporate changes in the law and methods of procurement for public agencies, and to create a more user friendly document for City staff and the public.

REVIEW & ANALYSIS

In preparing the revised Procurement Policy (the "Revised Procurement Policy"), a copy of which is included as Attachment A, staff carried forward most of the existing policy language and requirements from the original Procurement Policy. However, there are a number of notable updates included in the Revised Procurement Policy that provide greater guidance and clarity to staff when purchasing goods, services and supplies on behalf of the City.

The following sections are new, and have been incorporated in to the Revised Procurement Policy:

- "Contracting Principles" to provide a guide for implementation of the policy requirements;
- "Standards of Conduct / Ethical Considerations" for City employees and vendors;
- "Design-Build Contracting" requirements;
- "Cooperative Procurement" requirements;
- "Micro-Purchasing"
- "Qualified Vendors"; and
- "Definitions" section.

In addition, the following Sections of the Revised Procurement Policy were significantly expanded to provide greater guidance for staff, and clarity in use of the policy:

- "Sole Source Procurement";
- "Emergency Procurement"; and
- "Purchase Orders".

On September 22, 2020, the City Council Finance Subcommittee reviewed and approved the Revised Procurement Policy with one minor change. Section III(B) now refers to "City Officials" to indicate that the conflict provisions apply to all city officials including City Councilmembers and Commissioners, as well as, city staff.

The Revised Procurement Policy is intended to be a high level policy document setting forth the general requirements for the purchasing of goods, services and supplies by the City. In addition to the Revised Purchasing Policy, City staff will prepare a document reflecting internal procurement procedures for implementation and use of the Revised Procurement Policy. The Internal Procurement Procedures document will provide greater detail on the practical aspects of procurement, for example, the routing of contracts for signature, the use of standard form agreements, and guidance for internal contract management. The Finance Subcommittee also offered suggestions on information to include in the forthcoming Internal Procurement Procedures. The Internal Procurement Procedures document will be adopted at the City staff level, and will not require City Council approval.

Attachment B is a copy of the prior version of the Procurement Policy, for your reference, and to cross-reference with the Revised Procurement Policy.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of the Revised Procurement Policy.

ATTACHMENTS

A. Revised City of Pinole Procurement Policy
B. City of Pinole Procurement Policy dated January 18, 2018
C. Resolution

ATTACHMENT A

CITY OF PINOLE PROCUREMENT POLICY

(effective as of ___________________)

I. PURCHASING POLICY OVERVIEW

The purpose of this policy is to outline the guiding principles, rules, and standards applicable to all purchases of goods, services, and supplies made by the City of Pinole.

II. CONTRACTING PRINCIPLES

The requirements contained in this policy are informed by several guiding principles. Adherence to these principles ensures that the City's purchases are consistent with applicable legal requirements and best practices and that public funds are expended responsibly.

A. COMPETITIVE PROCESS

This policy is designed to promote full and open competition among potential vendors. Through full and open competition, the City is able to realize better pricing and more favorable terms. In interpreting this policy, staff should rely on interpretations that favor greater and more robust competition among vendors.

B. BEST OVERALL VALUE

This policy is designed to ensure that the City is getting the best value for its money when making purchases. When not required by law to select the lowest bidder, this principle permits the City to consider factors other than just price in determining what constitutes the best overall value to the City.

C. FAIRNESS AND TRANSPARENCY

This policy is designed to promote fairness and transparency in the City's purchasing system. Complying with this policy fosters equal opportunities for vendors wishing to do business with the City and ensures that public expenditures are made in an open and consistent manner.

D. COMPLIANCE WITH LAW AND BEST PRACTICES

This policy is informed by and incorporates applicable laws, regulations, and best practices applicable to public procurements. Compliance with this policy ensures that purchases are conducted in accordance with the City's legal and ethical obligations and responsibilities.

III. STANDARDS OF CONDUCT/ETHICAL CONSIDERATIONS

A. CODE OF CONDUCT

Employees are responsible for providing access to City procurement opportunities in a fair and impartial manner to all responsible suppliers, vendors, and contractors. In addition, all employees shall behave in a manner that avoids improprieties or the appearance of improprieties to maintain the public's confidence in the integrity of the City's purchasing system.

B. CONFLICT OF INTEREST

If a city officer or employee has a real or apparent conflict of interest, said individual may not participate in the selection, award, or administration of any contract, including those supported by a federal award or funding, that implicates that conflict of interest. If a city officer or employee participates in making a contract where said individual has a real or apparent conflict of interest, such conflict may nullify or void a contract. As nullification or voiding of a contract is a serious matter with potentially significant consequences for the City, every officer or employee is responsible for recognizing and reporting a potential conflict of interest in timely manner.

A conflict of interest may arise when the city officer or employee has a direct financial interest in, or would receive a direct or material benefit arising from a contract. City officers and employees shall not be financially interested in any contract made by them in their official capacity, as such terms are defined in California Government Code Sections 1090 et seq. and 87100 et seq., and relevant case law. Prohibited interests include interests of immediate family members, domestic partners, and their respective employers or prospective employers.

City officers and employees shall report any potential or actual conflict of interest to their respective Department Head or to the City Attorney as soon as a conflict is suspected or discovered. If city officers or employees are uncertain about whether they have a conflict of interest regarding a particular contract, the individual shall consult the City Attorney's Office as soon as practicable.

It is important to note that consultants of a public entity are considered public officials under Government Code section 1090 and are subject to the requirements therein. City officers and employees should consult the City Attorney's Office on potential conflict of interest issues with respect to the City's third-party consultants and contractors.

C. CONDUCT WITH VENDORS

All employee interactions with vendors shall be conducted in a fair, open, and transparent manner. Employees shall:

i. Refrain from showing favoritism to vendors or being unduly influenced by external factors outside the criteria outlined in this policy.
ii. Select all vendors on the basis of meeting appropriate and fair criteria in accordance with the requirements of this policy.

D. NO GRATUITIES

No City employee shall solicit, demand, accept, or agree to accept, and shall avoid the appearance of accepting, a gift of goods or services, payment, loan, advance, deposit of money, or employment offer presented, promised in return for, or in anticipation of favorable consideration in a City procurement.

E. INTERNAL CONTROLS

Employees shall comply with the City's internal control procedures outlined in the City's Procurement Procedures. The policies guiding these internal control procedures are as follows:

i. Employees must have or seek proper signature authority and expenditure authority for all transactions to ensure proper tracking and appropriate level of approval for all expenditures.

ii. Duties must be segregated to diminish the risk and/or appearance of any improprieties. The Finance Director is responsible for separation of duties in an effort to negate any improprieties or the appearance of improprieties. If an employee has a question regarding separation of duties, he/she should reach out to the Finance Director for clarification.

iii. Employees must create and maintain adequate documents and records supporting compliance with the City's procurement policies and procedures for all transactions and retain those records in accordance with the City's record retention schedule.

IV. CONTRACTING AUTHORITY

A. APPROVAL AUTHORITY

All City expenditures and purchases must be approved by the either the City Manager, the Department Head (in the case of micro purchases), or the City Council. No expenditure shall be submitted or recommended to the City Council except upon approval of the City Manager or his or her authorized representative. Note that contract approval authority is distinct from budgetary approval authority. All City expenditures and purchases, regardless of amount, must be included and/or contemplated in the City's budget approved by City Council or approved by separate resolution of the City Council.

B. MONETARY THRESHOLDS

(See Appendix A for a reference chart depicting monetary thresholds by category).

1. **Non-Public Works Purchases**. The following monetary approval thresholds apply to expenditures/purchases that do not qualify as public works projects pursuant to the Public Contract Code.

(a) ***Department Head*** — Any expenditure, purchase, or contract (single-year or multi-year) valued under $10,000 may be approved by a Department Head, provided that the funding for the purchase or contract is authorized in the budget approved by the City Council.

(b) ***City Manager Approval*** — Any expenditure, purchase, or contract (single-year or multi-year) valued at forty-five thousand dollars ($45,000) or less may be approved by the City Manager, provided that the funding for the purchase or contract is authorized in the budget approved by the City Council.

(c) ***City Council Approval* —** Any expenditure, purchase, or contract (single-year or multi-year) that exceeds forty-five thousand dollars ($45,000) shall be authorized and approved by resolution of the City Council.

2. **Public Works Projects**. The Public Contract Code prescribes special procurement procedures for public works projects. Public works projects are defined as projects involving the "construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly-owned, leased, or operated facility." This definition specifically excludes maintenance projects defined as "Routine, recurring, and usual work for the preservation or protection of any publicly-owned or publicly-operated facility for its intended purposes; minor repainting; resurfacing of streets and highways at less than one inch; landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement

of plants, and servicing of irrigation and sprinkler systems; nor work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher" (PCC § 22002 (c) and (d)).

(a) ***City Manager Approval* —** Any contract for a public works project valued at $200,000 or less may be awarded and approved by the City Manager.

(b) ***City Council Approval*** — Any contract for a public works project valued over $200,000 shall be awarded and approved by resolution of the City Council.

C. NOTICE OF COMPLETION

The City Manager, in consultation with the City Engineer, is authorized by the City Council to approve and file notices of completion on behalf of the City.

V. TYPES OF PROCUREMENTS

In the course of conducting City business, the City is required to make a variety of different types of purchases. The type of purchase dictates the policies and procedures for procuring and formalizing the purchase. Before employees make a purchase, they should identify the type of purchase and the proper method for completing that purchase.

ATTACHMENT A

A. PURCHASES OF GOODS/SUPPLIES

This category of purchases includes the purchase of tangible durable and non-durable goods by the City. Examples of these types of purchases include fuel, tools, office supplies, chemicals, machinery, food, and furniture. These types of purchases are distinct from the purchase of non-tangible services.

B. SERVICES

This category of purchases includes the hiring of individuals, firms, or entities to perform services for the benefit of the City. There are two categories of services: general services and consultant/professional services.

1. *General Services* — General services are non-professionalized services that are often purchased to maintain or service the City's equipment or facilities. Examples of these types of services include office equipment maintenance, cleaning services, IT support services, disposal services, and food delivery services.

2. *Consultant/Professional Services* — Consultant/Professional services are specialized services where the City hires an individual or firm to perform professional or technical tasks. Examples of these types of services include engineering and design services, audit services, architectural services, and legislative affairs services.

C. NON-PUBLIC WORKS CONSTRUCTION

Public works construction projects have a specific statutory definition and strict associated requirements. A small segment of City construction projects do not fall within the definition of "public works." For these projects, the City has greater discretion in the method and manner of procuring these types of projects. Non-public works projects include minor repainting, minor road resurfacing, landscaping work, and other routine and recurring maintenance work for public facilities.

D. PUBLIC WORKS

Public works projects include projects involving the "construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly-owned, leased, or operated facility." Examples of these projects are renovation of existing and construction of new City facilities, and significant road and street improvements.

VI. METHODS OF PROCUREMENT

A. OVERVIEW

The type of purchase and the amount of a purchase dictates the method of procurement. Smaller and less complex purchases involve less stringent competitive requirements. Conversely, more valuable and more complex purchases require stricter, more formalized competitive processes. (See Appendix A for a reference chart outlining the method of procurement by type and amount of purchase)

B. INFORMAL PROCUREMENT

1. *Micro Purchases* — Micro purchases need not be awarded competitively, but the price must be determined to be fair and reasonable and should be distributed equitably among qualified suppliers. Micro Purchases do not require advertising or solicitation of quotes/bids. However, seeking multiple quotes/bids, even when not required, is a best practice and helps to ensure that the City receives better pricing for its purchases. Micro purchasing may be used for purchases of goods/general services valued under $10,000.

2. *Informal Solicitation* — Informal solicitation involves seeking three (3) written quotes from potential vendors. These written quotes may be informally documented, such as through emails between City employees and potential vendors. Informal solicitation may be used for purchases of goods, general services, non-public works construction projects, and consultant/professional services valued at $45,000 or less. This method may also be used for public works projects valued at $60,000 or less.

ATTACHMENT A

3. *Informal Bidding for Public Works Projects* — Under informal bidding procedures, the City must: (i) draft a notice inviting bids; (ii) send the notice to a City-maintained list of qualified contractors, identified according to categories of work; and/or (iii) send the notice to all appropriate construction trade journals specified by the California Uniform Construction Cost Accounting Commission. The notice must be sent at least ten (10) calendar days before bids are due. Bids must be submitted to the City by a predetermined time and date as outlined in the bidding notice. This process is governed by California Public Contract Code §22034 and Pinole Municipal Code §3.34.040. Informal bidding procedures shall be used for public works projects over $60,000 and up to $200,000 in value.

C. FORMAL PROCUREMENT

1. *Formal Bidding*—

(a) **Public Works.** Under formal bidding procedures, the City must: (i) draft a notice inviting bids; (ii) publish the notice in a newspaper of general circulation at least fifteen (15) calendar days prior to the date of the opening the bids; and (iii) send the notice to all appropriate construction trade journals specified by the California Uniform Construction Cost Accounting Commission. Bids must be submitted to the City by a predetermined time and date as outlined in the bidding notice. For public works procurements, this process is governed by California Public Contract Code § 22037. Formal bidding procedures shall be used for public works projects over $200,000 in value.

(b) **Non-Public Works.** Under formal bidding procedures, the City must: (i) draft a notice inviting bids; (ii) post the notice on the City's website and on City message boards; (iii) send the notice to appropriate/relevant trade publications. Bids must be submitted to the City by a predetermined time and date as outlined in the bidding notice. Formal bidding procedures shall also be used for the purchase of goods, general services, and non-public works construction projects valued at over $45,000.

2. *Formal Competitive Proposals (RFP)* — In a formal competitive proposal process, the City must: (i) prepare a request for proposal document identifying the project requirements, vendor qualifications, and evaluation factors; (ii) send the RFP to an adequate number of qualified sources as determined by the relevant department head or the City Manager; (iii) publish notice of the RFP in a local newspaper and/or post the RFP on the City's website at least ten (10) days prior to the deadline for receipt of proposals; and (iv) establish and implement procedures for evaluation of proposals. Formal competitive proposals shall be used for purchases of consultant/professional services valued at more than $45,000.

D. <u>DESIGN-BUILD CONTRACTING</u>

ATTACHMENT A

Design-build contracting is a form of public works construction contracting that combines both the design and construction phases into one contract and may include other phases and processes. The City may utilize this type of procurement for certain types of services and property related to public works construction projects identified in subsection 1 below subject to making the required findings identified in subsection 2 below, and following the appropriate procedures outlined in subsection 3 below.

1. *Design-build components* — The services and property that may be combined in a design-build contract are:

   (a) Planning;

   (b) Design;

   (c) Construction management;

   (d) Construction;

   (e) Manufacturing;

   (f) Financing;

   (g) Maintenance;

   (h) Rebuilding;

   (i) Improving;

   (j) Repairing;

   (k) Operation;

   (l) Purchase and installation of materials;

(m) Equipment;

(n) Purchase of real property whether in fee, easement, lease or license; and

(o) Any other services necessary for a design-build entity to deliver a functional project.

2. *Findings Required* — To use a design-build process, the City Manager or City Council must make a finding that takes into consideration costs, timing, extraordinary circumstances such as the need to incorporate specialized equipment or other project components, the need to coordinate with third parties, and project financing.

3. *Requirements* **—** Design-build procurements follow the same requirements that apply to formal competitive proposals as outlined in Section VI (C)(3) and the Procurement Procedures Manual. However, some form of bid security may be warranted in accordance with the requirements in Formal Bidding Procedures (Section VI (C)(1)) and the Procurement Procedures Manual.

E. COOPERATIVE PROCUREMENT

Cooperative purchasing allows the City to buy goods or services based on a competitively bid contract prepared by another public agency, when that other agency and the vendor(s) agreed in advance to a cooperative process. Use of purchasing cooperatives is encouraged as a way to obtain goods and services by aggregating volume, securing value pricing, and reducing administrative overhead. Measured use of purchasing cooperatives can significantly reduce the time and resources needed to competitively purchase goods and services. The following list summarizes the requirements and relevant considerations applicable to cooperative procurements.

1. *Competitive Purchasing* — Cooperative purchasing programs should be based on competitively awarded contracts that substantially comply with the City's procurement procedures outlined in this policy.
2. *Purchasing Cooperatives* — There are numerous purchasing cooperatives that the City can evaluate to use for a particular procurement. Some leading cooperatives include state contracts such as California Multiple Award Schedules (CMAS); the Department of General Services (DGS); OMNIA Partners (Formerly U.S. Communities Cooperative Purchasing); Sourcewell (formerly National Joint Powers Alliance); NASPO ValuePoint (formerly WSCA-NASPO; the National Cooperative Purchasing Alliance (NCPA); and, federal General Services Agency (GSA) procurements (GSA Advantage for State and Local Governments).
3. *Value Analysis* — Purchases using any given cooperative need not be based on the absolute lowest pricing and may consider factors in addition to price, such as the time and/or resources needed for the City to independently competitively bid for the good or service.
4. *Time Limit* — The cooperative competitive bidding process that the City seeks to utilize must have occurred within twenty-four (24) months from the date the City seeks to obtain the goods or services.

5. *Piggyback Contracting* — Subject to the appropriate approval authority and if in the best interest of the City, the City may enter into contracts for goods and services, the pricing and terms of which have been previously established by another public agency or purchasing cooperative. However, care must be taken to ensure all of the City's contracting standards are satisfied. Sometimes the underlying contract or commitment originally made to a purchasing cooperative or other agency is difficult to find; however, care must be taken to ensure the City is protected via a contract. Employees should consult the City Attorney's Office for guidance on meeting the City's contracting requirements for cooperative procurements.

F. SOLE SOURCE PROCUREMENT

Regardless of the estimated cost of a purchase, the City is not required to engage in a competitive procurement process, either formal or informal, under Section V when a competitive procurement is infeasible for the reasons articulated in this section. In all cases, the City must verify and document that a particular procurement meets the criteria for a sole source identified below, and the use of sole source must be approved by the City Manager.

In order to utilize a sole source procurement, at least one of the following statements must be true: (1) The item is only available from one source; (2) After solicitation of a number of sources, the competition is determined inadequate; and/or (3) one of the conditions described below applies:

(a) Unique or Innovative Concept–The vendor demonstrates a unique or innovative concept or capability not available from another source. "Unique or Innovative Concept" means a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to the City only from one source and has not in the past been available to the City from another source;

(b) Patents or Restricted Data Rights – Patent or data rights restrictions preclude competition;

(c) Substantial Duplication Costs – In the case of a subsequent contract for the continued development or production of highly specialized equipment or products and/or major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition;

(d) Unacceptable Delay – In the case of a subsequent contract for the continued development or production of highly specialized equipment or products and/or major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the City's needs.

G. EMERGENCY PROCUREMENT

Emergency procurements are those purchases necessary to avoid or mitigate a clear and imminent threat or danger where delay could result in loss of life or danger to health, welfare, or property or threaten the continued operation of the City or the provision of essential City services. Contracts awarded under this Section do not require adherence to the City's standard procurement requirements outlined in this policy. However, if practical, it is strongly encouraged to at least obtain oral approval from the City Manager's Office prior to making purchases pursuant to this Section.

Contracts awarded pursuant to an emergency as defined under this section require that the City Manager present a report to the City Council, at the next available meeting, describing the emergency, the actions taken, and the number and dollar amount of contracts awarded. Note that the City may be required to pass an emergency resolution or ordinance in order to be reimbursed by state or Federal agencies for emergency purchases.

H. EXEMPT PROCUREMENTS

This Section outlines types of procurements that are exempt from the standard competitive requirements outlined in this policy and also includes special considerations related to those exempt procurements. Despite the fact that a procurement may be exempt, the City may still conduct negotiations as to price, delivery and terms in connection with the award of a contract that does not require a competitive process. Nothing in this section shall preclude the solicitation of competitive bids or proposals when possible. The following is a list of procurements that are exempt from the competitive requirements outlined in this Policy.

1. Emergency procurements as defined in Section VI(G) above;
2. Specified materials or equipment that can be obtained from only one source and there is no adequate substitute in accordance with the criteria outlined in Section VI(F) above;
3. Legal or professional services that are highly specialized;
4. Design-build projects as defined in Section VI(D);
5. Cooperative procurements described in Section VI(E);
6. Procurements funded by grants, donations or gifts when any special conditions require the purchase of particular materials and/or services;
7. Purchase of surplus property owned by another public entity, or payment to other public entities or utilities;
8. Membership dues, conventions, training, travel arrangements, or advertisements in magazines, newspapers, or other media;
9. Works of art, entertainment or performance; and

10. Where competitive bids or proposals have been solicited and no bid or proposal has been received. In such situations the City Manager may proceed to have the goods procured or services performed without further competitive bidding.

VII. SPECIAL POLICIES, PROGRAMS, AND CONSIDERATIONS

Depending on the amount and/or type of purchase, there are several policies, procedures and programs that must be considered. These include:

- Application of Local Business Purchasing Preference;
- Information Technology Purchases
- Procedures for Purchases Utilizing Federal Grant Funds;
- Purchase Orders/Blanket Purchase Orders;
- Qualified Contractors/Vendors;
- Surplus Property.

A. LOCAL BUSINESS PURCHASING PREFERENCE

Preference to locally-owned businesses will be exercised to the extent it is consistent with the law and in the best interest of the public. If a purchase utilizes federal and state funds, then the City will not apply local preferences. In addition, the City will make an effort to ensure that its solicitations are received by small, minority-owned and/or women-owned businesses and will also make an effort to identify and remedy any barriers to such firms participating in the procurement process.

1. *Criteria for Preference.*
   (a) When bidding or purchasing goods, equipment, and services local preference may be given to a responsible, responsive Local Businesses.
   (b) The granting of these preference must be made on a determination by the purchasing officer that quantity and quality of the local product is equal to that of the next lowest or comparable bidder.
   (c) In order for a business to be eligible to claim the preference, the business must meet the definitions of Local Business outlined below.

2. *Definition of Local Business.* A local business is:
   (a) A business located at a fixed location within the boundaries of the City of Pinole or a home-based business located within the boundaries of the City of Pinole;
   (b) A business that has a valid business license and is current in the payment of the business license tax;
   (c) A business owned and operated by a City of Pinole resident, with a valid City of Pinole business license.

3. *Inapplicability*. Application of the local business preference does not apply in the following situations:

   (a) Bids for public projects as defined by Public Contracts Code Sections 20161 and 22002;

   (b) Purchases of goods and services through contracts of other governmental jurisdictions or public agencies, or cooperative purchasing agreements;

   (c) Contracts for professional or legal services;

   (d) Purchases or contracts funded, in whole or in part, by a governmental entity, or private and public grants and the laws, regulations or policies governing such funding prohibit application of the local preference;

   (e) Purchases or contracts funded, in whole or in part, by the federal or state government;

   (f) Purchases made, or contracts let under emergency situations; and

   (g) Purchases that involve the installation of a cogeneration plant or other energy conservation project.

B. <u>INFORMATION TECHNOLOGY PURCHASES</u>

The City recognizes that purchasing information technology systems and equipment on the basis of lowest purchase price alone may not always serve the best interests of the City. Therefore, to ensure hardware requirements and software compatibility, all such purchases must be reviewed by the Information Systems Department prior to purchase.

C. PURCHASES WITH FEDERAL/STATE FUNDS

When purchasing goods and services involving the use of federal grant funds, the City is required to follow the provisions of 2 CFR Part 200 Subpart A §200.318 General Procurement Standards through §200.326 Contract Provisions. Employees should consult with the City Attorney on any questions regarding application of these requirements to particular purchases.

When purchasing goods and services involving the use of state of California funds, the City may be required to follow provisions of state law, regulations, and policy depending upon the specific source of the state funds. Employees should consult with the City Attorney on any questions regarding application of state requirements to particular purchases.

D. PURCHASE ORDERS/BLANKET PURCHASE ORDERS

1. *Purchase Order.* A Purchase Order is a document issued to a vendor or contractor to authorize purchases of goods, equipment, and services. Purchase orders are required for all purchases of goods, equipment and services, in addition to any required contract documents.

   The purpose of a Purchase Order is to:

(a) Ensure compliance with this policy.

(b) Encumber funds when an unencumbered appropriation exists in the fund.

There are exemptions from Purchase Order requirements. Examples of such exemptions include acquiring land, utility payments, payments to other governmental agencies, and debt service payments. A list of exemptions is outlined in the Procurement Procedures Manual.

2. *A Blanket Purchase Order*. A blanket purchase order is an arrangement whereby the City contracts with a vendor to provide equipment or supplies on an as-needed and often, over-the-counter basis. Blanket Purchase Orders provide a mechanism whereby items that are uneconomical to stock may be purchased in a manner that allows field operations timely access to necessary materials. Blanket Purchase Orders shall not be used to purchase services, capital assets or items maintained in stock. All Blanket Purchase Orders must be authorized by the City Manager.

Blanket Purchase Orders must be confirmed annually, before the beginning of the fiscal year. Requests for Blanket Purchase Orders may also be submitted on an as-needed basis. Once a Blanket Purchase Order is issued to a vendor, any authorized City employee may contact the vendor directly to place orders per the terms and conditions specified in the Blanket Purchase Order.

ATTACHMENT A

Request for Blanket Purchase Order must be reviewed based upon the following criteria:

(a) Geographic location.

(b) Responsiveness and capabilities.

(c) Average dollar value and type of items to be purchased.

(d) Frequency of need.

All Blanket Purchase Orders shall include the following information:

(a) A general description of the equipment or supplies that may be charged.

(b) The period of time the order will remain open, not to exceed one year.

(c) The maximum total amount that may be charged on the purchase order.

(d) Identification of the department(s) and employee(s) who may charge against order.

(e) Requirement that the employee show CITY identification.

(f) Requirement that employees print and sign their names when picking up goods.

(g) Account number(s) to be charged

E. QUALIFIED CONTRACTORS/VENDORS

The City maintains a list of qualified contractors in accordance with the provisions of Pinole Municipal Code § 3.34.040, Public Contract Code § 22034, and criteria promulgated from time to time by the

California Uniform Construction Cost Accounting Commission. This list is utilized for procurements of public projects greater than sixty thousand dollars $60,000 and less than or equal to two hundred thousand dollars ($200,000) that are being let through informal bid procedures. In addition to the qualified contractors list, the City may elect to maintain a list of qualified vendors.

F. PURCHASES AT AUCTION

Use of public auctions may be an appropriate method of procurement if approved in advance by the City Manager or City Council, depending on the amount of the purchase.

VIII. DEFINITIONS

Competitive Bidding Process. The process of soliciting and obtaining formal and informal bids, including price quotations, from competing sources, from which an award is typically made to the lowest responsive and responsible bidder.

Cooperative Procurement. A variety of arrangements whereby two or more public entities purchase goods and/or services from the same supplier or multiple suppliers using a single competitive bid or proposal. The combining of the purchasing requirements of two or more public entities to leverage the benefits of volume purchases, including administrative savings and other demonstrable advantages.

Department Head. A department head is a City employee holding a director-level position within the City organization. Department Heads are members of the City executive team and are charged with managing the goals, duties, budget, and personnel of individual City departments. The Fire Chief, Police Chief, Development Services Director, and Finance Director are all Department Heads.

Emergency Procurement. Emergency procurements are those purchases necessary to avoid or mitigate a clear and imminent threat or danger where delay could result in loss of life or danger to health, welfare, or property or threaten the continued operation of the City or the provision of essential City services.

Formal Procurement. Formal procurement describes procurements processes that require adherence to stricter and more formalized procedures and standards. Formal procurement includes formal bidding and formal competitive proposal processes. Formal procurement is used for higher value and more complex purchases.

Formal Bidding. A procurement process for public works projects valued at $200,000 or more and for the purchase of goods, general services and non-public works construction projects valued at over $45,000. For public works project procurements, this process is governed by California Public Contract Code § 22037. This process involves stricter and more formalized procedures than informal bidding.

ATTACHMENT A

Formal Competitive Proposals (RFP). A procurement process where the City solicits proposals for consultant/professional services from potential providers. A formal RFP process is for expenditures greater than $45,000. The RFP typically starts with a scope of work and requests proposals to perform it. Proposals typically include a price component which is part of the evaluation criteria to determine which proposal best meets the needs of the City.

General Services. Work performed, or services rendered by outside persons or entities hired by the City. Such services include but are not limited to, custodial services, building and equipment maintenance, machinery and equipment rental, utility services, and land surveying. General Services does not include contracts for public works. This type of work typically involves services where the methods for performing the work is standardized.

Informal Bidding. A procurement process for public works projects valued at more than $60,000 but less than $200,000. This process is governed by California Public Contract Code §22034 and Pinole Municipal Code §3.34.040 and involves less formalized and less strict procedures than formal bidding.

Informal Solicitation. A procurement process where the City solicits written quotes from potential vendors. These written quotes may be informally documented, such as through emails between City employees and potential vendors. This process may be used for purchases of goods, general services, non-public works construction projects, and consultant/professional services valued at $45,000 or less and may also be used for public works projects valued at $60,000 or less.

Informal Procurement. Informal procurement describes procurements processes that permit more flexible and less formalized procedures and standards. Informal procurement includes micro purchases, informal solicitation, and informal bidding. Informal procurement is used for lower value and less complex purchases.

Local Preference. A program where local businesses are given preference in the City's procurement process.

Micro purchases. A procurement process where purchases need not be awarded competitively, but the price must be determined to be fair and reasonable and should be distributed equitably among qualified suppliers. This process may be used for purchase of goods/general services valued under $10,000.

Non-Public Works project. A type of project that does not fall within the definition of "public works project" under the Public Contract Code and is thus, not governed by the competitive requirements applicable to "public works projects." Examples of non-public works projects include maintenance projects defined as "Routine, recurring, and usual work for the preservation or protection of any publicly-owned or publicly-operated facility for its intended purposes; minor repainting; resurfacing of streets and highways at less than one inch; landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems; nor work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher" (PCC § 22002 (c) and (d)).

Piggybacking. A form of intergovernmental cooperative purchasing whereby the City utilizes the contract pricing and terms of another government agency to purchase the same goods or services.

Professional Services. Those services provided by a person or firm engaged in a profession based on a generally recognized special knowledge or skill, including but not limited to, the professions of accountant, attorney, artist, architect, biologist, archeologist, landscape architect, construction manager, engineer, environmental consultant, training or educational consultant, and whose services are considered distinct and unique to such a degree that bidding may not be feasible. Typically, when using professional services there is considerable professional judgement on how work is to be accomplished in meeting a scope of work. As a result, other factors besides price are relevant in determining who to use in meeting City goals.

Public Works. This term is used in two regulatory arenas. In the Public Contract Code, it refers to the construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind, including, but not limited to, demolitions, and the construction and installation of drainage systems, lighting and signaling systems, sewer and water systems, and park and recreational facilities.

This is the common usage that guides the City's budgeting, purchasing and other processes. However, it is important to note that the Labor Code uses this term to cover certain maintenance activities of these same public assets, which trigger prevailing wage laws.

Sole Source. A situation where a good or service can only be obtained from one source due to its proprietary or specialized nature.

Return to Agenda

ATTACHMENT A

APPENDIX A

Type of Purchase	Cost	Approval Authority	Documentation	Procurement Method
Goods/General Services	Under $10,000	Department Head	Purchase Order/Invoice	Micro Purchase
Goods/General Services/Non PW Construction	$45,000 or less	City Manager	Contract	Informal Solicitation
Goods/General Services/Non PW Construction	Over $45,000	City Council	Contract	Formal Bidding
Consultant/Professional Services	$45,000 or less	City Manager	Contract	Informal Solicitation
Consultant/Professional Services	Over $45,000	City Council	Contract	Formal Competitive Proposals
Public Works	$60,000 or less	City Manager	Contract	Informal Solicitation
Public Works	Over $60,000 up to $200,000	City Manager	Contract	Informal Bidding
Public Works	Over $200,000	City Council	Contract	Formal Bidding
Federally-Funded Public Works	*Transactions utilizing federal funds are governed by federal law and procedures*			
Federally-Funded Goods/Services	*Transactions utilizing federal funds are governed by federal law and procedures*			

3592056.1

Return to Agenda

ATTACHMENT B

PROCUREMENT POLICY

I. PURPOSE

To establish guidelines in securing supplies, equipment, and services related to City programs or activities.

II. SCOPE

This policy applies to purchases of supplies, equipment and contracted services made on behalf of the City by Supervisors, Department Managers, and employees of the City.

III. POLICY

The City has established a Procurement Policy in an effort to acquire quality supplies, equipment and services at a competitive price. With the exception of general office supplies, and maintenance/lease contracts, all other supplies, and equipment in excess of $5,000 must be accompanied by a purchase order document. Purchases of less than $5,000 may be documented with a vendor's invoice or the City's REQUEST FOR PAYMENT document. Equipment to be purchased valued in excess of $45,000 is required to be advertised (see Section V). Any contracted services over $45,000 are required to be advertised (see Section VI).

<u>Bidding Exception:</u> The bidding requirements shall be dispensed with in cases where an;

A. Emergency requires that an order be placed with the nearest available source of supply.

   <u>Emergency exists when:</u>

   1. There is a great public calamity
   2. There is an immediate need to prepare for national or local defense
   3. There is a breakdown in machinery or an essential service which requires the immediate purchase of supplies or services to protect the public health, welfare or safety
   4. Essential operations affecting the public health, welfare or safety would be greatly hampered if the prescribed purchasing procedure would cause an undue delay in procurement of the needed items or services, or

B. When the amount involved is less that $45,000, or

C. When the commodity, product or equipment can be obtained from only one vendor, or, has been proven to be the most appropriate vendor for business continuity. For example:

   1. Information Systems maintenance or software renewals
   2. Materials unique to the operation of the City's Wastewater Treatment facility
   3. Communication services or equipment required to preserve emergency response

D. When the City Council determines, by a resolution passed by a majority of its members that because of differences in the kinds of types of the particular commodity, products or equipment available on the market, it would be to the City's advantage to make a selection on the basis of the suitability of the same to the City's needs rather than on the basis of price, or

E. Competition was determined to be inadequate after solicitation of proposals from a number of sources or

F. When a cooperative agreement was executed by other political jurisdictions, provided the cooperative agreement is established following a competitive bid process

IV. PROCEDURE

General Provisions: The procedures for procurement are intended to ensure that supplies and equipment are in whole or part:

1. Obtained as efficiently and economically, without compromising quality, as soon as possible, and

2. Procured in a manner that provides, to the maximum extent practical, open competition.

General Guidelines: Whenever possible, the following guidelines should be utilized to secure supplies, equipment and services:

1. Records must be maintained to detail history of procurement, and rationale for selecting the methods of procurement used, selection of contract type, and contractor selection/rejection process and the basis for the cost or price of a contract.

2. Qualification of vendors, including minority and/or women owned business, shall be allowed during the time of solicitation,

3. Exclude contractors that develop specifications, requirements, statements of work, invitations for bids and/or request for proposals,

4. If a protest to the contract selection process is submitted, the City Manager will evaluate the process and make a determination as to its validity.

V. BIDDING PROCEDURE - CITY:

Notice Inviting Bids: Notices inviting bids shall include a general description of the articles to be purchased, shall state where bid blanks and specifications may be secured and the time and place for opening bids.

Published Notice: Notice inviting bids shall be published at least ten days before the date of opening of the bids. The notice shall be published at least once in a newspaper of general circulation, printed and published in the city, or if there is none, it shall be posted in at least three public places in the City.

Bidding List: The Purchasing Officer shall also solicit bids from all prospective suppliers whose names are on the bidder's list or who have requested that their names be added thereto.

Bidding Security: When deemed necessary by the Purchasing Officer, or when required by law, bidder's security shall be prescribed in the public notices inviting bids. Bidders shall be entitled to return of bid security, provided, that a successful bidder shall forfeit his bid security upon refusal or failure to execute the purchase contract within ten days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the differences between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

Bid Opening: Bids shall be submitted to the Purchasing Officer and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening.

Lowest Bidder: In addition to price, the lowest bidder will be determined by the City Council, in its discretion, after the following factors have been reviewed;

A. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
B. Whether the bidder has the facilities to perform the contract or provide the service promptly, or within the time specified, without delay or interference;
C. The character, integrity, reputation, judgement, experience and efficiency of the bidder;
D. The bidders' record of performance of previous contracts or services;
E. The previous and existing compliance by the bidder with laws and ordinances related to the contract or service;
F. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
G. The quality, availability and adaptability of the supplies, equipment or services to the particular uses required;
H. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
I. The number and scope of conditions attached to the bid.

Rejection of Bids: In its discretion, the City Council may reject any or all bids presented, waive any informalities or make award on any alternative that may be in the best interest of the City.

Performance Bonds: The City Council may require a performance bond before entering a contract in such amount as it finds reasonably necessary to protect the best interest of the city. If the City Council requires a performance bond, the form and amount of the bond shall be described in the notice inviting bids.

Identical Bids: If two or more bids are the same and the lowest, the City Council may accept the one it chooses. If no bid is received, the City Council, in its discretion, may either:

1. Re-advertise; or

2. Direct that the required items or items be purchased without further complying with the provisions of this chapter.

VI. BIDDING PROCEDURES – PUBLIC WORKS PROJECTS:

In accordance with the Uniform Construction Cost Accounting Act (UCCAA) adopted by the City Council on November 15, 2016, the City will adhere to the following procurement procedures for all public construction projects:

A. Public projects of $45,000 or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

B. Public projects of $175,000 or less may be let to contract by informal procedures as set forth in this legislation.

C. Public projects of more than $175,000 shall, except as otherwise provided in this legislation, be let to contract by formal bidding procedures. If all bids received are in excess of $175,000, the governing body of the public agency may by adoption of a resolution by a four-fifths vote, award the contract, at $187,500 or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

Please refer to the appended CUCCAC Manual for additional detail regarding notice, award selection, etc.

VII. BIDDING PROCEDURES- ROAD AND TRANSPORTATION PROJECTS RECEIVING FEDERAL FUNDS:

In instances of public projects receiving federal funds, the City will follow the procedures for procuring consultant services found in the version of the Local Assistance Procedural Manual current at the time of the project. As of the 2017 edition of the LAPM, Chapter 10 "Consultants" is the relevant chapter; appended.

VIII. BIDDING PROCEDURES - GRANTS:

In cases where project funding is in whole or in part provided by Federal or State grant funds, the City will be bound by the procurement requirements of the funding source. No contract or purchase award may be made to any party which is debarred or suspended or is otherwise ineligible for participation in federal assistance programs.

Purchases: Depending on the scarcity of the items or services desired, and the size of the purchase, different methods of procurement are available:

A. For Small purchases of $45,000 or less, competition will be sought through oral and written price quotations. The City will document the receipt of an adequate number (usually three) of price or rate quotations from qualified sources.

B. For Large purchases of more that $45,000, competitive bids, competitive proposals or sole source may be utilized. Contracts may not be inappropriately broken up into smaller components in order to qualify for the less complicated procedures under "small purchases".

Bids: Formal advertisement may be utilized where a firm, fixed price contract is required and can be made on the basis of price.

A. Advertisement in publications of general circulation is required;

B. Complete and accurate specifications and pertinent attachments are required;

C. Bids will be accepted and reviewed publicly at a time and place stated in the bid advertisement;

D. Two or more bids must be received for each procurement transaction;

E. Contract must be awarded to the lowest bidder, however City may reject all bids.

Competitive Proposals: May be used when conditions are not appropriate for the use of bids.

A. The Request for Proposals (RFP) must clearly and accurately state the technical requirements for the services;

B. RFP's must be publicized to the maximum extent practicable;

C. Proposals must be solicited from an adequate number of qualified sources, consistent with the nature and requirements of the procurement;

D. Technical evaluations of all submitted proposals must be conducted to identify the responsible offers;

E. City may enter into negotiations with those offers that are deemed responsive and fall within the competitive price range, based on evaluation of the bidders pricing and technical proposals. After negotiation, those bidders may submit a "responsive and final" offer;

F. After price and other factors are considered, award can be made to those offers deemed to be the most advantageous source of goods and services.

Bonding and Insurance: For contracts exceeding $100,000, federal requirements must be followed when bid guaranties; performance bonds and payment bonds are required. These include:

A. Bid guarantee from each bidder equivalent to five (5%) percent of the bid price. The bid guarantee must be a firm commitment in the form of a bid bond, certified check or other negotiable instruments as assurance that the bidder is prepared to execute a contract within the time specified for the bid amount,

B. Performance bonds from the contractor for 100 percent of the contract price to secure the contractor's fulfillment of all obligations under the contract; and,

C. Payment bond from the contractor for 100 percent of the contract price to assure payment of all persons supplying labor and material under the contract.

Use of Local, small, minority and women owned business: Preference to locally owned businesses will be exercised. The City will make an effort to use local business firms and contract with small, minority owned and/or women owned businesses in the procurement process.

<u>A local business is:</u>

1. A business located at a fixed location within the boundaries of the City of Pinole or a home-based business located within the boundaries of the City of Pinole
2. A business that has a valid business license
3. A business owned and operated by a City of Pinole resident, with a valid City of Pinole business license

.

IX. INTERNAL CONTROL PROCEDURES

Control Procedures: The procedures addressed below outline the requirements in effect in order to limit and control the validity of expenditures.

A. <u>Proper authorization of transactions and activities</u>: Each Department Manager shall have the authorization to spend up to $5,000, if budgeted. Expenditures over $5,000 require additional administrative review (two signatures on the Purchase Order). Only the City Manager, the Finance Director or their designee have the authority to sign as the second authorization. Department Managers may designate a Supervisor and/or subordinate as an alternate purchaser but must notify the Finance Director.

B. Adequate segregation of duties: Duties must be segregated in order not to give the appearance of any improprieties. Whenever possible individuals authorizing and approving the expenditure shall not be in charge of making payments to vendor. Individuals reconciling daily balances should not be in charge of deposits. The Finance Director is responsible for separations of duties in an effort to negate any improprieties.

C. Adequate documents and records: Any expenditure over $5,000 must be accompanied by a Purchase Order. Exceptions may exist in situations such as established maintenance and lease contracts and contracted service. Other forms of documentation authorizing the expenditures may be in the form of Council Resolutions, City Manager authorization (up to $45,000), or contracts entered into by the City. All documentation must be accompanied with the expenditure invoice. A records/inventory list must also be maintained.

X. SURPLUS PROPERTY

The Purchasing Officer is responsible for the transfer and disposition of surplus City property. "Surplus Property" is used generically to describe any City property that is no longer needed or useable by the holding department. The City Council shall declare item(s) surplus prior to disposal.

Methods of Disposition

The Purchasing Officer or designee shall determine or approve one of the following methods of disposition that is most appropriate and in the best interests of the City.

A. All surplus property is for sale "as is" and "where is", with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability or the property offered for sale. Appropriate methods of sale are as follows:

1. Public Auction - Surplus property may be sold at public auction. City staff may conduct public Auctions, or the City may contract with a professional auctioneer including professional auction services.

2. Bids - Bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest responsible bidder.

3. Selling for Scrap - Surplus property may be sold as scrap if the Purchasing Officer deems that the value of the raw material exceeds the value of the property as a whole.

4. Negotiated Sale - Surplus property may be sold outright if the Purchasing Officer determines that only one known buyer is available or interested in acquiring the property.

5. No Value Item – Where the Purchasing Officer determines that specific supplies or equipment are surplus and of minimal value to the city due to spoilage, obsolescence or other cause or where the Purchasing Officer determines that the cost of disposal of such supplies or equipment would exceed the recovery value,

the Purchasing Officer shall dispose of the same in such a manner as he or she deems appropriate and in the best interest of the City.

B. Surplus property that remains unsold will be donated to a non-profit organization or transferred to an appropriate recycle center.

Proceeds

Proceeds from the sale or trade-in of surplus property shall be returned to the appropriate fund.

XI. PURCHASE ORDERS AND CREDIT CARDS

A. Purchase Orders:

Each department is authorized to issue purchase orders in an amount not to exceed $5,000. Departments requesting issuance in excess of authorized limit may do so only after a second signature is obtained by the City Manager, Finance Director, and/or their designee.
At no time should a purchase of any type exceed $45,000 without approval of the City Council.

B. Blanket Purchase Orders

A Blanket Purchase Order is an agreement whereby the City contracts with a vendor to provide equipment or supplies on an as-needed and often over-the-counter basis. Blanket Purchase Orders provide a mechanism whereby items that are uneconomical to stock may be purchased in a manner that allows field operations timely access to necessary materials. Blanket Purchase Orders shall not be used to purchase services, capital assets or items maintained in stock.

The Purchasing Officer shall request confirmation of Blanket Purchase Orders annually, before the beginning of the fiscal year. Requests for Blanket Purchase Orders may also be submitted the Purchasing Officer on an as-needed basis. The Purchasing Officer shall review Blanket Purchase Order requests based upon the following criteria:

1. Geographic location.
2. Responsiveness and capabilities.
3. Average dollar value and type of items to be purchased.
4. Frequency of need.

All Blanket Purchase Orders shall include the following information:

a. A general description of the equipment or supplies that may be charged.
b. The period of time the order will remain open, not to exceed one year.
c. The maximum total amount that may be charged on the purchase order.
d. Identification of the department(s) and employee(s) who may charge against the order.
e. Requirement that the employee show CITY identification.
f. Requirement that employees print and sign their names when picking up goods.
g. Account number(s) to be charged

. Once a Blanket Purchase Order is issued to a vendor, any authorized City employee may contact the vendor directly to place orders per the terms and conditions specified in the Blanket Purchase Order.

C. Credit Cards:

Return to Agenda

The City maintains credit card accounts in order to facilitate city business travel and training expenses. The City Manager will authorize the issuance of credit cards to city employees as may be necessary. These cards may be used for hotel reservation, tuition payment, and miscellaneous expenses prior to travel. Use of City's credit cards other than those specified above must be approved by the City Manager or the Finance Director.

Employees should not charge reimbursable expenses to the credit card. Whenever possible, the City will prepay travel expenses by check.

CAL-Card and gasoline credit cards will be signed out on an as-needed basis to staff at the sole discretion of the City Manager or the appointed designee, in accordance with internal control procedures. Failure to comply with established procedures may result in discontinuance of use by the employee/department.

Return to Agenda

PURCHASING SYSTEM OVERVIEW

TYPE	CATEGORY	FEATURES
GENERAL PURCHASES Includes supplies, equipment, operating or maintenance services and construction projects other than "Public Works Projects"	**LESS THAN $45,000** (over-the-counter)	⇒ prudent judgment required: comparative pricing whenever practical ⇒ bid award by department head via purchase order ⇒ department solicits at least 3 quotes (may be verbal as long as documented) ⇒ award by purchase order or contract signed by City Manager.
	$45,000 OR MORE (formal bidding)	⇒ formal bidding required ⇒ City Council approval to go to bid and for award of bid required.
CONSULTANT SERVICES These are general guidelines. The evaluation and selection of consultant services may vary on a case-by-case basis.	**LESS THAN $45,000** (over-the-counter)	⇒ prudent judgment required competitive bidding when practical ⇒ bid award by City Manager via contract document ⇒ department solicits at least 3 quotes (may be verbal if documented) ⇒ department conducts interviews, selection requires City Mgr approval
	$45,000 OR MORE (formal bidding)	⇒ formal bidding required ⇒ City Council approval to go to bid and for award of bid required.

ATTACHMENT B

Public Projects Under UCCAA

These are general guidelines. Please see the appended California Uniform Construction Cost Accounting Act Manual for detail.

$45,000 or less

May be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

$175,000 or less

May be let to contract by informal procedures as set forth in this legislation.

More than $175,000

Shall, except as otherwise provided in this legislation, be let to contract by formal bidding procedures.

ATTACHMENT C

CITY OF PINOLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE ADOPTING A REVISED CITY OF PINOLE PROCUREMENT POLICY

WHEREAS, the City of Pinole's current procurement policy was adopted on May 15, 2007, and it is a best practice to review and update such policies from time to time; and

WHEREAS, the purpose of a procurement policy is to outline the guiding principles, rules, and standards applicable to all purchases of goods, services, and supplies made by the City of Pinole; and

WHEREAS, the revised procurement policy is designed to promote full and open competition among potential vendors, promote fairness and transparency in the City's purchasing system, and ensure that the City is getting the best value for its money when making purchases; and

WHEREAS, the revised procurement policy is informed by and incorporates applicable laws, regulations, and best practices applicable to public procurements; and

WHEREAS, the revised procurement policy expands on the purchasing requirements contained in the Pinole Municipal Code and is consistent with all such requirements; and

WHEREAS, the revised procurement policy includes standards of conduct and guidelines regarding conflicts of interest to ensure improper considerations do not influence City purchasing decisions; and

WHEREAS, the City Council Finance Subcommittee reviewed and approved the revised procurement policy on September 22, 2020; and

WHEREAS, the City Council has reviewed the revised procurement policy and has determined that it is in the best interests of the City to adopt the policy.

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

1. The above recitals are true and correct, and incorporated into the Resolution by reference.

2. The revised procurement policy, attached hereto as Attachment A and incorporated herein, is approved and adopted.

3. The City Manager is authorized to adopt administrative policies to implement the Revised Procurement Policy.

ATTACHMENT C

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 20th day of October, 2020 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 20th day of October, 2020

____
Heather Iopu, CMC
City Clerk

Return to Agenda

CITY COUNCIL REPORT

11B-1

DATE: OCTOBER 20, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: HEATHER IOPU, CITY CLERK

SUBJECT: PLANNING COMMISSION APPOINTMENTS

RECOMMENDATION

Consider Interview Subcommittee recommendations and approval of two (2) appointments to the Pinole Planning Commission.

BACKGROUND

The Pinole Planning Commission is a seven-member panel of Pinole residents who take action on development requests and make policy recommendations to the City Council. Currently there are three (3) vacancies on the Planning Commission for seats with terms that expired on April 30, 2020: Sarah Flashman, Joseph Ojeda and Thomas Brooks.

Due to local emergency conditions, at the April 19, 2020 meeting the City Council adopted Resolution 2020-29 extending the terms of these three (3) Commissioners until such time that a recruitment period could be performed in a safe and accessible manner.

On September 3, 2020 an announcement was made to the public that a recruitment period was open and applications would be accepted by the office of the City Clerk. As of the closing date of October 6, 2020 one (1) new application was received and current commissioner, Sarah Flashman, confirmed her interest in being re-appointed to the commission. The Interview Subcommittee interviewed one (1) candidate, Adam Benzuly, on October 13, 2020. The Subcommittee is prepared to make a recommendation that both candidates be appointed by the full City Council.

The City Council will consider a total of two (2) appointments to the Planning Commission with the following terms, in accordance with the Pinole Municipal Code.

(2) 4-year appointments

Return to Agenda

FISCAL IMPACT

There is no fiscal impact associated with this action.

ATTACHMENT

A . Planning Commission Roster
B. Application – Adam Benzuly

Return to Agenda

ATTACHMENT A

PINOLE PLANNING COMMISSION

OVERVIEW: Chapter 2.40 of the Pinole Municipal Code states the organization of this commission and the rules of order, officers, duties and procedures of this seven member body.

APPLICATION: The Planning Commission Application and Supplement Questionnaire (available on the Boards and Commissions webpage) must be completed and submitted to the City Clerk's Office, 2131 Pear Street, Pinole.

MEETING INFORMATION: The Planning Commission meets at 7 PM on the 4th Monday each month except when there is a holiday conflict. Additional meetings are held as needed.

AGENDAS: View current and archived agendas on the Agendas and Minutes webpage.

COMMISSION MEMBERS:

1. Simon Wong
   Term expires 4/30/2023
2. Thomas M. Brooks, Chair
   Term expires 4/30/2020
3. Sarah Flashman
   Term expires 4/30/2020
4. Joseph Ojeda
   Term expires 4/30/2020
5. Devin Murphy
   Term expires 4/30/2023
6. Ann Moriarty
   Term expires 4/30/2023
7. David Kurrent, Vice-Chair
   Term expires 4/30/2023

Chair & Vice Chair Effective term: May-April 30

DEVELOPMENT REVIEW SUBCOMMITTEE:

Chair Brooks, Commissioner Flashman, and Commissioner Ojeda
Alternate: Commissioner Wong

STAFF: Tamara Miller, Development Services Director/City Engineer

Updated 05-20-2019 (Chair /Vice Chair Effective April)

Return to Agenda

CITY COUNCIL REPORT

11B-2

DATE: OCTOBER 20, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: HEATHER IOPU, CITY CLERK

SUBJECT: REAPPOINTMENT OF CONTRA COSTA LIBRARY COMMISSIONER

RECOMMENDATION

Council discretion to reappoint George Pursley to the Contra Costa County Library Commission to a term expiring on June 30, 2023.

BACKGROUND

George Pursley was appointed to the Library Commission on August 15, 2017. Mr. Pursley has been diligent in his representation of the City of Pinole on this County Commission and past attendance records show his commitment to this responsibility.

Staff has confirmed Mr. Pursley's willingness to continue serving Pinole in this capacity.

FISCAL IMPACT

There is no fiscal impact associated with this action.