

**CORONAVIRUS ADVISORY
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CITY COUNCIL

Vincent Salimi, Mayor
Devin Murphy, Mayor Pro Tem
Anthony Tave, Council Member
Maureen Toms, Council Member
Norma Martínez-Rubin, Council Member

**PINOLE CITY COUNCIL
MEETING AGENDA**

**TUESDAY
August 2, 2022
6:00 P.M**

Please note: HYBRID MEETING FORMAT

**Attend in Person: PINOLE CITY COUNCIL CHAMBERS - 2131 PEAR STREET
OR**

Attend VIA ZOOM TELECONFERENCE – Details provided below

Please note: Updated COVID-19 safety protocols will be posted outside the City Council Chambers. Please review this information before entering the Council Chambers.

How to Submit Public Comments:

In Person: Attend meeting at the Pinole City Council Chambers, fill out a yellow public comment card and submit it to the City Clerk.

Via Zoom:

Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](#). Zoom also allows you to join the meeting by phone.

From a PC, Mac, iPad, iPhone or Android:

<https://us02web.zoom.us/j/89335000272>

Webinar ID: 893 3500 0272

By phone: +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799

- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak (subject to modification by the Mayor)
- Speakers will be muted until their opportunity to provide public comment.

When the Mayor opens the comment period for the item you wish to speak on, please use the “raise hand” feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide and press *6 to unmute. **To comment with your video enabled, please let the City Clerk know you would like to turn your camera on once you are called to speak.**

Written Comments: All comments received **before 3:00 pm the day of the meeting** will be posted on the City's website on the agenda page ([Agenda Page Link](#)) and provided to the City Council prior to the meeting. **Written comments will not be read aloud during the meeting.** Email comments to comment@ci.pinole.ca.us Please indicate which item on the agenda you are commenting on in the subject line of your email.

Please note: Updated COVID-19 safety protocols will be posted outside the City Council Chambers. Please review this information before entering the Council Chambers.

OTHER WAYS TO WATCH THE MEETING

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

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

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

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

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

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

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

2. LAND ACKNOWLEDGMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present, and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

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

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

4. 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.

None

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

6. CITIZENS TO BE HEARD (Public Comments)

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

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

B. Mayoral & Council Appointments

C. City Council Committee Reports & Communications

D. Council Requests for Future Agenda Items

E. City Manager Report / Department Staff

F. City Attorney Report

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

A. Proclamations

None

B. Presentations

None

9. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine or 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 Special Meeting Minutes of the July 12, July 13, 2022, and Regular Meeting Minutes of July 19, 2022
- B. Receive the July 16, 2022 -July 29, 2022 List of Warrants in the Amount of \$457,805.12 and the July 22, 2022 Payroll in the Amount of \$539,692.30
- C. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 [Action: Adopt Resolution per Staff Recommendation (Casher)]
- D. Resolution Approving Settlement of Claim Against PG&E Regarding Water Pollution Control Plant Upgrade Project Delays [Action: Adopt Resolution per Staff Recommendation (Casher)]
- E. Appoint Council Members as Voting Delegates for the 2022 League of California Cities Annual Conference General Assembly Meeting [Action: Appoint Council Members per Staff Recommendation (Bell)]
- F. Amendment to the City of Pinole Conflict of Interest Code [Action: Adopt Resolution per Staff Recommendation (Bell)]
- G. Adoption of a City Council Resolution to Amend the Master Pay Schedule as Required by California Public Employees' Retirement System [Action: Adopt Resolution per Staff Recommendation (Shell)]
- H. Approve an Amendment to the Employment Agreement for the City Clerk [Action: Adopt Resolution per Staff Recommendation (Shell)]

10. PUBLIC HEARINGS

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

None

11. OLD BUSINESS

None

12. NEW BUSINESS

- A. City of Pinole Emergency Operations Plan [Action: Receive Report and Provide Direction (Whyntkoop)]

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

Open only to members of the public who did not speak under the first Citizens to Be Heard, Agenda Item 6

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14. ADJOURNMENT to the Regular City Council Meeting of September 6, 2022 in Remembrance of Amber Swartz.

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

POSTED: July 28, 2022 at 4:30 P.M.

Heather Bell, CMC
City Clerk

**CITY COUNCIL MEETING
MINUTES
July 12, 2022**

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

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Salimi called the Special Meeting of the City Council to order at 6:07 p.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

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

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.

A. COUNCILMEMBERS PRESENT

Vincent Salimi, Mayor
Devin Murphy, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Maureen Toms, Council Member

COUNCILMEMBERS ABSENT

Anthony Tave, Council Member

B. STAFF PRESENT

Neil Gang, Acting City Manager/Police Chief
Heather Bell, City Clerk
Eric Casher, City Attorney
Alex Mog, Assistant City Attorney
Sanjay Mishra, Public Works Director
Markisha Guillory, Finance Director

City Clerk Heather Bell announced the agenda had been posted on Thursday, July 7, 2022 at 4:00 p.m. with all legally required written notices. Forty-nine written comments had been received in advance of the meeting, distributed to the City Council and staff and printed and were available in the Council Chambers for the public. The comments had also been posted online.

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

4. CITIZENS TO BE HEARD (Public Comments)

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Ivette Rico, Pinole, Chair, Pinole for Fair Government, explained that enhanced communication between the public and its government was a mutual and ongoing goal. Pinole for Fair Government had made it its mission to engage, inform and educate the public on happenings in Pinole. In 2019, Pinole for Fair Government held its first Town Hall with 100 engaged members of the public. In 2020, the pandemic brought all forms of interaction to a halt. In 2021, eight virtual Town Halls had been held and had been well attended with videos of the discussions continuing to draw online viewers. In 2022, it had become obvious life was far from normal, and clear that communication needed to be re-established and five Community Conversations had been held. She provided an overview of the events held with two more Community Conversations scheduled on July 23, 2022 when the City Manager would be the guest speaker, and on July 30, 2022 when the Community Development Director would be the guest speaker. She thanked all guests and speakers who had been involved in the previous Community Conversations and the members of the City Council who had taken the opportunity to engage with their constituents at the meetings. She added the events held by Pinole Fair Government were free and open to all who wished to participate in the democratic process.

Debbie Long, Pinole, commented this would be the second meeting to consider a Charter City and given the importance of the topic she asked why a Town Hall format had not been considered. While not required, such a format would have been more transparent allowing everyone to share comments. She added that during the July 5, 2022 City Council meeting, an update had been provided on a service contract with the Contra Costa County Fire Protection District (ConFire), and she had found it objectionable that elements of the contract, whether codified or not, had not been shared with the public, particularly prior to City Council consideration of the service contract. She hoped the City Council would consider having a discussion with the public on the proposed ConFire service contract in the same way the City Council had shared its financial plan each year, given that there were many questions in the public about the service contract that should be addressed before the completion of the contract.

Bob Kopp, Pinole, referenced the three male members of the City Council and asked how long each had lived in Pinole and whether all three owned a home in Pinole and paid taxes to the City, Contra Costa County and the State of California. He commented that when the female members of the City Council had been in disagreement with their male counterparts, they had not been treated appropriately. He urged that such behavior should be prevented and all Council members be treated with respect. He otherwise reported that he was opposed to a Charter City, which would give the City Council too much authority in the future absent public opinion, and was also opposed to the Real Property Transfer Tax (RPTT).

Rafael Menis, Pinole, congratulated Kailani Tatro, a junior at Pinole Valley High School for being recognized by the Bay Area News Group for her exceptional play in softball and for being the Tri-County Athletic League Rock Division Most Valuable Player (MVP), which achievement was worthy to be recognized by the City of Pinole and the community. He also reported the City of Pinole continued to have a high level of COVID-19 transmissions, cited the number of cases still the second highest level in Contra Costa County, and urged everyone to continue masking indoors particularly in crowded areas.

Irma Ruport, Pinole, urged more respect on the City Council and respect for the taxpayers of Pinole and for all members of the Pinole community.

Mayor Salimi declared a recess at 6:26 p.m. The City Council meeting reconvened at 6:31 p.m. with all Council members and staff present either in-person or via Zoom, with the exception of Council member Tave who was absent.

5. WORKSHOP ITEMS

- A. Conduct Second Public Hearing Regarding Proposal for the City of Pinole to Become a Charter City and Review the Content of Proposed Charter and Real Property Transfer Tax Ordinance [Action: Conduct Second Public Hearing and Provide Direction to Staff (Casher)]**

City Attorney Eric Casher introduced Assistant City Attorney Alex Mog who provided a PowerPoint presentation that included the background of the potential for the City of Pinole to become a Charter City, consideration of a Real Property Transfer Tax (RPTT), and receipt of survey results from the community on a potential Charter City and RPTT.

On June 7, 2022, the City Council had conducted the first public hearing on the proposed Charter City, provided direction to staff to schedule the second hearing, proceeded with public education and outreach and provided direction on the draft Charter City and scope of the RPTT. The purpose of this meeting was to hear from the public on the proposed draft charter, and RPTT Ordinance, consider whether to continue with the process for placing a measure on the ballot for voters to decide on whether Pinole should become a Charter City and provide direction to staff on the draft charter, RPTT Ordinance and related issues.

An overview of a General Law city versus Charter City, examples of municipal affairs, details of the charter, details for an RPTT, RPTT rates in neighboring properties and the potential future revenue from an RPTT in Pinole were all highlighted.

Finance Director Markisha Guillory also highlighted the financial considerations related to the RPTT.

Assistant City Attorney Mog detailed the approximate deadlines for taking statutorily required steps including the second public hearing (this meeting), placing the measure on the ballot (August 2, 2022 City Council meeting), with the charter and RPTT Ordinance to be submitted to the voters as one measure, and which would require a 4/5ths vote of the City Council. The proposed draft charter was also highlighted, was relatively short, provided the only power of a Charter City that Pinole may exercise was the power to enact an enhanced RPTT, and the City would continue to be subject to all other laws governing general law cities.

Assistant City Attorney Mog stated the status quo would be maintained except for the power to enact an RPTT, maintain the current form of government and Municipal Code, and any future change would require voter approval. The proposed charter would authorize an RPTT to be enacted by separate ordinance approved by the voters as part of the same measure. The tax imposed would be \$8 per \$1,000 value (0.8%) and the buyer and seller jointly would be responsible for and may negotiate payment between themselves. The tax would be due at the time the deed was recorded and the Finance Director would administer the tax but may contract with the County.

In addition, the RPTT included exceptions for government entities, transfers made within a marriage, or during dissolution of a marriage and other legally required exceptions. It did not include low-income exemptions. The Council may amend the RPTT Ordinance in the future, except that any expansion of tax or increase in tax rate above 0.8% would require voter approval.

The RPTT Ordinance authorized tax rebates for energy and water conservation projects, seismic upgrades and sewer lateral repair but the work must be performed one year before or after the transfer of the property and the rebate would be limited to 1/3 of the tax paid. This rebate program was similar to other rebate programs in other local jurisdictions but could be changed at the direction of the City Council.

Assistant City Attorney Mog and Finance Director Guillory also provided an overview of the community engagement outreach activities the City had already conducted and the responses received from the community mailers that had resulted in 188 responses. Of those responses, 16 individuals noted opposition to a Charter City measure and one individual had noted support. Based on the community survey, the top three priorities were identified as the City's financial sustainability, maintaining safe play places for children and keeping streets, public areas and parks clean.

Assistant City Attorney Mog asked the City Council to consider whether to move forward with the process of becoming a Charter City by directing staff to prepare the necessary materials for the City Council to place a measure on the ballot at the August 2, 2022 meeting, review the content of the Draft Charter and the Draft RPTT Ordinance and consider whether to continue education and outreach activities.

Responding to the Council, Assistant City Attorney Mog stated if the Council were to move forward to the August 2, 2022 City Council meeting, there would be City Attorney costs for preparing the ballot measure but the RPTT Ordinance and charter had already been prepared. The consultant involved in the community engagement was on a monthly retainer and there would be a cost for additional mailers, which could be substantial depending on the volume.

City Clerk Bell added that the City always budgeted \$25,000 for elections and depending on how many registered voters were in Pinole, the cost of an election could be anywhere from \$22,000 to \$25,000. There would also be additional printing costs for the voter information guide, which could range from \$3,000 to \$5,000.

City Attorney Casher also added that if the City Council were to decide to move forward to the August 2, 2022 City Council meeting, there would be additional costs for an independent analysis by the City Attorney as part of the ballot measure although that cost should be fairly minimal.

Assistant City Attorney Mog also clarified the RPTT would apply to both residential and commercial properties and the estimated revenue for the RPTT included both but it would be difficult to segregate those amounts without a more significant analysis. He noted there were fewer commercial properties than residential properties in Pinole. The mailers had been sent to all residential addresses in Pinole and while the result from the mailers was limited and not scientific, a scientific survey had previously been presented to the City Council by professional consultants.

Assistant City Attorney Mog again clarified the purpose of an RPTT and why a Charter City was required to enact an enhanced RPTT along with examples of municipal affairs. He noted that staff was unaware of any disadvantages for a neighboring city to have become a Charter City for the sole purpose of enacting an enhanced RPTT. If the voters were to approve the Charter City measure and RPTT Ordinance, and if any changes were proposed to be made to the draft documents after approval that could be considered in the 2024 statewide election or possibly be part of a Special Election.

Finance Director Guillory again walked through the financial considerations as outlined in the PowerPoint presentation. She confirmed the Mayor's understanding from the City Engineer that the City lacked the funding to fund projects on the Capital Improvement Program (CIP) list for the next ten years, with \$50 to \$100 million needed in the next ten years to fund those CIP projects. Based on the Five-Year Forecast and Long-Term Financial Plan, it had been noted that was one of the long-term obligations to be addressed through the plan and an RPTT Ordinance could be one of the funding options, but there was currently no plan in place to fund that shortfall. She again confirmed the City did not have the funds to completely fund the entire CIP list of projects.

Public Works Director Sanjay Mishra clarified for this year the City had about 37 CIP projects and out of those 37 projects there were only two staff persons dedicated to those projects, which included his time and the time of the Capital Improvement Manager. While they were currently understaffed, the City Council had approved two additional staff positions for Fiscal Year 2022/23 for an Associate Engineer and a Public Works Specialist.

Finance Director Guillory further clarified the options for additional revenue via the means of taxation included the RPTT, bond measures for capital projects and a parcel tax. An RPTT at \$8 per \$1,000 of value would generate \$1.45 million in revenue. She clarified how bond measures worked which could be through a property tax measure that would add to the annual property taxes. She acknowledged, when asked, that there had been no new revenue sources added to the City.

PUBLIC COMMENTS OPENED

Roy Swearingen, Pinole, suggested a Charter City measure would affect all businesses and homeowners in Pinole. He found it inappropriate and unethical that if a Councilmember did not own property in Pinole and had no investment in the community that individual should not vote on an issue in which the individual did not equally share the impact and should recuse from voting on this matter on August 2, 2022. He also suggested the public should educate itself on the community of Bell, California and the impacts to that community after it had become a Charter City. While there were sanctions in place to prevent what had happened in Bell to other communities those sanctions did not always work.

Mr. Swearingen encouraged the public to attend the August 2, 2022 meeting to voice their opinions on this topic given its importance. He suggested there were other options for funding, the City was not in danger of not funding the projects listed in the CIP and the City could find other ways to fund projects.

Christy Lam-Julian, Pinole, emphasized it was imperative for those on the dais to educate by means of providing facts to the community and be open to feedback beyond the election cycle. She appreciated the fact that Pinole for Fair Government had hosted the Community Conversations that had brought information to the community so that informed decisions could be based on facts. She stated those sessions had empowered people to be part of the solution instead of complaining on the sidelines. She had participated in the community workshops and the community survey and looked forward to future community workshops and engagement opportunities within the community.

As a community member, community organizer for marginalized community members, and a first generation Vietnamese American in the State of California, Ms. Lam-Julian supported those efforts. While change was hard, Pinole needed to adapt and evolve to the changing world around it. She planned to continue to bring her voice to the table to ensure that all voices were heard in an effort to combat misinformation, bullying tactics and bad political behavior.

Jackie Nstaya, Pinole, stated she had watched the first hearing on this matter and had reviewed the presentation from the consultants. She was astonished the Council had decided to move forward with this and other costly actions and found it clear that the majority of citizens who had spoken at prior City Council meetings did not support a Charter City or an RPTT. The survey data presented by the consultants had shown that less than 50 percent were in favor of making changes to the City's government. The Lew Edwards Group (LEG) which had conducted the survey had stated that the City's tested measure did not meet their criteria for ballot placement and that the success of the measure would depend on changing opinions on the need for funding, which would take time for education and information. With the election less than four months away, she asked whether the City had already started this effort and found that the proposal was being rushed through. She did not support the Charter City effort and while she understood the City's position was to only use this designation to enhance the RPTT and it would not change the structure of the City's government, it was a possibility that Council members in the future may want to change the current system.

Ms. Nstaya stated the City needed more research on funding requirements and investigating funding opportunities. She would be willing to pay additional taxes only if others participated and she did not buy into the argument that homeowners should pay more in taxes, particularly given the concern for seniors who owned homes with high mortgages and were unable to pay the RPTT at the time of sale. In addition, after reading the draft measure and seeing the presentation, most people would not have the opportunity to use the rebates proposed given the restrictions identified. She urged the City Council to save money now and not move forward to place a measure on the ballot.

Irma Ruport, Pinole, urged the City Council to do what was best for Pinole residents and put the measure on the ballot in order to educate the public given the amount of misinformation in the community on this measure.

Eric Meyers, Pinole Commercial/business property owner, reported he had received no information on the Charter City or RPTT nor had out-of-town property owners and homeowners. Had the information been provided to those individuals the survey results would have been much different. He questioned the information that the RPTT would provide guaranteed income. Transfer taxes were tied to the real estate market which was already cooling on the down cycle and was tied to property values. If the measure was adopted, voters would pay \$9.10 per \$1,000 and \$1.10 would go to the County whereas currently \$1.10 went to the County with half coming back to Pinole. It had not been disclosed that \$8 per \$1,000 would go to the City plus a collection fee but the \$.55 per \$1,000 the City was receiving now went to the County. Buyers and sellers would still pay \$9.10. He suggested the data presented by staff related to a rebate program did not justify this measure and the restrictions on the rebates would not make a difference.

Laurelle Martin, Pinole, opposed the RPTT and while she understood in theory there would be some benefits and more municipal control, the RPTT would unfairly impact local businesses and seniors who may have to sell their homes through no fault of their own and which could be considered prejudicial. She urged the City Council to consider other ways to find revenue. She also agreed the rebate program was flawed and offered no real benefits.

Tyra Wright, El Cerrito, a licensed Realtor, commented on her work with clients in the I-80 corridor. She understood the City of Pinole was looking for additional funds to provide City services, but stated an RPTT was not the right option since it involved a narrow base of people including seniors and first-time homebuyers who would bear the burden of providing services for the community at-large. An RPTT would also add additional costs to a growing list of point of sale ordinances that may be included when a person was trying to sell or purchase a home. In addition, capital gain taxes along with the RPTT would penalize seniors who may have lived in their homes for over 20-years. She offered an example of a scenario of a capital gain tax and RPTT costs to a homeowner that could easily remove a first-time homebuyer from the market in Pinole. She asked the City Council to consider another revenue measure, such as a bond measure or possibility raising the Utility User Tax (UUT), in which the entire population would participate.

Ivette Rico, Pinole, thanked the Mayor for his attempt to find and explore a solution to the future financial problems of the City but he was outnumbered and outvoted. The City needed money, always would and always had. She was interested in other potential sources of revenue but suggested now was not the time given that the economy was in flux. While she found the measure to be a good idea and suggested the City would likely regret not taking this step forward, she recognized the comments from the public about distrust and the power a Charter City may offer to members of the City Council. She agreed and noted it was not long ago when a former City Council had placed Measure P on the ballot. She did not want the Council to make the public the fallback.

Rafael Menis, Pinole, referenced the results of the community survey that had identified updating the City's storm drains as the lowest priority, although he disagreed and noted that an ongoing expense would be created when a City did not properly maintain its infrastructure. He suggested the RPTT should be viewed as another form of sales tax, an RPTT was not too specific since over time it would apply to everyone, and the City had the right to tax the transfer of goods and the transfer of property was not fundamentally different from the transfer of other goods. As to the rebate program, he suggested the term for work to be performed one year before or after the transfer of property should be extended beyond one year and possibly the RPTT could be graduated to different magnitudes of tax.

Frankie Martinez, Pinole, asked the City Council to defer consideration of a Charter City and RPTT Ordinance given current national and statewide concerns with inflation, plummeting stocks and a potential recession on the horizon and because homes were a safe haven. He thanked the City Council and staff for bringing this solution forward but asked that it be considered at a time when there was a better economic climate.

Debbie Long, Pinole, suggested the full picture was not being provided for why additional taxes were needed and why a Charter City was required in order to raise those taxes. Pursuant to the City's Long-Term Strategic Financial Plan for 2026/27, the City would be raiding the 115 Trust from 2021 to 2026 in an amount over \$16 million to balance the annual budget and as previously stated and validated by all Council members and a former City Manager at the time the 115 Trust had been established in 2018, which had been done to offset the California Public Employees' Retirement System (CalPERS) rate of increases so that both the City and the employee would not have to absorb future costs. However, the current City Manager was using the 115 Trust to offset all CalPERS increases since 2018/19, including the hiring of new employees and the cost to repay the Pension Obligation Fund. Ultimately by 2026/27, \$3.2 million for that fiscal year would be transferred from the 115 Trust to the General Fund in order to cover the increase in expenditures. She suggested over \$7 million had been misused from the original intent.

Ms. Long asked if the City was in need of additional revenue why budget cuts had not been considered rather than approving increases in the budget. If an RPTT was adopted, she asked whether the funds received would be placed in a hands-off fund until they were approved for a project. She also found it coincidental the City Council was waiting to approve a contract with ConFire until it had attempted to change the City's style of government since the funds available would not be sufficient to cover the cost of two fire stations without a substantial contribution from the General Fund and/or shifting the financial obligation to other departments. She suggested the Charter City measure was a red herring for many more taxes to come since even the RPTT would not cover a budgetary shortfall when excluding the raiding of the 115 Trust nor would it cover the other necessary funds to open Fire Station 74, much less pave any roads. A Charter City would just enable future City Councils to come to the public for more taxes and the charter would have more tools to allow that to occur.

Ms. Long further commented she had not received a mailer nor had any of her neighbors and she described the poll as a push-pull with what other polls had indicated. She preferred to see discussions in a debate format as opposed to allowing the public only three minutes to speak.

Bob Kopp, Pinole, asked how much the City had spent on this effort to date including the costs for any staff and the City Attorney's Office to prepare information. He too had not received a mailer nor had other family members who were also residents of Pinole. If Pinole were to become a Charter City, he also expressed concern that future Councils may just request more and more money from residents. He used PG&E as an example of an agency that imposed multiple rate increases on ratepayers, which may happen in Pinole with a change in government. He also echoed the concerns with the current economic climate which further questioned the imposition of an RPTT on residents. He paid for his own upgrades and improvements to his residence absent any assistance from the City, and while his property value had increased, he opposed paying additional taxes to the City, particularly due to capital gains impacts. He also questioned decision makers who may not be equally impacted by the RPTT.

Peter Murray, Pinole, suggested it was up to the public to vote on a Charter City and RPTT. He referred to a prior consultant effort on a similar proposal in the past which had been shelved and which had not been supported. While polls had been done in 2019, City finances and fire were not the top priorities. Now those issues were in the top three priorities. He understood the polls did not involve anonymity which may have led to the poll results and he questioned what had changed between 2019 and 2022 to produce the current polling results. He suggested the RPTT would not be equally administered and would be imposed on a segment of the population that would pay for the larger portion of the City's administration and capital improvement needs, which was unfair. He added the RPTT was really a 9 percent tax for homeowners since they would be giving up half a percent to the County, with an 8 percent tax to the City. He urged that all information provided be appropriate and proper and he too urged consideration of a City sponsored meeting to discuss this matter further.

Mayor Salimi allowed the following speaker to again address the City Council.

Christy Lamb-Julian thanked the City Council for the opportunity to provide options for the community and for those opposed to the measure but a discussion on redline districting should also be considered to be fair to the entire community. She had spoken to people in marginalized communities in Pinole who had been stifled from speaking based on fear of retaliation if they supported this measure.

Peter Murray commented that allowing people to speak over and over with differing opinions led to arguments. People should be allowed to provide their opinions whether for or against. He was uncertain how redlining districting had come into the discussion.

PUBLIC COMMENTS CLOSED

Council member Toms commented that during the prior City Council meeting, she had embraced a good discussion to understand the City's needs but she did not support a Charter City measure. She was not offended by those who did and found the discussion to be a good one which had included community participation from those present and those online. As to the RPTT, she recognized the City had a list of unfunded CIP projects that required funding in coming years but an RPTT only taxed a minor portion of the population either first-time homebuyers or seniors, and those two segments of the population could ill-afford any additional taxes, especially when the RPTT was to benefit the community as a whole.

Council member Toms suggested the solution to the revenue needs should be applied to the community as a whole, such as a parcel tax including homeowners and apartment owners as opposed to a bond measure which involved numerous associated costs. A parcel tax would provide ongoing revenue and she asked staff whether they could move forward with polling or education to gauge whether there was an appetite for that option. Based on her calculations, a \$241 parcel tax could be considered.

Council member Toms was also concerned with spending money on an RPTT given the survey results had shown the measure would not be supported and there was an opposition campaign to the measure. She applauded the Mayor for considering outside the box, recognizing the need, but this revenue option was not the right one. She also agreed that more education to the public was needed given the polling results had not shown residents were aware there was a problem.

If voters did not see the need a measure would not be successful and Council member Toms suggested that educating the community and finding a palatable and equitable solution for possible consideration in 2024.

Mayor Salimi agreed that education was important. As to the parcel tax option Council member Toms had recommended, he suggested the parcel tax would have to be far more than \$241 and likely would not be supported by residents.

(Please Note: Council member Martinez-Rubin's Internet connection had some difficulties and not all comments were clearly audible).

Council member Martinez-Rubin echoed the comments offered by Council member Toms. In response to public comments about her fellow male Council members, she noted that when Council members took office there was an orientation process to learn not to take things personally. While all Council members prepared for meetings differently, given all of the different levels of public participation, Council members did not necessarily have all information at the same time and everyone did their best based on the information presented.

As to the Charter City and RPTT measure, Council member Martinez-Rubin agreed that levying a tax on a specific segment of the community was not a fair tax and a city being a Charter City in and of itself had not been explored with the public as to what that entailed, other than in this case the RPTT. There were other implications that were part of the uncertainty of a Charter City and it was not the right time to consider doing something that would affect the City beyond just the possibility of an RPTT for a select group. As a result, she stated the potential impacts of a Charter City should be discussed possibly as part of a future workshop.

Council member Martinez-Rubin could not ignore the fact that the City was short millions for CIP projects but that had been the case for years given all the economic impacts from cities to the nation itself. She recommended a future discussion on how the 115 Trust had been used in order to provide clarification to the City Council and to the public. She did not believe the intention was to do something that would harm the City in the future, the trust would have limited funds over time, but that required more discussion for clarification. She also wanted more clarification on the mailing list used to disseminate information to the public since not everyone had apparently received the mailer about the City's financial future and since the intent was to capture many more people than had responded. In addition, clarification was needed on the percentage of the amount of the RPTT tax that currently existed in the RPTT and the amount that would go to the County to better inform the public.

Mayor Pro Tem Murphy thanked everyone for their input and presence. He thanked staff for the information to understand this issue, the Mayor for allowing this discourse and for the participatory budgeting to understand the issues and discuss innovative ways to fund solutions. He found public hearings to be a good format to understand all issues that may come to the City Council and provide the public the opportunity to express and engage themselves.

Mayor Pro Tem Murphy commented the City Council had received data points throughout this process that climate action and climate resiliency programs were imperative and making sure that parks were safe for City residents, and improving fire services and investment in the senior and youth facilities were also important. Part of this process was not only about a Charter City and RPTT, but meeting the moment and the demands with the data to back it up.

Mayor Pro Tem Murphy again thanked everyone on staff who had provided valuable information to allow him to better understand this process and for the community speaking out. He noted that presently the City did not have a plan for infrastructure for climate resiliency programs but the City did have hundreds of thousands of dollars in deferred unfunded maintenance and CIP programs and the City Council and the community had to figure out how to fund the programs and how to communicate that funding to the public.

Mayor Pro Tem Murphy commented as the Finance Director had stated there had been no new forms of revenue sources for years, which was disappointing and a threat to the financial stability of the City. Financial stability was a priority of the survey respondents and he emphasized the need to meet problems that the City had faced in the past and consider new sources of revenue. He emphasized that both renters and homeowners were part of the community and it was important that City services be provided to all.

Mayor Pro Tem Murphy recognized there was a short timeline for the RPTT and Charter City. While the limited number of respondents to the mailer represented an average statistic to mailers sent out in the community, and while the City should and could do better, to those 188 respondents and to those who provided public comment in-person, online and through correspondence, he wanted everyone to know the Council heard those comments and the approaches taken for community engagement in the past year, far more than in the past, but he emphasized that more could be done

Mayor Pro Term Murphy commented on the many efforts to move the City forward and challenged residents to help the City Council identify ways to fund the deferred maintenance of roads, parks, senior and youth centers. He also found that change was hard but they had to be a progressive forward thinking city for future generations. In the past he had recommended community Wi-Fi and economic development strategies that could bring in more revenue and would be open to exploring others such as those recommended by Council member Toms. He also recognized the current economic challenges and the limited timeline, but again urged the community to listen to one another and not consider divide and conquer tactics but work together. He suggested this was a way to start thinking about the revenue generation and innovation that needed to happen in the City and everyone needed to be part of the conversation. He was happy to continue those conversations with the community both in the Council Chambers and outside of the Council Chambers.

Mayor Salimi spoke to his experience as a businessman and his efforts to solve issues over the past four years when he had joined the City Council with some of the same issues facing the City for years. He detailed the accomplishments of the City Council over the past few years including efforts to expand the hours of operation for the library, reopening Fire Station 74 via the allocation of Measure X funds, improvements to businesses in the downtown, the sale of former redevelopment properties and funding for the Faria House.

Mayor Salimi urged the City Council to look to the future in the next 10 years, again emphasized the issues that had been solved over the last few years, but continued to look ahead to the future and consider the City needed an additional \$52 million in the next 10 years and the money must come from someone. The longer the City waited the more expensive the needs would be. He suggested there was a window of opportunity now to make the City successful in the future and again urged everyone to look ahead and to work together.

City Attorney Casher identified the staff recommendations as earlier outlined for the City Council to consider: whether to move forward with the process of becoming a Charter City by directing staff to prepare the necessary materials for the City Council to place a measure on the ballot at the August 2, 2022 meeting, review the content of the Draft Charter and the Draft RPTT Ordinance and consider whether to continue education and outreach activities. The City Council should consider either an affirmative motion or a motion for denial.

ACTION: Motion by Council members Toms/Martinez-Rubin to not proceed with the process of becoming a Charter City and a Real Property Transfer Tax Ordinance.

Vote:	Passed:	3-1-1
	Ayes:	Murphy, Martinez-Rubin, Toms
	Noes:	Salimi
	Abstain:	None
	Absent:	Tave

Council member Toms commented on the recommendation whether to continue education and outreach activities and while not interested in making a motion at this time recommended that conversation be considered as a future agenda item when the City Council could explore other funding sources.

City Attorney Casher advised this was a Special Meeting and there was no agenda item for Requests for Future Agenda Items, although the request could be submitted at the Regular City Council meeting on July 19, 2022.

6. ADJOURNMENT to the Special Joint City Council and Planning Commission Meeting of July 13, 2022 in Remembrance of Amber Swartz and Mayor Salimi's Grandmother Soraya Hosseini.

At 8:34 p.m., Mayor Salimi adjourned the meeting to the Special Joint City Council and Planning Commission Meeting of July 13, 2022 in Remembrance of Amber Swartz and Soraya Hosseini.

Submitted by:

Heather Bell, CMC
City Clerk

Approved by City Council:

**JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
MINUTES
July 13, 2022**

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

The Joint City Council and Planning Commission Meeting was held via Zoom videoconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Salimi called the Special Joint Meeting of the City Council and Planning Commission to order at 6:03 p.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

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

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.

A. COUNCILMEMBERS PRESENT

Vincent Salimi, Mayor
Devin Murphy, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Maureen Toms, Council Member

COUNCILMEMBERS ABSENT

Anthony Tave, Council Member

PLANNING COMMISSIONERS PRESENT

Ann Moriarty, Chairperson
Frankie Martinez, Vice Chairperson
Adam Benzuly, Commissioner
Dave Kurrent, Commissioner
Rafael Menis, Commissioner

PLANNING COMMISSIONERS ABSENT

Tim Banuelos, Commissioner

B. STAFF PRESENT

Neil Gang, Acting City Manager/Police Chief
Alex Mog, Assistant City Attorney
Lilly Whalen, Community Development Director
David Hanham, Planning Manager
Roxanne Stone, Deputy City Clerk

Deputy City Clerk Roxane Stone announced the agenda had been posted on Thursday July 7, 2022 at 4:00 p.m. with all legally required written notices. No written comments had been received in advance of the meeting.

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

4. **CITIZENS TO BE HEARD** (Public Comments)

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

Christy Lam-Julian, Pinole, spoke to women and children and members of the LGBTQIA community in domestic violence situations and asked whether those community members would be part of the planning process as the City moved forward in terms of creating a safe space or protocol given the lack of local resources.

Tony Vossbrink, Pinole, suggested the City Council and Planning Commission should take a few minutes at the beginning and end of each meeting to reinforce the importance of adhering to health protocols related to the increase in COVID-19 cases, with most new cases attributed to the Omicron variant. He also requested an update on the Pinole Valley Bowl shooting incident given the suspect remained at-large, the incident had occurred over three months ago and the public should be kept informed. In addition, the City Council and the Planning Commission had not recognized the victims of the Uvalde, Texas school shooting at any recent meetings and he stated that should be rectified with this meeting.

Mayor Salimi understood the incident at Pinole Valley Bowl was still under investigation. He emphasized Pinole remained a safe community and the incident was not a reflection of Pinole but a reflection of society.

5. **WORKSHOP ITEMS**

- A. Receive Progress Update on Land Use Planning for Pinole Project (Update to Housing and Health & Safety Elements and New Environmental Justice Element of General Plan) and Provide Direction as Appropriate [**Action: Receive Report and Provide Direction to Staff (Whalen)**]

Community Development Director Lilly Whalen reported this meeting would focus on the work currently underway for the Land Use Planning for the Update to the Housing and Health & Safety Elements and the new Environmental Justice Element (EJ) of the General Plan. Pinole staff had been working closely with a strong technical team of eleven Housing, Safety, and Environmental experts from consultant Michael Baker, Michael Baker International, to prepare an updated housing plan for the City of Pinole and to update the Health & Safety and new EJ Elements of the General Plan. All experts were present and would be sharing the progress made to date.

Surabhi Barbhaya, Project Manager, Health & Safety Element Specialist, Michael Baker International, introduced the Michael Baker team including Dan Wery, Housing Element Specialist; Emily Elliott, Community Outreach Specialist; Noelle Steele, Environmental Justice Element Specialist; and Veronica Tam, Housing Element Strategy Advisor.

Emily Elliott, Community Outreach Specialist, started a PowerPoint presentation and provided an overview of the Community Engagement Activities to date, which included a project specific website, live community survey, stakeholder focus groups and community workshops. Engagement activities also included twelve banners hung around the City, postcards mailed to all postal customers, posts on Facebook and Instagram, notifications in the City's biweekly administrative report and interested parties added to a contact list of communications.

A City Council Study Session had been held in March and public hearings for the draft elements would be scheduled for both the City Council and Planning Commission.

The online survey to date included 132 respondents. The results were anonymous and the survey was available in different languages. Two community workshops had been held on May 11 and June 9, 2022. While stakeholder focus group sessions involved limited attendance, follow-up would be provided with those stakeholders who had not attended the sessions via one-on-one interviews to encourage the submittal of written comments.

An overview of the survey results on the level of concern regarding issues facing Pinole to date was provided with the top three concerns identified as water supply, homelessness and employment opportunities. Results of the level of concern about groups of people being able to obtain housing resulted in the most concern for the lower and middle income workforce groups. Results of the level of concern about housing issues in Pinole resulted in the top three concerns of overcrowding, homelessness and poor neighborhood infrastructure. Results on the level of support for various housing income categories in Pinole, the level of support for different housing programs and the rankings in response to the question: *Which natural hazards are you most concerned* were all highlighted.

Ms. Barbhaya provided an overview of the Safety, Health and Noise Elements and noted that the current Health & Safety Elements would be reorganized since the Health Element overlapped with the EJ Element and shared common topics of discussion. The Health Element discussion goals and policies would be recommended to be moved to the EJ Element to avoid duplication to some of the goals and policies. The Noise Element may become part of the Safety Element or be a standalone element. New information and mapping would be added to the Safety Element in addition to several new topics of discussion including climate resiliency, evacuation routes, drought, dam inundations, impacts of tsunami and emergency preparedness.

The Safety Element would address Senate Bill (SB) 99, General Plans, Safety Element, Emergency evacuation routes, with evacuation routes to be identified and neighborhoods that did not have access to more than two evacuation routes to be mapped. SB 379, Residential solar energy systems permitting would also be addressed with an assessment of critical facilities in the City as part of climate resiliency policies. An evacuation/drought study would be conducted to evaluate the capacity and viability of the evacuation routes in compliance with the requirements of Assembly Bill (AB) 747, Planning and zoning; General Plan Safety Element.

Examples of the maps of the existing conditions analysis was provided and included the Federal Emergency Management Agency (FEMA) Flood Plains, Shake Potential, Wildfire Hazard Zones and Proposed Evacuation Routes. Changes would also be made to the goals, policies and actions section of the Health & Safety Element. The proposed changes were highlighted at this time.

In terms of the engagement activities for the Health & Safety Element, as previously identified the City Council had held a Study Session in March 2022, there had been engagement via two community workshops and there had been initial contact with the Department of Forestry and Fire Protection related to SB 1241, State Park System Annual Reports. A workshop had been conducted with Public Works, Fire and Police to confirm evacuation routes and to discuss evacuation scenarios. Focused interviews with Public Works, Fire and Police on existing conditions and policy discussions had yet to be conducted.

Noelle Steele, Environmental Justice (EJ) Element Specialist, provided an overview of the newly required EJ Element, intended to identify impacted communities or areas disproportionately affected by environmental burdens or other environmental hazards, with the Office of Planning and Research (OPR) recommending several data sources to comprehensively research and identify those areas of concern. Policies had then been created to reduce the compounded health risks to promote civic engagement and prioritize improvements and programs. Some policies would be focused on specific areas of the community and others would be applicable citywide. The primary tool that OPR recommended to identify disproportionately burdened communities was a data mapping tool, CalEnviroScreen, to be maintained by the California Office of Environmental Health Hazard Assessment.

Exhibits of CalEnviroScreen were provided to show the socioeconomic score, pollution burden score and the composite score (socioeconomic and pollution scores combined). The impacted community in Pinole had shown up in a census tract that was only partially located within the City of Pinole, which was the only impacted community that exceeded the OPR guidelines. Policies would address the disproportionate burden in this area likely associated with historical land uses and industry that had occurred largely outside of the City of Pinole, but there were also policies that addressed the City in its entirety.

Ms. Steele explained that OPR regulations had identified data resources covering additional topical areas outside of the CalEnviroScreen, which she walked through at this time and which had resulted in the policy framework organization and policy requirements recommended by the state. That included the creation of five topical areas such as equity in access, medical care, environment, civic engagement and generations. She added that Health Element policies from the Safety Element would be incorporated into the EJ Element, with the EJ policies having been evaluated for best practices including recommendations from OPR that would be tailored specifically to the needs of Pinole. Examples of policies were provided.

Dan Wery, Housing Element Specialist, provided an overview of the purpose of the Housing Element, which ensured the availability and fair distribution of housing throughout the City and which included a plan to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation. He identified the six chapters of the Housing Element including Review of Accomplishments, Needs Assessment, Housing Resources, Constraints, Affirmatively Furthering Fair Housing (AFFH) and Implementation Plan.

The City of Pinole's RHNA was 500 units within the next eight-year period. The City was obligated to provide sufficient land zoned appropriately to accommodate the RHNA but was not obligated to construct any housing. The income categories for the different housing types and the RHNA allocation were identified. Pinole was required to provide 121 Very Low Income units, 69 Low Income units, 87 Median Income units and 223 Above Moderate Income units, with the area median income figures to be updated in the PowerPoint presentation based on recently released 2022 data.

In terms of the housing sites inventory, the City of Pinole was ahead of schedule with 84 percent of its RHNA units pending approval. Pinole only needed 81 Low Income units and had plenty of good sites to consider, which would not require rezoning to meet the requirements. Existing sites as zoned and in accordance with the General Plan may be used as potential housing sites

Mr. Wery also previewed the Housing Plan comprised of goals, policies and actions and summarized the five major goals from the current 5th Cycle Housing Element to monitor housing needs, protect existing character and heritage, provide adequate services and facilities, meet housing needs and energy-efficiency, conservation and sustainable residential development. The likely 6th Cycle Housing Goals could include housing production, constraint removal, preservation and improvement, housing assistance, special housing needs and AFFH. He walked through a number of possible modifications to existing programs and actions.

Mr. Wery also summarized the options for housing production which may include zoning for adequate sites, minimum densities, an Inclusionary Housing Ordinance, Accessory Dwelling Units (ADUs) and partnerships or collaboration with and assist housing developers. Constraint removal programs would include permit streamlining, objective development standards and preapproved ADU plans. Housing Preservation Programs could include preservation of at-risk below market rate housing, a residential rehabilitation loan program or maintenance assistance. Housing Assistance Programs could include increased housing for vulnerable populations through housing choice vouchers and landlord tenant mediation.

Special Housing Needs Programs included senior center funding, Low Barrier Navigation Centers, transitional and supportive housing, residential care facilities, emergency shelters and a reasonable accommodation process, all of which with the exception of senior center funding, would be required as a result of changes to recent state housing laws.

Fair Housing Programs included education of new fair housing laws, requirement to accept housing choice vouchers and place-based improvements generally to ensure the older areas of the community that did not have the same facilities had equal access and opportunities.

PUBLIC COMMENTS OPENED

Debbie Long, Pinole, reported that zip code 94803 was also a City of Pinole zip code and there were around 50 residents who were always forgotten when information from the City was disseminated to the community. Speaking specifically to SB 99 and its impacts on a community, she explained that she resided on Rancho Road, which dead-ended at Galbreth Road, and both neighborhoods had only one access in and out and were faced with the highest fire danger in the City. She hoped that a comprehensive report would be provided by the Pinole Fire Department and Contra Costa County since she was also surrounded by the community of El Sobrante, and hoped the Health & Safety Element would be closely evaluated. She noted that Galbreth Road, was a wide road and could accommodate emergency access and while Rancho Road was open for emergency access over the years the City and County had allowed trees to grow, fences to be built and split lot development to occur. She hoped the Planning Commission would take a look at this area of concern at the time of its review.

When considering development, Ms. Long also asked that the maximum requirements in terms of size, density and parking be clarified and not be considered an entitlement, but that a development would be required to keep within the spirit of the law and ensure development was not bunched into one place with associated traffic and walkability issues. She also hoped the PowerPoint presentation would be posted on the City website.

Deputy City Clerk Stone confirmed the updated PowerPoint presentation had been posted on the City website.

PUBLIC COMMENTS CLOSED

Council member Martinez-Rubin inquired of the housing inequities that had occurred over time since she understood there was the one census tract in Pinole that had been found to be disproportionate, to which Ms. Steele explained the inequities were related to pollution burden from heavy industry, not housing. Some socioeconomic data had shown some higher poverty rates, linguistic isolation and higher challenges. The pollution burden was being evaluated to see how it may carry over into the City in terms of air quality impacts but significant inequities had not been found in that tract.

Mr. Wery added there were differences throughout the City and the one census tract area in Pinole had identified pollution burden and if there were areas of inequities in the City, he encouraged anyone to point them out.

Council member Martinez-Rubin asked of the differentiation between the older and newer parts of the City and the cut-off criteria used to delineate an older area of the City.

Mr. Wery explained it was not a hard criteria but an observation. Pinole's rate of housing production in the past had been almost static, and while there had been some new development they were focusing on areas that may be lacking facilities or amenities or which had inequities such as a lack of good lighting, sidewalks, access to parks and recreation.

Council member Martinez-Rubin understood that spotting inequities in different parts of the City had not been necessarily aligned with the age of a particular neighborhood and identifying those areas would require feedback to the consultants. She found that Pinole was not a food desert but some residents may have a different opinion. She asked of the acceptable standards to determine whether or not a food inequity existed.

Mr. Wery stated there was no hard and fast rule to identify inequities. It was qualitative and subjective and they looked for input from the surveys, stakeholder input, public workshops and comments from the public as part of the input on the project website. The intent was to focus on areas where there was a consensus.

Ms. Steele added that information had been folded into the existing conditions report as part of the EJ Element that had found no food deserts in Pinole pursuant to the United States Department of Agriculture (USDA) resources, which combined Low Income groups further than a mile in urban areas from a supermarket. The outreach engagement efforts also registered no comments on this topic.

Council member Martinez-Rubin also expressed concern with the special housing needs and looked forward to future discussions between staff, City Council, Planning Commission and the public.

Due to technical difficulties, Mayor Salimi declared a recess at 7:17 p.m. The Joint City Council and Planning Commission meeting reconvened at 7:35 p.m. with all Council members, Planning Commissioners and City staff present with the exception of Council member Tave and Planning Commissioner Banuelos.

Mayor Pro Tem Murphy commented on the public policies that had created racial disparities and a possible Inclusionary Zoning Ordinance for Pinole. He asked what data was needed for that to occur, and Mr. Wery explained that no data was needed. An Inclusionary Housing Ordinance was a tool that many communities considered to encourage and incentivize below market rate and affordable housing. If Pinole were to consider an Inclusionary Zoning Ordinance, it would have to ensure the inclusionary portion was feasible without constraining overall housing production, and a separate technical financial analysis would be required.

Community Development Director Whalen clarified the City of Pinole had an Inclusionary Zoning Ordinance in place which required 15 percent of the proposed for-sale units and greater to be affordable to Low and Very Low Income households. She understood that Mr. Wery was speaking of possibly increasing that affordability level.

Mr. Wery reiterated that Pinole had already met 84 percent of its RHNA for units pending approval and only needed 81 Low Income units. He was confident the City would meet its target in the next eight years and may not have to change anything.

Community Development Director Whalen noted the City was lagging in providing Moderate Income units and it was possible the percentage of Moderate Income units in the Inclusionary Zoning Ordinance could be modified to allow that target to be reached quicker.

Mayor Pro Tem Murphy asked whether or not a racial impact study would be prepared as part of this process to determine the effects of City housing and land use policy on people of color in Pinole.

Mr. Wery was uncertain a racial impact study would be prepared but the AFFH chapter would review a range of protected classes and categories to ensure equal access to housing.

Council member Toms spoke to the portion of the census tract that met the qualifications of the EJ Element and asked the size of the population impacted and was informed by Ms. Steele the census tract was quite large and the population was a little over 11,000 individuals, with a sliver located in the City of Pinole.

Council member Toms referenced the housing site inventory, specifically the Pinole Valley Shopping Center, which was being counted and asked of the impact of potential development to meet the RHNA.

Mr. Wery confirmed the Pinole Valley Shopping Center site included the former Kmart property, which he understood involved pending development and which had been included in the site inventory and would potentially yield 200 units to the inventory. If that site had to be removed from the inventory, it could be replaced elsewhere in the community. He also described the required buffer in the event a site may not be developed as expected.

Council member Toms commented that folding the Health Element into the EJ Element should be considered the other way around since the Health Element encompassed the entire population of Pinole whereas the EJ Element encompassed a smaller segment of the population, and the policy impacting the greater population should be the main element. She thanked everyone for a very complete presentation.

Planning Commissioner Benzuly referenced the top three concerns as part of the survey including water supply, homelessness and employment opportunities and also concerns with wildfire. He asked how the items were interrelated and Ms. Barbhaya explained that all items were related to each other. She noted the previous Safety Element had not included drought as a topic. The Sustainability Element would address many drought-related issues including water conservation, drought resistant landscaping and the like. The Sustainability Element would be tied to the Health & Safety Element. Also in terms of wildfire, adequate water supply during wildfire would be addressed as part of the policies.

Planning Commissioner Menis commented that a comparison to the existing housing goals and likely housing goals seemed to be removed from the 6th Cycle Housing Element. He asked if they would all be under the Sustainability Element or other elements, and was informed by Mr. Wery the goals had not been removed but would be worked around and tucked in since they did not always fit into the categories shown. Existing programs, such as energy efficiency, would also not be removed as an example, unless there were programs that were finite in nature. Also, energy efficiency was a requirement of the State Department of Housing and Community Development (HCD) and would not be eliminated.

Planning Commissioner Menis spoke to the AFFH and how it tied into subjective and objective standards. He expressed concern that the groups they would want to address through AFFH may be less engaged and less interested in reaching out. He asked whether or not there had been input from the second workshop or from non-English speakers in the community.

Ms. Elliott reported there had been no non-English speakers at the second workshop. The survey had included a question asking respondents whether or not English was the primary language in the home or whether translation services were required and there had been no request for translation services. As part of the engagement process, the intent was to reach everyone in the community.

Through the stakeholder engagement process, those groups included people affiliated with organizations that may provide services to protected classes or fair housing service providers, as examples, with an effort to reach those people through the organizations that provided the services.

Mr. Wery again provided an overview of the AFFH and noted they would be reviewing the housing sites relative to a series of maps, filters and criteria with direct input from those with specific issues and/or recommendations, which was valuable for the process and that input was oftentimes sought from community-based organizations and the community members who represented them.

Planning Commissioner Menis was pleased the AFFH had more particular criteria. In terms of the EJ Element, while it was primarily required due to the one census tract, the overall policies and ideas linked with that Element didn't just apply to that one part of the City but applied more broadly to the entire City providing benefits to the entire City. He understood the EJ Element policies, procedures and goals to be applied would benefit the entire City and the Health & Safety Element should be attached.

Ms. Steele agreed and commented it was the hope to respond to both the specific community and encompass policies that applied citywide.

Planning Commissioner Kurrent asked whether or not other shopping centers would be considered as housing opportunity sites, to which Mr. Wery explained that generally they would look for the "low hanging fruit," such as vacant properties with appropriate zoning first and then underdeveloped properties which could be opportunities for infill development. If needed, shopping centers such as an older center with a lot of vacancies could be considered as possible housing opportunity sites in the next eight to nine years.

Planning Commissioner Kurrent also clarified with Mr. Wery the project schedule. There would be additional meetings with the City Council and Planning Commission and the schedule for submittal of the document to HCD for review typically involved several rounds with HCD. The first submittal of the first draft of the document to HCD involved a 90-day review and the second round of review involved a 60-day review. Subsequent reviews would also involve a period of public review. It was likely this process would go into 2023. The goal was for the document to be completed and certified by HCD around March/April 2023.

Planning Commissioner Kurrent referenced the charts in the Health & Safety Element and the potential for housing sites, which were unclear. He suggested when presented in the document it would be helpful to describe what the criteria meant. He had the same concern with the socioeconomic score and suggested it was imperative to actually include an understanding of how the criteria had been developed. He thanked the consultants for the presentation and was eager to see what transpired.

Planning Commission Vice Chairperson Martinez spoke to the safety tools that had classified residents in the Pinole Valley as living in a High Fire Hazard Severity Zone. He noted the fire station in that region had been closed since 2010, and now in 2022 the results were that friends and family were increasingly exposed to fire dangers. He asked what solutions, options and tools were being communicated to the community to address those issues.

Planning Commission Vice Chairperson Martinez suggested strategies should be created to engage the public to ensure a focus on finding a solution to improve this challenge and provide details on evacuation in the event of an emergency, improve egress on Pinole Valley Road and I-80 and that all Pinole residents be made aware of evacuation routes.

Ms. Barbhaya reiterated a workshop had been held with the Fire Chief to consider evacuation routes and to identify those neighborhoods that did not have more than two evacuation routes. There were also various policies that CAL FIRE would like to see in the Safety Element and some of those tools included drought-resistant landscaping and fuel breaks. Fire safety equipment would also have to be evaluated on a regular basis to ensure adequate fire equipment and water supply to combat any wildfires in the region.

Planning Commission Vice Chairperson Martinez also referenced the housing communication tools, RHNA requirements and state legislation on housing and asked what tools would be used to educate the community on the state housing crisis, state legislation on housing and RHNA allocation requirements. He suggested it would be helpful to educate the community on the various housing income categories given the amount of misinformation in the community, particularly as it related to the proposal to develop the former Kmart property. He wanted to see tools in place that better partnered with the community, recognized the diversity in Pinole and recommended how to bring new families and friends into the community in a thoughtful and concise way.

Mr. Wery explained that the information from this and prior workshops had been or would be recorded and could be posted on the City website where the public would be directed to gather information. Other resources could be provided on request. When the Draft Housing Element was presented, additional information and analysis would be available for review and well explained in the document itself. The PowerPoint presentation only offered snapshots of the information being discussed. He again walked through the RHNA allocation, and the required housing units based on the different income categories as depicted in the PowerPoint presentation, and reiterated that new data had come out and the median income numbers would be updated. There were also resources available through the County Collaborative (C4).

Planning Commission Chairperson Moriarty spoke to energy efficiency which had not been included in the 6th Cycle Housing Element. She asked how climate resiliency would be folded in to the process and what tools the Planning Commission could consider to bring in energy conservation and efficiency options, such as solar panels and the like.

Mr. Wery stated some cities provided subsidies, incentives or requirements to provide energy efficiencies and other approaches could be to require a larger development to offer energy efficiency automatically as a service, such as units that were designed to accommodate disabilities. A variety of different tools could be considered to find what fit Pinole best. There could also be educational components where the City could help to be the mediator/connector between other programs that provided assistance and funding putting the resource together with the developer for that energy efficiency.

Planning Commission Chairperson Moriarty commented that if the Pinole Vista project, as an example, were to be approved and Pinole met the requirement for the 81 Low Income units in the next eight years, she asked whether the City still had a responsibility to provide more housing and was still subject to all of the state housing legislation.

Mr. Wery explained that if Pinole met its RHNA requirements it would be free of any penalties or restrictions and would be eligible for grant funds from the state; however, the City would still be morally responsible to meet the needs of the community. He was confident Pinole would meet its RHNA allocation but also hoped the City would continue to provide more housing that served the community well and allowed the community to grow and prosper.

Veronica Tam, Housing Element Strategy Advisor, provided further clarification and stated the RHNA was actually considered a minimum not a maximum, and even if the RHNA was met, the City was still subject to all requirements of Housing Element law to meet the development environment to be feasible for additional housing to occur and how much of that housing would be based on the market.

Mayor Salimi further clarified the RHNA allocations for the different income categories as previously discussed and noted that many people made less than the median income and were classified as Low Income. He asked the consultants where they saw growth in terms of the demographics given that many could not afford homes in Pinole and were actually moving out of the Bay Area into more affordable communities.

Mr. Wery suggested the trend of people moving further out and away was due to affordability, but the pandemic had allowed people to telecommute and work remotely. While that may help with keeping residents in Pinole, he was uncertain how that would play out in the long term. He agreed that exorbitant prices had outpaced incomes and many people could not afford to live in their own communities, which was why it was important to provide a range of housing opportunities and housing types in Pinole and consider housing needs tools such as ADUs.

Mayor Salimi asked what policies could be considered to attract young families and again Mr. Wery highlighted the potential tools that could be considered along with the programs and policies that could encourage a different range of housing types and possible incentives.

Mayor Pro Tem Murphy suggested it would be helpful to have a document with leading data points, such as a list of assumptions being made based on the data points and how the process was being led based on the data points or a landing page could be posted on the City website, which would be valuable to those who had yet to participate in the conversation.

Mayor Salimi asked for the consideration of adding a policy that could invite young families to come to the City of Pinole as it related to the size of the unit, mixed units and incentives for large families.

The City Council thanked staff and the consultant team for the information provided and the Planning Commission for its feedback.

The Deputy City Clerk advised there was a public comment waiting on Zoom but the Mayor reported public comment had been received at the beginning of the meeting and during the discussion and would not be re-opened at this time.

Planning Manager David Hanham thanked staff and the consultants for the team effort and the Planning Commission for its input.

Planning Commission Chairperson Moriarty thanked the Mayor and City Council for the collaborative discussion. She looked forward to future joint sessions to discuss the City's future. She too thanked staff and the consultants for all their hard work.

Community Development Director Whalen also thanked everyone involved in the process and the public for its participation and she too looked forward to future discussions.

Ms. Barbhaya and Mr. Wery offered their thanks to everyone involved in the process and the public for its participation, which would help to build a better Housing Element and reflect the future of the community.

Ms. Elliott advised the survey would remain open through mid-August with invitations extended to many stakeholders and with interested parties encouraged to provide input at LandUsePlanningForPinole.com.

13. ADJOURNMENT to the Regular City Council Meeting of July 19, 2022 in Remembrance of Amber Swartz. .

At 8:40 p.m., Mayor Salimi adjourned the meeting to the Regular City Council Meeting of July 19, in Remembrance of Amber Swartz.

Submitted by:

Heather Bell, CMC
City Clerk

Approved by City Council:

**CITY COUNCIL MEETING
MINUTES
July 19, 2022**

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

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Salimi called the Regular Meeting of the City Council to order at 6:00 p.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

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

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

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

City Clerk Heather Bell announced the agenda had been posted on Thursday, July 14, 2022 at 2:00 p.m. with all legally required written notices. Revised staff reports for Items 9C, 9D and 10A had been published after the posting of the agenda. Written comments had been received in advance of the meeting, posted on the website and distributed to staff and the City Council.

Following an inquiry, Mayor Salimi reported he may have a conflict of interest with Item 9G due to the proximity of his residence, and would recuse himself from the discussion.

4. CONVENE TO A CLOSED SESSION

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

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section § 54956.9:

City of Long Beach v. Monsanto Company et al., United States District Court, Central District of California, Case 2:16-cv-03493-FMO-AS (class action)

B. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code § 54957.6

Agency designated representatives: City Manager Murray, City Attorney Casher, Human Resources Director Shell

Employee organization: All groups

Unrepresented employee: All employees

PUBLIC COMMENTS OPENED

Debbie Long, Pinole, asked whether or not a brief explanation could be given for the litigation as described for Item 4A, to which City Attorney Eric Casher reported that Item 4A involved a lawsuit filed by the City of Long Beach v. Monsanto regarding the presence of polychlorinated biphenyls (PCBs) and the impact on the environment, and involved a class action lawsuit involving all cities in the State of California, with the City Council to be provided a brief on that case and its impacts on the City of Pinole.

PUBLIC COMMENTS CLOSED

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

At 7:14 p.m., Mayor Salimi reconvened the meeting into open session and announced there was no reportable action from the Closed Session.

6. CITIZENS TO BE HEARD (Public Comments)

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

Rafael Menis, Pinole, spoke to the continued spread and case rates of COVID-19 with Pinole continuing to have one of the highest rates in Contra Costa County. He continued to encourage everyone to mask indoors, particularly in crowded areas. He also recognized the numerous challenges everyone was facing such as the pandemic and potential for a recession, but emphasized the importance of protecting the future.

Ali Shafii, 1412 Greenfield Circle, Pinole, reported on the poor condition of the street which had never been repaired by the City. He noted that a few years ago, an individual representing the City had spoken to him and confirmed the poor condition of the road and had taken photographs. The current Public Works Director also confirmed the poor and unsafe condition of the street. He submitted photographs to the Mayor to illustrate the condition of the street and asked whether or not the City planned any repairs.

Mayor Salimi asked that the photographs presented be included in the meeting minutes for the record. He had viewed the road this date with the City Engineer and had been informed the road had been categorized as “red” but had not been scheduled for re-pavement until 2025 depending upon conditions.

Public Works Director Sanjay Mishra confirmed he had met with Mr. Shafii and had visited the location. He confirmed the road was in poor condition as were many other streets in Pinole. Unless one street was prioritized over another, the StreetSaver model had scheduled Greenfield Circle for repavement in 2025 dependent upon funding at that time. Due to the current funding situation and since garbage trucks had exacerbated the situation, he planned to conduct some minimal maintenance work in the area but emphasized the lack of significant funds to completely rehabilitate the street.

Debbie Long, Pinole, reported she had visited the City's website to review prior City Council meeting minutes. She understood that anything older than 2020 required a Public Records Act request, although many other City Commissions had provided full access to meeting minutes and agendas absent a Public Records Act request. She asked why there was a restriction on City Council meeting minutes.

City Clerk Bell explained that she was not involved in the changes to the City's website but would follow-up with the member of the public.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Salimi reported Council member Toms had an announcement.

Council member Toms requested the meeting adjourn in memory of Mike Franklin, a Pinole resident, husband, father, grandfather, coach, umpire, Pinole-Hercules Little League Boardmember and a Vietnam veteran. Mr. Franklin would be missed by his friends and family and many parents and Little League members along the way.

Mayor Salimi reported he had recently lost his grandmother and also asked that there be a Moment of Silence at this time for Mr. Franklin and his grandmother, Soraya Hosseini.

Mayor Salimi also reported he had met with the General Counsel for Ukraine, and extended an invitation to accept a proclamation recognizing Ukraine with City staff asked to reach out directly. He also extended an invitation to the General Counsel for France, who he hoped would be present to accept a proclamation for Bastille Day. He had also recently met with the General Counsels for Italy, Georgia, France, Germany and Ukraine to discuss economic development in Pinole.

Mayor Salimi further reported a virtual Economic Development Workshop had been scheduled for July 20, 2022 to be hosted by the Economic Development Strategy consultants to solicit input from residents on potential economic development strategies, with more information on the City website.

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Council member Toms reported that prior years of City Council meeting agendas and minutes had been posted on the City website, linked through the archives and accessible to the public. She otherwise reported she had attended a special WestCAT Board meeting and briefed the Council on the discussions and appointment of a new General Manager and rotation of Chair and Vice Chair for this fiscal year.

Mayor Pro Tem Murphy reported he had attended a RecycleMore meeting as the City Council Alternate and briefed the Council on the discussions specifically around single-use plastics and Senate Bill (SB) 54, Solid Waste, reporting, packaging and plastic food service ware. He encouraged everyone to visit the RecycleMore.com website for more information. He also invited everyone to participate in the Marin Clean Energy (MCE) Board virtual meeting scheduled for July 21, 2022 at 7:00 p.m., with more information on the MCE website.

Mayor Salimi reported Council member Martinez-Rubin was experiencing technical difficulties and could not provide comment at this time.

Council member Tave reported he had a refreshing vacation, thanked the Mayor for filling in for him and looked forward to getting back to work.

City Clerk Bell reported staff was working to make improvements to the accessibility of the videos for City Council meetings and she would again follow-up with the member of the public who had raised concerns.

Mayor Salimi recommended Item 7D be held over given his understanding that Council member Martinez-Rubin had a request for a future agenda item. He moved on to Item 7E at this time.

E. City Manager Report / Department Staff

City Manager Murray reiterated a virtual Economic Development Workshop had been scheduled for July 20 to be hosted by the Economic Development Strategy consultants to solicit input from residents on potential economic development strategies, with more information on the City website.

F. City Attorney Report

City Attorney Casher reported the next Municipal Code Update Subcommittee meeting would be held on August 1, 2022 at 3:00 p.m. He also reported the Subcommittee had preliminary discussions on placing restrictions on single-use plastic and would bring policy recommendations to the full City Council once vetted by the Subcommittee.

PUBLIC COMMENTS OPENED

Deputy City Clerk Stone reported there were no public comments.

PUBLIC COMMENTS CLOSED

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

- A. Proclamations: None
- B. Presentations / Recognitions: None

9. CONSENT CALENDAR

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

- A. Approve the Minutes of the July 5, 2022 Regular Meeting
- B. Receive the July 2, 2022 – July 15, 2022 List of Warrants in the Amount of \$1,804,796.81 and the July 8, 2022 Payroll in the Amount of \$498,245.31
- C. Approve a Second Amendment to the Consulting Services Agreement with Quincy Engineering Inc., for Preliminary Engineering Services to Advance the Replacement of the San Pablo Avenue Bridge Over Burlington Northern Santa Fe Railroad (CIP Project #RO1710) **[Action: Adopt Resolution per Staff Recommendation (Kaur)]**
- D. Approve an Amendment to the Consulting Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc., for Preliminary Engineering Services and Design Services for the Senior Center Auxiliary Parking Lot (CIP Project #FA1901) by \$35,000 **[Action: Adopt Resolution per Staff Recommendation (Kaur)]**
- E. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent Between January and April 2022, Considered at an Administrative Hearing on June 2, 2022 **[Action: Adopt Resolution per Staff Recommendation (Bell)]**
- F. Adopt a Resolution Approving a Memorandum of Understanding Between the City of Pinole and Pinole Police Employees' Association for the Period of July 1, 2022 – June 30, 2023 **[Action: Adopt Resolution per Staff Recommendation (Shell)]**
- G. A Resolution of the City Council and the City of Pinole Approving a Purchase and Sale Agreement by and Between the City of Pinole and LDW Investment Group, LLC for the Sale of Property Located at 612 Tennant Ave. (APN: 401-142-011)

and Authorizing the City Manager to Execute the Purchase and Sale Agreement and an Affordable Housing Regulatory Agreement in Such Form as Approved by the City Attorney and the City Manager **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**

- H. Adopt a Resolution to Accept the San Pablo Avenue Rehabilitation Project as Complete and to Approve the Filing of a Notice of Completion **[Action: Adopt Resolution per Staff Recommendation (Kaur)]**

PUBLIC COMMENTS OPENED

Debbie Long, Pinole, referenced a statement on Page 3 of the staff report for Item 9F, which stated: *The total costs are spread over various City funds, depending on each employee's staffing allocation.* She suggested the cost for each fund should have been specified.

Peter Myers, Pinole, a resident of Tara Hills and a member of the St. Joseph School community, referenced Item 9H and emphasized the urgency and importance of the project to the neighborhood and school, with a near fatal vehicle versus pedestrian accident having occurred this date on Tennent Avenue. He suggested this accident could have been avoided had the City and staff moved more quickly on this project.

Mayor Salimi advised the City took safety seriously and considered pedestrian safety a top priority.

City Manager Murray confirmed a vehicle versus pedestrian accident had occurred this date on Tennent Avenue and Pear Street, in an intersection with clearly visible crosswalks, and which was routinely enforced by the Pinole Police Department. He emphasized that any accident was a cause of great concern, but was not the result of City inaction. Engineering enforcement and education were tools that could be used to provide safety to pedestrians and an engineering solution was in place with the visible crosswalks and enforcement was provided in the corridor, but the City could not control distracted driving. The City extended its sympathy to the person involved in the accident. He otherwise commented on the number of pedestrian safety initiatives either in place or in process of being implemented and emphasized that staff was moving as quickly as possible in a thoughtful way.

The City Council also extended its sympathies to the individual involved in the accident and asked that information on the safety pedestrian initiatives referenced by the City Manager be posted on the City website.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to approve Consent Calendar Items 9A through 9F and Item 9H, as shown.

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

- G. A Resolution of the City Council and the City of Pinole Approving a Purchase and Sale Agreement by and Between the City of Pinole and LDW Investment Group, LLC for the Sale of Property Located at 612 Tennant Ave. (APN: 401-142-011) and Authorizing the City Manager to Execute the Purchase and Sale Agreement and an Affordable Housing Regulatory Agreement in Such Form as Approved by the City Attorney and the City Manager **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**

ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to approve Consent Calendar Item 9G, as shown.

Vote:	Passed	4-0-1
	Ayes:	Murphy, Martinez-Rubin, Tave, Toms
	Noes:	None
	Abstain:	Salimi
	Absent:	None

10. PUBLIC HEARINGS

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

- A. Pinole Square Permit Extension (aka Appian 80) Shopping Center **[Action: Conduct Public Hearing and Adopt Resolution per Staff Recommendation (Hanham)]**

Planning Manager David Hanham presented the staff report, and asked the City Council to conduct the public hearing and adopt a resolution approving an extension through June 16, 2023, for the entitlements adopted via Resolution Nos. 2020-50 through 2020-57 for the Pinole Square Shopping Center redevelopment project located at 1201-1577 Tara Hills Drive (APNs 402-282-002, 06, 07, 08, 09, 10, 14, and 19).

Responding to the City Council, Mr. Hanham confirmed the applicant was present via Zoom and was able to respond to the City Council if needed.

Todd Green, Hillsboro Properties, Inc., acknowledged the pandemic had had an effect and the developer needed more time, which had been the reason for the extension request.

PUBLIC HEARING OPENED

Debbie Long, Pinole, asked whether Safeway would be eligible for new entitlements if the permit extension were approved by the City Council based on new state laws. She also commented there were many RVs and vehicles parked at the rear of Safeway which appeared to be used as living spaces, and asked the applicant to provide comment.

Planning Manager Hanham acknowledged new state laws would be applied and incorporated into the plans to be submitted.

Community Development Director Lilly Whalen clarified that if the City Council chose to approve the extension, the project as entitled would stand. If there were any changes to code requirements such as building code requirements that had occurred in the meantime, the applicant would be required to comply with those new laws.

In response to the concerns with the parked RVs and vehicles, Planning Manager Hanham reported the City's Code Enforcement Officer had met with the applicant and the property owners who had agreed to implement a camera system and have a towing company respond to any complaints. Code enforcement would continue to monitor the situation in the hope the vehicles would be moved.

Mr. Green concurred with the comments provided by staff.

Tony Vossbrink, Pinole, was disappointed the City Council, City staff, and the property owners allowed the approval of multiple extensions with a disregard for public safety, such as inoperable lights in the Safeway parking lot. He too commented on the number of vehicles parked in the shopping center and the number of shoplifting incidents that had occurred in the shopping center and asked whether or not Safeway could be cited for the multiple extension requests. He was disappointed with the loss of tax dollars to the Safeway located in the City of Hercules. He suggested a traffic study should be prepared with the onset of the new buildout of the former Doctors Hospital property and the increase in traffic in the Tara Hills and Appian Way Corridor. This request had been made previously by a Planning Commissioner but had been ignored by staff, which should be required as part of approval of the extension.

Planning Manager Hanham explained that a traffic study had been prepared as part of the environmental review and land uses for the Doctors Hospital site and had been taken into consideration as part of the City Council's approval of the Mitigation and Monitoring Reporting Program (MMRP) as part of the Initial Study/Mitigated Negative Declaration (IS/MND) approved in 2020. There had also been some discussion around expanding the traffic study, although the traffic engineers at the time had determined a less than significant impact with the building since there was an existing commercial shopping center with incremental square footage increases. A traffic study had been prepared for Appian Village which included expansion of the four-legged traffic study and other mitigation measures. Due to the proximity of the two projects, both intersections had been fully evaluated. Code enforcement was aware of and was working with the applicant on code enforcement issues and there were conditions of approval related to vandalism and keeping the site in good order.

Community Development Director Whalen reiterated that code enforcement had been working with the applicant for a number of months.

Peter Myers, Pinole, was pleased that improvements would eventually come but the delay had opened up the possibility for changes in the plan presented to the City Council in 2017 when the City's needs were different. He pointed out the City did not need another gas station but housing and he asked the City Council and staff to put its own stamp on this project.

As a representative of the Zero Emission Vehicles by 2030 (ZEV2030) organization, Mr. Myers noted the City Council had previously supported a 2030 mandate to end the sale of new internal combustion vehicles. He questioned adding another gas station other than for money and asked that the City Council consider eliminating that component from the project.

Mr. Myers also expressed his hope that bicycle and pedestrian improvements for Tara Hills Drive would be included in this project and paid for by the developer.

Planning Manager Hanham clarified that all of the frontage for the Pinole Square Shopping Center would be redone and improved as part of the project including a bus turnout. The project had been approved in 2020 and the developer had included electric vehicle (EV) concessions along with the potential for the gas station to be an EV charging station in the future. The conditions of approval for the project included conditions for EV parking and conduit and the project was looking towards the future. The project plans could be shared with the public, if desired.

Planning Manager Hanham also clarified in response to the Mayor that the City was doing well meeting its Regional Housing Needs Allocation (RHNA), with approved multi-family projects chipping away at the RHNA. With the Pinole Vista project, the City would be 81 units short of its 6th Cycle Housing Element RHNA and there would be other housing opportunities in the area.

Community Development Director Whalen confirmed as part of the original approval of the project that there had been a discussion of housing on the site. There were other parcels in the area not owned by the subject property owner which had been identified as Housing Opportunity Sites.

Planning Manager Hanham also clarified the ownership of the Pinole Square property.

PUBLIC HEARING CLOSED

Council member Tave clarified with Planning Manager Hanham that the Final Map had not yet been filed and approved given issues with the land surveyor. Comments had been forwarded to the applicant, a new land surveyor was on board and the process was moving forward. The applicant would have to verify when new construction drawings were anticipated to be submitted.

Mr. Green anticipated a period of nine months to a year from the completion of the construction drawings, submittal to the City, and the start of construction. During that time, the applicant must get the construction drawings moving forward which could take four to six months.

Community Development Director Whalen detailed the findings required to be approved for the permit extension as shown in the July 19, 2022 staff report. Staff recommended approval of the permit extension based on the no change in circumstances finding.

Planning Manager Hanham reiterated that the conditions of approval contained a condition regarding EV charging stations. Submittal of a Parking Demand Management Plan had also been a condition of approval and would address pedestrian safety improvements. He also clarified there would be bike racks located throughout the shopping center and the applicant clearly defined pedestrian access on the plans.

Council member Tave had initially supported a housing overlay for the property but that had not moved forward. He found the project to be well thought out and thanked the applicant for sticking with the City to move the project forward. He too had seen people gathering at the back of the lot, understood the applicant was working with staff and code enforcement to address any issues, and asked the public to be patient while those issues were being addressed.

Community Development Director Whalen clarified the pedestrian safety improvements the Planning Manager referenced were on-site and not off-site improvements.

Planning Manager Hanham further clarified the off-site frontage improvements as part of this project involved new sidewalks, a bike lane and bus turnout on Tara Hills Drive and the improvements would extend all the way up to the intersection of Appian Way and Tara Hills Drive.

Council member Toms stated that when the applicant and Safeway had applied for entitlements they would have done an economic study which had included a gas station at that time. If the permit was extended and the gas station not included, there could be a concern that the project could not move forward. She also understood it would be around six months before construction drawings were submitted and nine months of review taking them past a year but it was possible the Final Map could be recorded before that time. She asked whether the recordation of the Final Map would be considered an exercise of the entitlement.

Planning Manager Hanham advised the Final Map was on a faster track than the improvement plans. He hoped to have the Final Map recorded within the next few months but was uncertain that exercised the entitlements.

Community Development Director Whalen explained that absent building permit issuance as the trigger to exercise the permit it was somewhat subjective. Pursuant to Section 17.10.100 (B) of the Pinole Municipal Code (PMC) which stated: *The exercise of a permit occurs when the property owner has performed substantial work and incurred substantial liabilities in good faith reliance upon such permit(s). A permit may be otherwise exercised pursuant to a condition of the permit or corresponding legal agreement that specifies that other substantial efforts or expenditures constitutes exercise of the permit.* She understood the City Council may impose an additional condition that would indicate when the permit was exercised.

City Attorney Casher confirmed the Community Development Director's comments.

Mayor Pro Tem Murphy again clarified with Planning Manager Hanham that the EV concessions as part of the project, with possibly 16 to 20 EV charging stations, would be located throughout the parking lot.

As to whether a condition could be added to reflect a required minimum of EV charging stations, City Attorney Casher cited Condition 43 of the resolution shown as Attachment A, which could be amended to add some level of specificity to that condition; however; the conditions had been significantly discussed and vetted with the financials around them discussed with the developer.

Planning Manager Hanham suggested staff could negotiate with the applicant and report back to the City Council on a specific number and location of EV charging stations. He clarified the dynamics of the project had not changed, the applicant was basing everything on the entitlements already approved, all characteristics identified in the IS/MND in 2020 remained intact and did not necessitate a change in the environmental documents.

City Attorney Casher referenced Page 2 of the resolution contained in Attachment A and the whereas clause which read: *WHEREAS, no further environmental review is necessary for the project since the scope of the project has not changed or been altered since the previous adoption of the IS/MND and MMRP.*

That whereas clause was a direct reference to the California Environmental Quality Act (CEQA), need for environmental review and the environmental impact the project would have on the City. Again there had been no changes in circumstances since the date of the entitlement which would have created a scope change requiring environmental review.

Community Development Director Whalen further added that the permit extension process was part of the PMC but not a process that could continue forever, with a maximum extension of three years.

Mayor Pro Tem Murphy stated he had reviewed the project as a member of the Planning Commission and had raised concerns with the health and safety of residents of Tara Hills given the construction of new infrastructure around fossil fuels. The new gas station remained a concern and he asked what would be entailed in the construction of a fuel pump.

Planning Manager Hanham highlighted the construction process for fuel pumps which included grading, underground storage tanks, building of the tubes into the dispenser to allow for the pumping of the gas. Construction could take six to nine months and would involve an environmental permit process with the County. No fuel would be allowed to be pumped until all required reviews were complete.

Council member Martinez-Rubin asked the applicant how eager he was to complete the project and Mr. Green emphasized they wanted to complete the project as much as if not more than the City of Pinole.

Council member Martinez-Rubin encouraged the applicant to work with staff to facilitate the process as much as possible. She also clarified with the Community Development Director the maximum period of time to extend the permit was through June 16, 2023. The project was not required to seek Planning Commission approval again and that part of the process had been completed. She offered a motion to extend the permit for Pinole Square as recommended by staff.

Given Council members were not yet finished with their comments, Council member Martinez-Rubin withdrew her motion.

Mayor Pro Tem Murphy thanked the applicant for the diligence in helping the City to grow, but at the same time he had grave concerns with the construction of any new fossil fuel infrastructure which would be a detriment to the country, State of California and the City of Pinole. Pinole had previously passed a resolution to support the development of zero emission vehicles which was important given the different types of fuel stations. He understood the applicant would be focused on more gas than oil, but underscored how gas stations had hurt communities in that underground fuel tanks oftentimes leaked, contaminated ground water and impacted a community. He emphasized the need to think about revolutionizing the way development was seen in Pinole, disagreed that everything for Hercules was good for Pinole and vice versa, and suggested this was an opportunity to revitalize a Pinole shopping center via alternative energy.

Mayor Pro Tem Murphy pointed out the Three Corridors Specific Plan had stated the City did not need more gas stations and the City Council and community was focused on more clean energy. He suggested the community was worthy of the consideration of alternative means of energy as opposed to the use of fossil fuels.

Given the desire to prioritize the public health and safety of the community and need to combat the climate crisis, Mayor Pro Tem Murphy urged a new model that did not include the infrastructure of a new gas pump. While he supported the project, he was challenged by another gas station in the community. He did not see the need and suggested there was a way to benefit from the development while also protecting the health and safety of the community. He urged the City Council to consider approving the extension of the permit but not include the gas station.

Mayor Salimi asked how feasible it would be for the applicant to move forward absent the gas station component, to which Mr. Green advised pursuant to conversations with Safeway their financials included the redevelopment of the property with a fuel center.

ACTION: Motion by Council members Martinez-Rubin/Toms to adopt a resolution approving an extension through June 16, 2023, of the entitlements adopted via Resolution Nos. 2020-50 through 2020-57 for the Pinole Square Shopping Center redevelopment project located at 1201-1577 Tara Hills Drive (APNs 402-282-002, 06, 07, 08, 09, 10, 14 & 19).

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

Mayor Salimi declared a recess at 9:07 p.m. The City Council meeting reconvened at 9:15 p.m. with all Council members and staff present either in-person or via Zoom.

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Update on the City's Use of Funds in the Section 115 Trust Fund [Action: Receive Report (Guillory)]

Finance Director Markisha Guillory presented a PowerPoint presentation on the Update on the City's Use of Funds in the Section 115 Trust Fund, which included an overview of the establishment of the Trust to set aside funds to offset the increase in the City's required annual contribution to the employee pension funded by the one-time sale of City property (Pinole Assisted Living Community). At the time the Trust had been established, the City had not created a policy specifying how to calculate the amount to be withdrawn from the Trust each year, with the City's practice to withdraw an amount equal to the increase in the City's net required annual contribution for a given year and that from FY 2018/19, the baseline year.

Finance Director Guillory highlighted a number of tables which identified the annual transfer from the Section 115 Trust, Minimum Required Employer Contribution and Employer and Employee Contributions. She clarified the majority of the year over year increases in the City's contribution had been due to increased Unfunded Accrued Liability (UAL). She also noted the employee paid City contributions had intentionally been reduced in recent years to bring the total compensation in line with that of peer agencies, which had impacted the amount the City needed to contribute.

Finance Director Guillory advised of the next steps including the engagement of an actuarial firm to estimate the remaining lifespan of the Section 115 Trust and create a written financial policy on the use of the Section 115 Trust Fund. She recommended the City Council review the report from staff on the City's use of funds in the Section 115 Trust Fund, including the formula the City had used to determine the amount of funds to be withdrawn from the fund each year.

City Manager Murray clarified the amount of the Section 115 Trust being used to pay the City's pension costs related to Net New Employees (NNEs). He explained when the Section 115 Trust had been established in Fiscal Year 2018/19, the City had 114 employees. In Fiscal Year 2022/23, there were 133 Full-Time Employees (FTEs).

City Manager Murray stated when he and the Finance Director had been oriented about the intent and purpose of the Section 115 Trust, the computation of the amount to be withdrawn was clear as articulated in the staff report, with the pension trust used to pay for the City's increased pension costs over the baseline year, a formula followed by many cities. Until a member of the public had questioned the use of the Section 115 Trust for NNEs, the issue had not come up with prior staff or prior City Council members.

The reason employee pension contributions for cities had increased so dramatically over the years was after the Great Recession when the California Public Employees' Retirement System (CalPERS) had found itself in a low funded status and had made unrealistic optimistic assumptions on the return on assets, it had found around 2013 it would have to pay out more in pension benefits since retirees were living longer with larger salaries and CalPERS was earning less on returns on assets than expected creating a gap. CalPERS had subsequently decided it needed more contribution from the participating agencies.

City Manager Murray highlighted the Public Employees' Pension Reform Act (PEPRA) adopted in 2013, which capped pension formulas and detailed how CalPERS decided to address the unfunded situation by requiring employers to make higher contributions to CalPERS to pay down the unfunded liability. The increased contributions were not related by and large to the normal costs, the amount the City must pay for employees for each additional year of service credit they received. He highlighted the amount Pinole owed CalPERS, around \$4 million in 2022, as identified in the staff report, and clarified that NNEs had no unfunded liability with the City, and most new employees were PEPRA employees with less generous benefits.

City Manager Murray advised he had seen nothing in the oral history or in writing to suggest the Section 115 Trust Fund could not be used as outlined in the staff report. The Section 115 Trust was not being used to pay for any pension obligation bonds, it was not in the budget nor in the long-term forecast but had been used to offset annual contributions.

PUBLIC COMMENTS OPENED

Rafael Menis. Pinole, spoke to Page 297 of the agenda packet and the table which had shown the employer and employee contributions and the gradual escalation of the UAL leading to the increased costs the City had been incurring. He recalled CalPERS provided a presentation to the City Council in 2021, with information on the expected increase in UAL, and with the UAL rate increasing faster than predicted. He asked whether the City had any expectation how the rate of UAL increase would change in the coming years.

As to the employee paid City contribution, Mr. Menis understood that most unions negotiated with the City to remove the increased employee payment for the City portion of the contribution to enable recruitment and retention but there was a moderate portion in the current fiscal year of employee contribution to the city contribution. He asked if that was due to the contract ratified under Consent Item 9F or other non-represented employees or other managerial non-represented employees.

City Manager Murray reiterated that CalPERS had instituted a number of reforms in the early 2010's, instituted requirements that cities that had underfunded programs made larger contributions more quickly and it was always anticipated the payments for the UAL (one-time costs) would ramp up quickly over a five-year period, level off and then decrease with cities to get to an acceptable funded status. He expected that CalPERS would increase for a couple more years and then level off. He added the City Council had requested the actuarial firm who had conducted the initial assessment of the Section 115 Trust provide a presentation for a longer-term focus and identify the remaining life span of the Section 115 Trust. All of this information had been included in the 10-Year Forecast prepared as part of the Long-Term Financial Plan (LTFP) and budget. He further clarified the City had paid employer contributions and as had been discussed on many occasions, the total employee compensation Pinole paid its employees was below market average but there had been an effort to make that compensation package more competitive with the City's peers to attract and retain great employees.

The City Council had over the past few years reduced the contribution by the employee towards what the City would normally pay for pensions, which had been reduced in fiscal year 2022/23 as a result of phasing in some reductions in employee contributions in many labor agreements but which may not have captured PPA. Employees would still be asked to pay a portion of what CalPERS considered to be a standard employer contribution in the amount of about \$400,000.

Debbie Long, Pinole, understood the contributions by public safety were higher because they negotiated for a 3 at 50 in the mid-2000s, and for that ability to retire earlier with more they would contribute more to their CalPERS account. Other cities had also required their employees to pay into Social Security, which at the time of retirement then offset the contribution required by the city. She found there was more analysis to this than the simple, "we are required to pay more than other cities." She also commented that the actuarial who had conducted the analysis of the Section 115 Trust for Pinole in 2018 had calculated the numbers based upon something different than the calculation now being requested.

Ms. Long could not deny the City Council could change the policy but suggested that any time the City hired new employees those hirings were being based on a finite fund that would expire at some point and she hoped the City Council would remain aware of that fact. She disagreed with the City Manager's comments based on correspondence she had from prior staff and based on her understanding the current City Manager had been informed of the purpose of the Section 115 Trust but since he could find nothing in writing had decided to use the Section 115 Trust in any way he found necessary. She had raised the concerns to ensure transparency and wanted to ensure the City Council did not place the City's entire finances in jeopardy in the future.

In response to the Mayor, Ms. Long understood the City had transferred \$2 million from the Section 115 Trust to balance the General Fund and expressed concern for the potential impacts when the funds in the Trust ran out and the City would be several million dollars short to balance the General Fund.

City Manager Murray explained the intent to draw from the Section 115 Trust to relieve the General Fund of the need to fund the escalating pension costs. He reported that he and Ms. Long have not had an in-person conversation about the Section 115 Trust but welcomed Ms. Long to speak with him or the Finance Director personally on this matter. He reiterated the intent of the Section 115 Trust was to pay for the increase in costs to balance the budget and the issue of whether it was used to pay for NNEs was trivial since that represented a small portion of the overall costs. The Section 115 Trust was not intended to last eternally and would be diminished and eventually extinguished and was meant to pay down the UAL, and due to PEPRA and other factors, the City would not have an unfunded status eternally. He otherwise suggested it would be worthwhile to consider a longer term forecast beyond 10-years to see what would happen to the City after the Section 115 Trust had been exhausted.

City Manager Murray added that the statement about Social Security was misleading in that employees in some cities paid into Social Security to get additional benefits in retirement from Social Security. In addition, the history about how the labor negotiations occurred and that City employees had gotten a new formula was entirely clear, had occurred years ago, and employees in many cities had negotiated more favorable pensions. The total compensation of Pinole employees as compared to peer jurisdictions in their retirement formula and other formulas remained below other peer jurisdictions and the suggestion that as part of labor negotiations of the past the City of Pinole was generously compensating all of its employees was unfounded. Based on current data, the City was providing under-market total compensation, which was not sustainable to attract and retain great employees.

City Manager Murray further explained that the money for staff salaries came from the Operating Budget, which created a new cost to the City separate from the Section 115 Trust discussion. The organizational capacity of the City had been evaluated and it had been determined the staffing levels should be reorganized to be more comparable pre-Great Recession. He added that the City had been slowly building that back up which cost more money than the existing revenue sources and the City Council had decided it was worth it to spend limited resources for the additional staff since that additional staff would provide greater levels of service to the community.

Vincent Wells, President, Local 1230, representing Pinole Firefighters and others within the County, reported the firefighters in the City of Pinole currently received 3 percent at 55 benefits and started negotiating ways to reduce the costs of its members since the amount being paid was far above other member agencies with the same benefit.

City Manager Murray commented that the City's required contribution to CalPERS had increased dramatically due to the UAL, had nothing to do with current employees but with pension formulas that had been guaranteed to employees who had long since retired and whose cities had not put aside the appropriate amount of funding in the past. He suggested it would be better and appropriate for the City to consider the UAL as a one-time liability that by and large involved retired, not current employees, and focus on the normal costs associated with new employees.

PUBLIC COMMENTS CLOSED

In response to Council member Tave, City Manager Murray stated as of fiscal year ending June 30, 2021, the Section 115 Trust Fund had a fund amount of about \$19 million with 10 percent being spent for this year although less had been spent in prior years.

The assets grew over time with investment earnings, no money was being contributed to the Section 115 Trust Fund which had been funded by the one-time sale of City property (Pinole Assisted Living Community). The General Fund reserves would help smooth revenues during difficult economic times and over the 10-year period the Section 115 Trust Fund would be exhausted. The hope was the amount in the Section 115 Trust would be large enough to get over the large increase in contributions and allow the City to reach a high enough funded status. It was described as a one-time resource to deal with a one-time problem. The City's total unfunded pension liability was between \$30 and \$40 million and the Section 115 Trust only meant to address General Fund employees who were 80 percent of the City's personnel costs.

Council member Toms commented that she had been around when the City had established the Section 115 Trust and when the City had sold the Pinole Assisted Living Community, which had generated the funds deposited into the Trust. She recalled in June 2016 that the UAL was around \$30.2 million and the City had been advised at the time it would have more control and be able to earn interest if that was paid down little by little, with the actuarial report having identified that could be done by Fiscal Year 2031/32, the peak of those payments. Whether or not that evolved or changed over the past few years, a new actuarial report would identify the current UAL, the current balances and how far that would get them. Given the funds were intended to pay the UAL and not necessarily a calculation of the baseline, the City had to look at the payment of the unfunded piece of the bill and focus on that number rather than on a calculation of the current bill minus the baseline.

City Manager Murray again highlighted Table 6, as shown on Page 4 of the July 19, 2022 staff report, which identified the Minimum Required Employer Contribution for FY 2022/23.

Council member Toms commented that when the City had increased its employees from 114 to 133, the NNEs should have come out of the Operating Budget and not from the Section 115 Trust, which was not what had been intended. Once the Town Council had received the additional report from the actuarial firm, the City Council would have the information to consider a policy which could make the Trust last longer.

City Manager Murray reiterated there had been no communication to him or to the Finance Director as to the nuisances related to the use of the Section 115 Trust. He reiterated his understanding on how the Trust was to be used. He had no objection to not using the Section 115 Trust for NNEs but that cost was around \$150,000 a year, insignificant related to the overall Operating Budget and the amount being withdrawn from the Section 115 Trust. That change could be made but it would not change the Operating Budget or dramatically change the life of the Section 115 Trust.

Council member Toms understood there was no written policy related to the Section 115 Trust and she hoped through this process the City Council could consider such a policy.

In response to Council member Tave, City Manager Murray again explained why most cities had created their own pension trusts as opposed to turning those funds over to CalPERS. The City of Pinole was using the Section 115 Trust in a very conservative way, just paying for that increased cost but technically the Section 115 Trust could be used to pay for all retirement/pension contributions. If the City owed CalPERS \$4 million this year, as an example, and found itself in a crunch, the Section 115 Trust could be used to pay that full amount.

The City also had control over how the pension trust assets were managed within certain parameters. Most cities hung on to such funds since they had the latitude to use the funds in all of the legally permissible ways if there was a financial crisis.

Further responding to Council member Tave and the Mayor, City Manager Murray clarified the City could buy itself out of CalPERS but that was a totally separate issue and he highlighted the details of how such a process may work, which carried all sorts of complications and considerations of leaving CalPERS. As to the idea of borrowing money to fully pay CalPERS, the City had a loan program with CalPERS already in that CalPERS was requiring the City to pay off the unfunded liability with no difference or benefit in taking a loan to fully fund CalPERS. As to what it would cost the City to buy itself out of CalPERS that figure would have to be clarified and staff would have to return with that information.

Council member Martinez-Rubin spoke to the next steps and the recommendation for engagement of an actuarial firm to estimate the remaining lifespan of the Section 115 Trust and create a written financial policy. She asked what the actuarial would provide that CalPERS did not already provide to public agencies.

City Manager Murray explained that every year CalPERS provided an actuarial assessment of the pension program to inform the City of the value of its assets at the end of every fiscal year and the cost of benefits promised to employees, and if underfunded, to identify the UAL. CalPERS also identified the expected required contributions which changed each year based on CalPERS' return on investments. The actuarial firm would provide a longer term forecast on the City's expected pension costs and tell the City how long the Section 115 Trust would last based on its use. He clarified that CalPERS did noting with the Section 115 Trust.

Mayor Pro Tem Murphy clarified with Finance Director Guillory that an investment policy already existed with the establishment of the Section 115 Trust, which identified the investment strategy for the funds that sat idle in the Section 115 Trust. The new policy would be geared towards computation and taking City Council direction on the components to be included.

Council member Martinez-Rubin found the use of the Section 115 Trust to be consistent with what had been presented as part of the staff report that explained the background of the creation and intent of the Section 115 Trust, and she appreciated the staff perspective on this topic. She also appreciated that CalPERS was being more responsive to smaller cities that bore the burden of funding the CalPERS requirements to contribute towards a pension fund statewide. She recommended staff also consider a presentation from CalPERS to share its perspectives in tandem at the same time as a presentation from the actuarial firm that would provide another source of information.

City Manager Murray confirmed staff would follow the Council direction. A presentation had been made by CalPERS to the City Council a year ago and could be considered as a request for a future agenda item.

Council member Toms looked forward to the report from the actuarial firm and the development of a written policy.

Mayor Pro Tem Murphy thanked staff for the informative presentation and looked forward to the next steps as outlined.

Council member Tave also thanked staff for the report and also looked forward to the report from the actuarial firm but he hoped to see example scenarios as an alternative to the traditional, such as whether or not there were possible viable options that could be considered and how they may or may not work and why.

The City Council discussed potential options, particularly with respect to the use of bonds, which it was noted were routinely for 20 to 30 years and City Manager Murray suggested rather than researching the maximum allowable period of time for a bond, the actuarial could be asked to look at such a scenario as part of possible alternatives.

City Manager Murray summarized the direction from the City Council to: receive the actuarial report, identify the cost of buying out of the CalPERS system, identify the maximum term of a bond and after the presentation from the actuarial firm, do whatever the City Council directed regarding the creation of a new Financial Policy related to the use of the Section 115 Trust.

The City Council returned to agenda Item 7D at this time.

7. REPORTS & COMMUNICATIONS

D. Council Requests for Future Agenda Items

Mayor Pro Tem Murphy requested a future agenda item to have a discussion and action on a 10-Year Forecast Budget as opposed to a Five-Year Budget.

City Manager Murray commented that the longer the time frame for a forecast the more speculative it would become, although there were changes that were known which could be incorporated. He suggested a longer term financial forecast beyond when the Section 115 Trust would be exhausted would be valuable. He suggested a 10-year or possibly 20-year forecast be considered prior to the next LTFP development process which would be feasible and beneficial. Consensus given.

Mayor Pro Tem Murphy requested a future agenda item to discuss a resolution urging Contra Costa County to take immediate measures to phase out existing oil and gas operations on County lands and prohibit any new drilling in the County. Consensus given (Council member Toms abstained since her day job would deal with this issue and Council member Martinez-Rubin was opposed).

Mayor Salimi requested information on the amount of revenue the County was generating from oil and gas and how much of the County's budget represented oil and gas companies.

City Manager Murray explained that the staff report for the item would include the background and the types of revenues the County enjoyed.

Council member Martinez-Rubin asked that staff also research the impacts of doing away with fuel-related industry, how it would impact employment in the County and the impacts of the lack of that industry in neighboring cities, such as the City of Richmond as an example.

Council member Martinez-Rubin requested a future agenda item in tandem with a presentation from the City's actuarial firm, for a representative from CalPERS to be invited to provide a presentation on CalPERS' planned changes that may affect contributions to the pension fund. Consensus given.

Mayor Salimi requested a future agenda item on Capital Improvement Program (CIP) needs in the next 10-years and was informed by the City Manager the natural time to have that conversation would be when the CIP was next discussed in 2023. Staff could not accelerate the completion of assessments currently under way but staff had information on the Pavement Condition Index (PCI).

City Manager Murray suggested if the Mayor wanted a presentation on the condition of the City's roads and the required funding to reach certain conditions that could be done. If the Mayor was seeking some sort of education program, staff would need an agenda item to discuss that further.

Mayor Salimi sought a presentation on the state of the City's roads and that conversation could include how to move forward but while consensus was given, the Mayor withdrew his request at this time to allow staff time to receive a report from consultants hired by the Metropolitan Transportation Commission (MTC).

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

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

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

City Clerk Bell reported there were no public comments.

14. ADJOURNMENT to the Regular City Council Meeting of August 2, 2022 in Remembrance of Amber Swartz, Mike Franklin and Soraya Hosseini.

At 10:58 p.m., Mayor Salimi adjourned the meeting to the Regular City Council Meeting of August 2, 2022 in Remembrance of Amber Swartz, Mike Franklin and Soraya Hosseini.

Submitted by:

Heather Bell, CMC
City Clerk

Approved by City Council:



City of Pinole, CA

9B WARRANT LISTING By Vendor Name

Payment Dates 7/16/2022 - 7/29/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: AAA03 - AAA FIRE PROTECTION SERVICES					
12463093	99568	07/22/2022	209-552-42107	LABOR EXHAUST CLEANING PSC	2,043.21
Vendor AAA03 - AAA FIRE PROTECTION SERVICES Total:					2,043.21
Vendor: PRO18 - ADT COMMERCIAL					
07042022	99587	07/29/2022	209-553-42108	TINY TOTS ALARM SYSTEM	93.20
Vendor PRO18 - ADT COMMERCIAL Total:					93.20
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
19593757 070722	99569	07/22/2022	100-222-42201	WATER FOR PD	234.19
Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:					234.19
Vendor: 2063 - ALLIANT INSURANCE SERVICES, INC.					
2003421	99588	07/29/2022	100-231-46201	VEHICLE PROGRAM POLICY RENEWAL	4,369.00
Vendor 2063 - ALLIANT INSURANCE SERVICES, INC. Total:					4,369.00
Vendor: AME52 - AMERICAN MESSAGING SERVICE, LLC					
W4102378WG	99589	07/29/2022	525-118-43101	MESSAGING SERVICES FIRE SERVIE 0701-073122	45.31
Vendor AME52 - AMERICAN MESSAGING SERVICE, LLC Total:					45.31
Vendor: ARA01 - ARAMARK UNIFORM SERVICES					
5970 JUNE 2022	99590	07/29/2022	100-342-44410	MONTHLY STATEMENT-GENERAL MAINTENANCE	217.00
5970 JUNE 2022	99590	07/29/2022	100-343-44410	MONTHLY STATEMENT-GENERAL MAINTENANCE	1,104.73
5970 JUNE 2022	99590	07/29/2022	500-642-44410	MONTHLY STATEMENT-GENERAL MAINTENANCE	651.01
Vendor ARA01 - ARAMARK UNIFORM SERVICES Total:					1,972.74
Vendor: ARM04 - ARMOR LOCKSMITH SERVICES					
79097	99591	07/29/2022	100-343-44306	FLEXOLOCK KEY DUPLICATIONS CY	254.06
79109	99591	07/29/2022	100-343-44306	KEY RING AND DUPLICATION CY	14.89
79135	99591	07/29/2022	100-343-44306	KEY DUPLICATION CY	33.45
Vendor ARM04 - ARMOR LOCKSMITH SERVICES Total:					302.40
Vendor: BAY04 - BAY AREA BARRICADE SVC.					
0033322	99592	07/29/2022	100-343-44410	JACKET, RAIN PANT, BOOT AND VESTS CY	174.34
R92815	99570	07/22/2022	100-551-42515	BARRICADE TYPE 1 CAR SHOW JUNE 2022	1,517.00
Vendor BAY04 - BAY AREA BARRICADE SVC. Total:					1,691.34
Vendor: BAY34 - BAY AREA NEWS GROUP- EAST BAY					
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	75.60
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	144.90
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	154.80
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	159.30
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	159.30
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	108.00
0001343519	99571	07/22/2022	100-112-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	144.90

WARRANT LISTING

Payment Dates: 7/16/2022 - 7/29/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
0001343519	99571	07/22/2022	212-461-42514	CLASSIFIED ADVERTISING NEWSPAPER CITYWIDE	262.80
Vendor BAY34 - BAY AREA NEWS GROUP- EAST BAY Total:					1,209.60
Vendor: ESP01 - BELINDA ESPINOSA					
AUGUST 2022	99593	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	494.00
Vendor ESP01 - BELINDA ESPINOSA Total:					494.00
Vendor: 2093 - BEST BEST & KRIEGER LLP					
940388	99572	07/22/2022	100-116-42102	PROFESSIONAL SERVICES JUNE 2022	1,595.00
Vendor 2093 - BEST BEST & KRIEGER LLP Total:					1,595.00
Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS					
6343093	99573	07/22/2022	209-552-43804	FOOD PROGRAM SUPPLIES PSC	1,366.34
Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:					1,366.34
Vendor: BOU01 - BOUND TREE MEDICAL, LLC					
84589961	99594	07/29/2022	100-231-42104	MEDICAL SUPPLIES FIRE	350.25
84594605	99594	07/29/2022	100-231-42104	SODIUM BICARBONATE MEDICAL SUPPLIES FIRE	179.95
Vendor BOU01 - BOUND TREE MEDICAL, LLC Total:					530.20
Vendor: BRO33 - BROADCAST MUSIC INC					
43747934	99595	07/29/2022	209-551-42101	ANNUAL FEE RECREATION	391.00
Vendor BRO33 - BROADCAST MUSIC INC Total:					391.00
Vendor: CAL97 - CALIFORNIA BUILDING STANDARDS COMMISSION					
Q2 2022	99574	07/22/2022	212-462-34211	CBSC FEES Q2 APRIL - JUNE 2022	268.13
Vendor CAL97 - CALIFORNIA BUILDING STANDARDS COMMISSION Total:					268.13
Vendor: PER03 - CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTM					
100000016851523	99575	07/22/2022	100-117-41004	CLASSIC MISC UNFUNDED ACCRUED LIABILITY	122,253.58
100000016851532	99575	07/22/2022	100-117-41004	CLASSIC SAFETY UNFUNDED ACCRUED LIABILITY	146,841.25
100000016851541	99575	07/22/2022	100-117-41004	PEPRA SAFETY FIRE UNFUNDED LIABILITY	137.08
100000016851551	99575	07/22/2022	100-117-41004	PEPRA SAFETY POLICE UNFUNDED ACCRUED LIABILITY	859.08
100000016851560	99575	07/22/2022	100-117-41004	PEPRA MISC UNFUNDED ACCRUED LIABILITY	486.25
Vendor PER03 - CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTM Total:					270,577.24
Vendor: 2404 - CALIFORNIA STATE UNIVERSITY, FRESNO FOUNDATION					
07012022	99576	07/22/2022	100-466-42401	REGISTRATION FEE TO ECONOMIC DEVELOPMENT TRAINING	700.00
Vendor 2404 - CALIFORNIA STATE UNIVERSITY, FRESNO FOUNDATION Total:					700.00
Vendor: CCP03 - CCP INDUSTRIES					
IN03015375	99596	07/29/2022	100-343-44410	PROWORKS MASK CY	79.35
IN03059967	99596	07/29/2022	100-343-44410	SAFETY GLASSES AND CAUTION TAPE CORY YARD	255.06
Vendor CCP03 - CCP INDUSTRIES Total:					334.41
Vendor: 2384 - CLEARSOURCE FINANCIAL CONSULTING					
UFC0622-463	99577	07/22/2022	100-115-42101	OVERHEAD COST COMP FEE STUDY FINANCE	11,220.00
Vendor 2384 - CLEARSOURCE FINANCIAL CONSULTING Total:					11,220.00
Vendor: 2405 - CLIENTFIRST CONSULTING GROUP, LLC.					
13687	99578	07/22/2022	525-118-42101	PM SERVICES UPGRAD LICENSING SOFTWARE	5,845.00

WARRANT LISTING

Payment Dates: 7/16/2022 - 7/29/2022

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
13705	99578	07/22/2022	525-118-42101	PM SERVICES UPGRADE LICENSING SOFTWARE	657.50
Vendor 2405 - CLIENTFIRST CONSULTING GROUP, LLC. Total:					6,502.50
Vendor: 2242 - COLE PRO MEDIA, LLC					
3041	99597	07/29/2022	225-221-42514	TRANSPARENCY ENGAGEMENT JULY 2022 PD	2,000.00
Vendor 2242 - COLE PRO MEDIA, LLC Total:					2,000.00
Vendor: COM20 - COMCAST					
0050875-07142022	99598	07/29/2022	100-117-43105	CABLE UTILITIES CH	29.85
0253131-07092022	99598	07/29/2022	100-231-43105	CABLE UTILITIES FIRE DPT	10.67
0363450-07012022	99598	07/29/2022	215-341-43101	CABLE CORRIDOR I80 PROJECT PW	240.31
0409972-07012022	99598	07/29/2022	100-231-43105	CABLE UTILITIES FIRE STATION 74	113.80
Vendor COM20 - COMCAST Total:					394.63
Vendor: 1539 - CORDICO PSYCHOLOGICAL CORPORATION					
5940	99599	07/29/2022	100-221-42101	PRE-EMP PSYCH EVAL PD	400.00
Vendor 1539 - CORDICO PSYCHOLOGICAL CORPORATION Total:					400.00
Vendor: 1445 - CORTEZ TIRES AND AUTO REPAIR					
19657	99600	07/29/2022	100-221-42107	BATTERY PD	164.61
19968	99579	07/22/2022	100-221-42107	POLICE CAR MAINTENANCE PD	3,447.64
21047	99579	07/22/2022	100-221-42107	FORD EXPLORER ELECTRICAL ISSUE PD	390.00
21378	99600	07/29/2022	100-221-42107	ENGINE LIGHT ON OIL CHANGE BATTERY PD CAR	260.37
21523	99600	07/29/2022	100-221-42107	PURGE VALVE CAR MAINT PD	305.58
Vendor 1445 - CORTEZ TIRES AND AUTO REPAIR Total:					4,568.20
Vendor: COO13 - DANA COOK					
AUGUST 2022	99601	07/29/2022	100-117-41101	2022 RETIREE MEDICAL REIMB AUGUST 2022	243.37
Vendor COO13 - DANA COOK Total:					243.37
Vendor: DEP02 - DEPARTMENT OF CONSERVATION					
Q2 2022	99580	07/22/2022	212-462-33215	SMIP FEES	870.89
Vendor DEP02 - DEPARTMENT OF CONSERVATION Total:					870.89
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
84635851	99602	07/29/2022	100-10601	GASOLINE UNL CY	1,922.86
84640423	99602	07/29/2022	100-10602	ULSD CLEAR FIRE	3,246.06
84646505	99602	07/29/2022	100-10601	GASOLINE UNL CY	2,458.29
Vendor 1443 - DIESEL DIRECT WEST, INC. Total:					7,627.21
Vendor: EBM01 - EBMUD					
539199-07072022	99603	07/29/2022	500-642-43102	05005 HYDRAND PERMIT- CONSTRUCTION	622.56
Vendor EBM01 - EBMUD Total:					622.56
Vendor: GAT07 - GATEWAY PINOLE VISTA, LLC					
AUGUST 2022	99604	07/29/2022	201-343-42513	1340 LEASE FITZGERALD DRIVE	100.00
Vendor GAT07 - GATEWAY PINOLE VISTA, LLC Total:					100.00
Vendor: HDL01 - HDL COREN AND CONE					
SIN020011	99605	07/29/2022	100-115-42101	PROPERTY TAX SERVICE JULY - SEPT. 2022	2,125.00
Vendor HDL01 - HDL COREN AND CONE Total:					2,125.00
Vendor: IMA01 - IMAGE SALES, INC.					
0072962-IN	99606	07/29/2022	100-222-42201	ID CARDS BADGES PD	46.86
Vendor IMA01 - IMAGE SALES, INC. Total:					46.86
Vendor: 2406 - INFINITE CREATIVE ENTERPRISES, INC.					
100217	99581	07/22/2022	225-221-42514	MASSAGE CHAIR FOR ZEN ROOM PD	6,348.00
Vendor 2406 - INFINITE CREATIVE ENTERPRISES, INC. Total:					6,348.00

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: JWE01 - J. W. ENTERPRISES - NORTH					
242274	99607	07/29/2022	100-117-42511	PORTABLE TOILET RENTAL CAR SHOW 062422	201.40
242275	99607	07/29/2022	100-117-42511	PORTALBE TOILET RENTAL CAR SHOW 06242022	412.45
242276	99607	07/29/2022	100-117-42511	PORTABLE TOILET RENTAL CAR SHOW 06242022	613.85
Vendor JWE01 - J. W. ENTERPRISES - NORTH Total:					1,227.70
Vendor: MEL05 - JAMES MELVIN					
AUGUST 2022	99608	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	154.10
Vendor MEL05 - JAMES MELVIN Total:					154.10
Vendor: 2364 - JEFFREY TEEL					
07182022	99582	07/22/2022	100-221-42302	REIMBURSEMENT MILEAGE FOR PD ACADEMY	421.20
Vendor 2364 - JEFFREY TEEL Total:					421.20
Vendor: 1630 - JOHN AND CLAIRE INVESTIGATIONS					
1351	99609	07/29/2022	100-222-42101	PROFESSIONAL SERVICES PD	1,139.70
Vendor 1630 - JOHN AND CLAIRE INVESTIGATIONS Total:					1,139.70
Vendor: HAR29 - JOHN HARDESTER					
AUGUST 2022	99610	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	250.50
Vendor HAR29 - JOHN HARDESTER Total:					250.50
Vendor: MIS01 - JULIAN MISRA					
AUGUST 2022	99611	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	221.80
Vendor MIS01 - JULIAN MISRA Total:					221.80
Vendor: 2407 - KAREN PALAZZARI					
07262022	99612	07/29/2022	100-465-42508	CLAIM SETTLEMENT FOR PROPERTY DAMAGE INCIDENT	855.00
Vendor 2407 - KAREN PALAZZARI Total:					855.00
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000031268	99613	07/29/2022	500-641-44302	SLUDGE REMOVAL WPCP	12,010.98
Vendor KEL09 - KELLER CANYON LANDFILL Total:					12,010.98
Vendor: COP02 - KENETH COPPO					
AUGUST 2022	99614	07/29/2022	100-117-41101	2022 RETIREE MEDICAL REIMB AUGUST 2022	1,148.64
Vendor COP02 - KENETH COPPO Total:					1,148.64
Vendor: LAR04 - LARRY WALKER ASSOCIATES					
00243.11-15	99615	07/29/2022	500-641-42101	NPDES PERMIT WPCP SERVICES THROUGH 06302022	7,733.75
Vendor LAR04 - LARRY WALKER ASSOCIATES Total:					7,733.75
Vendor: MAC04 - MACK TREE CO					
07122022	99616	07/29/2022	100-231-42101	2282 JOHANNA CT FUEL REDUCTION PROGRAM FIRE	9,850.00
Vendor MAC04 - MACK TREE CO Total:					9,850.00
Vendor: DRA01 - MARY DRAZBA					
AUGUST 2022	99617	07/29/2022	100-117-41101	2022 RETIREE MEDICAL REIMB AUGUST 2022	404.34
Vendor DRA01 - MARY DRAZBA Total:					404.34
Vendor: ROB21 - MARY ROBERTS					
AUGUST 2022	99618	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	170.10
Vendor ROB21 - MARY ROBERTS Total:					170.10

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1115 - MICHELLE FITZER					
AUGUST 2022	99619	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	372.30
Vendor 1115 - MICHELLE FITZER Total:					372.30
Vendor: MYE01 - MYERS STEVENS & TOOHEY CO					
1383510	99583	07/22/2022	100-221-41008	LONG TERM DISABILITY	356.40
1383510	99583	07/22/2022	100-223-41008	LONG TERM DISABILITY	193.50
1383510	99583	07/22/2022	105-221-41008	LONG TERM DISABILITY	118.80
Vendor MYE01 - MYERS STEVENS & TOOHEY CO Total:					668.70
Vendor: 2007 - NATIONAL AUTO FLEET GROUP					
WF3912	99584	07/22/2022	160-342-47104	2021 FORD SUPER DUTY F350	39,434.19
Vendor 2007 - NATIONAL AUTO FLEET GROUP Total:					39,434.19
Vendor: OTI01 - OTIS ELEVATOR COMPANY					
100400854328	99620	07/29/2022	100-343-42108	ELEVATOR MAINT SERVICE 0801- 08312022 CH	120.69
Vendor OTI01 - OTIS ELEVATOR COMPANY Total:					120.69
Vendor: 2183 - PAC MACHINE COMPANY, INC.					
87381	99621	07/29/2022	500-641-44306	TSURUMI DEWATERING PUMP WPCP	633.31
Vendor 2183 - PAC MACHINE COMPANY, INC. Total:					633.31
Vendor: PAC55 - PACIFIC SITE MANAGEMENT					
61779	99622	07/29/2022	100-222-42108	MONTHLY LANDSCAPE SERVICES	125.93
61779	99622	07/29/2022	100-231-42108	MONTHLY LANDSCAPE SERVICES	337.43
61779	99622	07/29/2022	100-343-42108	MONTHLY LANDSCAPE SERVICES	180.02
61779	99622	07/29/2022	100-345-42108	MONTHLY LANDSCAPE SERVICES	5,787.95
61779	99622	07/29/2022	200-342-42108	MONTHLY LANDSCAPE SERVICES	335.81
61779	99622	07/29/2022	201-343-42108	MONTHLY LANDSCAPE SERVICES	548.93
61779	99622	07/29/2022	209-552-42108	MONTHLY LANDSCAPE SERVICES	204.23
61779	99622	07/29/2022	209-553-42108	MONTHLY LANDSCAPE SERVICES	212.31
61779	99622	07/29/2022	209-557-42108	MONTHLY LANDSCAPE SERVICES	212.31
61779	99622	07/29/2022	310-347-42108	MONTHLY LANDSCAPE SERVICES	62.16
61779	99622	07/29/2022	310-348-42108	MONTHLY LANDSCAPE SERVICES	65.37
Vendor PAC55 - PACIFIC SITE MANAGEMENT Total:					8,072.45
Vendor: ATH02 - PATRICIA ATHENOUR					
AUGUST 2022	99623	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	170.10
Vendor ATH02 - PATRICIA ATHENOUR Total:					170.10
Vendor: CLA17 - PAUL CLANCY					
AUGUST 2022	99624	07/29/2022	100-117-41101	2022 RETIREE MEDICAL REIMB AUGUST 2022	313.66
Vendor CLA17 - PAUL CLANCY Total:					313.66
Vendor: PGE01 - PG&E					
0217-07182022	99625	07/29/2022	100-345-43103	TENNENT & PARK ST CLUB HOUSE	19.61
0813-07182022	99625	07/29/2022	200-342-43103	2149 1/2 APPIAN WAY TRAFFIC SIGNAL	60.37
0883-07132022	99625	07/29/2022	100-222-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	547.70

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
0883-07132022	99625	07/29/2022	100-223-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	109.54
0883-07132022	99625	07/29/2022	100-231-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	438.16
0923-07182022	99625	07/29/2022	100-110-43103	2131 PEAR ST	127.63
0923-07182022	99625	07/29/2022	100-111-43103	2131 PEAR ST	167.93
0923-07182022	99625	07/29/2022	100-112-43103	2131 PEAR ST	184.74
0923-07182022	99625	07/29/2022	100-115-43103	2131 PEAR ST	460.12
0923-07182022	99625	07/29/2022	100-116-43103	2131 PEAR ST	134.34
0923-07182022	99625	07/29/2022	100-117-43103	2131 PEAR ST	1,494.56
0923-07182022	99625	07/29/2022	100-343-43103	2131 PEAR ST	2,784.25
0923-07182022	99625	07/29/2022	200-342-43103	2131 PEAR ST	486.99
0923-07182022	99625	07/29/2022	212-461-43103	2131 PEAR ST	201.51
0923-07182022	99625	07/29/2022	212-462-43103	2131 PEAR ST	507.14
0923-07182022	99625	07/29/2022	285-464-43103	2131 PEAR ST	167.93
1156-07142022	99625	07/29/2022	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	13.78
1156-07142022	99625	07/29/2022	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	20.67
1462-07132022	99625	07/29/2022	209-552-43103	2500 CHARLES ST SENIOR CENTER	197.36
1801-07102022	99625	07/29/2022	209-553-43103	2454 SIMAS AVE REC CTR & POOL	14.97
2506-07182022	99625	07/29/2022	215-341-43103	701 Pinon/2489 San Pablo- Electric CHGS	33.67
3029-07142022	99625	07/29/2022	100-345-43103	1270 ADOBE RD @ OUTSIDE BATHROOMS	113.52
3537-07182022	99625	07/29/2022	100-343-43103	659 TENNENT AVE PARKING LOT LIGHTS	91.30
3834-07072022	99625	07/29/2022	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	25.50
3850-07182022	99625	07/29/2022	100-345-43103	601 TENNENT AVE CARETAKER'S SHED	181.56
3914-07182022	99625	07/29/2022	100-345-43103	FERNANDEZ PARK BALLPARK LIGHTING	119.08
4065-07182022	99625	07/29/2022	209-559-43103	2937 PINOLE VALLEY RD TENNIS CT LIGHTS	150.76
4157-07122022	99625	07/29/2022	100-222-43103	809 CITY HALL	16.64
4368-07182022	99625	07/29/2022	200-342-43103	APPIAN WAY & TARA HILLS TRAFFIC SIGNAL	127.71
4612-07182022	99625	07/29/2022	201-343-43103	2100 SAN PABLO AVE FARIA HOUSE	43.11
5137-07152022	99625	07/29/2022	209-557-43103	2450 SIMAS AVE SWIM CTR	804.23
5274-07122022	99625	07/29/2022	201-343-43103	2361 SAN PABLO AVE OLD BANK BUILDING	9.35
6043-07122022	99625	07/29/2022	100-231-43103	3790 PINOLE VALLEY RD	24.45
6969-07182022	99625	07/29/2022	201-343-43103	2361 SAN PABLO AVE PARKING LOT LIGHTS	116.69
7186-07132022	99625	07/29/2022	209-558-43103	601 TENNENT AVE PUBLIC MEETING HALL	8.66
7509-07182022	99625	07/29/2022	200-342-43103	TARA HILLS DR 500 FT APPIAN WAY TRAFFIC SIGNAL	62.47
8517-07122022	99625	07/29/2022	500-642-43103	FRT OF 3490 SAVAGE AVE PUMP FOR SEWER	9.96
8716-07132022	99625	07/29/2022	500-641-43103	SEWAGE PLNT-FT OF TENNENT	2,332.45
9985-07182022	99625	07/29/2022	201-343-43103	NEAR 795 FERNANDEZ PARKING LOT LIGHTS	184.86
				Vendor PGE01 - PG&E Total:	12,595.27
Vendor: 1450 - RUBENSTEIN SUPPLY COMPANY					
S2389218.001	99627	07/29/2022	100-343-44306	PASCO CLOSET URINAL CY	60.17
				Vendor 1450 - RUBENSTEIN SUPPLY COMPANY Total:	60.17

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1714 - SHERRI D. LEWIS					
CC01PINOLE-FY2022/23	99628	07/29/2022	100-110-42514	PREPARE CITY COUNCIL MINUTES 070522	900.00
CC02PINOLE-FY2022/23	99628	07/29/2022	100-110-42514	PREPARE CITY COUNCIL MINUTES 07122022	637.50
CC03PINOLE-FY2022/23	99628	07/29/2022	100-110-42514	PREPARE MINUTES CITY COUNCIL 07132022	637.50
Vendor 1714 - SHERRI D. LEWIS Total:					2,175.00
Vendor: STA42 - STAPLES BUSINESS CREDIT					
1642804821	99629	07/29/2022	100-115-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	412.24
1642804821	99629	07/29/2022	100-117-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	96.80
1642804821	99629	07/29/2022	100-117-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	193.12
1642804821	99629	07/29/2022	100-222-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	361.80
1642804821	99629	07/29/2022	100-222-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	183.94
1642804821	99629	07/29/2022	100-222-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	39.01
1642804821	99629	07/29/2022	100-231-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	51.56
1642804821	99629	07/29/2022	100-343-44306	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	89.98
1642804821	99629	07/29/2022	212-462-42201	OFFICE SUPPLIES CITYWIDE FROM 05-06-22 06202022	193.12
Vendor STA42 - STAPLES BUSINESS CREDIT Total:					1,621.57
Vendor: 1253 - TARAH ORNELAS					
787	99585	07/22/2022	209-551-42515	POSTERS FOR SUMMER EVENTS PSC	145.66
Vendor 1253 - TARAH ORNELAS Total:					145.66
Vendor: KRI01 - TERRI KRIEGER					
AUGUST 2022	99630	07/29/2022	100-117-41101	2022 RETIREE MEDICARE REIMB AUGUST 2022	250.50
Vendor KRI01 - TERRI KRIEGER Total:					250.50
Vendor: OFF11 - THE OFFICE CITY					
IN-1750929	99586	07/22/2022	500-641-42201	OFFICE SUPPLIES WPCP	128.54
IN-1751019	99586	07/22/2022	500-641-42201	OFFICE SUPPLIES WPCP	4.59
Vendor OFF11 - THE OFFICE CITY Total:					133.13
Vendor: 2365 - TRIPEPI, SMITH AND ASSOCIATES, INC.					
8279	99631	07/29/2022	100-111-42101	COMMUNICATIONS ASSESSMENT SERVICES	5,000.00
Vendor 2365 - TRIPEPI, SMITH AND ASSOCIATES, INC. Total:					5,000.00
Vendor: UND01 - UNDERGROUND SERVICE ALERT					
2022124265	99632	07/29/2022	500-642-42514	2022 MEMBERSHIP TICKETS FEE	2,266.10
Vendor UND01 - UNDERGROUND SERVICE ALERT Total:					2,266.10
Vendor: UNI38 - UNIVAR USA INC					
50376897	99633	07/29/2022	500-641-44303	SOD BISULFITE BULK WPCP CHEMICALS	7,888.50
50411041	99633	07/29/2022	500-641-44303	SOD HYPO BULK CHEMICALS WPCP	7,296.66
Vendor UNI38 - UNIVAR USA INC Total:					15,185.16
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
3383	99634	07/29/2022	100-222-42108	JANITORIAL SUPPLIES FIRE	346.38
Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:					346.38
Vendor: VAL04 - VALLEJO FIRE EXTINGUISHER					
93657	99635	07/29/2022	100-222-42514	FIRE EXTINGUISHER SERVICE MAINT PD	498.26

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Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
93658	99635	07/29/2022	100-222-42514	FIRE EXTINGUISHER SERVICE MAINT PD	71.34
Vendor VAL04 - VALLEJO FIRE EXTINGUISHER Total:					569.60
Vendor: 2064 - VELODYNE					
0000025098	99636	07/29/2022	500-641-44306	PLUMBING SUPPLIES WPCP	111.79
Vendor 2064 - VELODYNE Total:					111.79
Vendor: WES01 - WESTERN EXTERMINATOR CO.					
109228C	99637	07/29/2022	209-552-42108	PEST CONTROL PSC	77.40
25431591	99637	07/29/2022	209-554-42108	PEST CONTROL MAINTENACE PYC	128.35
25431904	99637	07/29/2022	100-343-42108	PEST CONTROL MAINT CH	100.00
25432097	99637	07/29/2022	209-558-42108	PEST CONTROL MAINTENANCE PYC	118.25
25432607	99637	07/29/2022	100-222-42108	PEST CONTROL MAINTENANCE PD	114.65
25432623	99637	07/29/2022	209-552-42108	PEST CONTROL MAINTENANCE PSC	77.40
25432631	99637	07/29/2022	100-343-42108	PEST CONTROL MAINTENACE WPCP	69.00
Vendor WES01 - WESTERN EXTERMINATOR CO. Total:					685.05
Grand Total:					457,805.12

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	350,436.71
105 - Measure S -2006	118.80
160 - EQUIPMENT RESERVE	39,434.19
200 - Gas Tax Fund	1,073.35
201 - Restricted Real Estate Maintenance Fund	1,002.94
209 - Recreation Fund	6,259.42
212 - Building & Planning	2,303.59
215 - Measure C and J Fund	273.98
225 - Asset Seizure-Adjudicated Fund	8,348.00
285 - Housing Land Held for Resale	167.93
310 - Lighting & Landscape Districts	127.53
500 - Sewer Enterprise Fund	41,690.20
505 - Cable Access TV	20.67
525 - Information Systems	6,547.81
Grand Total:	457,805.12

Account Summary

Account Number	Account Name	Payment Amount
100-10601	Gas Tanks/Corp Yard	4,381.15
100-10602	Gas Tanks/Fire Station	3,246.06
100-110-42514	Admin Exp/Special Depart	2,175.00
100-110-43103	Utilities/Electricity & Pow...	127.63
100-111-42101	Prof Svcs/Professional Ser...	5,000.00
100-111-43103	Utilities/Electricity & Pow...	167.93
100-112-42514	Admin Exp/Special Depart	946.80
100-112-43103	Utilities/Electricity & Pow...	184.74
100-115-42101	Prof Svcs/Professional Ser...	13,345.00
100-115-42201	Office Expense	412.24
100-115-43103	Utilities/Electricity & Pow...	460.12
100-116-42102	Prof Svcs/Attorney Servic...	1,595.00
100-116-43103	Utilities/Electricity & Pow...	134.34
100-117-41004	Emp Benefits/PERS Retir...	270,577.24
100-117-41101	Retiree Benefits/Medical...	4,193.41
100-117-42201	Office Expense	289.92
100-117-42511	Admin Exp/Equipment Re...	1,227.70
100-117-43103	Utilities/Electricity & Pow...	1,494.56
100-117-43105	Utilities/Cable	29.85
100-221-41008	Emp Benefits/Long Term ...	356.40
100-221-42101	Prof Svcs/Professional Ser...	400.00
100-221-42107	Prof Svcs/Equipment Mai...	4,568.20
100-221-42302	Travel & Training/Mileage...	421.20
100-222-42101	Prof Svcs/Professional Ser...	1,139.70
100-222-42108	Prof Svcs/Building-Structu...	586.96
100-222-42201	Office Expense	865.80
100-222-42514	Admin Exp/Special Depart	569.60
100-222-43103	Utilities/Electricity & Pow...	564.34
100-223-41008	Emp Benefits/Long Term ...	193.50
100-223-43103	Utilities/Electricity & Pow...	109.54
100-231-42101	Prof Svcs/Professional Ser...	9,850.00
100-231-42104	Prof Svcs/Paramedic Servi...	530.20
100-231-42108	Prof Svcs/Building-Structu...	337.43
100-231-42201	Office Expense	51.56
100-231-43103	Utilities/Electricity & Pow...	488.11
100-231-43105	Utilities/Cable	124.47
100-231-46201	Insurance/General Liability	4,369.00
100-342-44410	Safety Clothing	217.00
100-343-42108	Prof Svcs/Building-Structu...	469.71

Account Summary

Account Number	Account Name	Payment Amount
100-343-43103	Utilities/Electricity & Pow...	2,875.55
100-343-44306	Other Materials Supp/Ma...	452.55
100-343-44410	Safety Clothing	1,613.48
100-345-42108	Prof Svcs/Building-Structu...	5,787.95
100-345-43103	Utilities/Electricity & Pow...	433.77
100-465-42508	Admin Exp/Settlement	855.00
100-466-42401	Dues & Pub/Memberships	700.00
100-551-42515	Admin Exp/Special Events	1,517.00
105-221-41008	Emp Benefits/Long Term ...	118.80
160-342-47104	FF&E/Vehicles	39,434.19
200-342-42108	Prof Svcs/Building-Structu...	335.81
200-342-43103	Utilities/Electricity & Pow...	737.54
201-343-42108	Prof Svcs/Building-Structu...	548.93
201-343-42513	Admin Exp/Rent	100.00
201-343-43103	Utilities/Electricity & Pow...	354.01
209-551-42101	Prof Svcs/Professional Ser...	391.00
209-551-42515	Admin Exp/Special Events	145.66
209-552-42107	Prof Svcs/Equipment Mai...	2,043.21
209-552-42108	Prof Svcs/Building-Structu...	359.03
209-552-43103	Utilities/Electricity & Pow...	197.36
209-552-43804	Program Cost/Food Progr...	1,366.34
209-553-42108	Prof Svcs/Building-Structu...	305.51
209-553-43103	Utilities/Electricity & Pow...	14.97
209-554-42108	Prof Svcs/Building-Structu...	128.35
209-554-43103	Utilities/Electricity & Pow...	13.78
209-557-42108	Prof Svcs/Building-Structu...	212.31
209-557-43103	Utilities/Electricity & Pow...	804.23
209-558-42108	Prof Svcs/Building-Structu...	118.25
209-558-43103	Utilities/Electricity & Pow...	8.66
209-559-43103	Utilities/Electricity & Pow...	150.76
212-461-42514	Admin Exp/Special Depart	262.80
212-461-43103	Utilities/Electricity & Pow...	201.51
212-462-33215	Permit/Seismic (Strong M...	870.89
212-462-34211	Fees/CA State Building Fee	268.13
212-462-42201	Office Expense	193.12
212-462-43103	Utilities/Electricity & Pow...	507.14
215-341-43101	Utilities/Telephone	240.31
215-341-43103	Utilities/Electricity & Pow...	33.67
225-221-42514	Admin Exp/Special Depart	8,348.00
285-464-43103	Utilities/Electricity & Pow...	167.93
310-347-42108	Prof Svcs/Building-Structu...	62.16
310-348-42108	Prof Svcs/Building-Structu...	65.37
500-641-42101	Prof Svcs/Professional Ser...	7,733.75
500-641-42201	Office Expense	133.13
500-641-43103	Utilities/Electricity & Pow...	2,332.45
500-641-44302	Other Materials Supp/Slu...	12,010.98
500-641-44303	Other Materials Supp/Ch...	15,185.16
500-641-44306	Other Materials Supp/Ma...	745.10
500-642-42514	Admin Exp/Special Depart	2,266.10
500-642-43102	Utilities/Water	622.56
500-642-43103	Utilities/Electricity & Pow...	9.96
500-642-44410	Safety Clothing	651.01
505-119-43103	Utilities/Electricity & Pow...	20.67
525-118-42101	Prof Svcs/Professional Ser...	6,502.50
525-118-43101	Utilities/Telephone	45.31
Grand Total:		457,805.12

Project Account Summary		Payment Amount
Project Account Key		457,805.12
None		
Grand Total:		457,805.12

APPROVED BY: 
DATE: 7/28/2022



CITY COUNCIL REPORT

9C

DATE: AUGUST 2, 2022

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

SUBJECT: RESOLUTION CONTINUING AUTHORIZED REMOTE
TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the continued use of remote teleconference meetings pursuant to AB 361.

BACKGROUND

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for the anticipated broader spread of the novel coronavirus disease 2019 ("COVID-19"). The State of Emergency remains in effect.

On March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency due to COVID-19 pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The City Council subsequently adopted a resolution affirming the emergency declaration and continues to reevaluate the need for continuing the local emergency every fourteen (14) days. The local emergency expired on March 31, 2022.

All meetings of the City Council and the City's other legislative bodies, such as the Planning Commission, are open and public, as required by the Ralph M. Brown Act (Government Code section 54950 *et seq.*). Any member of the public may attend, participate, and watch the City's legislative bodies conduct their business. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means during a declared state of emergency and in order to slow the spread of COVID-19. On September 16, 2021, Governor Newsom signed Executive Order N-15-21 signing AB 361 into law to allow legislative bodies of local agencies to meet remotely during state-declared emergencies under certain conditions. AB 361 (2021) took effect October 1, 2021 and will sunset on January 1, 2024.

AB 361 (2021) allows local legislative bodies to continue to conduct meetings via teleconferencing during a declared state of emergency without complying with certain Brown Act provisions under specified conditions and includes a requirement that the City Council make specified findings. AB 361 provides that, if the state of emergency remains active for more than thirty (30) days, a local agency must make either of the following findings by majority vote every thirty (30) days to continue using the bill's exemption to the Brown Act teleconferencing rules: (1) a declared state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local health officials continue to impose or recommend measures to promote social distancing. Thus, the City Council has a standing opportunity every thirty (30) days to discuss a return to in-person meetings or continue remote teleconference meetings pursuant to AB 361.

On October 19, 2021, the City Council adopted a Resolution Of The City Council Of The City Of Pinole Authorizing Remote Teleconference Meetings Pursuant To AB 361 and established virtual meetings for all City Council and City Council appointed Board and Commission meetings. The City has reevaluated its finding that the conditions under AB 361 continue to exist, and that either it continues to directly impact the ability of members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing. Following reevaluation every thirty (30) days and upon a finding that the conditions under AB 361 continue to exist, the City Council has continued to adopt the Resolution authorizing continued remote teleconference meetings, most recently on July 5, 2022. This staff report discusses whether these conditions under AB 361 continue to exist in order continue the use of remote teleconference meetings, including an in-person hybrid meeting format, pursuant to AB 361.

DISCUSSION

Since near the start of the COVID-19 pandemic the City has been able to conduct meetings of its legislative bodies remotely pursuant to Executive Order N-29-20, which suspended certain provisions of the Brown Act allowing the City to conduct its meetings virtually. The City has established virtual meetings for all City Council and City Council appointed Board and Commission meetings. The virtual meetings have allowed the Council and advisory bodies to continue to conduct City business from remote locations while ensuring the public's continued access to government meetings in a safe manner.

Since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 emerged, causing an increase in COVID-19 cases throughout the State and Contra Costa County. COVID-19 cases surged throughout the State during the winter months with an estimated 1 million new COVID cases a day. As such, Governor Newsom extended the State of Emergency declared on March 4, 2020. The Governor's State of Emergency is still in effect.

Notwithstanding the expiration of a state of emergency, AB 361 provides for the continued use of remote meetings and exemption to the Brown Act upon a finding that

state or local health officials continue to impose or recommend measures to promote social distancing. Such a finding is consistent with the goal of AB 361 “to improve and enhance public access to local agency meetings...by allowing broader access through teleconferencing options” consistent with Executive Order N-29-20.

The conditions that justified the City Council adopting the Resolution Of The City Council Of The City Of Pinole Authorizing Remote Teleconference Meetings Pursuant To AB 361 in its meeting of October 19, 2021 continue to exist. The Centers for Disease Control and Prevention (“CDC”) continues to recommend measures based upon COVID-19 community levels based on their local context and their unique needs in efforts to slow the spread of COVID-19 and reduce the rate of infection. The CDC looks at the combination of three metrics - new COVID-19 admissions per 100,000 population in the past 7 days, the percent of staffed inpatient beds occupied by COVID-19 patients, and total new COVID-19 cases per 100,000 population in the past 7 days - to determine the COVID-19 community level.

Effective March 1, 2022, the CDC and California Department of Health requirement for unvaccinated persons to mask in indoor public settings and businesses was replaced by a strong recommendation that all persons, regardless of vaccine status, mask in indoor public settings and businesses including meetings and state and local government offices serving the public. On March 11, 2022, the universal masking requirement for K-12 and Childcare settings terminated. Effective April 20, 2022, in alignment with the CDC's announcement that its order requiring masking on public transportation and at transportation hubs is no longer in effect, California's requirement for masking on public transit and in transportation hubs terminated. Notwithstanding, the California Department of Health continues to strongly recommend that individuals in these settings continue to wear a mask. The California Department of Health continues to find that wearing a face mask in indoor public settings, regardless of vaccination status, remains a critical component for protecting those that are most vulnerable in our communities, including the unvaccinated, the immunocompromised, or those at risk for severe disease and illness.

On September 20, 2021, and again on March 1, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings. The recommendations were most recently revised on June 14, 2022. At present, the Contra Costa County Health Officer strongly recommends the use of online meetings as an alternative to in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option, to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person. Remote options and social distancing for those present continues to be the recommended format for public meetings as it presents the lowest risk of transmission of COVID-19, which is particularly important in light of the current community prevalence rate. The Bay Area currently has California's highest COVID infection and re-infection rates fueled by highly contagious Omicron subvariants. Contra Costa is seeing increases in reported cases and hospitalizations, with 5,866 new cases reported in the past 14 days. Actual case rates are believed to be higher than those reported because of widespread use of home tests. As such, twelve Bay Area health

officers, including Contra Costa, are stressing the importance of taking safety precautions, including continued masking indoors.

The proposed resolution re-affirms the necessary findings in order for the City Council, and all of the City's legislative bodies, to continue remote teleconference meetings pursuant to AB 361. Additionally, the resolution is necessary in order to allow Staff to return to an in-person hybrid format to allow those at higher risk and/or concern about COVID-19 an alternative to participating in person.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of the resolution.

ATTACHMENTS

- A. Resolution Authorizing Continued Remote Teleconference Meetings Pursuant to AB 361

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

WHEREAS, all City of Pinole (“City”) meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the City’s legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”), and Governor Newsom has continued to confirm the continued existence of the State of Emergency; and

WHEREAS, on March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency due to COVID-19 pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32; and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all City Council meetings and meetings of all City legislative bodies, such as the Planning Commission; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the City Council make specified findings; and

WHEREAS, on September 20, 2021, Governor Newsom issued Executive Order N-15-21, delaying the full application of AB 361 (2021) until 11:59 p.m. October 1, 2021; and

WHEREAS, on February 25, 2022, Governor Newsom issued Executive Order N-04-22 further extending the sunset of the State of Emergency to an unspecified date and the State of Emergency continues to present; and

WHEREAS, AB 361 provides that it will sunset on January 1, 2024; and

WHEREAS, in order for legislative bodies to conduct meetings via teleconferencing pursuant to AB 361 (2021), a proclaimed State of Emergency must exist; and

WHEREAS, AB 361 (2021) further requires that State or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on October 19, 2021, the City Council adopted Resolution Of The City Council Of The City Of Pinole Authorizing Remote Teleconference Meetings Pursuant To AB 361 upon a finding that such conditions existed in the City of Pinole, specifically, Governor Newsom has declared a State of Emergency due to COVID-19 and the City Council has confirmed the continued existence of the local emergency due to COVID-19; and

WHEREAS, AB 361 (2021) allows the City Council to continue to conduct meetings via teleconference upon a finding every thirty (30) days thereafter, that either a declared state of emergency continues to directly impact the ability of the members to meet safely in person, or state or local health officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and Contra Costa County; and

WHEREAS, on August 2, 2021, in response to the Delta variant of COVID-19, the Contra Costa County Health Officer issued Health Order No. COVID19-51, for nearly all individuals to wear masks when inside public spaces and such mandate remains in effect in specified high-risk settings, consistent with California Department of Health recommendations including public transit, healthcare settings and congregate living; and

WHEREAS, on September 20, 2021, and reaffirmed on June 14, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings strongly recommending the of the availability of remote access as an alternative to participating in person at meetings as it presents the lowest risk of transmission of COVID-19 and such recommendation remains in effect; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") recommends safety measures based upon COVID-19 community levels based on their local context and their unique needs in efforts to slow the spread of COVID-19 and reduce the rate of infection; and

WHEREAS, because of the rise in cases due to the Delta and Omicron variants of COVID-19, the City Council is concerned about the health and safety of all individuals

who intend to attend City Council meetings and meetings of the City's other legislative bodies; and

WHEREAS, the City Council desires to provide a way for the Council, staff, and members of the public to participate in meetings remotely as an alternative to having to attend meetings in person; and

WHEREAS, the City Council hereby finds that the presence of COVID-19 and the increase of cases due to the Delta and Omicron variants would present imminent risks to the health or safety of certain attendees, including legislative bodies and staff, during in person meetings; and

WHEREAS, the City shall ensure that it's meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings; and

WHEREAS, the City Council has re-affirmed the necessary findings in order for the City Council, and all of the City's other legislative bodies, to continue to hold remote teleconference meetings pursuant to AB 361 and on that basis adopted a Resolution Of The City Council Of The City Of Pinole Authorizing Continued Remote Teleconference Meetings Pursuant To AB 361 on November 16, 2021, and every thirty (30) days thereafter; and

WHEREAS, the City Council has reconsidered the need to conduct meetings remotely within thirty (30) days of the Resolution and finds the need continues to exist.

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 this Resolution.
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the City Council makes the following findings:
 - a) The City Council has reconsidered the circumstances of the State of Emergency; and
 - b) Either of the following circumstances exist: The state of emergency continues to directly impact the ability of members to meet safely in person, or State or local officials continue to impose or recommend social distancing measures.
3. The City Council and all of the City's other legislative bodies may continue to meet remotely in compliance with AB 361 (2021), whether in whole or part, in order to better ensure the health and safety of the public.

4. The City Council will revisit the need to conduct meetings remotely within thirty (30) days of the adoption of this resolution.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 2nd day of August, 2022, 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 the 2nd day of August, 2022.

Heather Bell, CMC
City Clerk



CITY COUNCIL REPORT

9D

DATE: AUGUST 2, 2022

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

SUBJECT: RESOLUTION APPROVING SETTLEMENT OF CLAIM AGAINST
PG&E REGARDING WATER POLLUTION CONTROL PLANT
UPGRADE PROJECT DELAYS

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving a settlement of the claim against PG&E regarding damages caused by delays at the water pollution control plant upgrade project.

BACKGROUND

The Pinole-Hercules Water Pollution Control Plant (the "Plant") is owned equally by the cities of Pinole and Hercules. In 2019, Pinole and Hercules undertook a major project to upgrade the Plant (the "Project"). Pacific Gas and Electric ("PG&E") was the utility responsible for providing critical gas and electric services for the Project during construction. PG&E failed to timely provide the necessary utility services, which caused significant delays in the completion of the Project. These delays are estimated to have increased the cost of the Project by \$931,697. While the Project was ongoing, PG&E declared bankruptcy.

In 2019, the cities of Pinole and Hercules filed a claim for damages against PG&E as part of PG&E's ongoing bankruptcy proceeding. Because PG&E was in bankruptcy, the bankruptcy court had the exclusive authority over the claim. The bankruptcy court had the ability to order the parties to mediation, and if mediation was not successful, to set the matter for trial.

DISCUSSION

Hercules and Pinole engaged in mediation with PG&E in June 2022. The mediation was conducted by a retired judge, Wynne Carville. During the mediation, PG&E provided a "last, best, and final" settlement offer of \$110,000 to settle the cities' claims against it. Staff recommends the cities accept PG&E's settlement offer. While the proposed settlement is less than the estimated cost of the delays, there is no guarantee the cities would prevail during a trial. Among other reasons, PG&E claims that the delays were for reasons outside of its control. If a court agrees with PG&E, the cities will recover nothing.

The proposed settlement must be approved by both the Hercules and Pinole City Councils. The proceeds of the settlement will be divided evenly between Hercules and Pinole.

FISCAL IMPACT

The proposed settlement is for \$110,000, of which Pinole's share will be \$55,000. The proceeds will be deposited into the Sewer Enterprise Fund, which was used to pay for the Project. Even with the costs caused by the delays, the Project was completed under budget.

ATTACHMENTS

- A. Resolution Approving Settlement of Claim Against PG&E Regarding Water Pollution Control Plant Upgrade Project Delays.
Exhibit A: Settlement Agreement

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING SETTLEMENT OF CLAIM AGAINST PG&E REGARDING WATER POLLUTION CONTROL PLANT UPGRADE PROJECT DELAYS

WHEREAS, the Pinole-Hercules Water Pollution Control Plant (the "Plant") is owned equally by the cities of Pinole and Hercules; and

WHEREAS, in 2019, Pinole and Hercules undertook a major project to upgrade the Plant (the "Project"), and Pacific Gas and Electric ("PG&E") was the utility responsible for providing critical gas and electric services for the Project during construction; and

WHEREAS, PG&E failed to timely provide the necessary utility services, which caused significant delays in the completion of the Project and increased the cost of the Project; and

WHEREAS, the cities of Pinole and Hercules filed a claim for damages against PG&E as part of PG&E's then ongoing bankruptcy proceeding; and

WHEREAS, PG&E has offered to settle the cities' claims against it for \$110,000, which would be split evenly between the cities of Pinole and Hercules; and

WHEREAS, the City Council desires to accept PG&E's offer in order to avoid the costs of litigation.

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 this Resolution.
2. The City of Pinole hereby approves the proposed \$110,000 settlement of the claim against PG&E regarding the Water Pollution Control Plant Upgrade Project delays, of which the City's share is \$55,000.
3. The City Manager is authorized and directed to execute the settlement agreement, attached herein as "Exhibit A" in a form approved by the City Attorney, and take such other actions as are necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 2nd day of August, 2022, 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 the 2nd day of August, 2022.

Heather Bell, CMC
City Clerk

SETTLEMENT AGREEMENT

This Settlement Agreement (this “**Agreement**”) is made as of the date last signed below by and between the City of Pinole and the City of Hercules (together, “**Claimant**”) and the Reorganized Debtors (as defined below). Signatories to this Agreement will hereafter be referred to jointly as the “**Parties**.”

PREAMBLE

WHEREAS, on January 29, 2019 (the “**Petition Date**”), PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the “**Utility**”), as debtors and debtors in possession (collectively, the “**Debtors**,” and each, a “**Debtor**”) in the chapter 11 cases (the “**Chapter 11 Cases**”) each commenced with the United States Bankruptcy Court for the Northern District of California (the “**Bankruptcy Court**”) a voluntary case for relief under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”), which Chapter 11 Cases have been consolidated for procedural purposes only under the lead case styled: *PG&E Corporation and Pacific Gas and Electric Company*, Case No. 19-30088.

WHEREAS, on March 14, 2019 [Docket Nos. 897-908], the Debtors filed their Schedules of Assets and Liabilities, which scheduled the claims designated as “Scheduled” in Exhibit A, if any, as claims held by Claimant against the Debtors as of the Petition Date (the “**Scheduled Claims**”);

WHEREAS, by Order dated July 1, 2019 [Docket No. 2806], the Bankruptcy Court set the last date for parties to file proofs of claim against the Debtors in the Chapter 11 Cases as October 21, 2019 at 5:00 p.m. (Prevailing Pacific Time);

WHEREAS, the Claimant has filed proof(s) of claim in the Chapter 11 Cases against the Debtors as set forth as “Filed/Asserted” in Exhibit A attached hereto (the “**Proof(s) of Claim**” and, together with the Scheduled Claims, the “**Claims**”);

WHEREAS, the *Debtors’ and Shareholder Proponents’ Joint Chapter 11 Plan of Reorganization Dated June 19, 2020* [Docket No. 8048] (as may be modified, amended, or supplemented from time to time, and together with all scheduled and exhibits thereto, the “**Plan**”) was confirmed by order of the Bankruptcy Court entered June 20, 2020 [Docket No. 8053] (the “**Confirmation Order**”);

WHEREAS, the Effective Date of the Plan (as defined in the Plan) occurred on July 1, 2020, whereupon the Debtors were reorganized, revested with their property and discharged from their debts, all as provided in the Plan and the Confirmation Order, and as thus reorganized became and now are the “**Reorganized Debtors**” (and each, a “**Reorganized Debtor**”). The Plan and all provisions of the Plan (including, without limitation, all discharge, injunction, exculpation, and release provisions contained in the Plan and in the Confirmation Order) are binding on all holders of claims against, or interests in, the Reorganized Debtors, whether or not the claims or interests of any such holder are impaired under the Plan and whether or not any such holder voted to accept the Plan;

WHEREAS, pursuant to section 7.2 of the Plan, the Reorganized Debtors are authorized

to, among other things, compromise, settle, otherwise resolve, or withdraw any objections to Disputed Claims (as defined in the Plan) and to compromise, settle, or otherwise resolve any Disputed Claims without approval of the Bankruptcy Court; and

WHEREAS, the Parties wish to compromise, resolve, and settle the claims that are asserted by the Claimant in the Proof(s) of Claim and/or the Scheduled Claims.

NOW, THEREFORE, in consideration of the releases and promises contained herein and other good and valuable consideration exchanged among the Parties, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the Parties agree as follows:

A. Settlement.

1. In full and final satisfaction, settlement, and release of the claims asserted by the Claimant in the Proof(s) of Claim and/or the Scheduled Claims the Parties agree that the Claimant is allowed certain claims against the Reorganized Debtors in the amount of **ONE HUNDRED TEN THOUSAND DOLLARS (\$110,000)** paid by check written to the City of Pinole and sent to Eric Casher, Meyers Nave, 1999 Harrison Street, 9th Floor, Oakland, CA 94612 and the classification(s) set forth in **Exhibit B** attached hereto (the “**Allowed Claim(s)**”), which Allowed Claim(s) shall be satisfied pursuant to, and in accordance with, the Plan and Confirmation Order. All Proofs of Claim filed by the Claimant, except to the extent allowed as the Allowed Claim(s) as set forth on **Exhibit B** hereto, shall be disallowed and expunged from the Reorganized Debtors’ claims register. The agreed amount of the Allowed Claim(s) is inclusive of any right or entitlement of Claimant for or on account of post-petition interest; and notwithstanding any provision of the Plan or Confirmation Order or other applicable law, Claimant shall not have any additional right or entitlement to post-petition interest on the Allowed Claim(s).

2. The Parties agree and acknowledge that this Agreement is the result of a compromise and shall not be construed as an admission of any liability, wrongdoing, or responsibility on their parts or on the parts of their predecessors, successors, parents, direct subsidiaries, indirect subsidiaries, affiliates, assigns, agents, their current and former directors, officers, employees, representatives, insurers, attorneys, and shareholders. The Parties expressly deny any such liability. In consideration of the allowance of the Allowed Claim(s), as of the Effective Date of the Plan, Claimant releases each Reorganized Debtor and its predecessors, successors, parents, direct subsidiaries, indirect subsidiaries, affiliates, assigns, agents, their current and former directors, officers, employees, representatives, insurers, attorneys, and shareholders, (collectively the “**Released Parties**”), from any and all claims, proofs of claim, debts, demands, damages, attorneys’ fees, judgments, liabilities, causes of action, or controversies of any kind whatsoever (including, without limitation, any claim for post-petition interest), whether at law or in equity, whether matured or unmatured, whether before a local, state, or federal court or state or federal administrative agency or commission, or arbitration administrator, and whether now known or unknown, liquidated or unliquidated, that Claimant has, may have had, asserted, and/or may have asserted, against the Released Parties on behalf of itself, or any other person or entity, with respect to the Claims or arising from or related to the facts asserted in the Proof(s) of Claim and/or the Scheduled Claims. The provisions of this Section A.2 are in addition to, and shall in no way be deemed to limit or modify, the release, discharge, injunction and other

provisions of the Plan and Confirmation Order. Nothing contained in this release shall prevent the Parties from asserting or pursuing any claim to enforce the terms of this Agreement.

3. Claimant understands that by the execution of this document, no further claims may be asserted by Claimant or its assigns against the Released Parties for these Claims. Accordingly, Claimant hereby waives any and all rights based upon the provisions, rights, and benefits conferred by any law of any state or territory that is similar, comparable, or equivalent to the California Civil Code section 1542, which reads as follows:

“A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.”

4. Claimant understands and acknowledges that it may have sustained or in the future may sustain additional injuries, damages or losses which may manifest themselves and which are presently unknown, but nevertheless it deliberately intends to, and hereby does, release the Released Parties and all other entities described in this Agreement from all such injuries, damages and losses occurring before the Petition Date. Claimant understands and agrees that this waiver is an essential and material term of this Agreement and the settlement which leads to it and that, without such waiver, the settlement would not have been entered into by Reorganized Debtors.

5. Claimant and Claimant’s counsel expressly acknowledge that they are solely responsible for the payment of Claimant’s lawyers, consultants, lenders, medical providers, assignees, subrogees, mortgagees, loss payees, lien holders, and representatives, if any, in connection with the Claim; and Claimant and Claimant’s counsel agree to defend, indemnify and hold harmless Reorganized Debtors from any and all suits, claims, proceedings, judgments and/or settlements resulting from, related to, or arising out of the Claims released herein, including, but not limited to, any matters asserted by Claimant’s lenders, medical providers, assignees, subrogees, mortgagees, loss payee, or lien holders including their insurers, successors and assigns, as to the settlement proceeds and/or for any and all damages or losses in connection with the Claims and this Agreement.

6. Claimant acknowledges and agrees that the Reorganized Debtors or their agents are authorized to adjust the claims register to reflect allowance of the Allowed Claim(s) and the disallowance and expungement of any other claims asserted in the Proof(s) of Claim and/or Scheduled Claims or otherwise released by Claimant pursuant to this Agreement.

B. Miscellaneous Terms and Conditions.

1. This Agreement contains the complete agreement and understanding between the Parties.

2. This Agreement shall be effective upon execution by the Parties.

3. This Agreement may be executed in multiple counterpart originals, each of which shall constitute one and the same document and shall be deemed an original; it may be executed

by facsimile or electronic signatures which shall be deemed to have the same force and effect as an original signature.

4. This Agreement may be modified only by a written document signed by the Parties. No waiver of this Agreement or of any of the promises, obligations, terms, or conditions hereof shall be valid unless it is written and signed by the Party against whom the waiver is to be enforced.

5. Claimant hereby warrants and represents that it owns all of the claims asserted in the Proof(s) of Claim and/or Scheduled Claims or otherwise released in this Agreement and has not assigned or in any way transferred or conveyed all or any portion of such claims and that Claimant has the sole right and exclusive authority to execute this Agreement and receive the sums specified or referenced in this Agreement. Claimant acknowledges and agrees that this warranty and representation is an essential and material term of this Agreement, without which the Reorganized Debtors would not have entered into it, and Claimant agrees to indemnify the Reorganized Debtors against any losses they incur as a result of (a) a breach of this warranty and representation, or (b) the invalidity of the transfer to Claimant of any of the Claims.

6. Each party acknowledges that it has had the opportunity to consult with legal counsel of its choosing prior to entering into this Agreement and that it enters this Agreement knowingly and voluntarily.

7. Each party shall bear his, her or its own attorney fees and costs arising from this Claim or in connection with the Agreement, the Proof(s) of Claim and the matters and documents referred to herein, and all related matters.

8. By executing this Agreement, each Party represents to the other that (a) the person executing this Agreement on its behalf is duly authorized and empowered to execute and deliver this Agreement; and (b) this Agreement constitutes the legal, valid and binding obligation of such Party, enforceable against it in accordance with the Agreement's terms.

9. Each Reorganized Debtor hereby represents that it has authority pursuant to the Plan to enter into this Agreement without further authorization of the Bankruptcy Court.

10. The Parties cooperated in the drafting of this Agreement, and in the event that it is determined that any provision herein is ambiguous, that provision shall not be presumptively construed against any Party.

11. This Agreement shall be governed, in all respects, under the laws of the State of California, irrespective of its choice of law rules.

12. The Parties agree that the Bankruptcy Court shall retain jurisdiction over the Parties with respect to any matters related to or arising from the Agreement or the implementation of this Agreement.

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13. Promptly after this Agreement becomes effective, but in any event not later than 10 days after receipt of notice that the Agreement has become effective, Claimant shall request any court action or cause of action, if any, be dismissed with prejudice as to the Reorganized Debtors and all other Released Parties, with each party to bear its own costs and attorney fees.

IN WITNESS WHEREOF, the Parties hereby execute the Agreement.

Date: _____

Date: _____

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Representative for the Reorganized Debtors

Representative for the Claimant City of
Pinole

Date: _____

Signature: _____

Printed Name: _____

Title: _____

Representative for the Claimant City of
Hercules

Date: _____

Signature: _____

Printed Name: _____

Title: _____

Counsel for Claimants

Exhibit A

Summary of Scheduled Claims and Filed Proofs of Claim

Creditor ID	Claim #	Claimant	Claim Type	Debtor Entity	C U D	Asserted or Scheduled Amounts				
						Secured	Administrative	Priority	Unsecured	Total
1003036	53854	City of Pinole	Filed/Asserted	Pacific Gas and Electric Company	☐ ☒ ☐	\$0.00	\$0.00	\$0.00	\$931,697.00	\$931,697.00
1003036	57801	City of Hercules	Filed/Asserted	Pacific Gas and Electric Company	☐ ☒ ☐	\$0.00	\$0.00	\$0.00	\$931,697.00	\$931,697.00

Where C = contingent, U = unliquidated, D = disputed

1003036

Exhibit B Allowed Claim(s)

Creditor ID	Claim #	Claimant	Claim Type	Debtor Entity	Allowed Amounts				
					Secured	Administrative	Priority	Unsecured	Total
1003036	53854	City of Pinole	Filed/Asserted	Pacific Gas and Electric Company	\$0.00	\$0.00	\$0.00	\$110,000.00	\$110,000.00
Exhibit B Total					\$0.00	\$0.00	\$0.00	\$110,000.00	\$110,000.00



CITY COUNCIL REPORT

DATE: AUGUST 2, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: HEATHER BELL, CITY CLERK

SUBJECT: APPOINT COUNCIL MEMBERS AS VOTING DELEGATES FOR THE
2022 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE
GENERAL ASSEMBLY MEETING

RECOMMENDATION

It is recommended that, by minute order, the City Council appoint Council Member Maureen Toms as voting delegate and Norma Martinez-Rubin as alternate voting delegate to vote at the 2022 League of California Cities General Assembly Meeting.

BACKGROUND

Every year the League of California Cities hosts an annual conference. On the last day of the conference each agency's Voting Delegate may vote on the resolutions presented for consideration. This year the League of California Cities will be hosting an annual conference scheduled for September 7-9, 2022.

In years past, Council Members who are registered to attend the conference have been designated by the Council as Pinole's Voting Delegates. The voting customarily occurs during the General Assembly which will be held on the last day of the conference, September 9th.

REVIEW & ANALYSIS

It has been confirmed by staff that Council Members Norma Martinez-Rubin and Maureen Toms will attend the conference and are available to serve as voting delegates. If appointed by the Council, the delegate or alternate will review any materials provided by the California League of Cities, attend the General Assembly meeting and vote on behalf of the City of Pinole for any proposed actions.

FISCAL IMPACTS

There is no fiscal impact.

ATTACHMENTS

- A 2022 League of California Cities Voting Packet



Council Action Advised by August 31, 2022

DATE: June 1, 2022

TO: City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference & Expo – September 7-9, 2022**

Cal Cities 2022 Annual Conference & Expo is scheduled for September 7-9, 2022 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly) on Friday, September 9. At this meeting, Cal Cities membership considers and acts on resolutions that establish Cal Cities policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to Cal Cities office no later than Friday, September 2. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

- Action by Council Required.** Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration will open by June 1 on the [Cal Cities](#) website. In order to cast a vote, at least one voter must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Long Beach Convention Center, will be open at the following times: Wednesday, September 7, 8:00 a.m. – 6:00 p.m.; Thursday, September 8, 7:00 a.m. – 4:00 p.m.; and Friday, September 9, 7:30 a.m.–12:30 p.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to Cal Cities office by Friday, September 2. If you have questions, please call Darla Yacub at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

**2022 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to Cal Cities office by Friday, September 2, 2022. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ Email: _____

Mayor or City Clerk _____ Date _____ Phone _____
(circle one) (signature)

Please complete and return by Friday, September 2, 2022 to:

Darla Yacub, Assistant to the Administrative Services Director

E-mail: dyacub@calcities.org; Phone: (916) 658-8254



CITY COUNCIL REPORT

9F

DATE: AUGUST 2, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: HEATHER BELL, CITY CLERK

SUBJECT: AMENDMENT TO THE CITY OF PINOLE CONFLICT OF INTEREST CODE

RECOMMENDATION

Staff recommends that the City Council review and adopt a resolution approving amendments to the designated positions and disclosure categories in the appendix of the City of Pinole Conflict of Interest (COI) Code.

BACKGROUND

The Political Reform Act requires every local government agency to review its Conflict of Interest Code and designated positions and reporting categories, every two years to determine if it is accurate, or alternatively, if the Code requires amendments. As the Code reviewing body for multi-governmental agencies, the California Fair Political Practices Commission (FPPC) must be given notice of any amendments to the City's Conflict of Interest Code. The Conflict of Interest Code defines which positions must disclose economic interests related to their job.

DISCUSSION & ANALYSIS

Staff is advising the Council, as the Code reviewing body, that at this time amendments are necessary to reflect the addition of job classifications.

Any position that has authority to negotiate decisions, provide advice or make recommendations to the Council or City boards should be listed as a designated Code filer along with the determined level of disclosure. The disclosure categories were rewritten and adopted on November 4, 2010, under Resolution 2010-95, and require no further update.

Staff has conducted a comprehensive review, with participation from the City Attorney and Human Resources Departments, and proposes the following amendments which are consistent with the organizational changes that were approved with the adoption of the Pinole FY 2022-2023 Budget.

Addition of three job classifications:

These positions have authority to negotiate on behalf of the agency, and advise on agency decisions, make recommendations and attempt to influence decisions by the Council. They prepare and present reports and analysis that require exercising judgment.

- Building Official
- Code Enforcement Officer II
- Building Inspector II

FISCAL IMPACT

There is no fiscal impact associated with this recommended action.

ATTACHMENTS:

- A Resolution
Exhibit A - Appendix to Conflict of Interest Code

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING THE CITY OF PINOLE'S CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act of 1972 (G.C. Section 81000, et seq.) requires every local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the City of Pinole has incorporated by reference three State regulations pursuant to Code of Regulations Section 18730, and amendments to the Regulations duly adopted by the Fair Political Practices Commission, and the "Appendix of Designated Positions and Disclosure Categories for Each Position," setting forth by title those officers, employees and consultants holding designated positions in the City, whose positions have been determined that the persons holding these positions make or participate in the making of decisions which may foreseeably have a material effect on financial interests; and

WHEREAS, the Code may be amended by the Fair Political Practices Commission to conform to amendments of the Political Reform Act; and any changes are adopted by reference; and

WHEREAS, the City must review their Appendix (Exhibit A) to the Conflict of Interest Code for the City of Pinole biennially and it was last amended on October 19, 2021, pursuant to the requirements of Government Code Section 87300 *et seq.*; and

WHEREAS, since the last amendment approved in October 2021, there have been organizational changes approved by the City Council with the adoption of the FY 2022-2023 Operating Budget that have added positions deemed required for inclusion in the COI Appendix as Designated Positions; and

NOW, THEREFORE, the City Council of the City of Pinole does hereby resolve, as follows:

Section 1. The Appendix to the Conflict of Interest Code for the City of Pinole (attached) is hereby amended to read in the manner as set forth and attached hereto and by this reference, incorporated herein.

Section 2. Following adoption of the Code, any newly designated officials, employees, and consultants shall comply with the Conflict of Interest Code for the City of Pinole within 30 days.

Section 3. The Form 700 (Statement of Economic Interests) are filed and maintained in the Office of the City Clerk and retained pursuant to Government Code Section 81008 and 81009.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on the **2nd** day of **August 2022**, 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 adopted on this 2nd day of August 2022.

Heather Bell, CMC
City Clerk

Exhibit A to Resolution 2022-XX

**APPENDIX to the CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS
AND
DISCLOSURE CATEGORIES**

Pursuant to the Conflict of Interest Code of the City of Pinole, the following positions are designated positions as defined in City of Pinole Conflict of Interest Code and have been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests. Each must report their interests according to their assigned disclosure categories¹.

Department	Designated Position	Category
Administration	Assistant City Manager	1, 5, 6
	City Clerk	3, 5, 6
	Assistant to the City Manager	3, 5
	Human Resources Director	3, 5
Public Works	Public Works Director	1, 5, 6
	Public Works Manager	1, 5, 6
	Treatment Plant Manager	3, 5
	Transportation & Pedestrian Safety (TAPS) Committee	1, 5, 6
Community Development	Community Development Director	1, 5, 6
	Planning Manager	1, 5, 6
	Code Enforcement Officer I/II	2, 4, 6
	Building Official	2, 4, 6
	Buidling Inspector I/II	2, 4, 6
Community Services	Community Services Director	1, 5, 6
	Community Services Commission	1, 5, 6
	Recreation Manager	1, 5, 6
	Senior Center Coordinator	4
	Tiny Tots Program Coordinator	4
	Youth Center Coordinator	4
Fire	Fire Chief	1, 5, 6
	Fire Battalion Chief	1, 5, 6

¹ In addition to the listed positions designated by the City, the following positions are subject to the disclosure requirements established by Government Code Section 87200: Planning Commission, City Manager, City Attorney, and City Treasurer.

Police	Police Chief	1, 5, 6
	Police Lieutenant	1, 5, 6
Finance	Finance Director	1, 5, 6
City Attorney	Assistant City Attorney	1, 5, 6
	Assistant General Counsel	1, 5, 6

Consultants* 1-5 or as appropriate*

For purposes of this code, a consultant is defined pursuant to Title 2 Cal. Admin Code Section 18730(2)

- (A) Makes a governmental decision whether to:
- (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item; or
 - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof.

*Consultants are also defined for reporting purposes as persons who prepare a product, perform services of a general nature on an on-going basis and participate by direct advice to the decision makers, influence or participate in governmental decisions, or who act in a staff capacity (performing all the same duties for the City that would otherwise be performed by an individual holding a designated position in the City's Conflict of Interest Code). **With respect to consultants, the City Attorney (or designee) may determine in writing that a particular consultant has been retained to perform a range of duties that is sufficiently limited in scope so as to not require full disclosure, or no disclosure. Such written determination shall be based on the consultant's description of work, as defined in the Contract Scope of Services.** Such written determination shall be noted **in the** consultant contract, **including a recitation to the extent of disclosure requirements** and signed by the City Attorney (or designee). Any determination is a public record and shall be retained for public inspection.

DISCLOSURE CATEGORIES

DISCLOSURE CATEGORY 1

All interests in real property located within City of Pinole, or within two miles of the boundaries of Pinole or within two miles of any land used or owned by the Agency; and investments and business positions in business entities and income; including loans, gifts, and travel payments from all sources.

DISCLOSURE CATEGORY 2

All interests in real property located within City of Pinole, or within two miles of the boundaries of Pinole or within two miles of any land used or owned by the agency.

DISCLOSURE CATEGORY 3

All investments and business positions in business entities and all sources, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

DISCLOSURE CATEGORY 4

All investments and business positions in business entities and all sources of income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the designated position's division or department.

DISCLOSURE CATEGORY 5

All investments and business positions in business entities and sources of income, including loans, gifts, and travel payments from sources of the type to request a permit, license of any type, or entitlement to use agency properties or facilities, included but not limited to:

- Business licenses
- Utility permit, building or inspection permits, solicitor's, massage operator permits
- Land use entitlements
- Grant funding
- Facilities use permits

DISCLOSURE CATEGORY 6

All investments and business positions in business entities, and income, including loans, gifts, and travel payments from sources that filed a claim against the agency during the previous two years, or has a claim pending.



CITY COUNCIL REPORT

9G

DATE: AUGUST 2, 2022

TO: MAYOR AND COUNCIL MEMBERS

**FROM: STACY R. SHELL, HUMAN RESOURCES DIRECTOR
CHARLENE A. DAVIS, HUMAN RESOURCES ANALYST**

**SUBJECT: ADOPTION OF A CITY COUNCIL RESOLUTION APPROVING AN
UPDATED MASTER PAY SCHEDULE AS REQUIRED BY CALIFORNIA
PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving an updated City of Pinole master pay schedule for all employee classifications, so the City is compliant with the requirements of the California Code of Regulations, Title 2, Section 570.5 and the California Public Employees' Retirement System ("CalPERS") relating to publicly available pay schedules for purposes of determining the amount of "compensation earnable" pursuant to Government Code Sections 20630et seq.

BACKGROUND

CalPERS, pursuant to their interpretation of California Code of Regulations, Title 2, Section 570.5, recommends all CalPERS employers maintain their compensation levels in one publicly available document, approved and adopted by the governing body, which must meet all of the following requirements:

- Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws;
- Identifies the position title for every employee position;
- Shows the pay rate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
- Indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;
- Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;
- Indicates an effective date and date of any revisions;
- Is retained by the employer and available for public inspection for not less than five (5) years; and
- Does not reference another document in lieu of disclosing the pay rate.

REVIEW & ANALYSIS

Updates to the master pay schedule reflect salary adjustments previously approved by the City Council for members of the Compensation and Benefits Plan for Management and Confidential Employee Group, International Association of Firefighters Union, Local 1230, Pinole Police Employees Association, American Federation of State, County, and Municipal Employees Union, Locals 1 and 512, and the City Manager and City Clerk.

The adoption of the resolution will comply with CalPERS' interpretation of the requirements of Code of Regulations Section 570.5 by amending the master pay schedule for all budgeted and non-budgeted employee classifications already on the City's website representing all previously approved actions on the individual classifications of the pay schedule.

FISCAL IMPACT

The update of the master pay schedule has no fiscal impact to the City.

ATTACHMENT(S)

ATTACHMENT A: Resolution to Approve an Amendment to the Master Pay Schedule
EXHIBIT A: FY22-23 Master Pay Schedule

RESOLUTION No. 2022- XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO THE MASTER PAY SCHEDULE

WHEREAS, the California Public Employees' Retirement System ("CalPERS") has requested all CalPERS employers list their compensation levels on one document, approved and adopted by the governing body, in accordance with Title 2 California Code of Regulations section 570.5, and meeting all the following requirements thereof:

- Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws;
- Identifies the position title for every employee position;
- Shows the pay rate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
- Indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;
- Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;
- Indicates an effective date and date of any revisions;
- Is retained by the employer and available for public inspection for not less than five years; and
- Does not reference another document in lieu of disclosing the pay rate.

WHEREAS the City now desires to amend the master pay schedule to include previously approved compensation levels for all bargaining groups and all compensation plans of the City of Pinole.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pinole does hereby approve an amendment to the FY22-23 Master Salary Schedule hereunto attached as Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole, State of California held on this 2nd day of August 2022, 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 2nd day of August 2022.

Heather Bell, CMC
City Clerk

Effective 07/04/2022

FY22-23 Master Salary Schedule 08-02-2022 Reso rev.07252022 Fire BC rev07282022 CC CM.xlsx

Page 1

ELECTED @ 07/01/16 budget

City Treasurer 3,000 ANNUALLY
 Councilmember 6,750 ANNUALLY as of 01/2017

Management (Individual Employment Agreements), eff. 07/04/2022

	<u>Minimum Annual</u>	<u>Minimum Hourly</u>	<u>Maximum Annual</u>	<u>Maximum Hourly</u>
City Manager	\$ -	\$ -	\$258,156.74	\$124.1138
City Clerk	\$ -	\$ -	\$156,970.32	\$75.4665

Management (Management Compensation Plan), eff. 07/04/2022

	<u>Minimum Annual</u>	<u>Minimum Hourly</u>	<u>Maximum Annual</u>	<u>Maximum Hourly</u>
Assistant City Manager	\$ 204,557.27	\$ 98.3448	\$ 248,741.64	\$ 119.5873
Police Chief	\$ 204,557.27	\$ 98.3448	\$ 248,741.64	\$ 119.5873
Development Services Director/City Engineer	\$ 194,816.40	\$ 93.6617	\$ 236,896.74	\$ 113.8927
Community Development Director	\$ 177,106.71	\$ 85.1475	\$ 215,361.76	\$ 103.5393
Finance Director	\$ 177,106.71	\$ 85.1475	\$ 215,361.76	\$ 103.5393
Fire Chief	\$ 177,106.71	\$ 85.1475	\$ 215,361.76	\$ 103.5393
Human Resources Director	\$ 177,106.71	\$ 85.1475	\$ 215,361.76	\$ 103.5393
Public Works Director	\$ 177,106.71	\$ 85.1475	\$ 215,361.76	\$ 103.5393
Building Official	\$ 153,255.63	\$ 73.6806	\$ 186,358.85	\$ 89.5956
Community Services Director	\$ 153,255.60	\$ 73.6806	\$ 186,358.81	\$ 89.5956
Fire Battalion Chief	\$ 153,255.60	\$ 73.6806	\$ 186,358.81	\$ 89.5956
Planning Manager	\$ 153,255.60	\$ 73.6806	\$ 186,358.81	\$ 89.5956
Police Lieutenant	\$ 153,255.60	\$ 73.6806	\$ 186,358.81	\$ 89.5956
Wastewater Treatment Plant Manager	\$ 153,255.60	\$ 73.6806	\$ 186,358.81	\$ 89.5956
Capital Improvement & Environmental Program Manager	\$ 126,657.24	\$ 60.8929	\$ 154,015.21	\$ 74.0458
Public Works Manager	\$ 126,657.24	\$ 60.8929	\$ 154,015.21	\$ 74.0458
Recreation Manager	\$ 112,584.71	\$ 54.1273	\$ 136,903.00	\$ 65.8188
Assistant to the City Manager	\$ 112,584.53	\$ 54.1272	\$ 136,902.79	\$ 65.8186
Deputy City Clerk	\$ 86,038.33	\$ 41.3646	\$ 104,622.60	\$ 50.2993
Human Resources Analyst	\$ 86,038.33	\$ 41.3646	\$ 104,622.60	\$ 50.2993
Human Resources Specialist	\$ 71,348.09	\$ 34.3020	\$ 86,759.27	\$ 41.7112
Human Resources Technician	\$ 64,495.74	\$ 31.0076	\$ 78,426.82	\$ 37.7052

Bargaining Unit	A	A	B	B	C	C	D	D	E	E
	Monthly	Hourly	Monthly	Hourly	Monthly	Hourly	Monthly	Hourly	Monthly	Hourly
<u>LOCAL 1230 @ 07/04/2022</u>										
Fire Academy Recruit (EMT-1)		31.6934								
Fire Academy Recruit (EMT-P)		36.9102								
Firefighter	7,108.62	29.2938	7,464.06	30.7585	7,837.27	32.2964	8,229.14	33.9113	8,640.61	35.6069
Firefighter/Paramedic	7,819.48	32.2232	8,210.47	33.8343	8,621.00	35.5261	9,052.06	37.3024	9,504.67	39.1676
Fire Engineer	8,160.99	33.6304	8,569.05	35.3120	8,997.51	37.0776	9,447.39	38.9316	9,919.77	40.8782
Fire Captain	9,030.79	37.2148	9,482.34	39.0756	9,956.47	41.0294	10,454.30	43.0809	10,977.02	45.2350
<u>PPEA @ 07/04/2022</u>										
Community Safety Specialist	5,409.52	31.2088	5,680.00	32.7692	5,964.01	34.4077	6,262.21	36.1281	6,575.33	37.9346
Dispatcher	6,151.92	35.4919	6,459.53	37.2665	6,782.51	39.1299	7,121.64	41.0864	7,477.73	43.1408
Lead Dispatcher	6,585.34	37.9924	6,914.61	39.8920	7,260.35	41.8867	7,623.38	43.9810	8,004.56	46.1801
Police Officer	7,797.90	44.9879	8,187.80	47.2373	8,597.20	49.5992	9,027.07	52.0792	9,478.43	54.6833
Police Sergeant	9,134.27	52.6977	9,591.00	55.3327	10,070.56	58.0994	10,574.10	61.0044	11,102.81	64.0547

Bargaining Unit	A Monthly	A Hourly	B Monthly	B Hourly	C Monthly	C Hourly	D Monthly	D Hourly	E Monthly	E Hourly
<u>AFSCME @ 07/04/2022</u>										
Accountant	7,596.69	43.8271	7,976.54	46.0185	8,375.37	48.3194	8,794.15	50.7355	9,233.86	53.2723
Accounting Specialist	6,488.58	37.4341	6,813.01	39.3059	7,153.67	41.2712	7,511.36	43.3348	7,886.94	45.5016
Associate Civil Engineer	9,016.75	52.0197	9,467.60	54.6208	9,940.99	57.3519	10,438.05	60.2195	10,959.96	63.2306
Associate Planner	7,596.69	43.8270	7,976.53	46.0184	8,375.37	48.3194	8,794.14	50.7354	9,233.86	53.2723
Building Inspector I as of 7/4/22	6,715.21	38.7416	7,050.99	40.6788	7,403.53	42.7127	7,773.72	44.8484	8,162.43	47.0909
Building Inspector II as of 7/4/22	7,403.53	42.7127	7,773.72	44.8484	8,162.43	47.0909	8,570.55	49.4455	8,999.08	51.9177
Cable Access Coordinator	7,166.90	41.3475	7,525.25	43.4149	7,901.52	45.5857	8,296.61	47.8651	8,711.45	50.2584
Code Enforcement Officer I	6,715.21	38.7416	7,050.99	40.6788	7,403.53	42.7127	7,773.72	44.8484	8,162.43	47.0909
Code Enforcement Officer II	7,403.53	42.7127	7,773.72	44.8484	8,162.43	47.0909	8,570.55	49.4455	8,999.08	51.9177
Environmental Compliance Inspector	6,715.22	38.7416	7,050.99	40.6788	7,403.54	42.7128	7,773.73	44.8484	8,162.42	47.0909
Information Systems Administrator	7,166.92	41.3476	7,525.27	43.4150	7,901.55	45.5858	8,296.63	47.8652	8,711.47	50.2585
Information Systems Specialist	6,863.93	39.5996	7,207.14	41.5796	7,567.50	43.6587	7,945.88	45.8416	8,343.19	48.1338
Laboratory Analyst I	7,755.62	44.7439	8,143.40	46.9811	8,550.57	49.3302	8,978.10	51.7967	9,427.00	54.3865
Laboratory Analyst II	8,550.57	49.3302	8,978.10	51.7967	9,427.00	54.3865	9,898.35	57.1059	10,393.27	59.9612
Laboratory Supervisor	9,717.76	56.0640	10,203.65	58.8672	10,713.83	61.8106	11,249.52	64.9011	11,812.00	68.1462
Management Analyst	6,750.71	38.9464	7,088.25	40.8938	7,442.67	42.9385	7,814.81	45.0855	8,205.56	47.3398
Police Services Supervisor	6,986.26	40.3053	7,335.58	42.3206	7,702.37	44.4367	8,087.49	46.6586	8,491.88	48.9916
PW Maintenance Supervisor	6,879.36	39.6886	7,223.33	41.6731	7,584.51	43.7568	7,963.74	45.9447	8,361.94	48.2419
Public Works Specialist	6,750.71	38.9464	7,088.25	40.8938	7,442.67	42.9385	7,814.82	45.0855	8,205.56	47.3398
Recreation Coordinator		28.0925		29.4971		30.9720		32.5207		34.1467
Rental Inspector	6,715.23	38.7417	7,051.00	40.6789	7,403.56	42.7128	7,773.75	44.8485	8,162.44	47.0910
Project Manager	6,562.28	37.8593	6,890.40	39.7523	7,234.93	41.7400	7,596.68	43.8270	7,976.52	46.0184
Senior Project Manager	7,596.69	43.8271	7,976.53	46.0185	8,375.37	48.3194	8,794.15	50.7355	9,233.86	53.2723
WWTP Operations Supervisor	9,717.76	56.0640	10,203.65	58.8672	10,713.83	61.8106	11,249.52	64.9011	11,812.00	68.1462
WPCP Supervisor	7,386.76	42.6159	7,756.10	44.7467	8,143.92	46.9841	8,551.12	49.3334	8,978.69	51.8001

Bargaining Unit	A Monthly	A Hourly	B Monthly	B Hourly	C Monthly	C Hourly	D Monthly	D Hourly	E Monthly	E Hourly
LOCAL 1 @ 07/04/2022										
Accounting Assistant I	3,189.76	18.4024	3,349.25	19.3226	3,516.71	20.2887	3,692.55	21.3032	3,877.18	22.3684
Accounting Assistant II	3,451.77	19.9140	3,624.36	20.9098	3,805.58	21.9553	3,995.87	23.0531	4,195.66	24.2057
Accounting Technician	4,818.60	27.7996	5,059.53	29.1896	5,312.52	30.6491	5,578.15	32.1816	5,857.06	33.7907
Administrative Assistant	5,338.14	30.7970	5,605.06	32.3369	5,885.32	33.9537	6,179.59	35.6515	6,488.57	37.4341
Cable Access Technician	5,799.54	33.4589	6,089.52	35.1319	6,394.01	36.8885	6,713.71	38.7330	7,049.41	40.6697
Cook		19.4623		20.4354		21.4572		22.5301		23.6566
Community Service Officer	4,817.29	27.7921	5,058.16	29.1817	5,311.08	30.6408	5,576.63	32.1729	5,855.47	33.7816
Custodian	3,015.40	17.3966	3,166.18	18.2664	3,324.49	19.1797	3,490.72	20.1387	3,665.25	21.1457
Laboratory Technician I	6,151.80	35.4912	6,459.39	37.2657	6,782.36	39.1290	7,121.48	41.0854	7,477.55	43.1397
Laboratory Technician II	6,782.36	39.1290	7,121.48	41.0854	7,477.55	43.1397	7,851.43	45.2967	8,244.00	47.5615
Fleet Maintenance Mechanic	6,237.19	35.9838	6,549.06	37.7830	6,876.52	39.6722	7,220.35	41.6559	7,581.38	43.7387
Field Maintenance Mechanic	5,497.52	31.7165	5,772.41	33.3023	6,061.03	34.9675	6,364.09	36.7159	6,682.30	38.5517
Information Systems Technician I	3,249.09	18.7447	3,411.54	19.6820	3,582.12	20.6661	3,761.23	21.6994	3,949.30	22.7844
Information Systems Technician II	5,906.27	34.0747	6,201.59	35.7784	6,511.68	37.5674	6,837.27	39.4458	7,179.14	41.4181
Laboratory Analyst	6,003.65	34.6364	6,303.83	36.3683	6,619.03	38.1867	6,949.99	40.0961	7,297.50	42.1009
Lead Records & Property Specialist	5,311.72	30.6445	5,577.31	32.1768	5,856.18	33.7857	6,149.00	35.4750	6,456.45	37.2488
Office Assistant	4,530.00	26.1346	4,756.50	27.4414	4,994.33	28.8134	5,244.05	30.2541	5,506.26	31.7669
Permit Technician I	5,376.83	31.0202	5,645.67	32.5712	5,927.95	34.1997	6,224.37	35.9098	6,535.60	37.7054
Permit Technician II	5,927.95	34.1997	6,224.37	35.9098	6,535.60	37.7054	6,862.38	39.5906	7,205.50	41.5702
Permit Technician III	6,535.60	37.7054	6,862.38	39.5906	7,205.50	41.5702	7,565.77	43.6487	7,944.06	45.8311
PW Maintenance Worker	5,064.28	29.2170	5,317.50	30.6779	5,583.38	32.2118	5,862.55	33.8224	6,155.68	35.5136
PW Senior Maintenance Worker	5,499.13	31.7258	5,774.09	33.3121	6,062.81	34.9777	6,365.95	36.7266	6,684.26	38.5630
Police Property Specialist	4,817.29	27.7921	5,058.16	29.1817	5,311.08	30.6408	5,576.63	32.1729	5,855.47	33.7816
Police Records Specialist	4,818.60	27.7996	5,059.53	29.1896	5,312.52	30.6491	5,578.15	32.1816	5,857.06	33.7907
Recreation Activities Specialist		26.6796		28.0136		29.4143		30.8851		32.4294
Wastewater Operator in Training	5,446.29	31.4209	5,718.60	32.9920	6,004.54	34.6415	6,304.76	36.3736	6,620.00	38.1923
Wastewater Operator	7,549.94	43.5573	7,927.44	45.7352	8,323.81	48.0220	8,740.00	50.4231	9,177.00	52.9442
Wastewater Senior Operator	8,505.10	49.0679	8,930.35	51.5213	9,376.87	54.0973	9,845.71	56.8022	10,338.00	59.6423
Wastewater Maintenance Mechanic	6,366.89	36.7321	6,685.24	38.5687	7,019.50	40.4971	7,370.48	42.5220	7,739.00	44.6481
Wastewater Sr. Maintenance Mechanic	7,519.50	43.3817	7,895.48	45.5508	8,290.25	47.8284	8,704.76	50.2198	9,140.00	52.7308

Bargaining Unit	A Monthly	A Hourly	B Monthly	B Hourly	C Monthly	C Hourly	D Monthly	D Hourly	E Monthly	E Hourly
<u>TRAINEE - BENEFITTED @ 07/04/2022</u>										
Police Officer Trainee		33.7816								
<u>Fire Reserves @ 01/01/2022</u>										
Reserve Fire Captain		15.0000								
Reserve Fire Engineer		15.0000								
Reserve Firefighter		15.0000								
<u>Interns @ 01/01/2022</u>										
Intern	as od 01/01/22	15.0000		15.0000		16.0000		17.0000		18.0000
<u>Police @ 01/01/2022</u>										
Crossing Guard		15.0000								
<u>Recreation @ 07/06/2020 (unless otherwise noted)</u>										
Cable Equipment Operator I	as of 01/01/22	15.0000	as of 01/01/22	15.0000	as of 01/01/22	15.0000		15.5006		16.2757
Cable Equipment Operator II		16.2481		17.0605		17.9136		18.8093		19.7498
Recreation Leader	as of 01/01/22	15.0000	as of 01/01/22	15.0000	as of 01/01/22	15.0000		15.5638		16.3420
Rental Facility Custodian	as of 01/01/22	15.0000	as of 01/01/22	15.0000	as of 01/01/22	15.0000				
Rental Facility Senior Custodian		15.6021		16.3822		17.2013				
Senior Recreation Leader		16.3308		17.1474		18.0048		18.9050		19.8503
<u>Administration - 05/03/17</u>										
Records Management Administrator		60.0000								
<u>CONTRACT-Part Time</u>										
<u>Public Works @ 07/01/05</u>										
Park Caretaker		20.7000								



CITY COUNCIL REPORT

9H

DATE: AUGUST 2, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: STACY SHELL, HUMAN RESOURCES DIRECTOR

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

RECOMMENDATION

It is recommended that the Pinole City Council approve an amendment to provide a three percent (3%) cost of living adjustment to the employment agreement for Heather Bell as City Clerk.

BACKGROUND

In March 2019, the City Council appointed Ms. Bell to the position of City Clerk. On March 6, 2019, Ms. Bell and Mayor Murray signed a four-year term employment agreement through March 5, 2023. Ms. Bell commenced her duties as City Clerk on March 6, 2019.

The City Council and Ms. Bell had previously entered into subsequent employment agreement amendments to provide cost of living adjustments, merit increases, market rate adjustments, and employee benefit enhancements.

REVIEW & ANALYSIS

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

The City Clerk's employment agreement was made and entered into by and between the City Council and Ms. Bell on March 6, 2019. The agreement provides Ms. Bell with

annual cost of living adjustments equivalent to those provided to City employees represented by the American Federation of State, County, and Municipal Employees, Local 512 (“AFSCME”).

On September 21, 2021, the City Council adopted Resolution 2021—76, approving the Memorandum of Understanding (“MOU”) between the City of Pinole and AFSCME for the period of July 1, 2021 – June 30, 2023. The AFSCME MOU provided unit members with a three percent (3%) COLA effective the first full pay period following July 1, 2022.

In accordance with the March 6, 2019 employment agreement, the City Council shall provide Ms. Bell with a three percent (3%) cost of living adjustment as codified in Exhibit A of the Resolution attached to this City Council Report.

FISCAL IMPACT

City staff does not expect there to be any new fiscal impact to the General Fund due to the proposed amendment to the agreement has already been incorporated into the FY 2022/23 Budget.

ATTACHMENT(S):

ATTACHMENT A: Resolution to Authorize an Amendment of the Employment Agreement for the City Clerk
EXHIBIT A: Amendment #2-2022 to the Agreement for Employment of Heather Bell

RESOLUTION NO. 2022-XX

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

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

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

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

WHEREAS, the Agreement provides Ms. Bell with annual cost of living adjustments (“COLA”) equivalent to those provided to City employees represented by the American Federation of State, County, and Municipal Employees, Local 512 (“AFSCME”); and

WHEREAS, on September 21, 2021, the City Council adopted Resolution 2021—76, approving the Memorandum of Understanding (“MOU”) between the City of Pinole and AFSCME for the period of July 1, 2021 – June 30, 2023; and

WHEREAS, the AFSCME MOU provided unit members with a three percent (3%) COLA effective the first full pay period following July 1, 2022; and

WHEREAS, the City and Employee now wish to amend the Agreement with a three percent (3%) COLA effective July 4, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pinole does hereby approve an amendment the Agreement hereunto attached as Exhibit A and authorize the Mayor to execute the said amendment.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 2nd day of August 2022 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 2nd day of August 2022.

Heather Bell, CMC
City Clerk

**AMENDMENT #2-2022 TO THE AGREEMENT FOR EMPLOYMENT OF
HEATHER BELL**

This Amendment #2-2022 to the Agreement for the Employment of Heather Bell (the "Amendment") is made and entered into as of August 2, 2022 by and between the City of Pinole (the "City"), a California general law city, and Heather Bell, an individual ("BELL" or "Employee").

RECITALS

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

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

WHEREAS, the Agreement provides Employee with annual cost of living adjustments ("COLA") equivalent to those provided to City employees represented by the American Federation of State, County, and Municipal Employees, Local 512 ("AFSCME"); and

WHEREAS, on September 21, 2021, the City Council adopted Resolution 2021—76, approving the Memorandum of Understanding ("MOU") between the City of Pinole and AFSCME for the period of July 1, 2021 – June 30, 2023; and

WHEREAS, the AFSCME MOU provided unit members with a three percent (3%) COLA effective the first full pay period following July 1, 2022; and

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

NOW, THEREFORE, in consideration of the mutual covenants contained herein and good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the City and BELL agree as follows:

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

"a. BELL shall be paid an annual base salary of \$156,970.32 or \$75.47 per hour, less all applicable federal, state, and local withholding. BELL shall be considered for a merit increase annually in conjunction with the completion of her performance evaluation, as outlined in paragraph 11. Merit increases shall subject to the City's ability to pay for a salary adjustment."

2. Effective Date. This Amendment shall be effective the pay period commencing July 4, 2022.

3. Effect. Except as expressly provided for herein, all other terms and conditions of the Agreement, as previously amended, shall remain in full force and effect.

EMPLOYEE

Heather Bell

DATED:

August ____, 2022

CITY

Vincent Salimi, Mayor

DATED:

ATTEST:

APPROVED AS TO FORM:

Stacy R. Shell
Human Resources Director

Eric S. Casher
City Attorney



CITY COUNCIL REPORT

12A

DATE: AUGUST 2, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: CHRIS WYNKOOP, FIRE CHIEF

SUBJECT: CITY OF PINOLE EMERGENCY OPERATIONS PLAN

RECOMMENDATION

City staff recommends that the City Council review and provide direction on the updated City of Pinole Emergency Operations Plan (EOP).

INTRODUCTION

The City of Pinole Emergency Operations Plan (EOP) was developed through an extensive research and engagement process led by Management Partners that began in January of 2021. The 118-page document is the result of a collaborative effort among city management, department heads, and city staff, and is a key component of the City of Pinole Strategic Plan 2020 – 2025.

BACKGROUND

The City of Pinole Strategic Plan 2020 – 2025 expresses the City's vision, mission, goals, and strategies for the five-year period covered therein. The vision is our aspiration for the future, stated as "Pinole is a safe, vibrant, and innovative community with small town charm and a high quality of life." The mission is the City organization's statement of purpose, which is that "Pinole will be efficient, ethical, and effective in delivering quality services with community involvement and fiscal stewardship." The goals are the main objectives that need to be achieved in order to obtain the vision, and each goal contains a list of specific strategies (deliverables). Goal #1 is a "Safe and Resilient Pinole". Strategy #2 in support of Goal #1 is to "Update the emergency preparedness and response plan and publish an updated Pinole EOP". Attached is the draft Emergency Operations Plan for Council review (Attachment A).

DISCUSSION

The EOP provides a framework for the City of Pinole to use in performing emergency functions before, during, and after an emergency event or natural disaster. It supports the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS). It aids City staff in working with state, federal, regional, and local agencies to prevent, prepare for, respond to, and recover from incidents regardless of cause, size, or complexity effectively and efficiently.

Among its various components, the document summarizes the potential hazards and emergencies that could trigger activation of the plan and addresses document review, training, and update frequency as well as recordkeeping logs for plan maintenance. It discusses the Emergency Operations Center, activation protocols, including position and functional organization charts and responsibilities. It also contains a contact tree and references templates and forms for use by staff in an emergency. In its totality, the EOP provides the City of Pinole with an efficient, coordinated response to any disaster or emergency that could threaten the well-being and health of its residents or visitors.

FISCAL IMPACT

There is no fiscal impact related to receiving the updated EOP

ATTACHMENTS

Attachment A – Draft for Council review of the updated City of Pinole Emergency Operations Plan (EOP), July 2022



City of Pinole Emergency Operations Plan Basic Plan July 2022



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1. Introduction, Annual Training and Plan Maintenance

1.1 Document Overview

This document is the City of Pinole's Emergency Operations Plan (EOP). This plan supersedes any previous version(s) promulgated for this purpose. It provides a framework for the City of Pinole to use in performing emergency functions before, during, and after an emergency event, natural disaster, or technological incident. This EOP supports the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS). City staff will work together with state, federal, regional, and local agencies to prevent, prepare for, respond to, and recover from incidents regardless of cause, size, or complexity effectively and efficiently. The EOP consists of the following chapters:

- **Introduction, Annual Training and Plan Maintenance.** This chapter highlights the document review, training, and update frequency as well as recordkeeping logs for plan maintenance. It also contains the EOP distribution contact list and acknowledgement of receipt by each agency/institution.
- **Overview.** In this chapter, the plan's purpose and scope are discussed. It includes a summary of the potential hazards and emergencies that could trigger activation of the plan.
- **Concept of Operations, Organization and Assignment Responsibilities.** This chapter is the heart of the document and discusses the Emergency Operations Center, activation protocols, and vertical and horizontal coordination among all levels of government. It also includes position and functional organization charts. In addition, it references templates and forms for use by staff in an emergency. They are included at the end of the EOP as attachments and appendices.
- **Direction and Coordination.** In this chapter the user will find a description of the City of Pinole's responsibility to direct the emergency response along with its role to coordinate with state officials. It includes the definition and expectation of disaster services workers and the need for the City to manage and monitor volunteers who assist with the initial response as well as those who assist with long-term recovery efforts.
- **Information Collection, Analysis, Communications, and Dissemination.** This chapter includes a brief review of warnings and alerts.
- **Authorities and References.** Here the user will find a list of the federal, state, and local regulations and agreements that inform the contents of the City of Pinole EOP. It should be referenced to guide staff actions in the event of an emergency.
- **Supporting Annexes Placeholder.** This chapter is included in the event the City of Pinole chooses to develop detailed plans for specific types of natural disasters and emergency events.

In addition, the EOP includes attachments and appendices that provide templates and reference documents for use during and after an emergency. They include:

- Attachment A – Emergency Response and Recovery Tools
 - Contact Information for Emergency Response and Recovery Partner Agencies
 - Contract Services for Emergency Response and Recovery
 - Emergency Response and Recovery Strategic Plan Template
- Attachment B – Acronyms
- Attachment C – Definitions



- Attachment D – EOC Responsibilities and Checklists
- Attachment E – EOC Check-in Log
- Attachment F – EOC Activity Log
- Appendix 1 – Emergency Operations Center Action Plan
- Appendix 2 – Incident Briefing Form
- Appendix 3 – Automatic Aid Agreement



1.2 Promulgation Document and Signatures

July 2022

The preservation of life and property is a core responsibility of government. Disasters can occur at any time with devastating effects; therefore, emergency response systems and processes along with well-trained professionals and regular trainings and preparedness events will minimize losses. As such, the City of Pinole is committed to planning and preparing to safeguard the community from damages and to save lives.

Clarity about emergency service roles and responsibilities along with training and preparedness events provide the community with a strong foundation to adapt and deal with the array of potential disasters or emergencies. This plan outlines the emergency organization, tasks, and coordination of planning efforts. It utilizes the Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS). The plan provides direction on how to respond to an emergency and provides a framework for the initial recovery phase.

Following adoption, the plan will be reviewed, practiced, and updated annually. Lessons learned and new state and federal emergency response guidance will also be incorporated at that time.

City of Pinole Mayor and City Council

Signature



1.3 Approval and Implementation

The City of Pinole is committed to the safety and security of its residents before, during and after a disaster or emergency. Federal, state, and local laws promote and support the benefits of mitigation, preparedness, response, and recovery to minimize the impact on the community from natural hazards (earthquake, fire, floods, or tsunamis) or man-made (active shooter or chemical spills) events that might occur in Pinole.

Primary to the role of emergency management will be the maintenance of the plan. This includes annual reviews and updates to incorporate federal, state, and local laws. In addition, training and regular preparedness events will also inform plan updates. The preparedness events/tabletop exercises are foundational to efficient and effective emergency management operations and include the entire community (public, private, nonprofit, and businesses). The City of Pinole's EOP was developed using the Federal Emergency Management Agency's Comprehensive Preparedness Guide. The EOP consists of the Basic Plan.

1.3.1 Approval Signatures

Name/Title/Agency	Signature	Date
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Name/Title/Agency	Signature	Date
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Name/Title/Agency	Signature	Date
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Name/Title/Agency	Signature	Date
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Name/Title/Agency	Signature	Date
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Name/Title/Agency	Signature	Date
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1.4 Reviews, Annual Trainings and Record of Changes

The City of Pinole's EOP is a dynamic document and will be reviewed and updated at least annually by the Assistant Director of Emergency Services/Fire Chief. Each annual review, update, or change will be tracked in the table below. In addition, a record of those changes will be documented and include the following information:

- Date,
- Name of the person who made the change, and
- Brief description of the changes.

1.4.1 Review, Revision History and Annual Training

Annually, the City of Pinole will conduct emergency operations training exercises with internal and external stakeholders. Climate change and dense development patterns are increasing the likelihood of disaster and emergency incidents. To improve community resilience and preparedness, it is a best practice to conduct training exercises at least annually to review roles, responsibilities, and opportunities to improve response and recovery practices and procedures.

Table 1 documents the revisions made to the EOP. The Fire Chief is the City of Pinole's disaster preparedness lead, and the Chief will be responsible for maintaining the current and official copy of the EOP.

Table 1. Annual Reviews and Revisions Summary

Revision Number	Revision/Review Date	Description	Author/Revised by
1.0		Initial Release	



1.5 Record of Distribution

The plan will be shared and circulated to the following agencies for review, input, and information. The organizations are provided below.

Government Partners

- Contra Costa County Emergency Services
- Rodeo Hercules Fire District
- El Sobrante Municipal Advisory Council (MAC)
- City of Hercules
- City of Richmond
- Rodeo MAC
- City of San Pablo
- State of California Governor's Office of Emergency Services
- Pacific Gas and Electric
- East Bay Municipal Utility District
- California Department of Transportation
- California Highway Patrol

Local Education Partners

- West Contra Costa Unified School District
- Pinole Valley High School
- Pinole Middle School
- Collins Elementary
- Stewart Elementary School
- Shannon Elementary
- Ellerhorst Elementary
- Tara Hills Elementary School
- St. Joseph Elementary School
- La Casita Bilingual Montessori
- Montessori Children's House

Nonprofit Partners

- YMCA of Pinole
- American Red Cross (Oakland and Pleasant Hill)

Private Sector Partners

- Bay Front Chamber of Commerce (formally the Pinole Chamber of Commerce)
- Kaiser Permanente Pinole Medical Offices
- Stanford Children's (formally Bayside Medical Group)



The EOP recipients are listed below in Table 2. The information includes space to record the date of distribution, agency contact (including title and the name of the person receiving the plan), the date of delivery, and the number of copies delivered. Copies of the plan can be made available to the public and media. A detailed list of contact information for each organization can be found at the end of the plan in Attachment A, Table 8.

Table 2. EOP Distribution List, Date, Contact, and Acknowledgement of Receipt

Organization/Agency	Date of Distribution	Contact	Acknowledgement of Receipt
Contra Costa County Emergency Services		Sheriff: David Livingston	
Rodeo Hercules Fire District		Acting Fire Chief: Darren Johnson	
El Sobrante MAC		Chairman: Tom Lang	
City of Hercules		Mayor: Dion Bailey City Manager: Dante Hall	
City of Richmond		Mayor: Tom Butt City Manager: Shasa Curl	
Rodeo MAC		Chairman: Dr. Anthony Hodge Staff Member: Dominic Aliano	
City of San Pablo		Mayor: Rita Xavier City Manager: Matt Rodriguez	
State of California Governor's Office of Emergency Services		Director: Mark Ghilarducci Region II: Melanie Gilbert	
Pacific Gas and Electric		TBD	
East Bay Municipal Utility District		TBD	
California Department of Transportation		TBD	
California Highway Patrol		TBD	
West Contra Costa Unified School District		Superintendent: Chris Hurst	
Pinole Valley High School		Principal: Kibby Kleiman	



Organization/Agency	Date of Distribution	Contact	Acknowledgement of Receipt
Pinole Middle School		Principal: Eric Mapes	
Collins Elementary School		Principal: Denise Pinney	
Stewart Elementary School		Principal: Michael Hamilton	
Shannon Elementary School		Principal: Dan MacDonald	
Ellerhorst Elementary School		Principal: Greg Whaling	
Tara Hills Elementary School		Principal: Shari Salinas	
St. Joseph Elementary School		Principal: Natalie Lenz-Acuna	
La Casita Bilingual Montessori		Director: Gloria Castillo	
Montessori Children's House		Director: TBD	
YMCA of Pinole		Director: TBD	
American Red Cross (Oakland and Pleasant Hill)		Director: TBD	
Bay Front Chamber of Commerce (formerly the Pinole Chamber of Commerce)		Director: Sylvina Villa-Serrano	
Kaiser Permanente Pinole Medical Offices		Director: TBD	
Stanford Children's (formerly Bayside Medical Group)		Office Manager: Tammy Pio	

Attachment A includes two additional tables. Table 9 provides a list of contract services that the City will need in an emergency. Entering into service contracts now, in advance of an emergency, will bolster the City's capacity to respond to a crisis. After services providers have been engaged, the names of the firms should be included in the table. Table 10 is a response and recovery planning template. It includes typical emergency operations response and recovery actions and can be used for decision making and prioritization over the continuum of four timeframes. Both can be adapted by the City and should be reviewed and revised as part of the annual plan update process.



2. Overview

Disasters or emergencies can happen suddenly, posing threats to the safety and welfare of residents, employees, and visitors of Pinole. City staff must be prepared to respond to all types of hazards, both natural and man-made, ranging from planned events to large-scale disasters. The Emergency Operations Plan (EOP) provides a framework for the City of Pinole and details how staff will work collaboratively to respond to disasters or emergencies in a coordinated manner.

The plan was designed to be flexible enough to be used in all emergencies as well as facilitating response and short-term recovery activities. The plan does not address normal day-to-day emergencies, or the well-established and routine procedures used in coping with such emergencies. Instead, the operational concepts reflected in this plan focus on potential large-scale emergencies or disasters that can generate unique situations requiring unusual emergency responses. This plan is a preparedness document intended to be **practiced, reviewed, understood, and updated on a regular basis** before large-scale disasters or emergencies strike.

A list of the chapters and sections of the City of Pinole Municipal Code that apply to emergency services are listed below in Table 3 and are available at [Municipal Code - City of Pinole, CA.](#)

Table 3. City of Pinole Municipal Code Chapters and Sections Pertaining to Disasters and Emergencies

City of Pinole Municipal Code Chapter/Section	Disaster and Emergency Roles, Responsibilities and Requirements
2.04.190	City Manager designated as the Director of Emergency Services (and responsible to appoint an Assistant Director of Emergency Services)
2.32.020	Emergency defined
2.32.030 and 2.32.040	Disaster Council membership and duties
2.32.090	Emergency organization
2.32.100	Emergency plan
2.32.110	Expenditures in emergency
8.26	Emergency nuisance abatement procedures
8.37.030	Prohibited use of polystyrene-based disposable foodware and coolers - Exemptions (for emergencies or disasters)
13.18.610	Emergency alert system
13.16.050	Exceptions – Emergency or unusual circumstances (temporary installation and maintenance of overhead facilities)
15.18	Abatement of dangerous buildings
15.04	Flood plain hazard prevention requirements
17.62	Emergency shelters (site requirements outlined 17.62.030)



2.1 Purpose and Governance

The City of Pinole EOP Basic Plan addresses the City's planned response to emergency situations. The primary objective of the EOP is to coordinate the personnel, facilities, and other resources of the City into an efficient organization capable of responding to any emergency, disaster, or planned event. The EOP defines the citywide emergency management organization and details how the City will coordinate emergency response both internally and externally with outside response organizations. The EOP further details the City's Emergency Operations Center (EOC) including activation, responsibilities, and operational procedures.

The City of Pinole EOP embraces the FEMA whole community approach to emergency management and, in addition to City resources, recognizes the roles of special districts, non-governmental organizations (NGOs), community-based organizations (CBOs), faith-based organizations (FBOs), private-sector businesses, educational organizations, and other stakeholders. Additionally, the EOP is intended to engage a wide variety of support that may be required by community members and businesses.

2.1.1 Governance

Pursuant to the City of Pinole Municipal Code Section 2.32.030 Disaster Council Membership, this group will be chaired by the Mayor of Pinole or the Mayor Pro Tempore if the Mayor is unable to serve. The City Manager serves as the vice chair as the director of emergency services. The Disaster Council will also include the Fire Chief serving in the role of the assistant director of emergency services and other representatives serving lead roles at the Emergency Operations Center (EOC). Key community stakeholders may also be appointed to the Disaster Council with the advice and consent of the City Council. The Disaster Council is charged with developing and recommending emergency, mutual aid plans, agreements and ordinances, resolutions, rules, and regulations to facilitate the implementation of related plans and agreements.

The responsibilities of the emergency services director include:

- Informing City Council of the existence of a threat event and facilitating the proclamation of a disaster or emergency. City Council action is required within seven days of the director's proclamation.
- Submitting requests for assistance to the Governor to proclaim a "state of emergency" if City of Pinole resources are inadequate to cope with the event.
- Manage and direct the work of the emergency organization to protect people and property in the City.
- Requisition personnel or materials of any city department or agency.
- Request assistance and support from community members. Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers.
- Serve as the City Manager and execute ordinary duties.

2.2 Scope and Situation Overview

The City of Pinole provides an efficient, coordinated response to any disaster or emergency that could threaten the well-being and health of its residents or visitors. In so doing, the City intends to follow all NIMS and SEMS requirements to facilitate maximum cost recovery from the federal and state governments.



The response to an emergency event will involve all affected City departments, community agencies and other organizations/individuals that can assist in providing resources and recovery efforts. This includes related city, county, state, federal, non-profit agencies, volunteer organizations and other volunteers called upon to serve by local authorities. This plan encompasses all natural and man-made hazards applicable to the City of Pinole, ranging from planned events to large-scale disasters. Hazards that the City is particularly vulnerable to are included in the summary provided in Table 4 below.

Table 4. All-Hazards Summary

Natural	Technological and Structural	Biological	Human Caused
• Earthquake • Extreme Temperature • Floods • Funnel cloud/tornados • Hurricanes • Landslides • Severe weather • Severe wind • Tsunamis • Volcanic eruptions	• Explosions or release of toxins from industrial plants • Accidental release of hazardous materials • Hazardous materials release from major highways or rails • Radiological release • Power failure • Water failure • Dam failure	• Infectious diseases and pandemics • Contaminated food outbreaks • Toxic materials present in laboratories	• Fire (including wildland urban interface) • Active shooters • Criminal threats or action • Civil unrest • Bomb threats • Terrorist acts • Cyber attacks

Source: Contra Costa County Emergency Operations Plan Section 1.2 Hazard Analysis Summary

The procedures detailed in this plan are scalable to address incidents that develop over time as well as those that occur without warning. Table 5 provides the likelihood of various natural hazards and categorizes each by low, medium, or high risk.

Table 5. Natural Hazards Risks

Type of Hazard	Category of Risk
Drought	High*
Earthquake	High
Fire	Medium
Flood	Medium
Landslide	Medium
Severe Weather	High

Source: Contra Costa County Emergency Operations Plan Section 1.2 Natural Hazards Risk Ranking

Source: U.S. Drought Monitor, droughtmonitor.unl.edu, D2 (Severe Drought) April 2022

2.2.1 Mitigation

The City of Pinole is committed to taking ongoing actions and measures to mitigate and/or minimize the impact of disasters or emergencies. Although the City does not maintain a local hazard mitigation plan, it



can refer to the Contra Costa County's Local Hazard Mitigation Plan for guidance about efforts to implement and mitigate or minimize the short- and long-term impacts of a disaster or emergency.

2.2.2 Climate Change

Climate change has triggered major changes to rainfall, snow, wind, and rainfall patterns. Climate change results from several factors, including:

- Burning of fossil fuels, deforestation, increased agricultural activities and land development and construction;
- Changes in the energy and orbit of the Sun and Earth; and
- Changes in ocean circulation.

All these factors lead to warming of the planet and more extreme weather events. As climate change worsens, so will the array of natural hazards, including wildfires, floods, drought, severe weather, and levee failures. Extreme weather is also leading to melting ice caps and rising sea levels. This presents an imminent threat to the Bay Area and the City of Pinole. Community businesses, homes and local infrastructure are at risk along with erosion of the Pinole's shoreline.

2.2.3 Whole Community Approach

The *whole community approach* engages City officials responsible for emergency management, along with community members, local leaders, and other government officials to assess the needs of their respective interest groups to determine how to organize to strengthen and build local capacity, and leverage resources to respond to and recover from a disaster or emergency. As a result, key community partners will also participate in the City of Pinole's regular EOP preparedness events or tabletop exercises. Engaging partners in tabletop events is also a best practice. It offers several beneficial outcomes.

First, partners learn and understand their role in the community's emergency response as well as their role and function in a disaster or emergency incident. Partners' understanding of their role grows the community's emergency response "muscle memory" and maximizes the efficiency of the response. In addition, the collaboration allows community members to proactively identify resources to assist with emergency response and recovery. The whole community approach results in heightened preparedness and builds community resilience.

2.3 Planning Assumptions

Emergency response and recovery rely on a set of guiding principles derived from lessons learned and recorded by jurisdictions in emergency response through the process of planning, mitigation, preparedness, response, and recovery. These principles include the following:

- All emergencies are local.
- Coordination of emergency response at the local (lowest level) government is most effective.
- Tabletop exercises will be conducted regularly by the City and engage the community in the preparedness events.
- Mitigation activities have the potential to reduce losses (life/injuries, property, and damage).
- Emergencies may interrupt essential public services, damage infrastructure, harm the environment, lead to property losses, and displace people from their homes. These events may result in fatalities.
- Services to support community members will be offered by local businesses and community-based organizations during the response and recovery phases of the emergency.



- Larger and more complex disasters and emergencies require more coordination vertically (neighboring communities) and horizontally (regional, state, and federal governments) across agencies.
- Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS) guide emergency management activities. As such, the state will provide emergency assistance to the City when requested pursuant to the State of California Emergency Operations Plan. The federal government will provide emergency assistance when requested by the state pursuant to the National Response Framework (NRF).
- Requests for assistance and mutual aid will be triggered by the assessment that resources have been or will be exhausted.
- Emergency response plans and procedures will be maintained and updated regularly.



3. Concept of Operations, Organization and Assignment Responsibilities

The section provides information about the key roles of emergency response operations and how the organization accomplishes its mission. It includes roles, responsibilities, emergency activation levels and intra- and inter-agency coordination.

Local governments have the primary responsibility for preparedness and response activities in a jurisdiction. When a disaster or emergency exceeds the capacity of the City, assistance is requested of other local jurisdictions in the area and region, and state and federal governments as needed. Incident command remains with the City of Pinole through the disaster or emergency.

3.1 Standardized Emergency Management System

The Standardized Emergency Management System (SEMS) provides the fundamental structure for the response phase of emergency management across the state. SEMS is required by the California Emergency Services Act (ESA) to manage multiagency and multijurisdictional responses to emergencies in California. It provides one integrated system and standardizes key elements.

SEMS incorporates the use of the Incident Command System (ICS), California Disaster and Civil Defense Master Mutual Aid Agreement (MMAA), the Operational Area (OA) concept and multiagency or inter-agency coordination. State agencies are required to use SEMS and local government entities must use SEMS to be eligible for any reimbursement of response-related costs under the state's disaster assistance programs.

3.1.1 SEMS Five Organizational Levels

There are five SEMS organizational levels and they are described below.

3.1.1.1 Field Level

The field level is where emergency response personnel and resources, under the command of responsible officials, carry out tactical decisions and activities in direct response to an incident or threat.

3.1.1.2 Local Government Level

The local government level includes cities, counties, and special districts. Local governments manage and coordinate the overall emergency response and recovery activities within their jurisdiction. Local governments are required to use SEMS when an Emergency Operations Center (EOC) is activated, or a local emergency is declared or proclaimed to be eligible for state reimbursement of response-related costs.

3.1.1.3 Operational Area Level

An operational area (OA) is the intermediate level of the state's emergency management organization and includes all political subdivisions located within that county, including special districts. The OA facilitates and/or coordinates information, resources, and decisions regarding priorities among local governments within the OA. The OA serves as the coordination and communication link between the local government level and regional level.



3.1.1.4 Regional Level

The regional level manages and coordinates information and resources among OAs within the mutual aid region and between the OA and the state level. The regional level also coordinates overall state agency support for emergency response activities within the region. Contra Costa County is part of the Coastal Region, Mutual Aid Region III.

3.1.1.5 State Level

The state level of SEMS prioritizes tasks and coordinates state resources in response to the requests from the regional level and coordinates mutual aid among the mutual aid regions and between the regional level and state level. The state level also serves as the coordination and communication link between the state and the federal emergency response system. The state level requests assistance from other state governments through the Emergency Management Assistance Compact (EMAC) and similar interstate compacts/agreements and coordinates with the Federal Emergency Management Agency (FEMA) when federal assistance is requested. The state level operates out of the State Operations Center (SOC).

3.1.1.6 Federal Level

The National Response Framework (NRF) identifies the methods and means for federal resources to provide support to the state and local government. Federal resources are accessed via the SEMS process through the mutual aid region and state levels.

3.1.2 SEMS: Incident Command and Emergency Operations Practices and Terms

3.1.2.1 Management by Objectives

The management by objectives (MBO) feature of the incident command system (ICS), as applied to SEMS, means that each SEMS level establishes measurable and attainable objectives to be achieved for a specific timeframe. An objective is an aim or end of an action to be performed. Each objective may have one or more strategies and actions needed to achieve the objective.

3.1.2.2 Operational Period

The operational period is the length of time set by command at the field response level and by management at other levels to achieve objectives. The period can vary from several hours, to days or months and will be determined by the situation.

3.1.2.3 Action Plans

Action planning should be used at all SEMS levels. There are two types of action plans in SEMS: incident action plans and EOC action plans. Incident action plans (IAP) are used at the field level. The IAP can be either written or verbal although for documentation purposes the written IAP is preferable.

The IAP contains objectives reflecting the overall incident strategy, specific tactical actions and supporting information for the next operational period. Incident action plans are critical to achieving objectives under ICS.

EOC action plans are crafted at local government, operational area, region, and state levels. The use of EOC action plans provides designated personnel with knowledge of the objectives to be achieved and the steps required for achievement. EOC action plans provide direction and measuring tools to mark achievement of objectives along with performance. As such, action plans can be extremely effective tools during all phases of a disaster. (See Appendix 1 – Emergency Operations Center Action Plan Form.)



3.1.2.4 Organizational Flexibility

The intent of this SEMS feature is that only those functional elements required to meet needs of the emergency and related objectives should be activated. The organization can be arranged in a variety of ways within one of the five SEMS essential functions. The functions of any nonactivated element are the responsibility of the next highest element in the organization. Each activated element must have a person in charge and one supervisor may oversee more than one functional element.

3.1.2.5 Organizational Unity and Hierarchy of Command

Organizational unity means that every individual within an organization has a designated supervisor. Hierarchy of command/management means that all functional elements within each activated SEMS level are linked together to form a single overall organization with appropriate span of control limits.

3.1.2.6 Span of Control

Maintaining a reasonable span of control is the responsibility of every supervisor at all SEMS levels. The optimum span of control is three to five, meaning that one supervisor has direct supervisory authority over between three and five positions or resources. The recommended span of control for supervisory personnel at the field response level and all EOC levels should be in the one-to-three to one-to-seven ratio. (A larger span of control may be acceptable when the supervised positions or resources are all performing a similar activity.)

3.1.2.7 Personnel Accountability

Personnel accountability is an important feature of SEMS. This is accomplished through the organizational unity and hierarchy of command or management using check-in forms, position logs, and various status forms. Structured tools like those described ensure that all personnel at any SEMS level can be accounted for at any time.

3.1.2.8 Common Terminology

SEMS provides a common terminology for functional elements, positions, facility designations, and resources. The purpose of having common terminology is to rapidly enable multi-agency, multi-jurisdiction organizations and resources to work together effectively. This will vary from level to level in terms of directing, controlling, coordinating, and inventorying resources. Procedures for effective resource management are geared to the function and the level that the function is performed. (See Attachment B - Acronyms and Attachment C – Definitions.)

3.1.2.9 Integrated Communications

At the field response level, integrated communications are used during any emergency. At and between all SEMS levels there must be a dedicated effort to ensure that communications systems, planning, and information flow are accomplished in an effective manner. The specifics of how this is accomplished at EOC levels may be different than at the field level.

3.2 National Incident Management System

The National Incident Management System (NIMS) guides all levels of government, nongovernmental organizations (NGO), and the private sector to work together to prevent, protect against, mitigate, respond to, and recover from incidents. NIMS provides stakeholders across the whole community with the shared terminology, systems and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS defines operational systems, including the ICS, Emergency Operations Center



(EOC) structures, and multiagency coordination groups (MAC) that guide how personnel work together during incidents. NIMS applies to all incidents, regardless of size, complexity, or scope, and planned events (e.g., sporting events).

3.3 Incident Command System

SEMS requires that every emergency response involving multiple jurisdictions or multiple agencies includes the five functions identified in Figure 1 below. These functions must be applied at each level of the SEMS organization. The EOC is organized following SEMS and the ICS structure, providing EOC staff with standardized structure and common terminology based on five major functional areas: Management/Command, Planning, Finance and Administration, Operations and Logistics. Each is described below.

3.3.1 Management/Command

Responsible for the coordination, policies, incident objective, strategies, and priorities.

3.3.2 Planning

Collects, analyzes, and shares information. Develops EOC action plan.

3.3.3 Finance and Administration

Provides guidance to staff and is responsible for emergency procurement, employee timesheets/records, cost analysis and recovery documentation along with accounting.

3.3.4 Operations

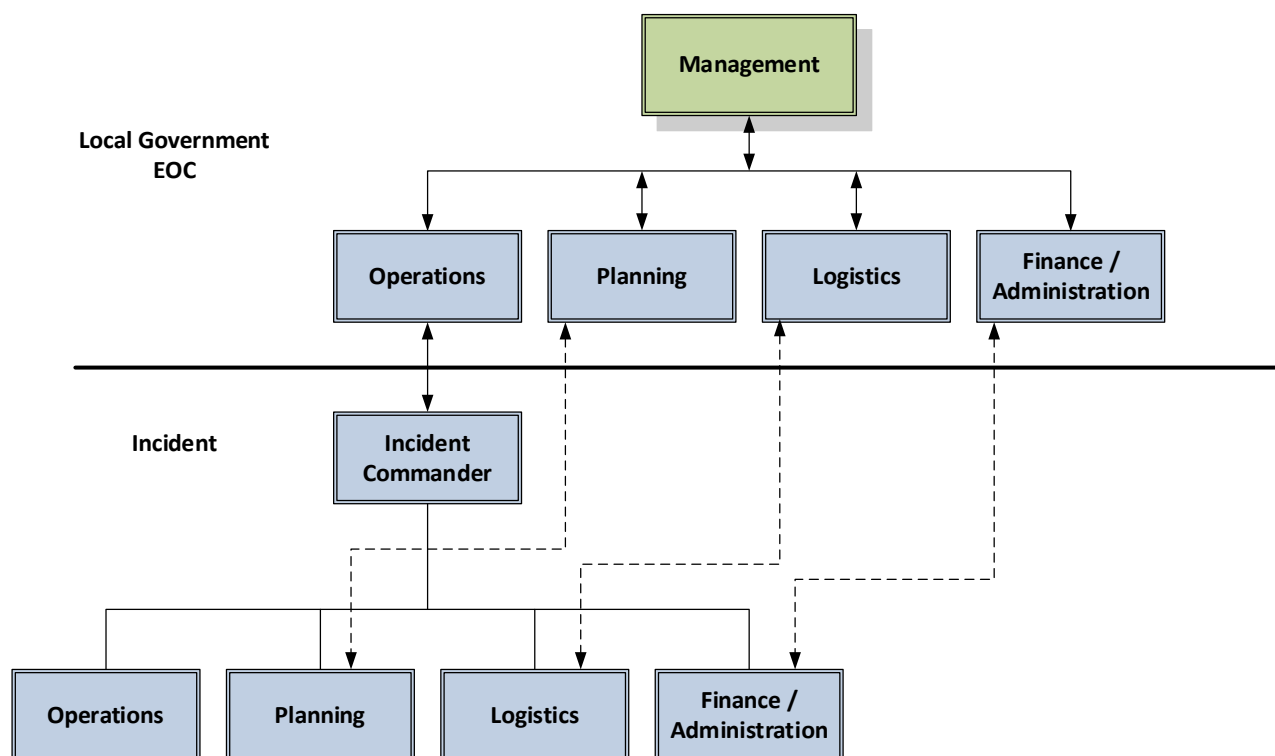
Coordinates the EOC action plan.

3.3.5 Logistics

Provides all tools and resources required to support the emergency response.



Figure 1. Incident Command System Flow Chart



3.4 Emergency Operations Center

The City of Pinole's Emergency Operations Center (EOC) is the central point for emergency management coordination. The purpose of a coordination point is to provide a location to collect and disseminate information, provide a common understanding of the operational area response activities, and facilitate actions necessary to protect residents and property in the City during an event. The EOC provides space and facilities for the centralized collaboration and coordination of emergency functions (e.g., emergency operations, communications, damage assessment, public information). City personnel staff the EOC, which is equipped with a variety of systems and tools that aid in data collection and sharing, resource allocation, and other critical functions. The City of Pinole EOC is located at the Police Department (880 Tennent Avenue, Pinole, California). If that site is unusable, the alternate EOC site is at Pinole Fire Station 74 (3700 Pinole Valley Road, Pinole California).

3.4.1 EOC Functions

The EOC serves the following functions in a disaster or emergency. Staff rely on the individuals in the EOC to:

- Share information;
- Collect and analyze data;
- Provide an operating picture (i.e., incident conditions, staff assignments, gaps, requests for assistance) and description of the response activities;
- Develop situation reports;
- Coordinate/communicate policy priorities;



- Implement event management-by-objectives, including decisions regarding competing objectives and prioritizing and coordinating resources;
- Communicate about incident objectives and maintain a common level of situational awareness; and
- Communicate and coordinate with stakeholders, including the private sector and non-governmental organizations (NGOs), such as hospitals, clinics, and ambulance providers.

3.4.2 EOC Activation Levels and Criteria

Three levels of activation have been established for responding to an event, which are equivalent to the SEMS activation levels. The activated City EOC may be partially or fully staffed to meet the demands of the situation. To determine activation levels, consider complexity, severity, and longevity/duration. The criteria for each activation level are provided in Table 6 below.

Table 6. EOC Activation Level and Criteria

Activation Level	Description	Scenarios	Concept of Operations	Criteria
Full (SEMS Level 3)	The EOC is activated, and all or most of the positions are filled. A full activation occurs for the most significant events involving the use of the full scope of City resources and the need for outside assistance.	Earthquake or large-scale event exhausting local resources	Major/ catastrophic	• Large-scale event • EOC activated and all positions filled • Potential need for assistance from outside agencies
Partial (SEMS Level 2)	Some or all of the core management and general staff are activated, but at a reduced staffing level. This level may be transitioned to a full activation if fully staffed and/or based on the incident complexity, size, and duration.	Disruption of utilities or other essential services	Moderate	• Geographically isolated event • Preparedness/tabletop exercise • Ramp up and transition to a large-scale event • Some positions are filled • Scope of event defines positions filled
Monitoring (SEMS Level 1)	Used when a situation may require monitoring, coordination, and support to the field with minimal staff required.	Excessive weather conditions, such as a winter storm with high winds and/or flood warnings. planned events	Minor	• Duty officer provides status • City alerts staff of the state of readiness to partially or fully activate EOC



3.4.3 When to Activate

The Pinole EOC is activated when the ordinary use of resources requires support and/or augmentation based on the scope of the emergency and the City's role in the response to the emergency. A City official may function from the EOC or from other locations depending on the situation in any of the following scenarios described below.

If the answer is Yes to any of the following, activate the EOC.



- An event is occurring or may occur within the City of Pinole that will significantly impact the life, health, safety and/or environment of the community.
- The Contra Costa County Operational Area EOC requests the City EOC to activate.
- The Governor has proclaimed a State of Emergency in an area that includes the City of Pinole.
- Automatically, on the proclamation of a State of War Emergency, as defined by the California Emergency Services Act.

The plan is typically not activated for routine events that police, fire, and City services can manage as part of their day-to-day operations.



3.4.4 Who Can Activate?

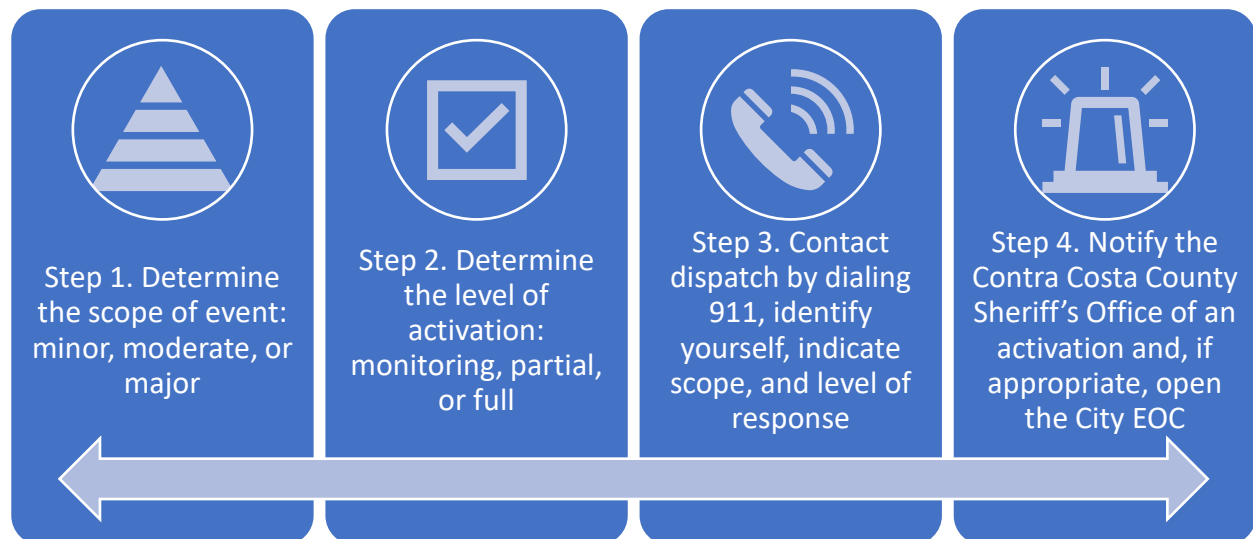
The following individuals are authorized to activate the EOC:

- City Manager,
- Fire Chief,
- Police Chief,
- Public Works Director,
- Community Development Director, and
- City Attorney.

3.4.5 How to Activate

Once the EOC is activated, the City Manager will serve as the EOC Director and lead the City's Emergency Management staff. The actions taken to activate the EOC are highlighted in Figure 2 below.

Figure 2. Actions to Activate the EOC



3.4.6 Notice of Activation

The City of Pinole maintains a current listing of all designated EOC staff. Upon the determination to activate it, all designated staff will be notified via phone call-out tree to report to the EOC.

3.4.7 Questions for EOC Director

Once the EOC is activated, the EOC Director may pose the following questions to better understand the emergency, scale and the type(s) of response(s) required. The list of EOC Director questions include:

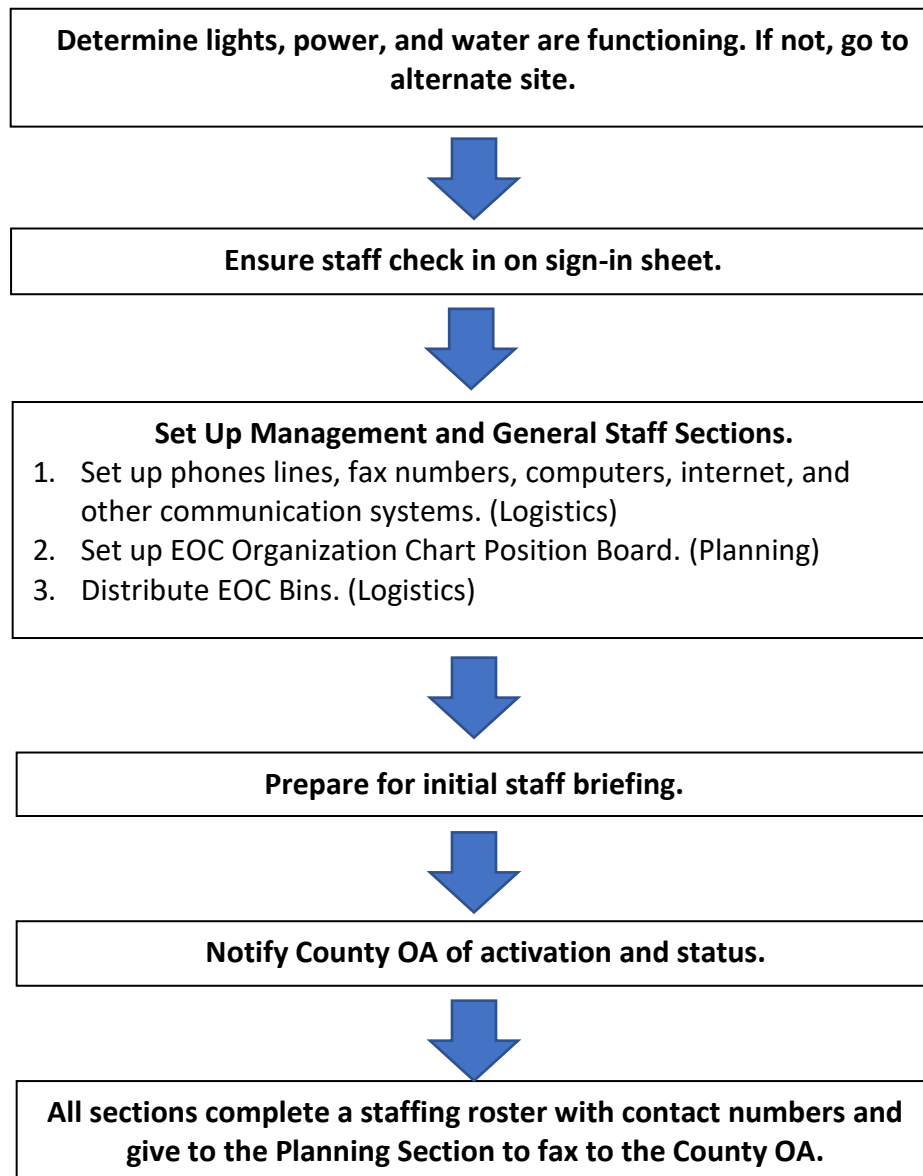
1. What happened?
2. When did it happen?
3. Where did it happen?
4. What was the cause?
5. What population is affected?
6. How are they affected?
7. How long will they be affected?
8. How many dead?
9. How many injured?
10. How many missing?
11. What is the extent of the damage?
12. What is the current impact on the City?
13. How did we learn of the incident?
14. When did we respond?
15. Who is in field command?
16. What has been done so far?
17. What is the status of field response?
18. What is the long-term situation?
19. What is the short-term situation?
20. Has mutual aid been requested?
21. What are the emergency requirements of the public information officer (PIO)?
22. What is the short-term plan?
23. What is the long-term plan?
24. What executive actions or decisions are needed?
25. What is our briefing schedule?

3.4.8 Setup Instructions for EOC

The City of Pinole EOC provides a place where emergency operations can be centralized for collaboration, coordination, and communication. The EOC has tables, phones, maps, reference documents and office supplies and is set up according to a pre-established floor plan. The Logistics Section is responsible for setup. Check-in and setup instructions are summarized in Figure 3 below.



Figure 3. Check-In and Setup Instructions for First-In Staff



The diagrams of the Primary EOC, Partial/Early Activation, and Alternate EOC are provided in Figures 4 through 6. The Alternate EOC is to be used if the Primary EOC is unavailable.

Figure 4. Primary EOC (Full Activation) Diagram



Pinole Public Safety Building (Alex Clark Room) – 880 Tennent Ave, Pinole, CA 94564



Figure 5. Partial or Early EOC Activation Diagram



Pinole Public Safety Building (Alex Clark Room) – 880 Tennent Ave, Pinole, CA 94564



Figure 6. Alternate EOC Diagram



Pinole Fire Station 74 – 3700 Pinole Valley Rd, Pinole, CA 94564



3.4.9 EOC Functions, Roles, and Staffing

The five major areas of the EOC include the functions detailed below.

3.4.9.1 *Command/Management*

Command is responsible for activating, directing, ordering, and/or controlling resources at the field response level. Management is responsible for overall emergency policy and coordination at the SEMS EOC levels.

- *Command.* A key concept in all emergency planning is to establish command and tactical control at the lowest level that can perform that role effectively in the organization. In the Incident Command System (ICS), the Incident Commander (IC), with appropriate policy direction and authority from the responding agency, sets the objectives to be accomplished and approves the strategy and tactics to be used to meet those objectives. The IC must respond to higher authority. Depending on the incident's size and scope, the higher authority could be the next ranking level in the organization up to the agency or department executive.
- *Management.* The EOC serves as a central location from which multiple agencies or organizations coordinate information collection and evaluation, priority setting and resource management. Within the EOC, the Management function:
 - Facilitates multiagency coordination and executive decision making in support of the incident response. (See Appendix 2 – Incident Briefing Form.)
 - Implements the policies established by the governing bodies.
 - Facilitates the activities of the Multiagency Coordination (MAC) Group Operations.

3.4.9.2 *Operations*

Operations orchestrates strategic support to all emergency responses and requests additional resources as needed. Operations implements the EOC Incident Action Plan (IAP) and facilitates the direction of, and makes changes based on the needs of the emergency. Operations staff evaluate the potential economic, social, and environmental impacts of the disaster on its citizens, while managing response to the conditions within the community.

3.4.9.3 *Logistics*

Logistics ensures that all other functions receive support during the incident. This function's primary responsibility is to ensure acquisition, transportation, and mobilization of resources that are available to support the response at the disaster sites, public shelters, EOCs, etc. In addition, logistics staff provide all necessary personnel, supplies and equipment procurement support. Methods for obtaining and using facilities, equipment, supplies, services, and other resources to support emergency response at all operational sites during emergency conditions will be the same as those used during normal operations unless authorized by the Director of Emergency Services. The difference is that coordination will be from the EOC.

3.4.9.4 *Planning*

Planning is responsible for the collection, evaluation and dissemination of operational information related to the incident for the preparation and documentation of the IAP. (See Appendix 1– Emergency Operations Center Action Plan form and instructions and Attachment A, Table 10 - Emergency Recovery



Strategic Planning Template.) Planning maintains information on the current and forecasted situation as well as the status of resources dedicated to the emergency or the EOC. Moreover, coordinators may be appointed to collect and analyze data, prepare situation reports, develop action plans, set geographic information systems (GIS) priorities, compile and maintain documentation, conduct advance planning, manage technical specialists, and coordinate demobilization, as needed.

3.4.9.5 Finance/Administration

Finance/Administration staff are responsible for maintaining personnel time records, procurement, cost analysis and records pertinent to the emergency to maximize cost recovery from the state and federal government and FEMA as well as for any administrative aspects not handled by the other functions. Detailed records must account for the time dedicated to the incident along with EOC personnel and hired equipment, coordination of procurement activities, processing claims and tracking costs.

3.4.10 EOC Structure and Assignments

When activated, the five primary EOC functions are established as separate sections of the EOC organization. Within each section, there may be several sub-functions that need to be activated. The City has assigned personnel to each of the EOC positions. Specific EOC staffing assignments are subject to change, based on turnover of City staff.

The purpose of the EOC structure is to allow for the most efficient flow of information both within the City government and between the City and other jurisdictions, agencies, and organizations since other entities are obliged to organize in a similar fashion.

Figure 7 below shows the standard EOC organization structure and identifies the primary and alternate City personnel who are assigned to each of the EOC roles. It is important to note that these assignments are recommendations. However, at the EOC Director's discretion, other staff assignments may occur based on availability, capacity, skill set, and/or knowledge.

The City EOC is a unified organization made up of sovereign authorities within the boundaries of a city. When a person is assigned to a function, s/he must be constantly aware that s/he represents all the departments and agencies within the City government. Therefore, the primary and alternate positions could be filled by any member within the City as approved by the City's EOC Director or their designee.



Figure 7. City of Pinole Primary and Alternate Emergency Operations Center Personnel

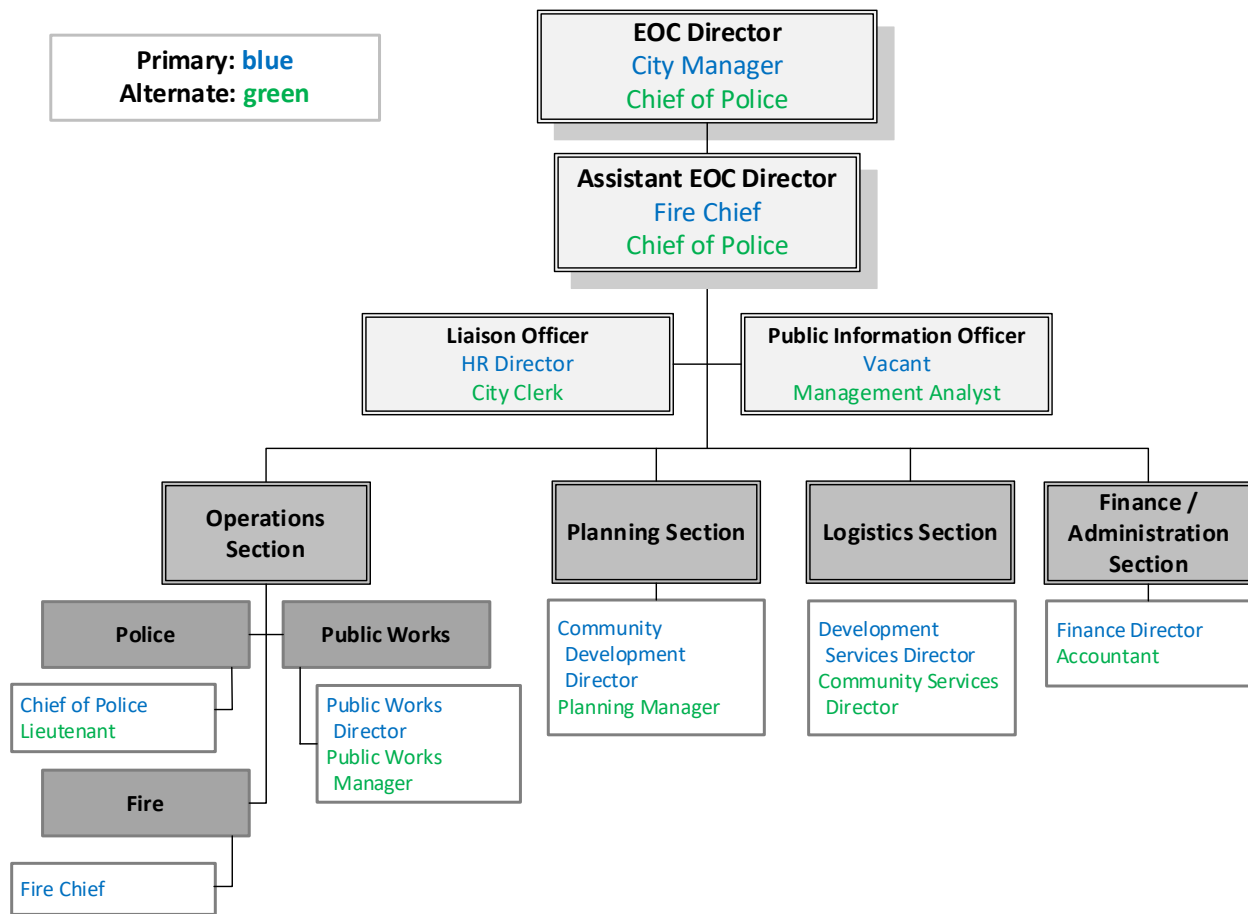
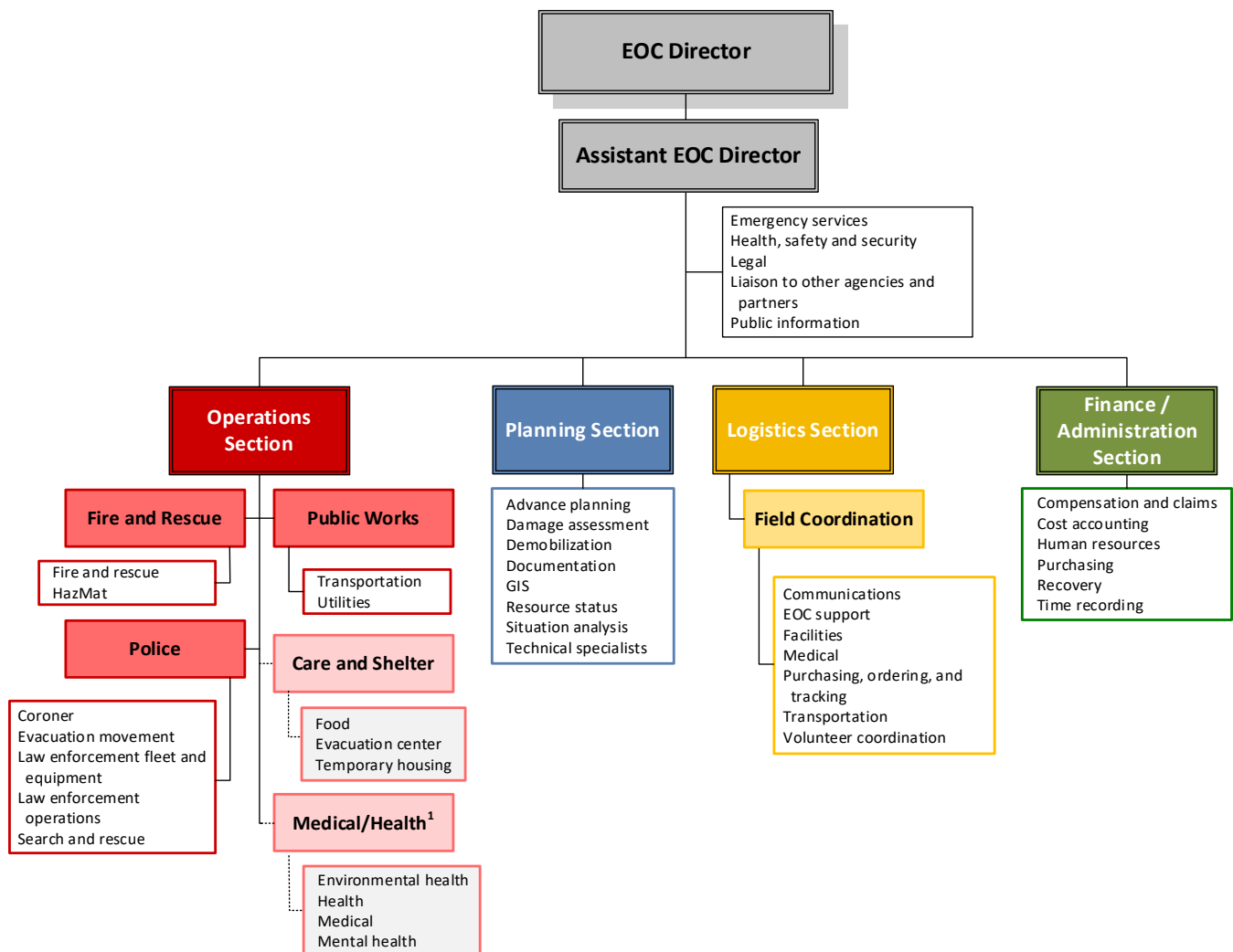


Figure 8 specifies the City of Pinole's EOC functions and roles.

Figure 8. Emergency Operations Center Functional Organization Chart



¹ Medical/health will be coordinated with regional medical service providers and Contra Costa County EMS.

Refer to Attachment D – EOC Responsibilities and Checklists for detailed expectations of the City of Pinole functional assignment. They include the following:

- Common EOC Responsibilities
- City Council
- EOC Director
- Public Information Officer
- Liaison Officer
- Legal Officer
- Safety Officer
- Operations Section
 - Fire and Rescue



- Law Enforcement
 - Public Works
 - Care and Shelter
- Planning Section
- Logistics Section
- Finance/Administration Section

3.4.11 Activating and Demobilizing Positions

Positions on the Emergency Management Organization Chart may be activated or demobilized at any point during the incident. Upon arrival, EOC personnel will document their arrival on the EOC check-in sheet. (See Attachment E – EOC Check-in Sheet.) In addition, EOC personnel will record tasks daily in the EOC activity log. (See Attachment F – EOC Activity Log.) When adequate staff are available, avoid combining positions. How the EOC Director and/or designed activates and demobilizes positions is summarized in Table 7 below.



Table 7. How to Activate and Demobilize Positions

Activate Positions	Demobilize Positions
The EOC Director and/or designee will: 1. Determine what level of activation should occur. 2. Utilizing the available contact information, notify the individuals and departments that the position has been activated and: a. To whom they should report b. What position they will fill c. Length of duration for response d. Any other special instructions	The EOC Director and/or designee will: 1. Determine if the position should be demobilized based on available incident information. 2. Notify the individual and Personnel/Volunteers Unit Leader that their role is being demobilized.



4. Direction and Coordination

4.1 City of Pinole

The governance structure described above outlines the authority and responsibility of the Director of Emergency Services for the City of Pinole pursuant to the Municipal Code Chapters and Sections listed previously. In addition, the City Council has the authority to approve additional regulations and orders to protect life and property or to preserve public order and safety. Emergency proclamations include authority to expedite procurement/acquisition of supplies, staffing and/or equipment.

The Director of Emergency Services provides direction and control over the coordination of multiple departments and, as applicable, multijurisdictional resources to support the field responders. The EOC Director coordinates with special districts and utilities to share information and request or provide support. Special districts and utilities may need to provide a liaison to the EOC. Volunteers, non-profits, and faith-based organizations that offer their services may also provide representatives to the EOC to assist with the response and coordination of support to survivors before, during, and after incidents. These should be included in tabletop exercises to effectively integrate volunteers into the City's EOC.

Pinole's EOC will coordinate resource requests. If requests exceed the operational area's capacity to fulfill, operations will identify, request, and provide outside resources based on established priorities. It is important that departments establish and maintain contracts with local resource vendors and service providers where there are capacity gaps.

4.2 State of California

The State also has the authority to suspend laws and initiate orders, rules, or regulations that may impede emergency responses. When activated, the state will be responsible for coordinating statewide emergency operations, including mutual aid and other support and redirection of essential supplies and other resources to meet local requirements. If the state cannot supply the resource, a request will be made to federal agencies through FEMA.

4.3 Disaster Service Workers

California Government Code Sections 3100-3109 requires all public employees to serve as Disaster Service Workers (DSWs). Public employees (civil service) are all persons employed by any city, county, state agency or public district in the State of California. Disaster Service Workers provide services and support during declared emergencies or disasters. In the event of an emergency or disaster, City employees may be called upon to support emergency management operations (i.e., EOC assistance, support for shelter or deal with related logistics). As such, City employees may be directed to:

- Work at any time during a declared emergency and may be assigned to disaster service work.
- Serve at locations, times and under conditions other than normal work assignments.
- Perform duties within the EOC, in the field or at another designated location.

4.4 Volunteer Management

Emergency organization relies on volunteers to support preparedness activities, augment responses, and offer expertise in recovery. After a disaster, local governments often see an influx of spontaneous



volunteers converge in their communities. Emergency volunteers must be carefully managed and monitored, a function of local government and an additional City of Pinole responsibility.



5. Information Collection, Analysis, Communications and Dissemination

5.1 Information Collection

The Emergency Operations Center (EOC) serves as a hub for collecting, analyzing, and disseminating timely, accurate, consistent, and accessible information relating to the incident or event. The EOC manages and disseminates incident information to establish a common operating picture. The EOC relies on information from various sources, including departments, field staff, private sector partners, elected officials, and other sources.

Redundancy is critical to EOC communications to meet operational and community needs. Computer, network and wireless capability and telecommunications is the responsibility of Information Technology Services. The systems provide alternate modes of communication to departments and support agencies and to a broad range of state and other agencies. In addition to radio-based communications, the EOC has several satellite communication systems that allow connection into the phone system if local circuits are busy or disrupted.

5.2 Information Dissemination, Warnings and Alerts

The EOC provides the single point of contact for information sharing to agencies and entities within and outside of the City. City of Pinole reports will be used to communicate and document information. The City may activate an emergency call center to augment the 9-1-1 system to deal with non-life-threatening safety calls in coordination with departments and social services providers. The City will issue alerts and warnings to the public including social media, standard media, radio, Nextdoor.com, print, electronic signs, and the Emergency Alert System.



6. Authorities and References

The City of Pinole EOP abides by all relevant federal, state, and local laws, policies, and guidelines. Those policies relevant to this document are listed below. Each additional annex and/or appendix will also include a listing of the policies by which they abide.

6.1 Federal

- Robert T. Stafford Emergency Disaster Relief and Emergency Assistance Act (42 USC § 5121 et seq.)
- Federal Disaster Relief Regulations: 44 CFR Part 206
- National Incident Management System, HSPD-5, Management of Domestic Incidents
- National Response Plan, U.S. Department of Homeland Security, December 2004
- National Response Framework, U.S. Department of Homeland Security, March 2008
- FEMA Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters
- Americans with Disabilities Act (ADA) of 1990
- Americans with Disabilities Act of 2010
- Individuals with Disabilities Education Act of 1975
- Post-Katrina Emergency Management Reform Act of 2006 Rehabilitation Act of 1973
- Rehabilitation Act 508
- Fair Housing Act Amendments of 1988
- Architectural Barriers Act of 1968
- Twenty-First Century Communications and Video Accessibility Act of 2010
- Telecommunications Act of 1996
- ADA Checklist for Emergency Shelters
- ADA Best Practices Tool Kit for State and Local Governments
- Department of Justice (DOJ) - Tips & Tools for Reaching Limited English Proficient Communities in Emergency Preparedness
- Rehabilitation Act of 1973
- Fair Housing Act of 1968
- FEMA, Comprehensive Planning Guide (CPG) 101, v.2

6.2 State

- California Emergency Services Act: California Government Code, Title 2, Division 1, Chapter 7
- Standardized Emergency Management System Regulations: California Code of Regulations (CCR) Title 19, Division 2
- California Disaster Assistance Act Regulations: California Code of Regulations, Title 19, Division 2, Chapter 6
- California Government Code, Title 1, Chapter 4, Division 8, Section 3100, (Disaster Service Workers)
- Physician or surgeon, etc., services in emergency California Government Code, Title 2, Chapter 1, Division 7, Section 8659



- Continuity of Government: California Government Code, Title 1, Chapter 4, Division 8, Section 8635
- California Master Mutual Aid Agreement
- Orders and Regulations that may be Selectively Promulgated by the Governor during a State of Emergency
- Orders and Regulations that may be Selectively Promulgated by the Governor during a State of War Emergency
- California Water Code (CWC), § 128 (Department of Water Resources - Flood Fighting)
- Assembly Bill 2311 (Brown, Chapter 520, Statutes of 2016)
- California Emergency Services Act
- California Office of Emergency Services Office of Access and Functional Needs (Cal OES OFAN) Guidance on Planning and Responding to the Needs of People with Disabilities and Older Adults
- California Building Code, Chapter 11B - Accessibility to Public Buildings
- Local Assistance Center Guide for Local Governments
- California State Emergency Plan, 2017

6.3 Local/Operational Area

- California Disaster and Civil Defense Master Mutual Aid Agreement
- California Fire and Rescue Emergency Mutual Aid Plan
- California Law Enforcement Mutual Aid Plan
- Federal Disaster Relief Act of 1974 (Public Law 93-288)
- California Public Health and Medical Emergency Operations Manual (EOM) Continuation of Government/Operations Authority
- Continuity of Government in California (Article IV, Section 21 of the State Constitution)
- Preservation of Local Government (Article 15 of the California Emergency Services Act)
- Temporary Seat of State Government (Section 450, Title 1, Division 3, Chapter 1 of the Government Code)
- Automatic Aid Agreement for Exchange of Fire, Rescue, and Emergency Medical Services Among the Contra Costa County Fire Protection District, Rodeo-Hercules Fire Protection District and City of Pinole Fire Department (See Appendix 3)



7. Supporting Annexes – Placeholder

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Attachment A – Emergency Response and Recovery Partner Agencies

Emergency Response and Recovery Partner Agencies

The list in Table 8 below includes emergency response and recovery partners that the City of Pinole may engage and coordinate its response to an incident. For each agency, the name, lead contact, address, email and phone are provided along with the type of assistance the agency will offer to the City. A notes column is included as well. Staff in the City of Pinole will update this list annually.

Table 8. Emergency Response and Recovery Partner Agencies

Agency	Contact	Assistance	Notes / Comments
Contra Costa County Emergency Services	Sheriff: David Livingston Email: oes-staff@so.cccounty.us Address: 1850 Muir Rd. Martinez, CA 94553 Phone: 925-646-4461	Emergency Services	
Rodeo Hercules Fire District	Acting Fire Chief: Darren Johnson Email: johnsond@rhfd.org Address: 1680 Refugio Valley Road Hercules, CA 94547 Phone: 510-799-0395 Fax: 510-799-0395	Mutual Aid	
El Sobrante MAC	Chairman: Tom Lang Email: tlangesmac.cc@gmail.com Address: 3769 B, San Pablo Dam Rd. El Sobrante, CA 94803 Phone: 510-942-2222 Fax:	Emergency Services	
City of Hercules	Mayor: Dion Bailey Email: dbailey@ci.hercules.ca.us City Manager: Dante Hall Email: dhall@ci.hercules.ca.us Address: 111 Civic Drive Hercules, CA 94547 Phone: 510-799-8200 Fax: 510-799-2521	Emergency Services	
City of Richmond	Mayor: Tom Butt Email: tom_butt@ci.richmond.ca.us	Emergency Services	



Agency	Contact	Assistance	Notes / Comments
	Address: 450 Civic Center Plaza, Suite 300 Richmond, CA 94804 Phone: 510-620-6503 Fax: 510-412-2070 City Manager: Shasa Curl Email: shasa_curl@ci.richmond.ca.us Address: 450 Civic Center Plaza, Suite 300 Richmond, CA 94804 Phone: 510-620-6512 Fax: 510-620-6542		
Rodeo MAC	Chairman: Dr. Anthony Hodge Staff Member: Dominic Aliano Email: Dominic.Aliano@bos.cccounty.us Address: P.O. Box 438 Rodeo, CA 9457 Phone: 925-608-4200	Emergency Services	
City of San Pablo	Mayor: Rita Xavier Email: RitaX@sanpabloca.gov Address: 1000 Gateway Avenue San Pablo, CA 94806 Phone: 510-215-3000 Fax: 510-215-3011 City Manager: Matt Rodriguez Email: mattr@sanpabloca.gov Address: 1000 Gateway Avenue San Pablo, CA 94806 Phone: 510-215-3016 Fax: 510-215-3011	Emergency Services	
State of California Governor's Office of Emergency Services	Director: Mark Ghilarducci Region II: Melanie Gilbert Email: melanie.gillbert@caloes.ca.gov Address: 2333 Courage Dr., Suite H Fairfield, CA 94533 Phone: 707-330-6240 Mobile: 707-330-6240	Emergency Services	
Pacific Gas and Electric	Address: P.O. Box 997300 Sacramento, CA 95899 Phone: 800-743-5000	Utility	



Agency	Contact	Assistance	Notes / Comments
East Bay Municipal Utility District	Email: customerservice@ebmud.com Address: 375 11 th Street. Oakland, CA 94607 Emergency Phone: 866-403-2683 Phone: 866-403-2683 Phone: 510-763-1035	Utility	
California Department of Transportation	District: 4 (Bay Area/Oakland) Email: caltrans_d4@dot.ca.gov Address: 111 Grand Ave. Oakland, CA 94612 Phone: 510-286-4444	Transportation	
California Highway Patrol	Division: Golden Gate Address: 1551 Benicia Rd. Vallejo, CA 94591 Phone: 510-917-4300 Dispatch: 707-641-8300 Division: Contra Costa (320) Address: 5001 Blum Rd. Martinez, CA 94553 Phone: 925-646-4980 Dispatch: 707-641-8300 Division: Oakland (370) Address: 3601 Telegraph Ave. Oakland, CA 94609 Phone: 510-457-2875 Dispatch: 707-641-8300	Emergency Services	
West Contra Costa Unified School District	Superintendent: Chris Hurst Email: chris.hurst@wccusd.net Address: 1108 Bissell Ave. Richmond, CA 94801 Phone: 510-231-1101 Phone: 510-231-1100 Info switchboard: 510-231-1195	Temporary Shelter/Staging Area	
Pinole Valley High School	Principle: Kibby Kleiman Email: kkleiman@wccusd.net Address: 2900 Pinole Valley, Rd. Pinole, CA 94564 Phone: 510-231-1442 ext. 11576 Fax: 510-758-6054	Temporary Shelter/ Staging Area	Schedule a meeting to discuss and develop a potential MOU



Agency	Contact	Assistance	Notes / Comments
<i>Pinole Middle School</i>	Principle: Eric Mapes Email: eric.mapes@wccusd.net Address: 1575 Mann Dr. Pinole, CA 94564 Phone: 510-724-1436 Fax: 510-724-9583	Temporary Shelter/ Staging Area	
<i>Collins Elementary School</i>	Principle: TBD Email: TBD Address: 1224 Pinole Valley Rd. Pinole, CA 94564 Phone: 510-231-1446 Fax: 510-741-1268	Temporary Shelter/ Staging Area	
<i>Stewart Elementary School</i>	Principle: Michael Hamilton Email: mhamilton@wccusd.net Address: 2040 Hoke Dr. Pinole, CA 94564 Phone: 510-231-1410 Fax: 510-758-1639	Temporary Shelter/ Staging Area	
<i>Shannon Elementary School</i>	Principle: Dan MacDonald Email: DMacDonald@wccusd.net Address: 685 Marlesta Rd. Pinole, CA 94564 Phone: 510-231-1454 Fax: 510-741-8690	Temporary Shelter/ Staging Area	
<i>Ellerhorst Elementary School</i>	Principle: Greg Whaling Email: gwhaling@wccusd.net Address: 3501 Pinole Valley Rd. Pinole, CA 94564 Phone: 510-231-1426 Fax: 510-243-6754	Temporary Shelter/ Staging Area	
<i>Tara Hills Elementary School</i>	Principle: Shari Salinas Email: shari.salinas@wccusd.net Address: 2300 Dolan Way. Pinole, CA 94564 Phone: 510-231-1428 Fax: 510-724-3224	Temporary Shelter/ Staging Area	
<i>St. Joseph Elementary School</i>	Principle: Natalie Lenz-Acuna Email: nlenz-acuna@csdo.org	Temporary Shelter/ Staging Area	



Agency	Contact	Assistance	Notes / Comments
	Address: 1961 Plum St. Pinole, CA 94564 Phone: 510-724-0242 Fax: 510-724-9886		
La Casita Bilingual Montessori	Director: Gloria Castillo Email: lacasita592@gmail.com Address: 592 Tennent Ave. Pinole, CA 94564 Phone: 510-724-1724 Fax: 510-724-1724	Temporary Shelter/ Staging Area	
Montessori Children's House	Director: TBD Email: director@pinolemontessori.com Address: 2612 Appian Way Pinole, CA 94564 Phone: 510-222-9688	Temporary Shelter/ Staging Area	
YMCA of Pinole	Director: TBD Email: TBD Address: 2040 Hoke Dr. Pinole, CA 94564 Phone: 510-262-6588	Temporary Shelter/ Staging Area	
American Red Cross (Oakland and Pleasant Hill)	Director: TBD Email: arcbainfo@redcross.org Address: 195 Brandon Rd. Pleasant Hill, CA 94523 Phone: 925-603-7400 Fax: 925-603-7406	Temporary Shelter/ Food	
Bay Front Chamber of Commerce (formerly the Pinole Chamber of Commerce)	Director: Sylvia Villa-Serrano Direct Line: 510-685-1182 Email: Sylvia@bayfrontchamber.com Address: P.O. Box 5283 Hercules, CA 94547 Phone: 510-741-7945	Communications/ Food	
Kaiser Permanente Pinole Medical Offices	Director: TBD Email: TBD Address: 1301 Pinole Valley Rd. Pinole, CA 94564 Phone: 510-243-4000	Medical	
Stanford Children's	Office Manager: Tammy Pio	Medical	



Agency	Contact	Assistance	Notes / Comments
(formerly Bayside Medical Group)	Email: tpio@stanfordchildrens.org Address: 2160 Appian Way Pinole, CA 94564 Phone: 510-724-8300 Direct: 510-333-3203		



Contract Services for Emergency Response and Recovery

Table 9 lists the activities the City of Pinole must begin the process of procuring to ensure it has the capacity to manage and scale its emergency response and recovery efforts when a crisis occurs.

Table 9. Emergency Response and Recovery Partners

Activity Category	Contract In Place (Yes/No)	Provider	Notes / Comments
Building Inspection Services	No		
Debris Removal Services	No		
Security Services	No		
Temporary Housing	No		
Disaster Damage Cleaning Services	No		
Catering Services	No		
Temporary Employee Services	No		
Equipment	No		
Trucks/Buses/Cars	No		
Other			



Emergency Response and Recovery Strategic Plan Template

Balancing the volume of needs across the continuum of timeframes from response through recovery is the responsibility of the City of Pinole. Table 10 below offers a dynamic tool to plan for the array of response and recovery activities across four timeframes: immediate and in the short-, mid- and long-term.

Table 10. Emergency Response and Recovery Strategic Planning Template

Activity Categories	Timeframe							
	Immediate		Short-term		Mid-term		Long-term	
	Activity	Owner	Activity	Owner	Activity	Owner	Activity	Owner
Building Inspections • Commercial • Residential								
Emergency Shelter								
Temporary Housing								
Contractor/Volunteer Licensing								
Emergency Procurement								
Housing Assistance Programs								
Business Assistance Programs								
Debris Removal								
Other								



Attachment B – Acronyms

Acronym	Meaning
AA/CA	After Action/Corrective Action
ARC	American Red Cross
Cal OES	California Office of Emergency Services
CLETS	California Law Enforcement Telecommunications System
COG	Continuity of Government
COOP	Continuity of Operations
CSTI	California Specialized Training Institute
DHS	Department of Homeland Security
DOC	Departmental Operations Center
EAS	Emergency Alert System
EMS	Emergency Medical Services
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
ERT	Emergency Response Team
EF	Emergency Function (California EOP)
ESF	Emergency Support Function
FEMA	Federal Emergency Management Agency
GIS	Geographical Information System
GPS	Global Positioning System
HMGP	Hazard Mitigation Grant Program
HSEEP	Homeland Security Exercise and Evaluation program
HSPD	Homeland Security Presidential Directive
IAP	Incident Action Plan
IC	Incident Commander
JIC	Joint Information Center
JIS	Joint Information System
JOC	Joint Operations Center
LAC	Local Assistance Center
NFIP	National Flood Insurance Program
NIMS	National Incident Management System
NRF	National Response Framework



Acronym	Meaning
OA	Operational Area
ODP	Office of Domestic Preparedness
OES	Office of Emergency Services
PA	Public Assistance
PDA	Preliminary Damage Assessment
PIO	Public Information Officer
RIMS	Response Information Management System
REOC	Regional Emergency Operations Center
SBA	Small Business Administration
SEMS	Standardized Emergency Management System
SITREP	Situation Report
SNS	Strategic National Stockpile
SOC	State Operations Center (CA)
SOP	Standard Organizations Procedure
VOAD	Voluntary Organizations Active in Disasters
WMD	Weapon of Mass Destruction



Attachment C – Definitions

After Action/Corrective Action Report: A written report that provides a source for documentation of response and recovery activities. It is used to identify problems and successes that occurred during emergency operations, and to analyze the effectiveness of components of the SEMS. The Corrective Action Report describes and defines a plan of action for implementing improvements, including mitigation activities, and a means of tracking them to completion.

Command Post: A physical location designated at the beginning of any disaster where the Incident Commander is stationed. Depending on conditions, the command post may be moved. Multiple incidents would have multiple command posts.

Demobilize: When specific personnel or equipment are no longer needed, they are returned to the original dispatch location.

Department Operations Center (DOC): A facility used by a discipline or agency as a department-level EOC. Examples are departments within a political jurisdiction such as fire, police, public works as well as agency divisions, districts, or regional offices. DOCs can be used at all SEMS levels above the field response level, depending on the impacts of the emergency, demographic nature of the agency or organization, local policy and procedures, and configuration of communications systems.

Disaster Service Worker: All volunteers (including veterinarians) must be sworn in as disaster service workers BEFORE a disaster. Taking this oath affords them coverage if injured through the State Workers' Compensation Fund. It also allows for more protection than the Good Samaritan Act with respect to liability issues.

Emergency: A condition of disaster or extreme peril to the safety of persons or property. Emergencies can be small or large.

Emergency Operations Center (EOC): A location where staff monitor and coordinate the disaster response. EOC facilities are found at local governments, operational areas, regions, and states.

Emergency Response Agency: Any organization responding to an emergency or providing mutual aid support to such an organization whether in the field, at the scene of an incident, or to the operations center.

Emergency response personnel: Personnel involved with an agency's response to an emergency.

Incident Action Plan (IAP): When a disaster occurs, a written or oral plan is drafted by the Planning Section with the Incident Commander. It establishes goals and identifies the operational period.

Incident Commander (IC): The individual responsible for all incident activities. The IC has overall authority and responsibility for incident operations.

Incident Command System (ICS): A nationally used, standardized, on-scene emergency management system.



Liaison Officer: One person will be assigned to aid in the coordination of the response by being the point of contact for other agencies responding to an incident. The Liaison Officer reports directly to the IC.

Memorandum of Understanding: A written agreement between two or more parties to establish official partnerships. It expresses a convergence of will between the parties, indicating an intended common line of action.

Mitigation: Before or after a disaster there are actions that can be taken to reduce the impact of the event.

Multiagency or interagency coordination: Agencies working together at any SEMS level to facilitate decisions.

Mutual Aid: Voluntary provision of services and facilities when existing resources prove to be inadequate. California mutual aid is based on the State's Master Mutual Aid Agreement. There are several mutual aid systems included in the mutual aid program.

Operational Area: An intermediate level of the state emergency services organization consisting of a county and all political subdivisions within the county area.

Operational Period: In each action plan, there will be a period of time specified in which identified goals must be accomplished.

Operations Section Chief: The Operations Section Chief directly manages all incident tactical activities and implements the Incident Action Plan.

Public Information Officer (PIO): One person is designated to be the ONLY contact for the media to ensure that accurate information about the disaster response is released. Press releases are approved by the Incident Commander prior to release.

Span of control: To ensure the most effective disaster response, the optimum number of people reporting to one supervisor is no more than five people and the maximum is seven people.

Triage: When there are many injuries, those with the most life-threatening injuries are treated first (if they have a good prognosis with treatment).



Attachment D – EOC Responsibilities and Checklists

Common EOC Responsibilities *(The following is a checklist applicable to all EOC positions)*

ACTIVATION

- ☐ Check-in upon arrival at the EOC. (The Finance/Administration Section is responsible for check-in of personnel resources to the EOC.)
- ☐ Report to your EOC section lead.
- ☐ Print your name on the EOC check-in sheet next to your assignment.
- ☐ Obtain a briefing on the situation.
- ☐ Review your position responsibilities.
- ☐ Clarify any issues regarding your authority and assignment and what others in the EOC do.
- ☐ Ensure all functions within your Section are appropriately staffed. Make required personnel assignments as staff arrive.
- ☐ Based on the situation as known or forecast determine likely future Section needs.

GENERAL OPERATIONAL DUTIES

- ☐ Establish and review operating procedure with the communications staff of the Logistics Section for use of telephone, radio, and data systems. Make any priorities or special requests known.
- ☐ Anticipate potential situation changes, such as severe aftershocks, in all planning. Develop a backup plan for all plans and procedures requiring off-site communications.
- ☐ Determine and anticipate support requirements and forward to your EOC supervisor.
- ☐ Monitor your position activities and adjust staffing and organization to meet current needs.
- ☐ Use face-to-face communication in the EOC whenever possible and document decisions and policy.

DOCUMENTS AND REPORTS

- ☐ Open and maintain a position activity log. Make sure you note your check-in time on the log.
- ☐ Maintain all required records and documentation to support the after-action review and the history of the emergency/disaster. Document:
 - Messages received,
 - Actions taken,
 - Decision justification and documentation,
 - Requests filled, and
 - EOC personnel, time on duty and assignments.

Precise information is essential to meet requirements for possible reimbursement by Cal OES and FEMA.

- ☐ Review situation reports as they are received. Verify information where questions exist.
- ☐ Ensure that your personnel and equipment time records and a record of expendable materials used are provided to your EOC supervisor at the end of each operational period/shift.
- ☐ Do NOT throw away any paperwork (notes, memos, messages, etc.). This documentation can be used for FEMA reimbursement.
- ☐ Keep your EOC supervisor advised of your status and activity and about any problem areas that need or will require solutions.

RESOURCES



- ☐ Determine 24-hour staffing requirements and request additional support as required.
- ☐ Keep up to date on the situation and resources associated with your position.
- ☐ Request additional resources through the appropriate Logistics Section Unit.

SHIFT CHANGE

- ☐ Brief incoming personnel and identify in-progress activities that need follow-up.
- ☐ Provide incoming personnel with the next EOC Action Plan.
- ☐ Submit completed logs, timecards, etc. to your EOC organizational supervisor before you leave.
- ☐ Determine when you should return for your next work shift.
- ☐ Leave contact information where you can be reached.

DEACTIVATION

- ☐ Ensure that all required forms or reports are completed and submitted to your EOC organizational supervisor prior to your release and departure.
- ☐ Be prepared to provide input to the EOC After-Action/Corrective Action Report.
- ☐ Determine what follow-up to your assignment might be required before you leave.
- ☐ Deactivate your position and close out logs when authorized by your EOC organizational supervisor.
- ☐ Leave contact information where you can be reached.
- ☐ Maintain status reports and displays.
- ☐ Sign out with your supervisor and on large EOC organization/sign-in sheet.



CITY COUNCIL RESPONSIBILITIES AND CHECKLIST

Primary Responsibilities

- Proclaim* and/or ratify a local emergency**.
- Approve policies, recommendations, and emergency proclamations as submitted by the City Manager.
- Communicate with other elected officials.
- Disseminate disaster-related information provided by the EOC to their constituents.
- Support the EOC Director and provide policy guidance when needed.
- Obtain briefings from EOC Director and provide information to the public and media in coordination with the Public Information Officer (PIO).
- Host and accompany government officials on tours of the emergency.

ASSIGNMENTS/STAFFING

- ☐ Do not report to the EOC, unless requested to do so by the EOC Director.

MEETINGS/BRIEFINGS

- ☐ Receive incident briefing from EOC Director (City Manager) or designee by phone or arranged meeting location.
- ☐ Call emergency meetings of the City Council to proclaim and/or ratify a local emergency and approve emergency orders as needed.
 - Three members of the City Council are needed for an official quorum.
 - Emergency proclamations must be ratified within seven days.
 - Approve extraordinary expenditure requirements as necessary.

POLICIES

- ☐ Review at least every 30 days the need for continuing the local emergency and proclaim the termination of the local emergency as conditions warrant.
- ☐ In consultation with the EOC Director, the policy group, and staff, develop temporary emergency policies for managing the strategic aspects of the emergency.

ONGOING ACTIVITIES

- ☐ Upon request of PIO or Liaison Officer, host and accompany governmental officials on tours of the emergency area. Coordinate all tours with PIO.
- ☐ Provide interviews to the media as arranged by the PIO.
- ☐ Refer all requests for emergency information to the EOC Director or PIO.
- ☐ Develop or utilize existing citizen's advisory group to address concerns, as appropriate.
- ☐ Consider developing an emergency planning task force within the local business or trade association to discuss concerns and disseminate pre-event planning information and post-event recovery information.
- ☐ Encourage post-event discussions in the community to identify perceived areas of improvements.

**Proclaim a local emergency. The City Council, if in session, and the Director of Emergency Services, when City Council is not in session, can proclaim a local emergency.*

***Ratify a local emergency. Whenever a local emergency is proclaimed by the Director of Emergency Services, the City Council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect. If the City Council does not ratify the local emergency, such inaction shall not affect the validity of the local emergency during the period of time it was in effect.*



EOC DIRECTOR RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: City Council

Primary Responsibilities

- Serve as the Director of Emergency Services for the City of Pinole.
- Make executive decisions based on City Council policies.
- Develop and issue rules, regulations, proclamations, and orders.
- Activate the EOC and establish appropriate staffing level.
- Exercise overall management responsibility for the coordination of the response and recovery efforts within the affected area. In conjunction with the staff, set priorities for response efforts, and ensure that all agency actions are accomplished within the priorities established.
- Serve as liaisons with legislative representatives as necessary to acquire vital support for your jurisdiction.
- Ensure that multi-agency or inter-agency coordination is accomplished effectively within the EOC.

ACTIVATION

- ☐ Determine the operational status and appropriate level of activation based on the situation as known.
- ☐ Confirm level of EOC activation and ensure that EOC positions and ICS field positions are filled as needed.
- ☐ As appropriate, respond to the EOC.
- ☐ Mobilize appropriate personnel for initial activation of the EOC.
- ☐ Activate an alternate EOC as required. When there is damage to the primary EOC sufficient to render it unusable, report to the alternate EOC.
- ☐ Ensure the EOC is properly set up and ready for operations.

START-UP

- ☐ Direct the implementation of the City's Emergency Operations Plan.
- ☐ Obtain a copy of the current EOC Action Plan (not available at initial EOC activation).

ASSIGNMENTS/STAFFING

- ☐ Ensure that the Management Section is staffed as soon as possible at the level needed.
 - Public Information Officer
 - Liaison Officer
 - Safety Officer
 - Legal Officer
 - Policy Group – City Council
- ☐ Assign Section Chiefs (General Staff) as needed for:
 - Operations
 - Planning
 - Logistics
 - Finance/Administration
- ☐ Assign person to record EOC Director's actions.
- ☐ Assign staff to initiate check-in procedures.



- ☐ Ensure that the EOC Organization and Staffing chart is posted and that arriving team members are assigned by name.

NOTIFICATIONS

- ☐ Ensure the Liaison Officer notifies the Contra Costa County Operational Area that the City EOC is activated.

MEETINGS/BRIEFINGS

- ☐ Obtain briefing from current Incident Commander, or with persons responsible for public works, fire, and police operations to obtain incident status and information or from whatever sources are available.
- ☐ Brief incoming EOC personnel prior to their assuming their duties. Briefings should include:
 - Current situation assessment
 - Identification of specific job responsibilities
 - Identification of co-workers within the job function and/or geographical assignment
 - Availability of communications
 - Location of work area
 - Identification of eating and sleeping arrangements as appropriate
 - Procedural instructions for obtaining additional supplies, services, and personnel
 - Identification of operational period work shifts
 - Work objectives for Section staff.
- ☐ Ensure that all EOC management team meetings, staff meetings, and policy decisions are documented by a scribe.
- ☐ Establish the frequency of briefing sessions.
- ☐ Conduct periodic briefings for your Section. Ensure that all organizational elements are aware of priorities.
- ☐ Conduct periodic briefing sessions with the City Council to update the overall situation.

ACTION PLANNING

- ☐ Schedule the first planning meeting.
- ☐ Establish overall EOC priorities and develop objectives for the management function.
- ☐ Approve and authorize the implementation of the EOC Action Plan developed and prepared by the Planning Section and EOC management team.

DOCUMENTATION

- ☐ Ensure that all your section personnel and equipment time records and a record of expendable materials used are provided to the Finance/Administration Section at the end of each operational period including timesheets and purchases.

POLICIES

- ☐ Confirm the delegation of authority. Obtain any guidance or direction as necessary.
- ☐ Determine appropriate delegation of purchasing authority to the Logistics Section.

ONGOING ACTIVITIES

- ☐ Direct the implementation of the City's Emergency Operations Plan.
- ☐ Ensure that telephone, radio, and data communications with other facilities are established and tested.



- ☐ Ensure that all departments account for personnel and work assignments.
- ☐ Carry out responsibilities of all other EOC Sections not currently staffed.
- ☐ Develop and issue appropriate rules, regulations, proclamations, and orders.
- ☐ Initiate Emergency Proclamations as needed.
- ☐ Consider activating the policy group to address citywide issues (i.e., reduced hours of operations for regular City business), continuity of government and continuity of operations issues.
- ☐ Set priorities for restoration of city services.
- ☐ In conjunction with the PIO, coordinate and conduct news conferences and review media releases as required. Establish procedure for information releases affecting inter-agency coordination.
- ☐ Authorize PIO to release information to the media and to access the Emergency Alert System (EAS) via the Contra Costa County Operational Area EOC if necessary.
- ☐ Ensure that the Liaison Officer is providing for and maintaining positive and effective interagency coordination.
- ☐ Establish and maintain contacts with adjacent jurisdictions/agencies and with other organizational levels as appropriate.
- ☐ Keep the Mayor, City Council and the Operational Area informed of all problems and decisions.
- ☐ Monitor performance of EOC personnel for signs of stress or under-performance; initiate critical incident stress debriefing as appropriate in coordination with the Logistics Section.

RESOURCES

- ☐ Request additional personnel to maintain a 24-hour operation as required.
- ☐ Determine if support is required from other jurisdictions, request mutual aid from the Contra Costa County Operational Area. Logistics Section will implement all Mutual Aid requests.

DEACTIVATION

- ☐ Authorize deactivation of sections, branches, or units when they are no longer required. Approve the deactivation plan (drafted by Planning).
- ☐ Ensure that the Liaison Officer notifies the Contra Costa County Operational Area, adjacent facilities and other EOCs as necessary of planned time for deactivation.
- ☐ Ensure that any open actions not yet completed will be taken care of after deactivation.
- ☐ Ensure that all required forms or reports are completed prior to deactivation.
- ☐ Ensure that the Planning Section schedules a debriefing and critique of the disaster operations to incorporate into the after-action/corrective action review.
- ☐ Deactivate the EOC and close out logs when the emergency no longer requires activation.
- ☐ Proclaim termination of the emergency and proceed with recovery operations.



PUBLIC INFORMATION OFFICER RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Serve as the City's contact person for all media issues.
- Ensure the public within the affected area receives complete, accurate, timely, and consistent information about lifesaving procedures, health preservation instructions, emergency status and other information, and relief programs and services.
- Review and coordinate all related information releases, including dissemination of emergency information to City departments to keep employees apprised of the situation.
- Maintain a relationship with the media representatives and hold periodic press conferences as required.
- Disseminate information through news releases, media interviews, local websites, social networking tools and arrange for tours or photo opportunities of the incident.
- Establish a media center or Joint Information Center (JIC) for media use and dissemination of information.

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.
- ☐ Determine need for additional PIO personnel and request approval from the EOC Director. Forward the request to Logistics Section. (Note: In a large-scale event, providing public information will exceed the capabilities of a single individual. The public information function may grow to a team effort.)
- ☐ Provide sufficient staffing and telephones to handle incoming media and public calls and to gather status information.
- ☐ Consider establishing and staffing a hotline to answer inquiries from the public as needed.
- ☐ Establish staff to monitor a rumor control function to identify false or erroneous information. Develop procedures to correct such information.

NOTIFICATIONS

- ☐ Notify EOC sections and PIOs in the field that the PIO function has been established in the EOC. Distribute PIO phone numbers and contact information.
- ☐ Notify local media of PIO contact numbers.
- ☐ Notify the Operational Area JIC that the PIO function has been established and provide PIO contact numbers.

MEETINGS/BRIEFINGS

- ☐ Attend all Section meetings and briefings.
- ☐ Arrange for meetings between media and City officials or incident level PIOs for information on specific incidents.
- ☐ Periodically prepare briefings for the elected officials or executives as needed, and directed by the EOC Director.
- ☐ Coordinate with the City Council for media contact with City officials.



ACTION PLANNING

- ☐ Assist the Management Section in developing Section objectives for the EOC Action Plan.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Maintain file copies of all information releases.
- ☐ Prepare, update, and distribute to the public a Disaster Assistance Information Directory containing locations to obtain food, shelter, supplies, health services, etc.
- ☐ Prepare a briefing sheet to be distributed to all employees at the beginning of each shift so they can answer questions from the public, such as shelter locations, water distribution sites, etc.
- ☐ Prepare materials that describe the health risks associated with each hazard, the appropriate self-help or first aid actions and other appropriate survival measures.
- ☐ Prepare instructions for people who must evacuate from a high-risk area, including the following information for each threat: evacuation routes; suggestions on types and quantities of clothing, food, medical items, etc. the evacuees should bring; location of shelters.
- ☐ Develop a fact sheet for field personnel to distribute to residences and local businesses, as appropriate (include information about water and electrical outages/shortages, water supply stations, health services, etc.).
- ☐ Ensure file copies are maintained of all information released and posted in the EOC.
- ☐ Provide copies of all releases to the EOC Director.
- ☐ Provide personnel and equipment time records to the EOC Director at the end of each work shift.

POLICIES

- ☐ Implement City PIO/media procedures.
- ☐ Obtain approval from the EOC Director for the release of all information.
- ☐ Secure guidance from the EOC Director regarding the release of available information and authorization to access the emergency alert system (EAS) and the cable system, if needed.
- ☐ Be sure that all elected officials, departments, agencies, and response organizations in the jurisdiction are aware that they must coordinate release of emergency information through the PIO and that all press releases must be cleared with the EOC Director before releasing information to the media.
- ☐ Coordinate PIO activities with County of Contra Costa PIO if an Operational Area JIC is established.

ONGOING ACTIVITIES

- ☐ Coordinate all media events with the EOC Director.
- ☐ Respond to information requests from the EOC Director and EOC management team.
- ☐ Keep the EOC Director advised of all unusual requests for information and of all major, critical, or unfavorable media comments.
- ☐ Coordinate with Incident Commanders and field PIOs to work with the media at incidents.
- ☐ Coordinate with an activated JIC to:
 - Ensure coordination of local, state, and federal and the private sector public information activities.
 - Get technical information (health risks, weather, etc.).



- Consider sending the PIO to the Operational Area JIC if established.
- ☐ Establish a Media Information Center. Provide necessary workspace, materials, telephones, and staffing. If there are multiple local, state, and federal agencies involved consider establishing a JIC or if a JIC is established, designate staff to participate at the JIC.
- ☐ Schedule and post times and locations of news briefings in the EOC, media Information center and other appropriate areas.
- ☐ Develop an information release program.
- ☐ Obtain, process, and summarize information in a form usable in presentations.
- ☐ Develop secure maps, fact sheets, pictures, status sheets and related visual aids for media.
- ☐ Prepare and provide approved information to the media. Post news releases in the EOC, Media Information Center and other appropriate areas.
- ☐ Determine which radio and TV stations are operational.
- ☐ Broadcast emergency information/updates on cable television, either through message board or live taping of Mayor or EOC Director.
- ☐ Ensure you make a digital recording of all interviews that you give.
- ☐ Interact with other branches/groups/units to provide and obtain information relative to public information operations.
- ☐ Coordinate field status updates with the Planning Section and define areas of special interest for public information action. Identify means for securing the information as it is developed.
- ☐ Maintain an up-to-date picture of the situation for presentation to media.
- ☐ Provide escort service for the media and government officials; arrange for tours and photo opportunities when available staff and time permit. Coordinate these tours with Liaison Officer and EOC Director.
- ☐ Monitor broadcast media to:
 - Get general information,
 - Identify and correct inaccurate information, and
 - Identify and address any rumors.
- ☐ Ensure that announcements, information, and materials are translated and prepared for special populations (non-English speaking; non-readers; elderly; the hearing, sight, and mobility impaired; etc.).
- ☐ Warn all non-English speaking and hearing-impaired persons of the emergency/hazard by:
 - Using bilingual employees whenever possible.
 - Translating all warnings, written, and spoken, into appropriate languages.
 - Contacting media outlets (radio/television) that serve the languages you need.
 - Utilizing 9-1-1 translation services and video services to contact the deaf.
- ☐ Issue timely and consistent advisories and instructions for life safety, health, and assistance:
 - What to do and why.
 - What not to do and why.
 - Hazardous areas and structures to stay away from.
 - Evacuation routes, instructions, and arrangements for persons without transportation or access and functional needs (non-ambulatory, sight-impaired, etc.).
 - Location of mass care shelters, first aid stations, food/water distribution points, etc.
 - Location where volunteers can register and be given assignments.



- Street, road, bridges and freeway overpass conditions, congested areas to avoid, and alternate routes to take.
 - Instructions from the coroner and public health officials pertaining to dead bodies, potable water, human waste, and spoiled food disposal.
 - Curfew information.
 - Weather hazards when appropriate.
 - Public information hotline numbers.
 - Status of local proclamation, Governor's Proclamation or Presidential Declaration.
 - Local, state, and federal assistance available; locations and times to apply.
 - How and where people can obtain information about relatives/friends in the emergency/disaster area. (Coordinate with the American Red Cross on the release of this information.)
- ☐ Prepare final news releases and advise media representatives of points-of-contact for follow-up stories.
 - ☐ School information can be issued by the PIO when it is general information and authorized by the school district.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Determine requirements for support to the emergency public information function at other EOC levels.

DEACTIVATION

- ☐ See Deactivation in Common EOC Responsibilities above.



LIAISON OFFICER RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Coordinate with agency representatives assigned to the EOC and handle requests from other agencies for sending liaison personnel to other EOCs.
- Function as a central location for incoming agency representatives, provide workspace, and arrange for support as necessary and provide an orientation briefing, as appropriate.
- Assist the EOC Director in providing orientations for other government officials and visitors to the EOC.
- Interact with other sections and branches/groups/units within the EOC to obtain information, assist in coordination and ensure the proper flow of information.
- Ensure that all developed guidelines, directives, action plans and appropriate situation information is disseminated to agency representatives.

ASSIGNMENTS/STAFFING

- ☐ Contact all onsite agency representatives. Make sure:
 - They have signed into the EOC.
 - They understand their assigned function.
 - They know their work location.
 - They understand EOC organization and floor plan. (See Figures 4, 5 and 6 above on pages 24 through 26.)
 - They have a copy of the EOC Action Plan once available.
- ☐ Determine if outside liaison is required with other agencies such as:
 - Local/county/state/federal agencies,
 - Schools,
 - Volunteer organizations,
 - Private sector organizations,
 - Utilities not already represented, and
 - Special districts not already represented.
- ☐ Respond to requests for liaison personnel from other agencies.
- ☐ Know the working location for any agency representative assigned directly to a branch/group/unit.
- ☐ Compile list of agency representatives (agency, name, EOC phone) and make available to all sections.
- ☐ Be sure that agency representatives are assigned to other facilities as necessary.

NOTIFICATIONS

- ☐ Notify pre-identified outside agency representatives that the EOC has been activated. Request an agency representative.
- ☐ Determine if there are communication problems in contacting outside agencies.

MEETINGS/BRIEFINGS

- ☐ Attend and participate in Management Section meetings and briefings.
- ☐ Brief agency representatives on current situation, priorities and EOC Action Plan.



- ☐ Provide periodic update briefings to agency representatives as necessary.

ACTION PLANNING

- ☐ Assist the EOC Director in developing management objectives for the EOC Action Plan.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Provide personnel and equipment time records to the EOC Director at the end of each work shift.

RESOURCES

- ☐ See Resources in Common EOC responsibilities above.
- ☐ Determine status and resource needs and availability of other agencies.

ONGOING ACTIVITIES

- ☐ Provide EOC organization chart, floor plan, and contact information to all agency representatives.
- ☐ Maintain ongoing contact with all agency liaisons involved with the incident response and provide information to the Planning Section. If agency liaisons are not assigned to be onsite at the EOC, establish plan of communication with each appropriate liaison.
- ☐ Request that agency representatives contact their agency, determine level of activation of agency facilities, and obtain any intelligence or situation information that may be useful to the EOC.
- ☐ Arrange and coordinate tours with PIO, EOC Director, and City Council members.
- ☐ Notify and coordinate with adjacent jurisdictions on facilities and/or dangerous releases that may impose risk across boundaries.
- ☐ Act as liaison with county, state or federal emergency response officials and appropriate city personnel.
- ☐ Respond to requests from sections and branches/groups/units for information. Direct requesters to appropriate representatives.
- ☐ With the approval of the EOC Director, provide agency representatives from the City of Pinole EOC to other EOCs as requested, if available.



LEGAL OFFICER RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Prepare proclamations, emergency ordinances and other legal documents and provide legal services as required.
- Maintain legal information, records and reports relative to the emergency.
- Commence legal proceedings as needed.
- Participate as a member of the EOC management team when requested by EOC Director.

ASSIGNMENTS/STAFFING

- ☐ Report to the EOC Director.
- ☐ Clarify issues regarding your authority and assignment.
- ☐ Determine 24-hour staffing requirements and request additional support as required.

MEETINGS/BRIEFINGS

- ☐ Attend Management Section meetings and briefings as requested.

ACTION PLANNING

- ☐ Assist with developing objectives for the EOC Action Plan.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Prepare proclamations, emergency ordinances and other legal documents required by the City Council and the EOC Director.
- ☐ Prepare documents relative to the demolition of hazardous structures or conditions.
 - Develop rules, regulations and laws required for the acquisition and/or control of critical resources.
 - Provide personnel and equipment time records to the EOC Director at the end of each work shift.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.

ONGOING ACTIVITIES

- ☐ Develop rules, regulations and laws required for the acquisition and/or control of critical resources.
- ☐ Develop emergency ordinances and regulations to provide a legal basis for evacuation and/or population control.
- ☐ Commence civil and criminal proceedings as necessary and appropriate to implement and enforce emergency actions.
- ☐ Advise the EOC Director on areas of legal responsibility and identify potential liabilities.
- ☐ Advise the City Council, EOC Director, and management personnel of the legality and/or legal implications of contemplated emergency actions and/or policies.
- ☐ Keep the EOC Director advised of your status and activity.



SAFETY OFFICER RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Ensure that all facilities used in support of EOC operations have safe operating conditions.
- Monitor all EOC and related facility activities to ensure that they are being conducted in as safe a manner as possible under the circumstances that exist.
- Stop or modify all unsafe operations.

ASSIGNMENTS/STAFFING

- ☐ Report to the EOC Director.
- ☐ Clarify issues regarding your authority and assignment.

MEETINGS/BRIEFINGS

- ☐ Attend all Management Section meetings and briefings.

ACTION PLANNING

- ☐ Assist with developing objectives for the EOC Action Plan.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Provide time records to the EOC Director at the end of each work shift.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.

ONGOING ACTIVITIES

- ☐ Secure information regarding emergency conditions.
- ☐ Support staff in the field to ensure safety of field operations for employees and volunteers.
- ☐ Tour the entire facility area and determine the scope of on-going operations.
- ☐ Evaluate conditions and advise the EOC Director of any conditions and actions that might result in liability (e.g., oversights, improper response actions).
- ☐ Coordinate with the personnel team within the Logistics Section to ensure that training for personnel includes safety and hazard awareness and is compliant with OSHA requirements.
- ☐ Study the facility to learn the location of all fire extinguishers, fire hoses, and emergency pull stations.
- ☐ Be familiar with hazardous conditions in the facility.
- ☐ Ensure that the EOC location is free from environmental threats (i.e., radiation exposure, air purity, water quality).
- ☐ If the event that caused activation is an earthquake, provide guidance regarding actions to be taken in preparation for aftershocks.
- ☐ Coordinate assistance for any special safety requirements.
- ☐ Keep the EOC Director advised of safety conditions.



- ☐ Coordinate with the Finance Administration Section on any personnel injury claims or records preparation as necessary for proper case evaluation and closure.



OPERATIONS SECTION RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Ensure that the Operations Section functions are carried out. (See Figure 8 above on page 30)
- Establish and maintain mobilization areas for incoming mutual aid resources.
- Develop and ensure that the EOC Action Plan's operational objectives are carried out.
- Exercise overall responsibility for the coordination of activities within the Section.
- Report to the EOC Director on all matters pertaining to Section activities.

ACTIVATION

- ☐ Determine the operational status and appropriate level of activation based on the situation as known.
- ☐ As appropriate, respond to the EOC.
- ☐ Mobilize appropriate personnel for initial activation of the EOC

START-UP

- ☐ Direct the implementation of the City's Emergency Operations Plan.
- ☐ Obtain a copy of the current EOC Action Plan (not available at initial EOC activation).

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.
- ☐ Determine what Section positions should be activated and staffed.
- ☐ Confirm that all personnel or alternates are in the EOC or have been notified. Recall the required staff members necessary for the emergency.
- ☐ Request additional personnel for the Section to maintain a 24-hour operation as required.
- ☐ Carry out responsibilities of your Section not currently staffed.

NOTIFICATIONS

- ☐ Notify EOC Director when your Section is fully operational.
- ☐ Establish field communications with affected areas.

MEETINGS/BRIEFINGS

- ☐ Brief new or relief personnel in your Section. Briefings should include:
 - Current situation assessment.
 - Identification of specific job responsibilities.
 - Identification of coworkers within the job function and/or geographical assignment.
 - Availability of communications.
 - Location of work area.
 - Identification of eating and sleeping arrangements as appropriate.
 - Procedural instructions for obtaining additional supplies, services, and personnel.
 - Identification of operational period work shifts.
- ☐ Meet with other activated Section leads.
- ☐ Attend periodic briefing sessions conducted by the EOC Director.
- ☐ Brief the EOC Director on major problem areas that need or will require solutions.



- ☐ Conduct periodic Operations Section briefings and work to reach consensus for forthcoming operational needs.

ACTION PLANNING

- ☐ Participate in the EOC Director's action planning meetings.
- ☐ Work closely with the planning section in the development of the EOC Action Plan. Ensure the development Operations Section objectives.
- ☐ Work closely with each leader to ensure operations section objectives as defined in the current EOC Action Plan are being addressed.
- ☐ Work closely with logistics and communications team in the development of a communications plan.

DOCUMENTATION

- ☐ See Documentation and in Common EOC Responsibilities above.
- ☐ Open and maintain the Activity Log. (See Attachment F.)
- ☐ Provide personnel and equipment time records for the Finance/Administration Section at the end of each work shift.
- ☐ Provide copies of the any reports to Planning Section at end of each operational period.

ONGOING ACTIVITIES

- ☐ Receive, evaluate, and disseminate information relative to the Operations Section.
- ☐ Evaluate the field conditions associated with the disaster and coordinate with the Planning Section.
- ☐ From the Planning Section, obtain and review major incident reports and additional field operations information. Disseminate the information.
- ☐ Coordinate with Incident Commanders and support any field activities.
- ☐ Coordinate with Police and Fire and Incident Commanders, as appropriate, to determine the need for sheltering in place or evacuations. Coordinate notification orders with Police and Fire and the PIO.
- ☐ Coordinate the designation of primary and alternate evacuation routes for each incident with Police and Fire and Public Works.
- ☐ Coordinate with the Planning Section to ensure primary and alternate evacuation routes are displayed on the situation maps.
- ☐ Direct Operations Section to maintain up-to-date incident charts, reports, and maps. Ensure that only active and essential information is depicted on the charts and maps.
- ☐ Coordinate the activities of all departments and agencies involved in the operations.
- ☐ Provide all relevant emergency information to the PIO.
- ☐ Ensure that intelligence information from the Management team members is made available to the Planning Section.
- ☐ Ensure that unusual weather occurrences within the jurisdiction are reported to the National Weather Service (NWS)
- ☐ Ensure Care and Shelter Section works with the Contra Costa County Animal Services for animal care issues.
- ☐ Ensure that all fiscal and administrative requirements are coordinated through the Finance/Administration Section including notification of any emergency expenditures.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Determine resources committed and resource needs.



- ☐ Identify, establish, and maintain mobilization areas for Operations-related equipment and personnel that come through mutual aid, as needed. Authorize release of equipment and personnel to incident commanders in the field.



FIRE AND RESCUE RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: Operations Section Chief

Primary Responsibilities

- Coordinate fire, search and rescue and hazardous materials operations within the City of Pinole and assist neighboring communities if called upon.
- Maintain communications with Contra Costa County Fire Department.
- Assist and serve as an advisor to the EOC Director as needed.
- Coordinate the provision of emergency medical care.

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.

NOTIFICATIONS

- ☐ Notify appropriate local, state, and federal hazard response agencies.

MEETINGS/BRIEFINGS

- ☐ Attend periodic briefing sessions conducted by the EOC Director.

ACTION PLANNING

- ☐ Assist in preparation of the EOC Action Plan.
- ☐ Attend planning meetings.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.

ONGOING ACTIVITIES

- ☐ Assess the impact of the disaster on the Fire Department's operational capacity.
- ☐ Report to the EOC Director when:
 - EOC Action Plan needs modification,
 - Additional resources are needed or surplus resources are available, and
 - Significant events occur.
- ☐ Assist with the needs of the Incident Command Post(s) as requested.
- ☐ Advise emergency management staff to the dangers associated with fire/hazardous materials.
- ☐ Coordinate fire, search and rescue and hazardous materials operations with the City of Pinole.
- ☐ Request activation of evacuation centers or mass care shelters.
- ☐ Assist law enforcement with the direction and management of population evacuation; assist in evacuating non-ambulatory persons.
- ☐ Assist in disseminating warnings to the public.
- ☐ Provide for radiation monitoring and decontamination operations and implement the radiological protection procedures if needed.
- ☐ Determine if current and forecasted weather conditions will complicate large and intensive fires, hazardous material release, major medical incidents and/or other potential problems. Contact the Planning Section for updates.
- ☐ Assist in efforts to identify spilled substances, including locating shipping papers and placards, and contacting as required (e.g., County Health, Cal OES, shipper, manufacturer, CHEMTREC, etc.)



- ☐ Ensure that proper clean-up arrangements are made with Contra Costa County Department of Public Health - Environmental Health.
- ☐ Coordinate emergency medical care and transportation to appropriate facilities.
- ☐ Provide support for decontamination operations.
- ☐ Coordinate firefighting water supplies with Public Works. Obtain status of water system and report to field Incident Commander or Command Post.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Request mutual aid assistance.



PUBLIC WORKS RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: Operations Section Chief

Primary Responsibilities

- Receive and process all field resource requests for Public Works resources. Coordinate those requests internally and externally as necessary to make sure there are no duplicate orders.
- Coordinate the acquisition of all resources and support supplies, materials, and equipment with the Logistics Section.
- Determine the need for and location of general staging areas for unassigned resources by coordinating with the Operations Section and the Logistics Section.
- Prioritize the allocation of resources to individual incidents according to overall incident priorities established by the EOC Director. Monitor resource assignments. Adjust assignments based on requirements.

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.

NOTIFICATIONS

- ☐ Ensure that all on-duty Public Works personnel have been alerted and notified of the current situation.
- ☐ Ensure that all off-duty Public Works personnel have been notified of callback status, (when they should report) in accordance with current department emergency procedures.
- ☐ Notify transportation agencies and/or utility companies of City's emergency status. Coordinate assistance as required.

MEETINGS/BRIEFINGS

- ☐ Attend periodic briefing sessions conducted by the Operations Section.

ACTION PLANNING

- ☐ Assist in preparation of the EOC Action Plan.
- ☐ Attend planning meetings at the request of the Operations Section.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.

ONGOING ACTIVITIES

- ☐ Coordinate with the Planning Section to determine priorities for identifying, inspecting, and designating hazardous structures to be demolished.
- ☐ Develop priorities and coordinate restoration of utilities to critical and essential facilities with utility companies.
- ☐ In coordination with the Contra Costa County Transportation Department, determine status of the disaster routes and other transportation routes into and within the affected area. Determine present priorities and estimated times for restoration. Clear and reopen disaster routes on a priority basis. Maintain priority transportation routes are clear of debris.
- ☐ Advise Operations Section of transportation problems.



- ☐ Coordinate with the Sheriff's representative and the California Highway Patrol (CHP) in the Management function to ensure the safety of evacuation routes following a devastating event.
- ☐ Coordinate with Sheriff's representative and CHP in the Management function when implementing any traffic control strategies.
- ☐ Support cleanup and recovery operations during disaster events.
- ☐ Coordinate the clearance of debris from waterways to prevent flooding. Drain flooded areas, as needed.
- ☐ Activate City's Management team to develop a debris removal plan to facilitate City clean-up operations, which addresses:
 - Disaster event analysis/waste characterization analysis.
 - Conduct field assessment survey
 - Use video and photographs
 - Quantify and document amounts and types of disaster debris
 - Coordinate with Planning Section and track their information on damaged buildings inspected to determine the location, type, and amount of potential debris
 - Expect normal refuse volumes to double after a disaster
 - Develop a list of materials to be diverted
 - Make diversion programs a priority
 - Get pre-approval from FEMA, if federal disaster, for recycling programs. Coordinate this with County Office of Emergency Management (OEM).
 - Determine debris removal/building deconstruction and demolition needs.
 - Determine if a city contractor will be needed to remove debris from private property or perform demolition services. (Refer to City Procedures for Waiver Liability.)
 - Consider requesting a policy decision regarding deconstruction or demolition services on private property at no cost, as appropriate, to accelerate the process to remove debris and structures that may cause a public health hazard.
 - Select debris management program(s) from the following:
 - Curbside collection: source separation of wood, concrete, brick, metals, and Household Hazardous Waste
 - Drop-off sites for the source separation of disaster debris
 - Household Hazardous Waste: collection event or curbside program
 - Identify temporary debris management sites, if necessary.
 - Coordinate with surrounding cities and the County
 - Determine capacity needs
 - Selection of sites will depend on type of debris and proximity to where debris is generated
 - Coordinate with FEMA regarding reimbursement for temporary debris management sites and sorting which may require moving materials twice. Coordinate this activity with the EOC Director
 - Identify facilities and processing operations to be used
 - Determine contract needs
 - Develop estimates of types and quantities of debris, location of debris and unit cost data for contracts
 - Document how contract price was developed
 - Work with the PIO to establish a public information program for debris removal. Establish program length and develop monitoring and enforcement program.
 - Prepare report of program activities and results.
 - Prepare documentation for reimbursement.



RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Receive and process all requests for Public Works resources. Allocate personnel and equipment in accordance with established priorities.
- ☐ Ensure all emergency equipment has been moved from unsafe areas.
- ☐ Mobilize personnel, heavy equipment, and vehicles to designated general staging areas.
- ☐ Obtain Public Works resources through the Logistics Section, utilizing mutual aid process when appropriate.



LAW ENFORCEMENT RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: Operations Section Chief

Primary Responsibilities

- Coordinate movement and evacuation operations during the disaster.
- Alert and notify the public of the pending or existing emergency.
- Activate any public warning systems.
- Coordinate all law enforcement and traffic control operations during the emergency.
- Ensure the provision of security at incident facilities.
- Coordinate incoming law enforcement mutual aid resources during the emergency.

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.
- ☐ Determine 24-hour staffing requirement and request additional support as required.

NOTIFICATIONS

- ☐ Notify Commander of status.

ALERTING/WARNING OF PUBLIC

- ☐ Coordinate with field units to designate area to be warned and/or evacuated.
- ☐ Develop the warning/evacuation message to be delivered. At a minimum the message should include:
 - Nature of the emergency and exact threat to public
 - Threat areas
 - Time available for evacuation
 - Evacuation routes
 - Location of evacuee assistance center
 - Radio stations carrying instructions and details
- ☐ Coordinate all emergency warning and messages with the EOC Director and the PIO. Consider following dissemination methods:
 - Using loudspeakers and sirens to announce warning messages.
 - Determining if helicopters are available and/or appropriate for announcing warnings.
 - Using automated notification systems, cable TV, local radio stations and social media to deliver warning or emergency messages.
 - Using the Wire Emergency Alert system (WEA) for cell phone alerts.
 - Requesting the County EOC to activate the emergency alert system for local radio and television delivery of warnings.
 - Using volunteers and other City personnel as necessary to help with warnings. Request through the Logistics Section.
- ☐ Ensure that dispatch notifies special facilities requiring warning and/or notification (i.e., hospitals, schools, government facilities, special industries, etc.)
- ☐ Warn all non-English speaking; hearing, visually or mobility impaired persons; and other special needs populations of the emergency/hazard by:
 - Using bilingual employees whenever possible.
 - Translating all warnings, written, and spoken, into appropriate languages.
 - Contacting media outlets (radio/television) that serve the languages you need.



- Utilizing video phones, TDD machines, text messaging, emails and 9-1-1 translation services to contact the hearing impaired.
- Using pre-identified lists and non-governmental organizations with outreach to people with access and functional needs. (See Attachment A.)

MEETINGS/BRIEFINGS

- ☐ Brief new or relief personnel for the position. Briefings should include:
 - Current situation assessment.
 - Identification of specific job responsibilities.
 - Identification of coworkers within the job function and/or geographical assignment.
 - Availability of communications.
 - Location of work area.
 - Identification of eating and sleeping arrangements as appropriate.
 - Procedural instructions for obtaining additional supplies, services, and personnel.
 - Identification of operational period work shifts.
- ☐ Attend periodic briefing sessions conducted by EOC Director.
- ☐ Obtain regular briefings from field commanders.

ACTION PLANNING

- ☐ Assist in the preparation of the EOC Action Plan.
- ☐ Attend planning meetings at the request of the Operations Section.
- ☐ Ensure City staff are aware of Contra Costa County Sheriff's Department priorities.
- ☐ Implement the evacuation portion of the EOC Action Plan.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Open and maintain an Activity Log. (See Attachment F.)

ONGOING ACTIVITIES

- ☐ Keep the EOC Director advised of the Contra Costa County Sheriff's Department status and activity and on any problem areas that now need or will require solutions.
- ☐ Ensure that field units begin safety/damage assessment survey of critical facilities and report status information to the Operations Section.
- ☐ Ensure that all relevant communication systems are operational.
- ☐ Review situation reports as they are received. Verify information where questions exist.
- ☐ Refer all media contacts to PIO.
- ☐ Provide information to the PIO on matters relative to public safety.
- ☐ Establish emergency traffic routes in coordination with the Operations Section.
- ☐ If requested, assist the Contra Costa County Coroner with removal and disposition of the dead. Coordinate and support Coroner operations if the County Coroner's Office is unable to staff the position.

EVACUATION ACTIVITIES

- ☐ Coordinate the implementation of the evacuation portion of the EOC Action Plan and/or support field operations.
- ☐ Establish emergency traffic routes in coordination with Public Works.



- ☐ Coordinate with Public Works to determine capacity and safety of evacuation routes and time to complete evacuation.
- ☐ Ensure that evacuation routes do not pass through hazard zones.
- ☐ Assist Public Works with identifying and clearing debris from critical routes required to support emergency response vehicles.
- ☐ Identify alternate evacuation routes where necessary.
- ☐ Identify persons/facilities that may have special evacuation requirements (i.e., people with access and functional needs, hospitalized, elderly, institutionalized, incarcerated etc.)
- ☐ Coordinate use of City vehicles (trucks, vans, etc.) and encourage the use of private vehicles if possible.
- ☐ Establish evacuation assembly points.
- ☐ Coordinate the evacuation of hazardous areas with neighboring jurisdictions and other affected agencies.
- ☐ Coordinate with Care and Shelter Section and open evacuation centers.
- ☐ Establish traffic control points and provide traffic control for evacuation and perimeter control for affected areas.
- ☐ Place towing services on stand-by to assist disabled vehicles on evacuation routes.
- ☐ Monitor status of warning and evacuation processes.
- ☐ Coordinate with Public Works to obtain necessary barricades and signs.

SECURITY ACTIVITIES

- ☐ Coordinate security for critical facilities and resources.
- ☐ Enforce curfew and other emergency orders as identified in the EOC Action Plan.
- ☐ Coordinate security in the affected areas to protect public and private property by establishing access controls and screening traffic entering the City, as required.
- ☐ Coordinate the assisting fire units/ambulances/medical teams/emergency supply vehicles in entering and leaving incident areas, when needed.
- ☐ Coordinate with Public Works for street closures and boarding up of buildings.
- ☐ Coordinate law enforcement and crowd control services at mass care and evacuation centers.
- ☐ Ensure that detained inmates are protected from potential hazards. Ensure adequate security and relocate if necessary.
- ☐ Develop procedures for safe re-entry into evacuated areas.

HAZARDOUS MATERIALS INCIDENTS ACTIVITIES

- ☐ Ensure that all personnel remain upwind or upstream of the incident site. This may require repositioning personnel and equipment as conditions change.
- ☐ Notify appropriate local, state, and federal hazard response agencies.
- ☐ Consider wind direction and other weather conditions. Contact the Planning Section for updates.
- ☐ Assist with the needs from the Incident Command as requested.

MAJOR AIR CRASH ACTIVITIES

- ☐ Notify the Federal Aviation Agency or appropriate military command for all air crash incidents.
- ☐ Request temporary flight restrictions, as necessary

FLOODING/Tsunami ACTIVITIES

- ☐ Notify all units in and near inundation areas of flood arrival time.



- ☐ Direct mobile units to warn public to move to higher ground immediately. Continue warning as long as needed.
- ☐ Coordinate with PIO to notify radio stations to broadcast warnings.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Estimate need for law enforcement mutual aid.
- ☐ Request mutual aid assistance.
- ☐ Coordinate with the appropriate units of the Logistics Section for supplies, equipment, personnel, and transportation for field operations.
- ☐ Establish a multi-purpose staging area as required for incoming law enforcement mutual aid resources.



CARE AND SHELTER RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: Operations Section Chief

Primary Responsibilities

- Identify the care and shelter needs of the community.
- Coordinate with the American Red Cross and other emergency welfare agencies for emergency mass feeding and to identify, set up, staff, and maintain evacuation centers and mass care facilities for disaster victims.
- Via the media, encourage residents to go to the shelter nearest their residence.
- Assist the American Red Cross with inquiries and registration services to reunite families or respond to inquiries from relatives or friends.
- Assist the American Red Cross with the transition from mass care to separate family/individual housing.

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.

NOTIFICATIONS

- ☐ If need is established, contact the Oakland and Pleasant Hill American Red Cross (ARC) and request an ARC liaison for the City of Pinole's EOC.
- ☐ The Oakland and Pleasant Hill ARC should be contacted when considering opening a mass care facility.

MEETINGS/BRIEFINGS

- ☐ Attend periodic briefing sessions conducted by the Operations Section.

ACTION PLANNING

- ☐ Assist in preparation of the EOC Action Plan.
- ☐ Attend planning meetings at the request of the Operations Section.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Ensure shelter managers make periodic activity reports to the EOC including requests for delivery of equipment and supplies, any City expenditures, damages, casualties and numbers and types of persons sheltered. The reporting period will be determined by the Operations Section.

ONGOING ACTIVITIES

- ☐ Identify the care and shelter needs of the community in coordination with the Operations Section.
- ☐ Determine the need for an evacuation center or mass care shelter.
- ☐ Identify and prioritize which designated mass care facilities will be needed and if they are functional.
- ☐ Ensure that each shelter site has been inspected prior to occupancy following an earthquake and after each significant aftershock.



- ☐ If evacuation is ordered, open evacuation centers in low-risk areas and inform public of locations in conjunction with the ARC, if available.
- ☐ In coordination with the ARC, ensure that mass care facilities and staff can accommodate unaccompanied children, individuals with access and functional needs, and aged individuals.
- ☐ In conjunction with the ARC, manage care and shelter activities (staffing, registration, shelter, feeding, pertinent evacuee information, etc.).
- ☐ Ensure shelter management teams are organized and facilities are ready for occupancy and meet all health, safety, and ADA standards, in conjunction with the ARC.
- ☐ Coordinate with the Contra Costa County Public Health Department for sheltering of residential care and medically fragile individuals.
- ☐ Provide and maintain shelter and feeding areas that are free from contamination and meet all health, safety, and ADA standards. Coordinate with the ARC, other volunteer organizations and private sector if mass feeding or other support is required at spontaneous shelter sites, e.g., in parks, schools, etc.
- ☐ Coordinate with the Contra Costa County Department of Animal Care and Control for the care of animals owned by persons being sheltered.
- ☐ Notify the Post Office to divert incoming mail to designated relocation areas or mass care facilities, as necessary.
- ☐ Coordinate with the Logistics Section in the evacuation and relocation or shelter-in-place of any mass care facilities that may be threatened by any hazardous condition.
- ☐ Request that the ARC establish reception centers to reunite rescued individuals with their families and to provide other necessary support services, as needed.
- ☐ Coordinate with the ARC in the opening, relocating, and closing of shelter operations. Also coordinate the above with adjacent communities if needed.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Coordinate with the Logistics Section to contact volunteer agencies and recall City staff to assist with mass care functions including basic first aid, shelter and feeding of evacuees and sanitation needs.
- ☐ Coordinate with the Logistic Sections and PIO to provide communications where needed to link mass care facilities, the EOC and other key facilities.
- ☐ Coordinate with the Logistics Section for the transportation needs of individuals being sheltered.
- ☐ Assist the ARC to ensure there are adequate food supplies, equipment, and other supplies to operate mass care facilities, including food, water, and relief areas for service animals. Ensure there are some foods and beverages available for people with dietary restrictions. Coordinate procurement and distribution through the ARC, the Logistics and Finance/Administration Sections.



PLANNING SECTION RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Ensure that the Planning function is performed consistent with SEMS/NIMS Guidelines, including:
 - Collecting, analyzing, and displaying situation information.
 - Preparing periodic situation reports.
 - Initiating and documenting the City's Action Plan and after-action/corrective review.
 - Advance planning.
 - Transitioning to recovery operations.
 - Planning for demobilization.
 - Providing geographic information services and other technical support services to the various organizational elements within the EOC.
- Exercise overall responsibility for the coordination of branch/group/unit activities within the Section.
- Report to the EOC Director on all matters pertaining to Section activities.

ACTIVATION

- ☐ Determine the operational status and appropriate level of activation based on situation as known.
- ☐ As appropriate, respond to the EOC.
- ☐ Mobilize appropriate personnel for initial activation of the EOC

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.
- ☐ Confirm that all key Planning Section personnel or alternates are in the EOC or have been notified. Recall the required staff members necessary for the emergency.
- ☐ Request additional personnel for the Section to maintain a 24-hour operation as required.
- ☐ Carry out responsibilities of your Section not currently staffed.

NOTIFICATIONS

- ☐ Notify EOC Director when your Section is fully operational.

MEETINGS/BRIEFINGS

- ☐ Brief new or relief personnel. Briefings should include:
 - Current situation assessment.
 - Identification of specific job responsibilities.
 - Identification of coworkers within the job function and/or geographical assignment.
 - Availability of communications.
 - Location of work area.
 - Identification of eating and sleeping arrangements as appropriate.
 - Procedural instructions for obtaining additional supplies, services, and personnel.
 - Identification of operational period work shifts.



- ☐ Meet with other activated Sections.
- ☐ Attend periodic briefing sessions conducted by the EOC Director.
- ☐ Brief the EOC Director on major problem areas that need or will require solutions.
- ☐ Conduct periodic Planning Section briefings and work to reach consensus for forthcoming operational needs.
- ☐ Direct the coordination of periodic disaster and strategy plans briefings to the EOC Director and staff, including analysis and forecast of incident potential.

ACTION PLANNING

- ☐ Initiate the EOC Action Plan development for the current and forthcoming operational periods.
- ☐ Work closely with the EOC Director and staff in the development of the EOC Action Plan. Ensure the development of the Planning Section objectives.
- ☐ Participate in the EOC Director's action planning meetings.
- ☐ Work closely with each Unit leader to ensure Planning Section objectives as defined in the current EOC Action Plan are being addressed.
- ☐ Work closely with Logistics Section in the development of a communications plan.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities.
- ☐ Open and maintain an Activity Log. (See Attachment F.)
- ☐ Provide personnel and equipment time records for the entire Section to the Finance/Administration Section at the end of each work shift.
- ☐ Review major incident reports and additional field operational information that may pertain to or affect Section operations.
- ☐ Review and approve reconnaissance, City status and safety/damage assessment reports for the Management team and for the Contra Costa County Operational Area.
- ☐ Ensure your Section logs and files are maintained.
- ☐ Provide copies of the any reports to the Planning Section at end of each operational period.
- ☐ With Section Chiefs, develop a plan for initial recovery operations. (See Attachment A. Table 10.)

ONGOING ACTIVITIES

- ☐ Review responsibilities of branches in your Section. Develop plans for carrying out all responsibilities.
- ☐ Collect and display safety/damage assessment information.
- ☐ Ensure coordination of collection and dissemination of disaster information and intelligence with other Sections.
- ☐ Develop information on the impact of the emergency from within the EOC and outside agencies and departments.
- ☐ Determine the status of the transportation system into and within the affected area in coordination with the Operations and Logistics Sections. Find out present priorities and estimated times for restoration of the disaster route system.
- ☐ Collect and display disaster and safety/damage assessment information.



- ☐ Make a list of key issues currently facing your Section to be accomplished within the next operational period.
- ☐ Assemble information on alternative strategies.
- ☐ Ensure that pertinent disaster information is disseminated through appropriate channels to response personnel, City EOC staff, City departments, and Contra Costa County Operational Area. Also ensure that the public is kept informed through the PIO.
- ☐ Ensure internal coordination between branch/group/unit leaders.
- ☐ Ensure status and display boards are current.
- ☐ Update status information with other sections as appropriate.
- ☐ Resolve problems that arise in conducting your Section responsibilities.
- ☐ Make sure that all contacts with the media are fully coordinated first with the PIO.
- ☐ Begin planning for recovery.
 - Identify issues to be prioritized by the EOC Director on restoration of services to the City.
 - In coordination with the Operations Section:
 - Establish criteria for temporary entry of posted buildings so owners/occupants may retrieve business/personal property and re-occupancy posted buildings. Posting includes, at a minimum, the categories of Inspected, Restricted Access and Unsafe.
 - Establish criteria for emergency demolition of buildings/structures that are considered an immediate and major danger to the population or adjacent structures. Ensure that homeowners' and business owners' rights are considered and arrangements are made for appropriate hearings, if possible.
 - Ensure that buildings considered for demolition that come under an historical building classification follow the special review process that should be adopted as part of the emergency procedures. (Demolition of historic structures requires a "Certificate of Appropriateness" from the Planning Commission. An alternate process should be adopted after proclamation of a disaster giving this authority to the City Planner.)
 - Prepare the EOC organization for transition to recovery operations.
 - Coordinate with the Community Development Department for all land use and zoning variance issues, permits and controls for new development, revision of building regulations and codes, code enforcement, plan review, and building and safety inspections.
 - Coordinate with Public Works for debris removal, demolition, construction, management of and liaison with construction contractors, and restoration of utility services.
 - Coordinate with Community Development and Public Safety Departments for housing the needy, oversight of care facility property management, and low income and special housing needs.
 - Coordinate with Finance Department for public financing, budgeting, contracting, accounting and claims processing, taxing, and settling insurance claims.
 - Coordinate with Community Development Department for redevelopment of existing areas, planning new redevelopment projects, and financing new projects.
 - Coordinate with City Attorney on emergency authorities, actions, and associated liabilities; preparation of legal opinions; and preparation of new ordinances and resolutions.
 - Coordinate with FEMA, Cal OES, Contra Costa County Operational Area, and non-profit organizations to expedite disaster assistance for individuals, families, businesses, public entities, and others entitled to disaster assistance.



- Coordinate with City Manager's Office for continuity of operations and communications; space acquisition; supplies and equipment; vehicles; personnel; and related support.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Keep up to date on situation and resources associated with your Section.
- ☐ Identify the need for use of special resources



LOGISTICS RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Ensure the logistics function is carried out consistent with SEMS/NIMS guidelines, including:
 - Managing all radio, data, and telephone needs of the EOC.
 - Coordinating transportation needs and issues and the disaster route plan.
 - Managing personnel issues and registering volunteers as disaster services workers.
 - Obtaining all materials, equipment, and supplies to support emergency operations in the field and in the EOC.
 - Coordinating management of facilities used during disaster response and recovery.
- Establish the appropriate level of organization within the Section and continuously monitor the effectiveness of that organization. Make changes as required.
- Be prepared to form additional units as dictated by the situation.
- Exercise overall responsibility for the coordination of unit activities within the Section.
- Report to the EOC Director on all matters pertaining to Section activities.

ACTIVATION

- ☐ Determine the operational status and appropriate level of activation based on situation as known.
- ☐ As appropriate, respond to the EOC.
- ☐ Mobilize appropriate personnel for initial activation of the EOC

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.
- ☐ Confirm that all key Logistics Section personnel or alternates are in the EOC or have been notified.
Recall the required staff members necessary for the emergency.
- ☐ Request additional personnel for the Section to maintain a 24-hour operation as required.
- ☐ Carry out responsibilities of your Section not currently staffed.

NOTIFICATIONS

- ☐ Notify EOC Director when your Section is fully operational.

MEETINGS/BRIEFINGS

- ☐ Brief new or relief personnel in your Branch. Briefings should include:
 - Current situation assessment.
 - Identification of specific job responsibilities.
 - Identification of co-workers within the job function and/or geographical assignment.
 - Availability of communications.
 - Location of work area.
 - Identification of eating and sleeping arrangements as appropriate.
 - Procedural instructions for obtaining additional supplies, services, and personnel.
 - Identification of operational period work shifts.



- ☐ Provide briefing to the general staff on operating procedure for use of telephone, data, and radio systems.
- ☐ Meet with other activated Section Chiefs.
- ☐ Attend periodic briefing sessions conducted by the EOC Director.
- ☐ Brief the EOC Director on major problem areas that need or will require solutions.
- ☐ Conduct periodic Logistics Section briefings and work to reach consensus for forthcoming operational needs.

ACTION PLANNING

- ☐ Participate in the EOC Director's action planning meetings.
- ☐ Prepare work objectives for Section staff and make staff assignments.
- ☐ Work closely to ensure Logistics Section objectives as defined in the current EOC Action Plan are being addressed.
- ☐ Ensure the Communications Unit develops a communications plan, if necessary.
- ☐ Following Action Planning meetings, ensure that orders for additional resources necessary to meet known or expected demands have been placed and are being coordinated within the EOC and field units.

DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Open and maintain an Activity Log. (See Attachment F.)
- ☐ Provide personnel and equipment time records for the entire Section to the Finance/Administration Section at the end of each work shift.
- ☐ Ensure that your Section logs and files are maintained.
- ☐ Develop a backup plan for all plans and procedures requiring off-site communications.

ONGOING ACTIVITIES

- ☐ Make a list of key issues currently facing your Section to be accomplished within the next operational period.
- ☐ From Planning Section, obtain and review major incident reports and additional field operational information that may pertain to or affect Section operations.
- ☐ From Planning Section and field sources, determine status of transportation system into and within the affected area. Identify present priorities and estimated times for restoration of the disaster route system. Provide information to other Sections.
- ☐ Meet with Finance/Administration Section to review financial and administration support needs and procedures. Determine level of purchasing authority to be delegated to Logistics Section.
- ☐ Evaluate the need for critical incident stress debriefing for all affected personnel, victims, and bystanders. Arrange debriefings through Logistics Section.
- ☐ Provide situation and resources information to the Planning Section on a periodic basis or as the situation requires.
- ☐ Ensure internal coordination between branch/group/unit leaders.
- ☐ Update status information with other sections as appropriate.
- ☐ Resolve problems that arise in conducting your Section responsibilities.



- ☐ Make sure that all contacts with the media are fully coordinated first with the PIO.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Keep up to date on situation and resources associated with your Section.
- ☐ Identify the need for use of special resources.
- ☐ Identify service/support requirements for planned and expected operations.
- ☐ Oversee the allocation of personnel, equipment, services, and facilities required to support emergency management activities.
- ☐ Resolve problems associated with requests for supplies, facilities, transportation, communication, and food.
- ☐ Keep the Contra Costa County Operational Area Logistics Coordinator apprised of overall situation and status of resource requests.



FINANCE/ADMINISTRATION SECTION RESPONSIBILITIES AND CHECKLIST

SUPERVISOR: EOC Director

Primary Responsibilities

- Ensure that the Operations Section function is carried out.
- Establish and maintain mobilization areas for incoming mutual aid resources.
- Develop and ensure that the EOC Action Plan's operational objectives are carried out.
- Exercise overall responsibility for the coordination of activities within the Section.
- Report to the EOC Director on all matters pertaining to Section activities.

ACTIVATION

- ☐ Determine the operational status and appropriate level of activation based on situation as known.
- ☐ As appropriate, respond to the EOC.
- ☐ Mobilize appropriate personnel for initial activation of the EOC

ASSIGNMENTS/STAFFING

- ☐ Clarify any issues regarding your authority and assignment.
- ☐ Activate organizational elements within your Section as needed and designate leaders for each.
- ☐ Confirm that all key Finance Section personnel or alternates are in the EOC or have been notified.
Recall the required staff members necessary for the emergency.
- ☐ Request additional personnel for the Section to maintain a 24-hour operation as required.
- ☐ Carry out responsibilities of your Section not currently staffed.

NOTIFICATIONS

- ☐ Notify EOC Director when your Section is fully operational.

MEETINGS/BRIEFINGS

- ☐ Brief new or relief personnel in your Branch. Briefings should include:
 - Current situation assessment.
 - Identification of specific job responsibilities.
 - Identification of co-workers within the job function and/or geographical assignment.
 - Availability of communications.
 - Location of work area.
 - Identification of eating and sleeping arrangements as appropriate.
 - Procedural instructions for obtaining additional supplies, services, and personnel.
 - Identification of operational period work shifts.
- ☐ Meet with other Section Chiefs.
- ☐ Brief the EOC Director on major problem areas that need or will require solutions.
- ☐ Meet with assisting and cooperating agency representatives as required.

ACTION PLANNING

- ☐ Participate in the EOC Director's action planning meetings.
- ☐ Prepare work objectives for Section staff and make staff assignments.
- ☐ Provide input in all planning sessions on finance and cost analysis matters.



DOCUMENTATION

- ☐ See Documentation and Reports in Common EOC Responsibilities above.
- ☐ Open and maintain an Activity Log. (See Attachment F.)
- ☐ Maintain personnel and equipment time records for the entire Section at the end of each work shift.
- ☐ Ensure that all obligation documents initiated during the disaster are properly prepared and completed.
- ☐ Ensure that your Section logs and files are maintained.

ONGOING ACTIVITIES

- ☐ Authorize use of the disaster accounting system.
- ☐ Make a list of key issues currently facing your Section to be accomplished within the next operational period.
- ☐ Monitor your Section activities and adjust Section organization as appropriate.
- ☐ Work to ensure Finance/Administration Section objectives as defined in the current EOC Action Plan are being addressed.
- ☐ Evaluate the need for critical incident stress debriefing for all affected personnel, victims, and bystanders. Arrange debriefings through the Logistics Section.
- ☐ Ensure internal coordination between branch/group/unit leaders.
- ☐ Update status information with other sections as appropriate.
- ☐ Resolve problems that arise in conducting your Section responsibilities.
- ☐ Develop a backup plan for all plans and procedures requiring off-site communications.
- ☐ Make sure that all contacts with the media are fully coordinated first with PIO.
- ☐ Ensure the payroll and revenue collection processes continue.
- ☐ Organize, manage, coordinate, and channel the donations of money received during and following the emergency.
- ☐ Make recommendations for cost savings to the general staff.
- ☐ Keep the staff apprised of overall financial situation.

RESOURCES

- ☐ See Resources in Common EOC Responsibilities above.
- ☐ Keep up to date on situation and resources associated with your Section. Maintain status and displays at all times.



City of Pinole EOC Check-In Sheet

[illegible]

City of Pinole EOC Activity Log

[illegible]

Appendix 1 – Emergency Operations Center Action Plan

Addendum I - Emergency Operations Center Action Plan (EOC-AP)

Description

The Emergency Operations Center Action Plan (EOC-AP) describes the current situation and the goals, objectives, and tasks the EOC will undertake during the specified operational period to support response operations. For additional information, see the EOC Action Plan section of this document.

Instructions

1. Provide the name of the event.
2. Provide the operational period that the EOC-AP will cover.
3. Provide the name and signature of the individual that prepared the EOC-AP.
4. Provide the name and signature of the EOC Leader that approved the EOC-AP.
5. Provide the date the EOC-AP was approved by the EOC Leader.
6. Provide the time the EOC-AP was approved by the EOC Leader.
7. Describe the situation as it is currently known, including:
 - Status of response operations
 - Threats to life, safety, security
 - Obstacles to response efforts due to environmental, social, or other factors
 - If the situation improves, worsening, or staying the same
8. Describe forecasted weather conditions for the operational period the EOC-AP will cover.
9. List 3-5 high-level goals that will guide response operations throughout the duration of the event.
10. List an appropriate number of objectives that will guide response operations throughout the operational period covered by the EOC-AP. As discussed previously, all objectives should be SMART (i.e., specific, measurable, achievable, realistic, and timely).
11. Provide the first objective identified in block 10.
12. Describe all tasks required to complete the objective provided in block 11.
13. Provide the agencies, campus units, or individuals responsible for ensuring completion of the tasks described in block 12.
14. List the resources required to complete the tasks described in block 12.
Repeat steps 11-14 for each objective listed in block 10.



1. Event Name:		2. Operational Period: / / : AM / PM TO / / : AM / PM	
3. Prepared By (Planning Section):		4. Approved By (EOC Leader):	
5. Date Approved: __/__/__		6. Time Approved: __:__ AM / PM	
7. Current Situation:			
8. Operational Period Weather Forecast:			
9. General Goals:			
10. Operational Period Objectives:			
11. Objective:			
12. Task(s):	13. Lead(s):	14. Resources required(s):	



Appendix 2 – Incident Briefing Form

The incident briefing form (ICS 201) is located at the following location: insert shared drive link here

INCIDENT BRIEFING (ICS 201)

1. Incident Name:	2. Incident Number:	3. Date/Time Initiated: Date: Time:
4. Map/Sketch (include sketch, showing the total area of operations, the incident site/area, impacted and threatened areas, overflight results, trajectories, impacted shorelines, or other graphics depicting situational status and resource assignment):		
5. Situation Summary and Health and Safety Briefing (for briefings or transfer of command): Recognize potential incident Health and Safety Hazards and develop necessary measures (remove hazard, provide personal protective equipment, warn people of the hazard) to protect responders from those hazards.		
6. Prepared by: Name:		Position/Title:
Signature:		
ICS 201, Page 1		Date/Time:



[illegible]

INCIDENT BRIEFING (ICS 201)

1. Incident Name: _____	2. Incident Number: _____	3. Date/Time Initiated: Date: _____ Time: _____
9. Current Organization (fill in additional organization as appropriate):		
Incident Commander(s) Liaison Officer Safety Officer Public Information Officer Planning Section Chief Operations Section Chief Finance/Administration Section Chief Logistics Section Chief		
6. Prepared by: Name: _____ Position/Title: _____ Signature: 		
ICS 201, Page 3		Date/Time: _____



INCIDENT BRIEFING (ICS 201)

1. Incident Name:		2. Incident Number:		3. Date/Time Initiated: Date: Time:	
10. Resource Summary:					
Resource	Resource Identifier	Date/Time Ordered	ETA	Arrived	Notes (location/assignment/status)
				☐	
				☐	
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				☐	
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				☐	
				☐	
6. Prepared by: Name:		Position/Title:		Signature: 	
ICS 201, Page 4		Date/Time:			



ICS 201 Incident Briefing

Purpose. The Incident Briefing (ICS 201) provides the Incident Commander (and the Command and General Staffs) with basic information regarding the incident situation and the resources allocated to the incident. In addition to a briefing document, the ICS 201 also serves as an initial action worksheet. It serves as a permanent record of the initial response to the incident.

Preparation. The briefing form is prepared by the Incident Commander for presentation to the incoming Incident Commander along with a more detailed oral briefing.

Distribution. Ideally, the ICS 201 is duplicated and distributed before the initial briefing of the Command and General Staffs or other responders as appropriate. The "Map/Sketch" and "Current and Planned Actions, Strategies, and Tactics" sections (pages 1–2) of the briefing form are given to the Situation Unit, while the "Current Organization" and "Resource Summary" sections (pages 3–4) are given to the Resources Unit.

Notes:

- The ICS 201 can serve as part of the initial Incident Action Plan (IAP).
- If additional pages are needed for any form page, use a blank ICS 201 and repaginate as needed.

Block Number	Block Title	Instructions
1	Incident Name	Enter the name assigned to the incident.
2	Incident Number	Enter the number assigned to the incident.
3	Date/Time Initiated • Date, Time	Enter date initiated (month/day/year) and time initiated (using the 24-hour clock).
4	Map/Sketch (include sketch, showing the total area of operations, the incident site/area, impacted and threatened areas, overflight results, trajectories, impacted shorelines, or other graphics depicting situational status and resource assignment)	Show perimeter and other graphics depicting situational status, resource assignments, incident facilities, and other special information on a map/sketch or with attached maps. Utilize commonly accepted ICS map symbology. If specific geospatial reference points are needed about the incident's location or area outside the ICS organization at the incident, that information should be submitted on the Incident Status Summary (ICS 209). North should be at the top of page unless noted otherwise.
5	Situation Summary and Health and Safety Briefing (for briefings or transfer of command): Recognize potential incident Health and Safety Hazards and develop necessary measures (remove hazard, provide personal protective equipment, warn people of the hazard) to protect responders from those hazards.	Self-explanatory.
6	Prepared by • Name • Position/Title • Signature • Date/Time	Enter the name, ICS position/title, and signature of the person preparing the form. Enter date (month/day/year) and time prepared (24-hour clock).
7	Current and Planned Objectives	Enter the objectives used on the incident and note any specific problem areas.



Block Number	Block Title	Instructions
8	Current and Planned Actions, Strategies, and Tactics - Time - Actions	Enter the current and planned actions, strategies, and tactics and time they may or did occur to attain the objectives. If additional pages are needed, use a blank sheet or another ICS 201 (Page 2), and adjust page numbers accordingly.
9	Current Organization (fill in additional organization as appropriate) - Incident Commander(s) - Liaison Officer - Safety Officer - Public Information Officer - Planning Section Chief - Operations Section Chief - Finance/Administration Section Chief - Logistics Section Chief	- Enter on the organization chart the names of the individuals assigned to each position. - Modify the chart as necessary, and add any lines/spaces needed for Command Staff Assistants, Agency Representatives, and the organization of each of the General Staff Sections. - If Unified Command is being used, split the Incident Commander box. - Indicate agency for each of the Incident Commanders listed if Unified Command is being used.
10	Resource Summary	Enter the following information about the resources allocated to the incident. If additional pages are needed, use a blank sheet or another ICS 201 (Page 4), and adjust page numbers accordingly.
	Resource	Enter the number and appropriate category, kind, or type of resource ordered.
	Resource Identifier	Enter the relevant agency designator and/or resource designator (if any).
	Date/Time Ordered	Enter the date (month/day/year) and time (24-hour clock) the resource was ordered.
	ETA	Enter the estimated time of arrival (ETA) to the incident (use 24-hour clock).
	Arrived	Enter an "X" or a checkmark upon arrival to the incident.
	Notes (location/assignment/status)	Enter notes such as the assigned location of the resource and/or the actual assignment and status.



Appendix 3 – Automatic Aid Agreement

Execution Version

AUTOMATIC AID AGREEMENT FOR
EXCHANGE OF FIRE, RESCUE, AND EMERGENCY MEDICAL SERVICES
among the
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT,
RODEO-HERCULES FIRE PROTECTION DISTRICT,
AND
CITY OF PINOLE FIRE DEPARTMENT

This Automatic Aid Agreement for Exchange of Fire, Rescue, and Emergency Medical Services (this "Agreement") is among the Contra Costa County Fire Protection District ("CCCFPD"), Rodeo-Hercules Fire Protection District ("RHFPD"), and City of Pinole Fire Department ("PFD") (each, individually, a "Party," and collectively as the "Parties" to the Agreement) and is dated April 22, 2020. Execution of this Agreement signifies that each Party is subject to the terms and conditions set forth in this Agreement.

The purpose of this Agreement is to define and provide the procedures that implement the automatic aid among CCCFPD, RHFPD, and PFD. The identified fire resources will respond to requests for service as set forth herein. Additional resources not described in this Agreement may be requested by a Party's incident commanders, Chief Officers, or jurisdictional dispatch centers through normal mutual aid channels as provided in the existing Contra Costa County Fire Service Mutual Aid Agreement and/or the California Master Mutual Aid Agreement.

1. DEFINITIONS

Definitions. The following definitions apply throughout this agreement.

"Advanced Life Support (ALS)" means a level of emergency medical care that is higher than basic life support provided by EMTs. ALS includes, but is not limited to, invasive techniques and special services designed to provide definitive pre-hospital emergency medical care, including, but not limited to cardiopulmonary resuscitation, cardiac monitoring, cardiac defibrillation, advanced airway management, intravenous therapy, administration of specified drugs and other medicinal preparations, and other specified techniques and procedures administered by authorized personnel under the direct supervision of a Base Hospital as part of a local EMS system at the scene of an emergency, during transport to an acute care hospital, and while in the emergency department of an acute care hospital until responsibility is assumed by the emergency or other medical staff of that hospital.

"Battalion Chief" means a chief officer of the battalion chief rank responsible for daily leadership, management, and supervision of personnel and resources within an identified Party's geographic boundary or agency.



"Battalion 7" means the geographical area in western Contra Costa County comprised of CCCFPD, RHFPD, and PFD as depicted on Exhibit A (Battalion 7 Map) attached hereto.

"BC7" means the position of Battalion Chief for Battalion 7 as specified in Section 11 (Battalion Chiefs).

"CAD" means Computer Aided Dispatch, a method of dispatching emergency services assisted by computer.

"Company" means a personnel unit comprised of a fire captain, a fire engineer, and a firefighter, where at least one (1) individual is a Paramedic.

"CCRFCC" means the Contra Costa Regional Fire Communications Center.

"EMD" means Emergency Medical Dispatch, a systematic program of handling medical calls. Trained telecommunicators, using locally approved EMD Guidecards, quickly and properly determine the nature and priority of the call, dispatch the appropriate response, then give the caller instructions to help treat the patient until the responding EMS unit arrives.

"EMS" means out-of-hospital emergency medical services to treat illnesses and injuries that require an urgent medical response.

"EMT" means Emergency Medical Technician, a firefighter capable and properly licensed to perform basic life support services.

"Engine" means a fire resource meeting the equipment standards of a FIREScope ICS Engine (pumper) with a minimum staffing of three (3) personnel.

"MDT" means Mobile Data Terminal/Tablet, a computerized device used in emergency vehicles to communicate with a central dispatch office. They are also used to display mapping and information relevant to the tasks and actions performed by the vehicle such as CAD drawings, diagrams, and safety information.

"Paramedic" means a firefighter capable and properly licensed to provide ALS services.

"PIO" means a communications coordinator or spokesperson of a governmental organization (in this case a fire protection district or fire department), the primary responsibility of which is to provide information to the public and media as necessary and appropriate.

"Quint" means a fire apparatus that provides a fire pump, water tank, fire hose, aerial ladder, and ground ladders, which is staffed by a minimum of three (3) personnel, one (1) of whom is a Paramedic.



"Truck" means a fire department resource capable of providing a minimum elevated stream and rescue capability of not less than 75 feet, which is staffed by a minimum of three (3) personnel, one (1) of whom is a Paramedic.

2. SERVICES PROVIDED JOINTLY

- a. The Parties shall jointly provide fire and emergency medical services through the integration of operations. In so doing, the Parties recognize that existing agreements to which all are a party, along with County operational area mutual aid/automatic aid agreements, shall provide for joint operations along with the provisions of this Agreement.
- b. Each Party shall provide resources (apparatus and personnel) from its respective stations depicted on Exhibit A (Battalion 7 Map) available in Battalion 7 as set forth in this Agreement. CCRFCC shall assign resources within Battalion 7 following CCCFPD and county operational area protocols.
- c. Each agency shall provide, maintain and replace all facilities, stations, equipment, personal protective equipment, uniforms and apparatus according to each Party's own policies, procedures and discretion. All apparatus and equipment shall remain the property of each respective Party.

3. DISPATCH AND COMMUNICATIONS

- a. Each Party shall maintain the CCRFCC as their primary fire/EMS EMD center for all 911 calls. The CCRFCC shall determine and dispatch the closest available unit(s) and the most appropriate type and number of units to respond to all calls in Battalion 7, regardless of jurisdiction. All Parties shall adhere to and maintain compliance with approved standardized communication policies.
- b. Battalion Chiefs shall maintain situational awareness of incidents and resource commitments within Battalion 7 and adjacent battalions.

4. RADIO INTEROPERABILITY

- a. Each Party shall provide and maintain mobile, portable, and base station communication equipment and radios compatible with CCRFCC communications systems.
- b. Each Party shall complete any upgrades necessary, to its respective communication equipment, to maintain common communications and interoperability.



5. AMOUNT, TYPE, AND AREAS OF RESPONSE

- a. In accordance with dispatch procedures, each Party shall provide resources from all stations to all areas within Battalion 7 using the closest resource dispatch model, and where these resources are recommended by the CCRFCC CAD system.
- b. A Party shall provide a minimum single resource response consisting of one Type I Engine for all calls. A Quint or Truck may be substituted as an acceptable resource for a single unit response.
- c. CCRFCC will initiate station coverage within Battalion 7 whenever key stations or zones are uncovered due to working incidents or multiple simultaneous calls.
- d. All Parties shall implement and maintain compliance with the CCCFPD standardized first alarm assignments for all incidents. In addition, all Parties shall implement and maintain compliance with the CCCFPD standardized second alarm and additional alarm assignments.
- e. All Parties shall endeavor to establish local mutual/automatic aid agreements with neighboring fire agencies to ensure capacity and capability to provide closest available resources to support greater alarm responses.

6. MINIMUM APPARATUS STANDARDS FOR EACH AGENCY

- a. Each Party shall maintain at least one (1) primary Type I Engine and at least one (1) reserve Type I Engine in its fleet.
- b. Each Party shall provide and maintain one (1) suitable response vehicle for its Battalion Chief capable of providing incident command post functions, resource accountability and tracking, incident communications, and mobile data computer/tablet. All Parties will collaborate on a shared resource for a reserve/spare Battalion Chief vehicle.

7. MINIMUM STAFFING

Each Party shall maintain minimum staffing on their primary apparatus of at least three (3) personnel, one (1) of which is a Paramedic. Each Party shall maintain and provide 24/7/365 ALS staffing on each staffed Company.



8. RECALL OF DEPARTMENT PERSONNEL

All Parties shall implement and maintain recall policies and plans for off-duty personnel and/or station coverage policies and plans. Recall of off-duty or reserve personnel shall be made to provide sufficient coverage during extended or multiple emergencies. It is the responsibility of each Party to update the CCRFCC with a current personnel list. BC7 has primary responsibility to ensure adequate coverage for Battalion 7.

9. OPERATIONAL COMMAND

- a. A Party's first arriving Company officer, regardless of jurisdiction, will assume command until he or she passes command, transfers command, or is relieved by a higher ranking officer.
- b. The highest-ranking chief officer from the Party with primary jurisdiction shall have authority to assume command or another function within the incident command system deemed most appropriate to support the operation. Each Party shall conduct operations in a coordinated and organized manner in accordance with current operational area policies, industry standards, and best practices of the fire service.
- c. In the event of large scale or complex incidents where reimbursable or financial considerations are necessary to mitigate the incident, the Party with primary jurisdiction shall provide authorization to the incident commander.
- d. The CCRFCC will dispatch BC7 to all multi-Company calls in Battalion 7 when available.
- e. The CCRFCC will notify BC7 when a Battalion 7 resource is responding on automatic aid outside Battalion 7. BC7 shall decide whether or not to respond.

10. TRAINING

- a. All federal, state and locally mandated training to be performed by a Party shall be scheduled and delivered. Periodic interagency training will be conducted for the purpose of improving working relationships and operational coordination among Battalion 7 units. This training will be assigned and coordinated through the Battalion Chief's or as dictated by the CCCFPD Training Division.



11. BATTALION CHIEFS

a. BATTALION 7 CHIEF OFFICER COVERAGE

- i. Each Party shall provide one (1) Battalion Chief position. This position shall be filled by a permanent employee of the respective Party. In the event of a vacancy, an Acting Battalion Chief may be used until the vacancy is permanently occupied.
- ii. BC7 shall be covered by a chief officer or acting Battalion Chief 24-hours a day, 365 days a year. BC7 is responsible for day to day operations of all companies as well as emergency responses. Qualified captains may act as BC7 as long as they have met the qualifications stipulated in this Agreement. An assigned Chief Officer providing coverage for Battalion 7 will use the call sign "Battalion 7". When a Chief Officer is not on duty as the assigned BC7, he/she will use their 4-digit county radio identifier.

b. BATTALION CHIEF STAFFING

- i. Each Party shall provide a Battalion Chief from its agency to cover one 24-hour shift as follows:

RHFPD - A Shift

PFD - B Shift

CCCFPD - C Shift

- ii. Each Party shall provide their Battalion Chief coverage for the assigned shift. If a Party is unable to provide coverage for its assigned shift, it is the responsibility of the Party to arrange for coverage from one of the following:
 - A. Shift trade with another Battalion 7 Battalion Chief;
 - B. Overtime coverage from another Battalion Chief from the same Party;
 - C. Overtime coverage from another Battalion 7 Battalion Chief from a different Party; or
 - D. Acting Battalion Chief from the same Party.
- iii. If not properly relieved, the individual assigned to BC7 shall remain on duty until properly relieved.

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- iv. In the event that a Party cannot provide BC7 coverage for its assigned shift, as indicated above, through regular staffing, shift trades, or an acting Battalion Chief, as a last resort, the responsible Party may request a Battalion Chief from one of the other Parties to this Agreement. If this occurs, the Party responsible for shift coverage will reimburse the Party providing shift coverage as specified in the Payment Provisions, which are attached hereto as Exhibit B (Payment Provisions).

c. ACTING BATTALION CHIEFS

- i. Each Party may use acting Battalion Chiefs. Each Party shall qualify acting Battalion Chiefs to fill the BC7 position as outlined below:
 - A. Minimum three (3) years as Fire Captain with a Battalion 7 agency;
 - B. Passed the Party's battalion chief promotional assessment center process;
 - C. Completion of Battalion 7 battalion chief orientation; and
 - D. Approved by the individual's Fire Chief to perform in the acting Battalion Chief capacity for that Party's agency.

d. DAILY BATTALION CHIEF OPERATIONS AND RESPONSIBILITIES

- i. **Morning Situation Status (Sit/Stat) and Staffing Responsibilities.**

Each Party shall cause its respective staff to:

- A. Participate in a shift briefing with oncoming and off-going Battalion Chiefs or acting Battalion Chiefs via a face to face meeting or by phone call or other communication means to exchange pertinent Battalion 7 information.
- B. Complete and verify the daily Battalion 7 roster and activities sheet and provide a copy to on duty Battalion 7 Company Officers, the CCRFCC, the El Cerrito Fire Department, and Richmond Fire Department prior to 0900 each day.
- C. Confirm and verify the daily SIT/STAT report distributed by the CCRFCC.
- D. Communicate Company movement and area coverage issues with BC-64 and BC-71, as needed.

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- E. Verify and make any necessary changes to PFD and RHFPD Engine Strike Team availability using the approved reporting system.
- F. Conduct Battalion 7 morning roll call (daily briefing) with all Company Officers.

ii. **Training**

Each Party shall:

- A. Confirm and verify the Battalion 7 Training calendar. Ensure all companies are aware of the training schedule and assist with coordination and/or delivery of training as needed.
- B. Assign, coordinate, and deliver additional specific training as needed.

iii. **Personnel Management**

Battalion Chiefs, regardless of jurisdiction, shall:

- A. Be responsible for the daily personnel management of all personnel on their assigned shift, regardless of jurisdiction.
- B. Perform annual performance evaluations of subordinate personnel in compliance with each agency's policies.
- C. Collect and process performance evaluations completed by Company Officers.
- D. Effect notices and delivery of all required admonishments or personnel actions as necessary.

12. PUBLIC INFORMATION OFFICER

As of the effective date of this Agreement, neither RHFPD or PFD employ a dedicated PIO. The BC7 shall refer all significant incidents occurring (a) within CCCFPD's jurisdiction to the CCCFPD PIO, and (b) within RHFPD's jurisdiction or PFD's jurisdiction to the Party's respective Fire Chief, who may refer the incident to the CCCFPD PIO at the discretion of the Party's Fire Chief. Ultimately, each Party is responsible for determining and providing information to the public and news media regarding significant incidents in their respective jurisdictions.

13. INCIDENT REPORTS

- a. Single Unit Response

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The Company officer from the responding Party shall complete the National Fire Incident Reporting System (NFIRS) report in its entirety. The responding Party shall provide copies of the report to the jurisdictional Party upon request.

b. Multiple Unit Response

When units from multiple fire departments or agencies respond to an incident, each Party shall complete the NFIRS incident report and state the type of aid provided/received in the report. Narratives from the NFIRS reports of those Parties providing aid shall be forwarded electronically to BC 7 for review and inclusion in the NFIRS report for the Party having jurisdiction.

c. NFIRS Report Minimum Requirements

In addition to the required minimum fields and information contained in the NFIRS report software, each Party shall cause the narrative to include the following:

- Specific actions taken, including order of arrival, assignments, location, injuries, etc.
- All Company Officers shall refer to their Party's NFIRS report policies for guidance on completing incident reports

14. COMPLAINTS

a. Internal Complaint Resolution

- i. The Parties shall utilize a complaint resolution process to ensure that operations are conducted safely, efficiently, and professionally. To assist in resolving issue(s), each Party's Battalion Chief will investigate and respond back to the complainant in a timely manner on any complaints received, regardless of jurisdiction. Conversely, Battalion Chiefs will also address any operational concerns with any unit within Battalion 7.
- ii. Each Party shall make a reasonable attempt to resolve all disputes arising out of this Agreement at the lowest administrative level possible. At any time during the term of this Agreement, any Party may provide the other Parties with written notice of a dispute or issue arising out of the performance of this Agreement.
- iii. Upon receipt of the written notice, the responding Party must respond within thirty (30) calendar days in writing, stating its position and, if

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appropriate, a detailed action plan summarizing how the Party will address the matter.

b. External (Public) Complaint Resolution

Each Party shall forward complaints received from the public to BC7 who shall forward the complaint through the chain of command to the Fire Chief of the Party or Parties identified in the complaint.

15. RESPONSE MAPS AND PREPLANS

- a. The Parties will provide the CCRFCC with hydrant information, new development maps and information, and street maps through electronic interface pursuant to the individual dispatch contracts between the CCRFCC and each Party.
- b. Each Party shall provide preplans, target hazard information, and specific occupancy information to the CCRFCC through an electronic interface for inclusion in the MDT system.

16. ANNUAL AGREEMENT EVALUATION

The Parties shall evaluate the effectiveness of the terms, conditions and procedures contained in this Agreement annually, or as significant changes occur. Any Party may initiate changes to this Agreement, which shall only be effective upon execution of a written amendment hereto by all Parties.

17. TERM

- a. Term of the Agreement
 - i. Term. The term of this Agreement is from the date first set forth above and shall continue in effect unless terminated as provided herein.
 - ii. Termination. Any of the Parties may terminate, without cause, this Agreement with one hundred eighty (180) days written notification to the other Parties.

18. INDEPENDENT GOVERNMENT AGENCIES

- a. Independent Agencies. CCCFPD, RHFPD and PFD are governmental agencies. Except as otherwise provided herein, nothing shall be construed to limit the discretion of the governing bodies of each party. The employees of each Party



providing services under this Agreement shall remain the employees of their respective agency at all times.

- b. No preferential service. CCRFCC shall assign the resources available to it without regard to internal political boundaries, but rather based upon the operational judgment and policies of CCRFCC.

19. INSURANCE

- a. Insurance. Each Party shall, throughout the duration of this Agreement, maintain insurance (which may include for the purpose of this section, self-insurance or coverage under a self-insurance pool) to cover each of their respective interests related to their obligations under this Agreement (including coverage for their employees and agents) including:
- b. Commercial General Liability. Each Party shall have commercial general liability coverage (with coverage at least as broad as ISO form CG 00 01 01 96) in an amount not less than \$1,000,000 per occurrence for general liability, bodily injury, personal injury and property damage.
- c. Automobile Liability. Each Party shall have automobile liability coverage (with coverage at least as broad as ISO form CA 00 01 07 97, for “any auto”) in an amount not less than \$1,000,000 per accident for bodily injury and property damage.
- d. Workers’ Compensation. Each Party is solely liable to provide workers’ compensation insurance coverage and pay valid claims for injuries or death to any of its officers, agents, or employees performing work, services, or functions under this Agreement, regardless of whether another Party was directly or indirectly supervising the conduct of those persons. No Party shall assume any liability under workers’ compensation laws or any other employers’ liability laws on account of any work, service, or function performed by the other Party’s officers, agents, or employees under this Agreement.

20. INDEMNIFICATION

Each Party shall indemnify, defend and hold harmless the other Parties and their officers, officials, employees, and agents (the “Indemnified Parties”) from any and all demands, losses, liabilities, claims, suits, and actions of any kind, nature, and description, including, but not limited to, personal injury, death, property damage, and/or attorneys’ fees and costs, to the extent caused by the negligence or willful misconduct of the indemnifying Party.



21. SEVERABILITY

If any provision of this Agreement is found by a court of competent jurisdiction to be void, invalid or unenforceable, the same will either be reformed to comply with applicable law or stricken if not so conformable, so as not to affect the validity or enforceability of this Agreement.

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT:

By: [Signature]
Fire Chief

By: [Signature]
Board Chair *Chief Assistant Clerk
of the board*

Approved as to form
Sharon L. Anderson, County Counsel

By: [Signature]
Eric Gelston, Deputy County Counsel

RODEO-HERCULES FIRE PROTECTION DISTRICT:

By: [Signature]
Fire Chief

By: [Signature]
Board Chair

CITY OF PINOLE FIRE DEPARTMENT:

By: [Signature]
Fire Chief

By: [Signature]
City Manager



Exhibit A – Battalion 7 Map

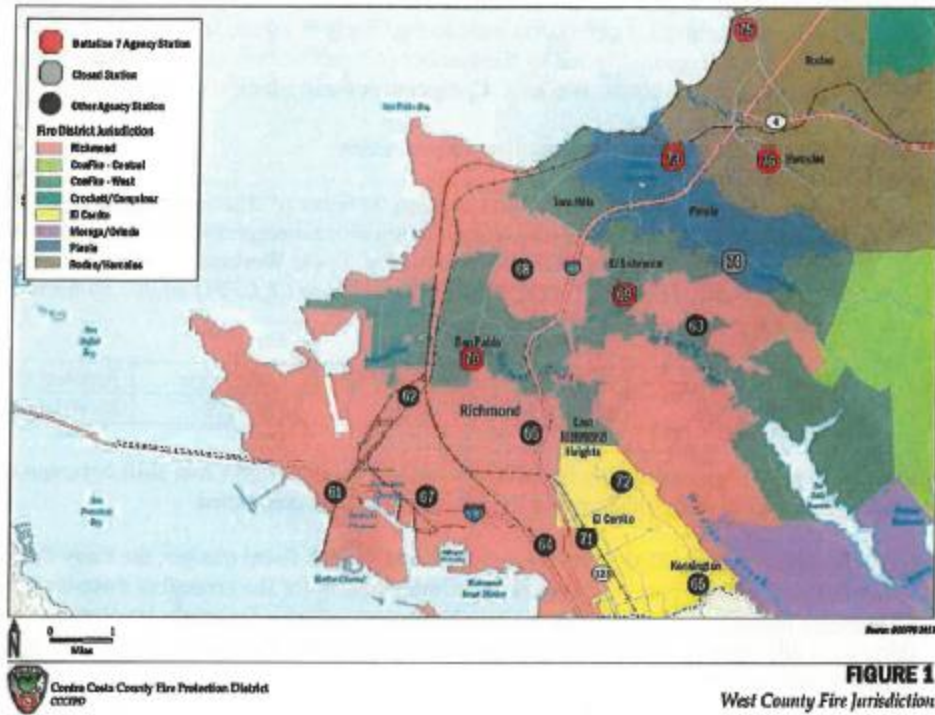


Exhibit B – Payment Provisions

If one Party provides shift coverage for another Party as described in Section 11(b) of the Agreement, the Party responsible for the shift will reimburse the Party providing shift coverage for its actual costs incurred. Actual costs include the hourly overtime rate paid to the Battalion Chief providing coverage multiplied by the number of hours worked (to the nearest quarter of an hour), plus statutory benefits for Workers' Compensation and Medicare contributions.

The following is an example for illustrative purposes only:

During one quarter of the year, PFD requests 72 hours of shift coverage from CCCFPD. The CCCFPD Battalion Chiefs called in to provide coverage for PFD has an hourly overtime rate of \$87.58. CCCFPD's current fiscal year Workers' Compensation rate is 8%. The Medicare rate is 1.45%. PFD shall reimburse CCCFPD \$6,901.65 for the following costs:

Rate	Hours	Shift Cost	Workers' Comp	Medicare	Amount Owed
\$87.58	72	\$6,305.76	\$504.46	\$91.43	\$6,901.65

Each Party shall keep an ongoing log of hours worked for Battalion Chief shift coverage of another Party. Each Party shall update its logs after a shift is completed.

Invoicing and Payment. Within 30 days after the end of each fiscal quarter, the Party due reimbursement will invoice the Party owing reimbursement for the preceding three-month period ("Quarterly Invoice"). The Party owing reimbursement will pay Quarterly Invoices no later than thirty days after receipt. If a billing dispute arises between the Parties, the Fire Chiefs will meet to resolve the dispute.

