

**CORONAVIRUS ADVISORY  
INFORMATION:**

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**CITY COUNCIL**

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

**PINOLE CITY COUNCIL  
MEETING AGENDA**

**TUESDAY  
March 7, 2023  
5:00 P.M**

**Please note: HYBRID MEETING FORMAT**

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

**Attend VIA ZOOM TELECONFERENCE – Details provided below**

**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.pinoles.ca.us](mailto:comment@ci.pinoles.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.pinoles.ca.us](http://www.ci.pinoles.ca.us).

**VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE,** [www.ci.pinoles.ca.us](http://www.ci.pinoles.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 [hbelle@ci.pinoles.ca.us](mailto:hbelle@ci.pinoles.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.pinoles.ca.us](http://www.ci.pinoles.ca.us). You may also contact the City Clerk via e-mail at [hbelle@ci.pinoles.ca.us](mailto:hbelle@ci.pinoles.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.

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Gov. Code § 54957

Title: City Clerk

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Gov. Code § 54956.8

Property: 612 Tennent

Agency negotiator: City Manager Andrew Murray, City Attorney Eric Casher,  
Community Development Director Lilly Whalen, Suzy Kim (RSG), Sanjay Mishra,  
Public Works Director

Negotiating Parties: Leonard Williams- LDW Investment Group

Under Negotiation: Price and Terms

**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 EVENTS

### A. Proclamations

- 1. American Red Cross Month
- 2. Women's History Month
- 3. International Women's Day
- 4. Disability Awareness Month

### B. Presentations

- 1. CalPERS

## 9. CONSENT CALENDAR

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

- A. Approve the Minutes of the February 21, 2023 meeting.
- B. Receive the February 18, 2023 – March 3, 2023 – List of Warrants in the Amount of \$251,090.41 and the March 3, 2023, Payroll in the Amount of \$ 559,984.94
- C. Award A Contract For \$188,000 To GHD, Inc. to Develop an Active Transportation Plan (ATP) – Capital Improvement Plan (CIP) Project In 2106 [Action: Adopt Resolution per Staff Recommendation (Mishra)]
- D. Report on City-Owned Properties and Recommendation to Fund a Property and Facilities Master Plan as Part of the FY 2023/24 – 2027/28 Capital Improvement Plan [Action: Receive Report and Provide Direction (Mishra)]

## 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. Introduce an Ordinance Amending Chapters 8.24 And 8.25 of the Pinole Municipal Code to Modify Provisions Concerning Nuisance Abatement Procedures and Related Code Enforcement [Action: Waive 1<sup>st</sup> Reading and Introduce Ordinance (Casher)]



- B. Introduction And First Reading of an Ordinance to Amend Title 2, Administration and Personnel, of the Municipal Code to Provide the Contra Costa County Fire Protection District with Jurisdiction and Authority to Conduct Fire and Emergency Medical Response Services within the City [Action: Waive 1st Reading and Introduce Ordinance (Casher)]

**11. OLD BUSINESS**

None

**12. NEW BUSINESS**

- A. Review City Council Procedures [Action: Receive Report and Provide Direction (Murray)]
- B. Options for a City-Sponsored Fourth of July Celebration for 2023 [Action: Receive Report and Provide Direction (Rogers)]

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

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

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

**14. ADJOURNMENT** to the Regular City Council Meeting of March 21, 2023 in Remembrance of Amber Swartz.

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, and on the City's website, not less than 24 hours prior to the meeting date set forth on this agenda.

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

**POSTED: March 2, 2023 at 2:30 pm**

**CITY COUNCIL MEETING  
MINUTES  
February 21, 2023**

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

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murphy called the Regular Meeting of the City Council to order at 5:03 p.m. and led the Pledge of Allegiance.

**2. LAND ACKNOWLEDGEMENT**

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

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

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

**A. COUNCILMEMBERS PRESENT**

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

**B. STAFF PRESENT**

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

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

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

**4. CONVENE TO A CLOSED SESSION**

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

**1. CONFERENCE WITH LABOR NEGOTIATORS**

Gov. Code § 54957.6

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

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Gov. Code § 54956.8

Property: 612 Tennent Avenue

Agency negotiator: City Manager Andrew Murray, City Attorney Eric Casher, Community Development Director Lilly Whalen, Suzy Kim (RSG), Sanjay Mishra, Public Works Director

Negotiating Parties: Leonard Williams – LDW Investment Group

Under Negotiation: Price and Terms

**PUBLIC COMMENTS OPENED**

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

**PUBLIC COMMENTS CLOSED**

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

At 5:45 p.m., Mayor Murphy reconvened the meeting into open session and announced there was no reportable action from the Closed Session.

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

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

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

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

## **7. REPORTS & COMMUNICATIONS**

### **A. Mayor Report**

#### **1. Announcements**

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

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

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

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

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

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

D. Council Requests for Future Agenda Items: None

E. City Manager Report / Department Staff

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

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

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

F. City Attorney Report: None

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

### **A. Proclamations**

#### **1. Day of Remembrance**

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

### **PUBLIC COMMENTS OPENED**

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

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

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

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

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

#### PUBLIC COMMENTS CLOSED

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

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

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

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

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

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

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

**B. Presentations: None**

**9. CONSENT CALENDAR**

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

- A. Approve the Minutes of the February 7, 2023 meeting.
- B. Receive the February 4, 2023 – February 17, 2023 – List of Warrants in the Amount of \$926,552.59 and the February 17, 2023 Payroll in the Amount of \$556,826.26.
- C. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Receive the Quarterly Investment Report for the Second Quarter (Ending December 31, 2022) **[Action: Receive Report {Guillory}]**
- E. Receive the Quarterly Report on Implementation of the Greenhouse Gas Inventory and Climate Action and Adaptation Plan for Fiscal Year (FY) 2022/23 Second Quarter **[Action: Receive Report (Whalen)]**
- F. Fiscal Year (FFY) 2022/23 Second Quarter Report on Implementation of Capital Improvement Plan (CIP) Projects **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**
- G. Receive the Quarterly Report on Implementation of the Strategic Plan for Fiscal Year (FY) 2022/23 Second Quarter **[Action: Receive Report (Murray)]**
- H. Development Process and Timeline for the Fiscal Year (FY) 2023/24 Operating and Capital Budget and the Long-Term Financial Plan **[Action: Approve Development Process and Timeline per Staff Recommendation (Guillory)]**



- I. Stormwater Utility Area Assessment for Fiscal Year 2023/24 [**Action: Adopt Resolution per Staff Recommendation (Kaur)**]
- J. Resolution Authorizing the City Manager to Execute a Consulting Services Agreement for Strategic Financial Planning Support and to Allocate Funds for the Project [**Action: Adopt Resolution per Staff Recommendation (Guillory)**]
- K. Adopt a Resolution Approving a First Amendment to Disposition and Development Agreement Between the City of Pinole and Satellite Affordable Housing Associates for Additional \$1.2 Million Loan for Affordable Housing Development at 811 San Pablo Avenue and Approving an Appropriation of the Total Loan Amount of \$3.2 Million from the Housing Fund's Unrestricted Available Fund Balance [**Action: Adopt Resolution per Staff Recommendation (Whalen)**]
- L. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent Between September and December 2022. Considered at an Administrative Hearing on February 2, 2023 [**Action: Adopt Resolution per Staff Recommendation (Stone)**]

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

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

#### PUBLIC COMMENTS OPENED

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

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

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

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

#### PUBLIC COMMENTS CLOSED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**10. PUBLIC HEARINGS:** None

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

**11. OLD BUSINESS:** None

**12. NEW BUSINESS**

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

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

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

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

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

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

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

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

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

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

#### PUBLIC COMMENTS OPENED

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

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

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

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

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

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

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

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

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

#### PUBLIC COMMENT CLOSED

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Murphy moved onto Item 12C at this time.

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

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

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

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

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

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

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

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

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

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

## PUBLIC COMMENTS OPENED

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

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

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

## PUBLIC COMMENTS CLOSED

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

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

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

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

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

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

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

The City Council returned to Item 12B.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### PUBLIC COMMENTS OPENED

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

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

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

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



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

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

#### PUBLIC COMMENTS CLOSED

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

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

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

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

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

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

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

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

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

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

PUBLIC COMMENTS CLOSED

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

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

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

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

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

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

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

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

There was no second to the motion at this time.

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

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

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

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

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

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

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

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

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

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

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

Project #FA2201 to fund immediate measures for traffic safety improvements on the Tennent Avenue Corridor Project and the Public Safety Building Modernization Project for this fiscal year and increase funds to \$150,000 for the 2022/2023 cycle for the Public Safety Building Modernization Project.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abstain: None  
Absent: None

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

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

**ACTION: Motion by Council member Martinez-Rubin/Mayor Pro Tem Toms that the amount previously allotted to #FA2201, Faria House Renovations in the amount of \$420,000 be taken from the General Fund to fund the renovations.**

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

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

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

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

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

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

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

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

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

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

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

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

**Submitted by:**

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

**Approved by City Council:**



City of Pinole, CA

# 9B WARRANT LISTING By Vendor Name

Payment Dates 2/18/2023 - 3/3/2023

| Payable Number                                          | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount |
|---------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|--------|
| Vendor: 2585 - ACCO ENGINEERED SYSTEMS, INC.            |                |              |                |                                                    |        |
| 02232023                                                | 101336         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07283 | 60.00  |
| Vendor 2585 - ACCO ENGINEERED SYSTEMS, INC. Total:      |                |              |                |                                                    | 60.00  |
| Vendor: 2606 - ACCURATE CORROSION CONTROL, INC.         |                |              |                |                                                    |        |
| 02232023                                                | 101337         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10326 | 60.00  |
| Vendor 2606 - ACCURATE CORROSION CONTROL, INC. Total:   |                |              |                |                                                    | 60.00  |
| Vendor: 2526 - ACCURATE ELECTRIC INC.                   |                |              |                |                                                    |        |
| 02232023                                                | 101338         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10674 | 60.00  |
| Vendor 2526 - ACCURATE ELECTRIC INC. Total:             |                |              |                |                                                    | 60.00  |
| Vendor: PRO18 - ADT COMMERCIAL                          |                |              |                |                                                    |        |
| 02232023                                                | 101339         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10298 | 60.00  |
| Vendor PRO18 - ADT COMMERCIAL Total:                    |                |              |                |                                                    | 60.00  |
| Vendor: 2550 - ADT, LLC                                 |                |              |                |                                                    |        |
| 02232023                                                | 101340         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07259 | 60.00  |
| Vendor 2550 - ADT, LLC Total:                           |                |              |                |                                                    | 60.00  |
| Vendor: 2518 - ADVANCED AUTOMATIC SPRINKLER INC         |                |              |                |                                                    |        |
| 02232023                                                | 101341         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-06740 | 60.00  |
| Vendor 2518 - ADVANCED AUTOMATIC SPRINKLER INC Total:   |                |              |                |                                                    | 60.00  |
| Vendor: AIR10 - AIRGAS USA, LLC                         |                |              |                |                                                    |        |
| 9994833945                                              | 101342         | 03/03/2023   | 100-231-42107  | RENT CYL MED LARGE AIR FIRE                        | 108.45 |
| Vendor AIR10 - AIRGAS USA, LLC Total:                   |                |              |                |                                                    | 108.45 |
| Vendor: AJW00 - AJW CONSTRUCTION PAVING & GRADING       |                |              |                |                                                    |        |
| 02232023                                                | 101343         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05840 | 60.00  |
| Vendor AJW00 - AJW CONSTRUCTION PAVING & GRADING Total: |                |              |                |                                                    | 60.00  |
| Vendor: 2519 - ALCAL SPECIALTY CONTRACTING, INC.        |                |              |                |                                                    |        |
| 02232023                                                | 101344         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-01797 | 60.00  |
| Vendor 2519 - ALCAL SPECIALTY CONTRACTING, INC. Total:  |                |              |                |                                                    | 60.00  |
| Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS               |                |              |                |                                                    |        |
| 19593757 021623                                         | 101345         | 03/03/2023   | 100-222-42201  | WATER FOR PD                                       | 326.21 |
| 5025519 020623                                          | 101294         | 02/24/2023   | 500-641-42201  | WATER FOR WPCP                                     | 61.50  |
| 5025531 020623                                          | 101345         | 03/03/2023   | 100-343-44306  | WATER FOR CORP YARD                                | 137.41 |
| Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:         |                |              |                |                                                    | 525.12 |
| Vendor: 2497 - ALLEGION ACCESS TECHNOLOGIES LLC         |                |              |                |                                                    |        |
| 02232023                                                | 101346         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09097 | 60.00  |
| Vendor 2497 - ALLEGION ACCESS TECHNOLOGIES LLC Total:   |                |              |                |                                                    | 60.00  |
| Vendor: 2610 - ALVAH CONTRACTORS, INC.                  |                |              |                |                                                    |        |
| 02232023                                                | 101347         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09696 | 60.00  |
| Vendor 2610 - ALVAH CONTRACTORS, INC. Total:            |                |              |                |                                                    | 60.00  |



## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                         | Payment Number | Payment Date | Account Number | Description (Payable)                           | Amount          |
|------------------------------------------------------------------------|----------------|--------------|----------------|-------------------------------------------------|-----------------|
| <b>Vendor: 2463 - AMANDA VASQUEZ</b>                                   |                |              |                |                                                 |                 |
| 027272023                                                              | 101348         | 03/03/2023   | 100-221-42302  | MILEAGE REIMBURSEMENT FOR PD ACADEMY            | 49.26           |
| <b>Vendor 2463 - AMANDA VASQUEZ Total:</b>                             |                |              |                |                                                 | <b>49.26</b>    |
| <b>Vendor: 2575 - AMBROSE CONSTRUCTION, INC.</b>                       |                |              |                |                                                 |                 |
| 02232023                                                               | 101349         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10170 | 60.00           |
| <b>Vendor 2575 - AMBROSE CONSTRUCTION, INC. Total:</b>                 |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: AME45 - AMERICAN ASPHALT AND RESURFACING CO, INC.</b>       |                |              |                |                                                 |                 |
| 02232023                                                               | 101350         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-04996 | 60.00           |
| <b>Vendor AME45 - AMERICAN ASPHALT AND RESURFACING CO, INC. Total:</b> |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2501 - AMERICAN NATIONAL INSULATION, INC.</b>               |                |              |                |                                                 |                 |
| 02232023                                                               | 101351         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-04089 | 60.00           |
| <b>Vendor 2501 - AMERICAN NATIONAL INSULATION, INC. Total:</b>         |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2619 - AMP ELECTRIC</b>                                     |                |              |                |                                                 |                 |
| 02232023                                                               | 101352         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 22-09167 | 60.00           |
| <b>Vendor 2619 - AMP ELECTRIC Total:</b>                               |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2602 - ANTEA USA, INC.</b>                                  |                |              |                |                                                 |                 |
| 02232023                                                               | 101353         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-09261 | 60.00           |
| <b>Vendor 2602 - ANTEA USA, INC. Total:</b>                            |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2494 - ANTHONY HALL</b>                                     |                |              |                |                                                 |                 |
| 02162023                                                               | 101295         | 02/24/2023   | 100-000-31510  | REFUND FOR OVERPYAMENT OF BL R23-10418          | 100.00          |
| <b>Vendor 2494 - ANTHONY HALL Total:</b>                               |                |              |                |                                                 | <b>100.00</b>   |
| <b>Vendor: 2614 - APEX IMAGING SERVICES</b>                            |                |              |                |                                                 |                 |
| 02232023                                                               | 101354         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-08508 | 60.00           |
| <b>Vendor 2614 - APEX IMAGING SERVICES Total:</b>                      |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2539 - ARBON EQUIPMENT CORPORATION</b>                      |                |              |                |                                                 |                 |
| 02232023                                                               | 101355         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-08737 | 60.00           |
| <b>Vendor 2539 - ARBON EQUIPMENT CORPORATION Total:</b>                |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: ARM04 - ARMOR LOCKSMITH SERVICES</b>                        |                |              |                |                                                 |                 |
| 81301                                                                  | 101356         | 03/03/2023   | 100-343-44306  | DUPLICATE KEY                                   | 10.98           |
| <b>Vendor ARM04 - ARMOR LOCKSMITH SERVICES Total:</b>                  |                |              |                |                                                 | <b>10.98</b>    |
| <b>Vendor: 2616 - ASSA ABLOY ENTRANCE SYSTEMS US, INC.</b>             |                |              |                |                                                 |                 |
| 02232023                                                               | 101357         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-07611 | 60.00           |
| <b>Vendor 2616 - ASSA ABLOY ENTRANCE SYSTEMS US, INC. Total:</b>       |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: ATT01 - AT&amp;T</b>                                        |                |              |                |                                                 |                 |
| 000019474075                                                           | 101296         | 02/24/2023   | 525-118-43101  | MIS PHONE                                       | 1,398.91        |
| 000019477621                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE FIRE DEPT                             | 823.13          |
| 000019477627                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE PW                                    | 890.77          |
| 000019477628                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE ADMINISTRATION                        | 3,587.13        |
| 000019477629                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE RECREATION DPT                        | 906.58          |
| 000019477630                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE CDD                                   | 241.48          |
| 000019477632                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE EOC                                   | 187.07          |
| 000019478155                                                           | 101296         | 02/24/2023   | 525-118-43101  | TELEPHONE ACCTS PAYABLE                         | 212.25          |
| <b>Vendor ATT01 - AT&amp;T Total:</b>                                  |                |              |                |                                                 | <b>8,247.32</b> |
| <b>Vendor: 2530 - AUTOMATIC FIRE SPRINKLERS, INC.</b>                  |                |              |                |                                                 |                 |
| 02232023                                                               | 101358         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10725 | 60.00           |
| <b>Vendor 2530 - AUTOMATIC FIRE SPRINKLERS, INC. Total:</b>            |                |              |                |                                                 | <b>60.00</b>    |

## WARRANT LISTING

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| Payable Number                                               | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount           |
|--------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|------------------|
| <b>Vendor: 2590 - AVF SYSTEMS, INC.</b>                      |                |              |                |                                                    |                  |
| 02232023                                                     | 101359         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10726 | 60.00            |
| <b>Vendor 2590 - AVF SYSTEMS, INC. Total:</b>                |                |              |                |                                                    | <b>60.00</b>     |
| <b>Vendor: 2516 - AZUL WORKS INC</b>                         |                |              |                |                                                    |                  |
| 02232023                                                     | 101360         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10693 | 60.00            |
| <b>Vendor 2516 - AZUL WORKS INC Total:</b>                   |                |              |                |                                                    | <b>60.00</b>     |
| <b>Vendor: 2538 - B.T. MANCINI CO, INC.</b>                  |                |              |                |                                                    |                  |
| 02232023                                                     | 101361         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-02682 | 60.00            |
| <b>Vendor 2538 - B.T. MANCINI CO, INC. Total:</b>            |                |              |                |                                                    | <b>60.00</b>     |
| <b>Vendor: BAX00 - BADGE FRAME, INC.</b>                     |                |              |                |                                                    |                  |
| 624849                                                       | 101362         | 03/03/2023   | 100-222-42201  | PERPETUAL PLAQUES PD                               | 59.00            |
| <b>Vendor BAX00 - BADGE FRAME, INC. Total:</b>               |                |              |                |                                                    | <b>59.00</b>     |
| <b>Vendor: BAY01 - BAY AREA AIR QUALITY</b>                  |                |              |                |                                                    |                  |
| 4NF22                                                        | 101297         | 02/24/2023   | 500-641-44304  | PERMIT TO OPERATE APRIL<br>2023-APRIL 2024         | 19,459.00        |
| <b>Vendor BAY01 - BAY AREA AIR QUALITY Total:</b>            |                |              |                |                                                    | <b>19,459.00</b> |
| <b>Vendor: BAY04 - BAY AREA BARRICADE SVC.</b>               |                |              |                |                                                    |                  |
| R-93727                                                      | 101363         | 03/03/2023   | 100-345-44306  | HS FOOTBALL PARADE                                 | 808.50           |
| <b>Vendor BAY04 - BAY AREA BARRICADE SVC. Total:</b>         |                |              |                |                                                    | <b>808.50</b>    |
| <b>Vendor: ESP01 - BELINDA ESPINOSA</b>                      |                |              |                |                                                    |                  |
| MARCH 2023                                                   | 101298         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 361.20           |
| <b>Vendor ESP01 - BELINDA ESPINOSA Total:</b>                |                |              |                |                                                    | <b>361.20</b>    |
| <b>Vendor: 2580 - BENRICH SERVICE COMPANY, INC.</b>          |                |              |                |                                                    |                  |
| 02232023                                                     | 101364         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10279 | 60.00            |
| <b>Vendor 2580 - BENRICH SERVICE COMPANY, INC. Total:</b>    |                |              |                |                                                    | <b>60.00</b>     |
| <b>Vendor: 2093 - BEST BEST &amp; KRIEGER LLP</b>            |                |              |                |                                                    |                  |
| 955790                                                       | 101365         | 03/03/2023   | 100-116-42102  | CALPERS MATTER                                     | 1,925.00         |
| 957767                                                       | 101299         | 02/24/2023   | 100-116-42102  | PROFESSIONAL SERVICES<br>CALPERS MATTER            | 2,500.00         |
| 957768                                                       | 101299         | 02/24/2023   | 100-116-42102  | PROFESSIONAL SERVICES MATTER<br>457 PLAN           | 325.00           |
| <b>Vendor 2093 - BEST BEST &amp; KRIEGER LLP Total:</b>      |                |              |                |                                                    | <b>4,750.00</b>  |
| <b>Vendor: 2499 - BILL'S UNDERGROUND</b>                     |                |              |                |                                                    |                  |
| 02282023                                                     | 101366         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00155 | 60.00            |
| <b>Vendor 2499 - BILL'S UNDERGROUND Total:</b>               |                |              |                |                                                    | <b>60.00</b>     |
| <b>Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS</b>       |                |              |                |                                                    |                  |
| 6475596                                                      | 101367         | 03/03/2023   | 209-552-43804  | FOOD PROGRAM SUPPLIES PSC                          | 997.98           |
| 6479342                                                      | 101367         | 03/03/2023   | 209-552-43804  | CREDIT FOOD PROGRAM PSC                            | -43.39           |
| 6479697                                                      | 101367         | 03/03/2023   | 209-552-43804  | FOOD PROGRAM PSC                                   | 1,312.37         |
| <b>Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:</b> |                |              |                |                                                    | <b>2,266.96</b>  |
| <b>Vendor: 2579 - BME ENTERPRISES, INC.</b>                  |                |              |                |                                                    |                  |
| 02282023                                                     | 101368         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10653 | 60.00            |
| <b>Vendor 2579 - BME ENTERPRISES, INC. Total:</b>            |                |              |                |                                                    | <b>60.00</b>     |
| <b>Vendor: BOU01 - BOUND TREE MEDICAL, LLC</b>               |                |              |                |                                                    |                  |
| 84848168                                                     | 101369         | 03/03/2023   | 100-231-42101  | MEDICAL SUPPLIES FIRE                              | 1,038.56         |
| <b>Vendor BOU01 - BOUND TREE MEDICAL, LLC Total:</b>         |                |              |                |                                                    | <b>1,038.56</b>  |

## WARRANT LISTING

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| Payable Number                                                          | Payment Number | Payment Date | Account Number | Description (Payable)                           | Amount          |
|-------------------------------------------------------------------------|----------------|--------------|----------------|-------------------------------------------------|-----------------|
| <b>Vendor: LOW01 - BRIAN LOWRY</b>                                      |                |              |                |                                                 |                 |
| MARCH 2023                                                              | 101300         | 02/24/2023   | 100-117-41101  | RETIREE MEDICAL REIMBURSEMENT MARCH 2023        | 30.74           |
| <b>Vendor LOW01 - BRIAN LOWRY Total:</b>                                |                |              |                |                                                 | <b>30.74</b>    |
| <b>Vendor: 2559 - BRIGHT PLANET SOLAR</b>                               |                |              |                |                                                 |                 |
| 02282023                                                                | 101370         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10582 | 60.00           |
| <b>Vendor 2559 - BRIGHT PLANET SOLAR Total:</b>                         |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2608 - BROTHERS HOME IMPROVEMENT, INC.</b>                   |                |              |                |                                                 |                 |
| 02282023                                                                | 101371         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-04196 | 60.00           |
| <b>Vendor 2608 - BROTHERS HOME IMPROVEMENT, INC. Total:</b>             |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2582 - BUILDER SERVICES GROUP, INC.</b>                      |                |              |                |                                                 |                 |
| 02282023                                                                | 101372         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-09222 | 60.00           |
| <b>Vendor 2582 - BUILDER SERVICES GROUP, INC. Total:</b>                |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2521 - BURKETT'S POOL PLASTERING, INC.</b>                   |                |              |                |                                                 |                 |
| 02282023                                                                | 101373         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-08232 | 60.00           |
| <b>Vendor 2521 - BURKETT'S POOL PLASTERING, INC. Total:</b>             |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2401 - C3 INTELLIGENCE, INC.</b>                             |                |              |                |                                                 |                 |
| 30102                                                                   | 101374         | 03/03/2023   | 100-116-42101  | EMPLOYMENT VERIFICATION                         | 118.60          |
| <b>Vendor 2401 - C3 INTELLIGENCE, INC. Total:</b>                       |                |              |                |                                                 | <b>118.60</b>   |
| <b>Vendor: 2568 - CABLECOM, LLC.</b>                                    |                |              |                |                                                 |                 |
| 02282023                                                                | 101375         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-06546 | 60.00           |
| <b>Vendor 2568 - CABLECOM, LLC. Total:</b>                              |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: CAL04 - CALCON SYSTEMS, INC.</b>                             |                |              |                |                                                 |                 |
| 02282023                                                                | 101376         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-05839 | 60.00           |
| 52956                                                                   | 101301         | 02/24/2023   | 500-641-42107  | SERVICE CALL WPCP                               | 1,520.00        |
| <b>Vendor CAL04 - CALCON SYSTEMS, INC. Total:</b>                       |                |              |                |                                                 | <b>1,580.00</b> |
| <b>Vendor: 2004 - CALIFORNIA BOILER WORKS, INC.</b>                     |                |              |                |                                                 |                 |
| 02282023                                                                | 101377         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10664 | 60.00           |
| <b>Vendor 2004 - CALIFORNIA BOILER WORKS, INC. Total:</b>               |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: CAL01 - CALTEST ANALYTICAL LAB</b>                           |                |              |                |                                                 |                 |
| 705250                                                                  | 101302         | 02/24/2023   | 500-641-44305  | ROUTINE MONITORING LAB WPCP                     | 104.50          |
| 705667                                                                  | 101378         | 03/03/2023   | 500-641-44305  | CHEMICALS LAB SUPPLIES WPCP                     | 2,260.20        |
| <b>Vendor CAL01 - CALTEST ANALYTICAL LAB Total:</b>                     |                |              |                |                                                 | <b>2,364.70</b> |
| <b>Vendor: 2593 - CARRIER CORPORATION</b>                               |                |              |                |                                                 |                 |
| 02282023                                                                | 101379         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-05318 | 60.00           |
| <b>Vendor 2593 - CARRIER CORPORATION Total:</b>                         |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2229 - CHAPLIN AND HILL INVESTIGATIVE SERVICES LLC</b>       |                |              |                |                                                 |                 |
| C&HIS 22-31                                                             | 101380         | 03/03/2023   | 100-221-42101  | INVESTIGATION SERVICES PD                       | 3,322.25        |
| <b>Vendor 2229 - CHAPLIN AND HILL INVESTIGATIVE SERVICES LLC Total:</b> |                |              |                |                                                 | <b>3,322.25</b> |
| <b>Vendor: 2574 - CHECKPOINT SYSTEMS, INC.</b>                          |                |              |                |                                                 |                 |
| 02282023                                                                | 101381         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-06763 | 60.00           |
| <b>Vendor 2574 - CHECKPOINT SYSTEMS, INC. Total:</b>                    |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: CIT08 - CITY MECHANICAL, INC</b>                             |                |              |                |                                                 |                 |
| 90272                                                                   | 101382         | 03/03/2023   | 100-343-42108  | HVAC SERVICE CALL CH                            | 664.29          |
| 90296                                                                   | 101382         | 03/03/2023   | 100-222-42108  | HVAC SERVICE CALL PUBLIC SAFETY BLDG            | 1,221.65        |

## WARRANT LISTING

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| Payable Number                                         | Payment Number | Payment Date | Account Number | Description (Payable)                           | Amount   |
|--------------------------------------------------------|----------------|--------------|----------------|-------------------------------------------------|----------|
| 90418                                                  | 101382         | 03/03/2023   | 209-554-42108  | HVAC SERVICE CALL PYC                           | 664.29   |
| 90488                                                  | 101382         | 03/03/2023   | 209-554-42108  | HVAC SERVICE CALL PYC                           | 1,053.38 |
| 90490                                                  | 101382         | 03/03/2023   | 100-343-42108  | HVAC SERVICE CALL POST OFFICE                   | 454.11   |
| Vendor CIT08 - CITY MECHANICAL, INC Total:             |                |              |                |                                                 | 4,057.72 |
| Vendor: ORI01 - CITY OF ORINDA                         |                |              |                |                                                 |          |
| 02212023                                               | 101303         | 02/24/2023   | 100-110-42301  | MAYOR'S CONFERENCE COUNCILMEMBER TAVE           | 55.00    |
| Vendor ORI01 - CITY OF ORINDA Total:                   |                |              |                |                                                 | 55.00    |
| Vendor: 2556 - CLEAR CHANNEL OUTDOOR, LLC.             |                |              |                |                                                 |          |
| 02282023                                               | 101383         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10349 | 60.00    |
| Vendor 2556 - CLEAR CHANNEL OUTDOOR, LLC. Total:       |                |              |                |                                                 | 60.00    |
| Vendor: 2242 - COLE PRO MEDIA, LLC                     |                |              |                |                                                 |          |
| 3382                                                   | 101384         | 03/03/2023   | 100-221-42101  | TRANSPARECY ENGAGEMENT PD                       | 2,000.00 |
| Vendor 2242 - COLE PRO MEDIA, LLC Total:               |                |              |                |                                                 | 2,000.00 |
| Vendor: COL02 - COLE-PARMER INSTRUMENT CO              |                |              |                |                                                 |          |
| 3370461                                                | 101385         | 03/03/2023   | 500-641-44305  | CYLINDER PYREXPLUS FLASK WPCP                   | 206.51   |
| Vendor COL02 - COLE-PARMER INSTRUMENT CO Total:        |                |              |                |                                                 | 206.51   |
| Vendor: COM20 - COMCAST                                |                |              |                |                                                 |          |
| 0018658-02142023                                       | 101386         | 03/03/2023   | 100-231-43105  | CABLE FIRE                                      | 54.33    |
| 0363450-02012023                                       | 101305         | 02/24/2023   | 215-341-43101  | I80 MOBILITY CORRIDOR PW                        | 250.06   |
| 0419492-02022023                                       | 101305         | 02/24/2023   | 525-118-43101  | TINY TOTS INTERNET                              | 141.89   |
| 165646292                                              | 101304         | 02/24/2023   | 525-118-43101  | INTERNET PD                                     | 888.41   |
| Vendor COM20 - COMCAST Total:                          |                |              |                |                                                 | 1,334.69 |
| Vendor: 1527 - COMMERCIAL POWER SWEEP, INC.            |                |              |                |                                                 |          |
| 02282023                                               | 101387         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-09608 | 60.00    |
| Vendor 1527 - COMMERCIAL POWER SWEEP, INC. Total:      |                |              |                |                                                 | 60.00    |
| Vendor: 2503 - COMMUNITY IMPACT BUILDERS, LLC          |                |              |                |                                                 |          |
| 02282023                                               | 101388         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10573 | 60.00    |
| Vendor 2503 - COMMUNITY IMPACT BUILDERS, LLC Total:    |                |              |                |                                                 | 60.00    |
| Vendor: CON56 - CONCENTRA MEDICAL CENTERS              |                |              |                |                                                 |          |
| 78285506                                               | 101389         | 03/03/2023   | 100-116-42101  | DRUG TEST                                       | 63.00    |
| Vendor CON56 - CONCENTRA MEDICAL CENTERS Total:        |                |              |                |                                                 | 63.00    |
| Vendor: CON42 - CONTRA COSTA COUNTY CLERK              |                |              |                |                                                 |          |
| 2019-A                                                 | 101306         | 02/24/2023   | 100-112-42514  | REVISED NOVEMBER GENERAL ELECTION 2022          | 171.52   |
| Vendor CON42 - CONTRA COSTA COUNTY CLERK Total:        |                |              |                |                                                 | 171.52   |
| Vendor: CONA8 - CONTRA COSTA DOOR CO.                  |                |              |                |                                                 |          |
| 02282023                                               | 101390         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-00560 | 60.00    |
| Vendor CONA8 - CONTRA COSTA DOOR CO. Total:            |                |              |                |                                                 | 60.00    |
| Vendor: 2617 - CONTRA COSTA ELECTRIC, INC.             |                |              |                |                                                 |          |
| 02282023                                               | 101391         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-01785 | 60.00    |
| Vendor 2617 - CONTRA COSTA ELECTRIC, INC. Total:       |                |              |                |                                                 | 60.00    |
| Vendor: 1539 - CORDICO PSYCHOLOGICAL CORPORATION       |                |              |                |                                                 |          |
| 6395                                                   | 101392         | 03/03/2023   | 100-221-42101  | PREP EMPLOYMENT TROY PD                         | 500.00   |
| Vendor 1539 - CORDICO PSYCHOLOGICAL CORPORATION Total: |                |              |                |                                                 | 500.00   |
| Vendor: 2618 - CORRPRO COMPANIES, INC.                 |                |              |                |                                                 |          |
| 02282023                                               | 101393         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-07844 | 60.00    |
| Vendor 2618 - CORRPRO COMPANIES, INC. Total:           |                |              |                |                                                 | 60.00    |

## WARRANT LISTING

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| Payable Number                                                      | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount          |
|---------------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-----------------|
| <b>Vendor: 1445 - CORTEZ TIRES AND AUTO REPAIR</b>                  |                |              |                |                                                    |                 |
| 19181                                                               | 101394         | 03/03/2023   | 100-221-42107  | BRAKE CALIPERS REPAIRS PD                          | 522.47          |
| 19242                                                               | 101394         | 03/03/2023   | 100-221-42107  | PD 804 OIL AND TIRES                               | 1,094.71        |
| 19293                                                               | 101394         | 03/03/2023   | 100-221-42107  | PD 811 OIL AND TIRES                               | 744.83          |
| <b>Vendor 1445 - CORTEZ TIRES AND AUTO REPAIR Total:</b>            |                |              |                |                                                    | <b>2,362.01</b> |
| <b>Vendor: 2500 - CR FIRELINE, INC.</b>                             |                |              |                |                                                    |                 |
| 02282023                                                            | 101395         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05825 | 60.00           |
| <b>Vendor 2500 - CR FIRELINE, INC. Total:</b>                       |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2620 - CRATUS, INC.</b>                                  |                |              |                |                                                    |                 |
| 02282023                                                            | 101396         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10898 | 60.00           |
| <b>Vendor 2620 - CRATUS, INC. Total:</b>                            |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2220 - CRESCO EQUIPMENT RENTALS</b>                      |                |              |                |                                                    |                 |
| 5540972-0017                                                        | 101397         | 03/03/2023   | 100-343-42511  | INSULATED BUCKET RENTAL PW                         | 4,425.00        |
| <b>Vendor 2220 - CRESCO EQUIPMENT RENTALS Total:</b>                |                |              |                |                                                    | <b>4,425.00</b> |
| <b>Vendor: CRI06 - CRITICAL REACH</b>                               |                |              |                |                                                    |                 |
| 2781                                                                | 101398         | 03/03/2023   | 100-222-42101  | APBNET ANNUAL SUPPORT FEE<br>PD                    | 415.00          |
| <b>Vendor CRI06 - CRITICAL REACH Total:</b>                         |                |              |                |                                                    | <b>415.00</b>   |
| <b>Vendor: 2080 - CSW-STUBER-STROEH ENGINEERING GROUP INC</b>       |                |              |                |                                                    |                 |
| 2301076                                                             | 101399         | 03/03/2023   | 500-641-42101  | PRELIMINARY ENGINEERING<br>AND DESIGN SERVICES     | 1,680.00        |
| 2301098                                                             | 101399         | 03/03/2023   | 500-641-42101  | PRELIMINARY ENGINEERING<br>AND DESIGN SERVICES     | 1,936.00        |
| <b>Vendor 2080 - CSW-STUBER-STROEH ENGINEERING GROUP INC Total:</b> |                |              |                |                                                    | <b>3,616.00</b> |
| <b>Vendor: CWE01 - CWEA</b>                                         |                |              |                |                                                    |                 |
| 02072023                                                            | 101400         | 03/03/2023   | 500-642-42401  | CWEA ASSOCIATION<br>MEMBERSHIP DENIS               | 202.00          |
| <b>Vendor CWE01 - CWEA Total:</b>                                   |                |              |                |                                                    | <b>202.00</b>   |
| <b>Vendor: COO13 - DANA COOK</b>                                    |                |              |                |                                                    |                 |
| MARCH 2023                                                          | 101307         | 02/24/2023   | 100-117-41101  | RETIREE MEDICAL<br>REIMBURSEMENT MARCH 2023        | 343.06          |
| <b>Vendor COO13 - DANA COOK Total:</b>                              |                |              |                |                                                    | <b>343.06</b>   |
| <b>Vendor: HUG01 - DANNY HUGHES</b>                                 |                |              |                |                                                    |                 |
| MARCH 2023                                                          | 101308         | 02/24/2023   | 100-117-41101  | RETIREE MEDICAL<br>REIMBURSEMENT MARCH 2023        | 113.36          |
| <b>Vendor HUG01 - DANNY HUGHES Total:</b>                           |                |              |                |                                                    | <b>113.36</b>   |
| <b>Vendor: 2520 - DENALECT ALARM COMPANY</b>                        |                |              |                |                                                    |                 |
| 02282023                                                            | 101401         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00067 | 60.00           |
| <b>Vendor 2520 - DENALECT ALARM COMPANY Total:</b>                  |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: DEP03 - DEPARTMENT OF TRANSPORTATION</b>                 |                |              |                |                                                    |                 |
| SL230380                                                            | 101402         | 03/03/2023   | 200-342-42101  | SIGNALS AND LIGHTING BILL<br>OCT-DEC 2022          | 2,892.92        |
| SL230380                                                            | 101402         | 03/03/2023   | 310-347-42101  | SIGNALS AND LIGHTING BILL<br>OCT-DEC 2022          | 415.19          |
| SL230380                                                            | 101402         | 03/03/2023   | 310-348-42101  | SIGNALS AND LIGHTING BILL<br>OCT-DEC 2022          | 173.12          |
| <b>Vendor DEP03 - DEPARTMENT OF TRANSPORTATION Total:</b>           |                |              |                |                                                    | <b>3,481.23</b> |
| <b>Vendor: 2505 - DEPENDABLE SHEET METAL</b>                        |                |              |                |                                                    |                 |
| 02282023                                                            | 101403         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00077 | 60.00           |
| <b>Vendor 2505 - DEPENDABLE SHEET METAL Total:</b>                  |                |              |                |                                                    | <b>60.00</b>    |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                            | Payment Number | Payment Date | Account Number | Description (Payable)                                  | Amount           |
|---------------------------------------------------------------------------|----------------|--------------|----------------|--------------------------------------------------------|------------------|
| <b>Vendor: 2511 - DEVINE SOLAR SOLUTIONS</b>                              |                |              |                |                                                        |                  |
| 02282023                                                                  | 101404         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 22-10818     | 60.00            |
| <b>Vendor 2511 - DEVINE SOLAR SOLUTIONS Total:</b>                        |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2600 - DIEBOLD NIXDORF, INC.</b>                               |                |              |                |                                                        |                  |
| 02282023                                                                  | 101405         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09216     | 60.00            |
| <b>Vendor 2600 - DIEBOLD NIXDORF, INC. Total:</b>                         |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 1443 - DIESEL DIRECT WEST, INC.</b>                            |                |              |                |                                                        |                  |
| 84972478                                                                  | 101406         | 03/03/2023   | 100-10601      | GASOLINE UNL CY                                        | 2,628.74         |
| 84980256                                                                  | 101309         | 02/24/2023   | 500-10601      | ULSD CLEAR GAR WPCP                                    | 4,734.82         |
| 84992960                                                                  | 101406         | 03/03/2023   | 100-10601      | GASOLINE UNL CY                                        | 2,855.14         |
| 85002675                                                                  | 101406         | 03/03/2023   | 100-10601      | GASOLINE UNL CY                                        | 3,286.04         |
| <b>Vendor 1443 - DIESEL DIRECT WEST, INC. Total:</b>                      |                |              |                |                                                        | <b>13,504.74</b> |
| <b>Vendor: EBM01 - EBMUD</b>                                              |                |              |                |                                                        |                  |
| 435474-02222023                                                           | 101407         | 03/03/2023   | 209-559-43102  | 2937 Pinole Valley Rd--Tennis<br>Court Restrooms       | 81.24            |
| 435748-02172023                                                           | 101407         | 03/03/2023   | 209-553-43102  | 2454 SIMAS AVE-TINY TOTS                               | 8.86             |
| 435748-02172023                                                           | 101407         | 03/03/2023   | 209-557-43102  | 2454 SIMAS AVE-TINY TOTS                               | 286.42           |
| 532364-02172023                                                           | 101407         | 03/03/2023   | 100-345-43102  | 1267 ADOBE RD-HAZEL<br>DOWNER-THORNTON PICNIC<br>GROVE | 112.02           |
| 532606-02172023                                                           | 101407         | 03/03/2023   | 100-345-43102  | 1270 ADOBE RD-CARETAKER'S<br>SHED FOR PINOLE PARK      | 60.28            |
| 534462-02152023                                                           | 101407         | 03/03/2023   | 100-345-43102  | 3450 SAVAGE AVE-IRRIGATION<br>USE ONLY                 | 60.28            |
| 554181-02172023                                                           | 101407         | 03/03/2023   | 100-231-43102  | 3790 PINOLE VALLEY RD-FIRE<br>STATION                  | 81.24            |
| 554182-02172023                                                           | 101407         | 03/03/2023   | 100-231-43102  | 3790 PINOLE VALLEY RD-FIRE<br>STATION                  | 312.96           |
| <b>Vendor EBM01 - EBMUD Total:</b>                                        |                |              |                |                                                        | <b>1,003.30</b>  |
| <b>Vendor: 1430 - EISEN ENVIRONMENTAL AND CONSTRUCTION SERVICES</b>       |                |              |                |                                                        |                  |
| 02282023                                                                  | 101408         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09528     | 60.00            |
| <b>Vendor 1430 - EISEN ENVIRONMENTAL AND CONSTRUCTION SERVICES Total:</b> |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2527 - EL CERRITO HEATING, INC.</b>                            |                |              |                |                                                        |                  |
| 02282023                                                                  | 101409         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00106     | 60.00            |
| <b>Vendor 2527 - EL CERRITO HEATING, INC. Total:</b>                      |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2557 - ELITE WOOD DESIGN, INC.</b>                             |                |              |                |                                                        |                  |
| 02282023                                                                  | 101410         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10730     | 60.00            |
| <b>Vendor 2557 - ELITE WOOD DESIGN, INC. Total:</b>                       |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2589 - ENGINEERED STRUCTURES INC.</b>                          |                |              |                |                                                        |                  |
| 02282023                                                                  | 101411         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07405     | 60.00            |
| <b>Vendor 2589 - ENGINEERED STRUCTURES INC. Total:</b>                    |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2540 - ERNIE'S PLUMBING &amp; SEWER SERVICE</b>                |                |              |                |                                                        |                  |
| 02282023                                                                  | 101412         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-03585     | 60.00            |
| <b>Vendor 2540 - ERNIE'S PLUMBING &amp; SEWER SERVICE Total:</b>          |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2609 - FINAL PHASE CONSTRUCTION, INC.</b>                      |                |              |                |                                                        |                  |
| 02282023                                                                  | 101413         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10927     | 60.00            |
| <b>Vendor 2609 - FINAL PHASE CONSTRUCTION, INC. Total:</b>                |                |              |                |                                                        | <b>60.00</b>     |
| <b>Vendor: 2074 - FOOTHILL FIRE PROTECTION, INC.</b>                      |                |              |                |                                                        |                  |
| 02282023                                                                  | 101414         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-06889     | 60.00            |
| <b>Vendor 2074 - FOOTHILL FIRE PROTECTION, INC. Total:</b>                |                |              |                |                                                        | <b>60.00</b>     |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                               | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount          |
|------------------------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-----------------|
| <b>Vendor: GAT07 - GATEWAY PINOLE VISTA, LLC</b>                             |                |              |                |                                                    |                 |
| MARCH 2023                                                                   | 101310         | 02/24/2023   | 201-343-42513  | 1340 FITZGERALD DR LEASE<br>PAYMENT MARCH 2023     | 100.00          |
| <b>Vendor GAT07 - GATEWAY PINOLE VISTA, LLC Total:</b>                       |                |              |                |                                                    | <b>100.00</b>   |
| <b>Vendor: 2598 - GENERAL ELECTRIC APPLIANCE</b>                             |                |              |                |                                                    |                 |
| 02282023                                                                     | 101415         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00160 | 60.00           |
| <b>Vendor 2598 - GENERAL ELECTRIC APPLIANCE Total:</b>                       |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2349 - GHD, INC.</b>                                              |                |              |                |                                                    |                 |
| 380-0021740-4                                                                | 101416         | 03/03/2023   | 750-463-42101  | PROFESSIONAL SERVICES<br>COMMUNITY CORNER          | 2,898.83        |
| 380-0025857-6                                                                | 101416         | 03/03/2023   | 750-463-42101  | PROFESSIONAL SERVICES<br>COMMUNITY CORNER          | 3,088.57        |
| <b>Vendor 2349 - GHD, INC. Total:</b>                                        |                |              |                |                                                    | <b>5,987.40</b> |
| <b>Vendor: 2596 - GOLDEN STATE UTILITY CO.</b>                               |                |              |                |                                                    |                 |
| 02282023                                                                     | 101417         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE          | 60.00           |
| <b>Vendor 2596 - GOLDEN STATE UTILITY CO. Total:</b>                         |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2534 - GOOD LIFE CONSTRUCTION, INC.</b>                           |                |              |                |                                                    |                 |
| 02282023                                                                     | 101418         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10516 | 60.00           |
| <b>Vendor 2534 - GOOD LIFE CONSTRUCTION, INC. Total:</b>                     |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2543 - GRAHAM CONTRACTORS, INC.</b>                               |                |              |                |                                                    |                 |
| 02282023                                                                     | 101419         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-04019 | 60.00           |
| <b>Vendor 2543 - GRAHAM CONTRACTORS, INC. Total:</b>                         |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: GRA03 - GRAINGER</b>                                              |                |              |                |                                                    |                 |
| 9608915287                                                                   | 101420         | 03/03/2023   | 500-641-44305  | FUNNEL FILL MICRO BURET<br>WPCP                    | 536.22          |
| <b>Vendor GRA03 - GRAINGER Total:</b>                                        |                |              |                |                                                    | <b>536.22</b>   |
| <b>Vendor: 2613 - GRIFFIN SOIL</b>                                           |                |              |                |                                                    |                 |
| 02282023                                                                     | 101421         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07252 | 60.00           |
| <b>Vendor 2613 - GRIFFIN SOIL Total:</b>                                     |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: H&amp;R02 - H &amp; R PLUMBING AND DRAIN CLEANING, INC.</b>       |                |              |                |                                                    |                 |
| 02282023                                                                     | 101422         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05758 | 60.00           |
| <b>Vendor H&amp;R02 - H &amp; R PLUMBING AND DRAIN CLEANING, INC. Total:</b> |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: HAR01 - HARRINGTON INDUSTRIAL PLASTIC, LLC</b>                    |                |              |                |                                                    |                 |
| 006N6154                                                                     | 101311         | 02/24/2023   | 500-641-44306  | PLUMBING SUPPLIES WPCP                             | 29.46           |
| <b>Vendor HAR01 - HARRINGTON INDUSTRIAL PLASTIC, LLC Total:</b>              |                |              |                |                                                    | <b>29.46</b>    |
| <b>Vendor: 2498 - HEADWATERS CONSTRUCTION BUILDING GROUP</b>                 |                |              |                |                                                    |                 |
| 02282023                                                                     | 101423         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10678 | 60.00           |
| <b>Vendor 2498 - HEADWATERS CONSTRUCTION BUILDING GROUP Total:</b>           |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2549 - HENRY ROOFING, INC.</b>                                    |                |              |                |                                                    |                 |
| 02282023                                                                     | 101424         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-03963 | 60.00           |
| <b>Vendor 2549 - HENRY ROOFING, INC. Total:</b>                              |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2622 - HOME DEPOT USA #0600</b>                                   |                |              |                |                                                    |                 |
| 02282023                                                                     | 101425         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05008 | 60.00           |
| <b>Vendor 2622 - HOME DEPOT USA #0600 Total:</b>                             |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2587 - HOMEGUARD, INC.</b>                                        |                |              |                |                                                    |                 |
| 02282023                                                                     | 101426         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-02732 | 60.00           |
| <b>Vendor 2587 - HOMEGUARD, INC. Total:</b>                                  |                |              |                |                                                    | <b>60.00</b>    |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                        | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount        |
|-----------------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|---------------|
| <b>Vendor: 2588 - HP COMMUNICATIONS, INC.</b>                         |                |              |                |                                                    |               |
| 02282023                                                              | 101427         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07639 | 60.00         |
| <b>Vendor 2588 - HP COMMUNICATIONS, INC. Total:</b>                   |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2544 - INDOOR AIR TECHNOLOGIES</b>                         |                |              |                |                                                    |               |
| 02282023                                                              | 101428         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10303 | 60.00         |
| <b>Vendor 2544 - INDOOR AIR TECHNOLOGIES Total:</b>                   |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2592 - INFINITY ENERGY</b>                                 |                |              |                |                                                    |               |
| 02282023                                                              | 101429         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-08495 | 60.00         |
| <b>Vendor 2592 - INFINITY ENERGY Total:</b>                           |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2570 - IRISH CONSTRUCTION</b>                              |                |              |                |                                                    |               |
| 02282023                                                              | 101430         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-02720 | 60.00         |
| <b>Vendor 2570 - IRISH CONSTRUCTION Total:</b>                        |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2572 - J&amp;A PLUMBING AND ROOTER SERVICE, INC.</b>       |                |              |                |                                                    |               |
| 02282023                                                              | 101431         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10592 | 60.00         |
| <b>Vendor 2572 - J&amp;A PLUMBING AND ROOTER SERVICE, INC. Total:</b> |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2523 - JAJ ROOFING</b>                                     |                |              |                |                                                    |               |
| 02282023                                                              | 101432         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09423 | 60.00         |
| <b>Vendor 2523 - JAJ ROOFING Total:</b>                               |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: MEL05 - JAMES MELVIN</b>                                   |                |              |                |                                                    |               |
| MARCH 2023                                                            | 101312         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 164.90        |
| <b>Vendor MEL05 - JAMES MELVIN Total:</b>                             |                |              |                |                                                    | <b>164.90</b> |
| <b>Vendor: JAN92 - JAN-PRO OF THE GREATER BAY AREA</b>                |                |              |                |                                                    |               |
| 16539                                                                 | 101433         | 03/03/2023   | 209-553-42108  | JANITORIAL SERVIES MARCH<br>BILLING TINY TOTS      | 487.00        |
| <b>Vendor JAN92 - JAN-PRO OF THE GREATER BAY AREA Total:</b>          |                |              |                |                                                    | <b>487.00</b> |
| <b>Vendor: HAR29 - JOHN HARDESTER</b>                                 |                |              |                |                                                    |               |
| MARCH 2023                                                            | 101313         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 243.00        |
| <b>Vendor HAR29 - JOHN HARDESTER Total:</b>                           |                |              |                |                                                    | <b>243.00</b> |
| <b>Vendor: 2525 - JOHNSON &amp; SAMPSON CONSTRUCTION, INC.</b>        |                |              |                |                                                    |               |
| 02282023                                                              | 101434         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09098 | 60.00         |
| <b>Vendor 2525 - JOHNSON &amp; SAMPSON CONSTRUCTION, INC. Total:</b>  |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2621 - JOHNSON CONTROLS FIRE PROTECTION</b>                |                |              |                |                                                    |               |
| 02282023                                                              | 101435         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-01966 | 60.00         |
| <b>Vendor 2621 - JOHNSON CONTROLS FIRE PROTECTION Total:</b>          |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2522 - JOHNSON CONTROLS SECURITY SOLUTIONS, LLC</b>        |                |              |                |                                                    |               |
| 02282023                                                              | 101436         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00044 | 60.00         |
| <b>Vendor 2522 - JOHNSON CONTROLS SECURITY SOLUTIONS, LLC Total:</b>  |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: MIS01 - JULIAN MISRA</b>                                   |                |              |                |                                                    |               |
| MARCH 2023                                                            | 101314         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 479.30        |
| <b>Vendor MIS01 - JULIAN MISRA Total:</b>                             |                |              |                |                                                    | <b>479.30</b> |
| <b>Vendor: KAI02 - KAISER PERMANETE</b>                               |                |              |                |                                                    |               |
| 02092023                                                              | 101315         | 02/24/2023   | 100-116-42101  | PRE-EMPLOYMENT TEST                                | 784.00        |
| <b>Vendor KAI02 - KAISER PERMANETE Total:</b>                         |                |              |                |                                                    | <b>784.00</b> |



## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                            | Payment Number | Payment Date | Account Number | Description (Payable)                           | Amount           |
|-----------------------------------------------------------|----------------|--------------|----------------|-------------------------------------------------|------------------|
| <b>Vendor: 1546 - KATHERINE DUFF</b>                      |                |              |                |                                                 |                  |
| JANUARY 2023                                              | 101316         | 02/24/2023   | 209-20015      | GIFT SHOP SALES PSC                             | 10.00            |
| <b>Vendor 1546 - KATHERINE DUFF Total:</b>                |                |              |                |                                                 | <b>10.00</b>     |
| <b>Vendor: MCP02 - KEITH McPHERSON</b>                    |                |              |                |                                                 |                  |
| MARCH 2023                                                | 101317         | 02/24/2023   | 100-117-41101  | RETIREE MEDICAL REIMBURSEMENT MARCH 2023        | 147.36           |
| <b>Vendor MCP02 - KEITH McPHERSON Total:</b>              |                |              |                |                                                 | <b>147.36</b>    |
| <b>Vendor: KEL09 - KELLER CANYON LANDFILL</b>             |                |              |                |                                                 |                  |
| 4212-000031857                                            | 101318         | 02/24/2023   | 500-641-44302  | REMOVAL OF SLUDGE WPCP                          | 5,651.43         |
| <b>Vendor KEL09 - KELLER CANYON LANDFILL Total:</b>       |                |              |                |                                                 | <b>5,651.43</b>  |
| <b>Vendor: COP02 - KENETH COPPO</b>                       |                |              |                |                                                 |                  |
| MARCH 2023                                                | 101319         | 02/24/2023   | 100-117-41101  | 2023 RETIREE MEDICAL REIMBURSEMENT MARCH 2023   | 1,045.20         |
| <b>Vendor COP02 - KENETH COPPO Total:</b>                 |                |              |                |                                                 | <b>1,045.20</b>  |
| <b>Vendor: KEN09 - KENNEDY AND ASSOCIATES, INC.</b>       |                |              |                |                                                 |                  |
| 22-264                                                    | 101320         | 02/24/2023   | 100-341-42101  | SLOPE REMEDIATION PLAN REVIEW                   | 291.25           |
| 22-265                                                    | 101320         | 02/24/2023   | 100-341-42101  | 2525 BRAND CT PERMIT                            | 407.75           |
| 22-266                                                    | 101320         | 02/24/2023   | 100-341-42101  | 811 SPA GRADING PERMIT                          | 1,339.75         |
| <b>Vendor KEN09 - KENNEDY AND ASSOCIATES, INC. Total:</b> |                |              |                |                                                 | <b>2,038.75</b>  |
| <b>Vendor: 2552 - KNIGHTS FLOORING, INC.</b>              |                |              |                |                                                 |                  |
| 02282023                                                  | 101437         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10710 | 60.00            |
| <b>Vendor 2552 - KNIGHTS FLOORING, INC. Total:</b>        |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: KNO03 - KNORR SYSTEMS, INC.</b>                |                |              |                |                                                 |                  |
| 02282023                                                  | 101438         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-08036 | 60.00            |
| <b>Vendor KNO03 - KNORR SYSTEMS, INC. Total:</b>          |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: KUB00 - KUBWATER RESOURCES, INC.</b>           |                |              |                |                                                 |                  |
| 11574                                                     | 101321         | 02/24/2023   | 500-641-44303  | ZETAG BAGS WPCP                                 | 25,819.98        |
| <b>Vendor KUB00 - KUBWATER RESOURCES, INC. Total:</b>     |                |              |                |                                                 | <b>25,819.98</b> |
| <b>Vendor: 2597 - L H L CONSTRUCTION, INC.</b>            |                |              |                |                                                 |                  |
| 02282023                                                  | 101439         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10911 | 60.00            |
| <b>Vendor 2597 - L H L CONSTRUCTION, INC. Total:</b>      |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2563 - L.J. KRUSE COMPANY</b>                  |                |              |                |                                                 |                  |
| 02282023                                                  | 101440         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-04431 | 60.00            |
| <b>Vendor 2563 - L.J. KRUSE COMPANY Total:</b>            |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2554 - LANDCARE USA</b>                        |                |              |                |                                                 |                  |
| 02282023                                                  | 101441         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-09610 | 60.00            |
| <b>Vendor 2554 - LANDCARE USA Total:</b>                  |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: LAR04 - LARRY WALKER ASSOCIATES</b>            |                |              |                |                                                 |                  |
| 00243.11-20                                               | 101442         | 03/03/2023   | 500-641-42101  | ONGOING SERVICES NPDES PERMIT WPCP              | 2,966.25         |
| <b>Vendor LAR04 - LARRY WALKER ASSOCIATES Total:</b>      |                |              |                |                                                 | <b>2,966.25</b>  |
| <b>Vendor: 2513 - LENNOX NAS</b>                          |                |              |                |                                                 |                  |
| 02282023                                                  | 101443         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-06839 | 60.00            |
| <b>Vendor 2513 - LENNOX NAS Total:</b>                    |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2560 - LRG BUILDER SERVICES, INC.</b>          |                |              |                |                                                 |                  |
| 02282023                                                  | 101444         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10819 | 60.00            |
| <b>Vendor 2560 - LRG BUILDER SERVICES, INC. Total:</b>    |                |              |                |                                                 | <b>60.00</b>     |

## WARRANT LISTING

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| Payable Number                                          | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount        |
|---------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|---------------|
| <b>Vendor: 2601 - MARK SCOTT CONSTRUCTION</b>           |                |              |                |                                                    |               |
| 02282023                                                | 101445         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-01614 | 60.00         |
| <b>Vendor 2601 - MARK SCOTT CONSTRUCTION Total:</b>     |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: MAR92 - MARTINEZ SHEET METAL INC.</b>        |                |              |                |                                                    |               |
| 02282023                                                | 101446         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-01120 | 60.00         |
| <b>Vendor MAR92 - MARTINEZ SHEET METAL INC. Total:</b>  |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: DRA01 - MARY DRAZBA</b>                      |                |              |                |                                                    |               |
| MARCH 2023                                              | 101322         | 02/24/2023   | 100-117-41101  | RETIREE MEDICAL<br>REIMBURSEMENT MARCH 2023        | 543.54        |
| <b>Vendor DRA01 - MARY DRAZBA Total:</b>                |                |              |                |                                                    | <b>543.54</b> |
| <b>Vendor: ROB21 - MARY ROBERTS</b>                     |                |              |                |                                                    |               |
| MARCH 2023                                              | 101323         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 361.30        |
| <b>Vendor ROB21 - MARY ROBERTS Total:</b>               |                |              |                |                                                    | <b>361.30</b> |
| <b>Vendor: 2615 - MASSONE MECHANICAL, INC.</b>          |                |              |                |                                                    |               |
| 02282023                                                | 101447         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-03972 | 60.00         |
| <b>Vendor 2615 - MASSONE MECHANICAL, INC. Total:</b>    |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2555 - MASTEC NORTH AMERICA, INC.</b>        |                |              |                |                                                    |               |
| 02282023                                                | 101448         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09698 | 60.00         |
| <b>Vendor 2555 - MASTEC NORTH AMERICA, INC. Total:</b>  |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2599 - MASTER PROTECTION CORP.</b>           |                |              |                |                                                    |               |
| 02282023                                                | 101449         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00301 | 60.00         |
| <b>Vendor 2599 - MASTER PROTECTION CORP. Total:</b>     |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2558 - MCE CORPORATION</b>                   |                |              |                |                                                    |               |
| 02282023                                                | 101450         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-02056 | 60.00         |
| <b>Vendor 2558 - MCE CORPORATION Total:</b>             |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: MCM05 - MCMASTER-CARR SUPPLY CO.</b>         |                |              |                |                                                    |               |
| 92772552                                                | 101451         | 03/03/2023   | 500-641-44306  | VIBRATION CORROSION GAUGE<br>WPCP                  | 130.52        |
| 92853485                                                | 101451         | 03/03/2023   | 500-641-44306  | HIGH ACCURACY LOW PRESSURE<br>GAUGE WPCP           | 185.01        |
| <b>Vendor MCM05 - MCMASTER-CARR SUPPLY CO. Total:</b>   |                |              |                |                                                    | <b>315.53</b> |
| <b>Vendor: 1115 - MICHELLE FITZER</b>                   |                |              |                |                                                    |               |
| MARCH 2023                                              | 101324         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 361.20        |
| <b>Vendor 1115 - MICHELLE FITZER Total:</b>             |                |              |                |                                                    | <b>361.20</b> |
| <b>Vendor: 2515 - MICHELS PACIFIC ENERGY, INC</b>       |                |              |                |                                                    |               |
| 02282023                                                | 101452         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10416 | 60.00         |
| <b>Vendor 2515 - MICHELS PACIFIC ENERGY, INC Total:</b> |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2509 - MICHELS PIPELINE, INC.</b>            |                |              |                |                                                    |               |
| 02282023                                                | 101453         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10434 | 60.00         |
| <b>Vendor 2509 - MICHELS PIPELINE, INC. Total:</b>      |                |              |                |                                                    | <b>60.00</b>  |
| <b>Vendor: 2567 - MOMENTUM SERVICES</b>                 |                |              |                |                                                    |               |
| 02282023                                                | 101454         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07918 | 60.00         |
| <b>Vendor 2567 - MOMENTUM SERVICES Total:</b>           |                |              |                |                                                    | <b>60.00</b>  |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                                             | Payment Number | Payment Date | Account Number | Description (Payable)                           | Amount          |
|--------------------------------------------------------------------------------------------|----------------|--------------|----------------|-------------------------------------------------|-----------------|
| <b>Vendor: 2623 - MOUNTAIN LYON LIDS</b>                                                   |                |              |                |                                                 |                 |
| 23-008                                                                                     | 101455         | 03/03/2023   | 100-231-44410  | FIRE HELMET REPAIR & REFURBISHMENT              | 3,290.00        |
| <b>Vendor 2623 - MOUNTAIN LYON LIDS Total:</b>                                             |                |              |                |                                                 | <b>3,290.00</b> |
| <b>Vendor: 2495 - MUNICIPAL MANAGEMENT ASSOCIATION OF NORTHER CALIFORNIA (MMANC)</b>       |                |              |                |                                                 |                 |
| 7253                                                                                       | 101325         | 02/24/2023   | 100-112-42401  | MMANC MEMBERSHIP CITY CLERK                     | 75.00           |
| <b>Vendor 2495 - MUNICIPAL MANAGEMENT ASSOCIATION OF NORTHER CALIFORNIA (MMANC) Total:</b> |                |              |                |                                                 | <b>75.00</b>    |
| <b>Vendor: MUN07 - MUNICIPAL POOLING AUTH.</b>                                             |                |              |                |                                                 |                 |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-110-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 56.21           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-111-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 44.97           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-112-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 22.48           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-113-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-115-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 33.73           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-116-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 22.48           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-221-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 202.35          |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-222-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 44.97           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-223-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 123.66          |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-231-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 146.14          |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-341-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 100-343-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 112.42          |
| INV002947                                                                                  | 101326         | 02/24/2023   | 105-221-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 44.97           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 105-231-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 44.97           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 106-222-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 106-231-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 209-551-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 22.48           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 209-552-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 22.48           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 209-553-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 209-554-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 212-461-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 44.97           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 212-462-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 11.24           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 500-641-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 101.18          |
| INV002947                                                                                  | 101326         | 02/24/2023   | 500-642-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 33.73           |
| INV002947                                                                                  | 101326         | 02/24/2023   | 505-119-41005  | PN-EAP 10/22-12/22 PREMIUM                      | 22.48           |
| <b>Vendor MUN07 - MUNICIPAL POOLING AUTH. Total:</b>                                       |                |              |                |                                                 | <b>1,225.35</b> |
| <b>Vendor: NAT41 - NATIONAL CONSTRUCTION RENTALS, INC.</b>                                 |                |              |                |                                                 |                 |
| 02282023                                                                                   | 101456         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-04061 | 60.00           |
| <b>Vendor NAT41 - NATIONAL CONSTRUCTION RENTALS, INC. Total:</b>                           |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2571 - NED CLYDE CONSTRUCTION, INC.</b>                                         |                |              |                |                                                 |                 |
| 02282023                                                                                   | 101457         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-00541 | 60.00           |
| <b>Vendor 2571 - NED CLYDE CONSTRUCTION, INC. Total:</b>                                   |                |              |                |                                                 | <b>60.00</b>    |
| <b>Vendor: 2441 - NELSON CONNECTS</b>                                                      |                |              |                |                                                 |                 |
| 6415859                                                                                    | 101327         | 02/24/2023   | 100-341-42103  | ADMINISTRATIVE ASSISTANT PW                     | 665.28          |
| 6416322                                                                                    | 101458         | 03/03/2023   | 100-341-42103  | ADMINISTRATIVE ASSISTANT PW                     | 1,663.20        |
| <b>Vendor 2441 - NELSON CONNECTS Total:</b>                                                |                |              |                |                                                 | <b>2,328.48</b> |
| <b>Vendor: 2448 - NSI LAB SOLUTIONS, LLC.</b>                                              |                |              |                |                                                 |                 |
| 415714                                                                                     | 101459         | 03/03/2023   | 500-641-44305  | CHLORINE CONCE LAB SUPPLIES WPCP                | 744.00          |
| <b>Vendor 2448 - NSI LAB SOLUTIONS, LLC. Total:</b>                                        |                |              |                |                                                 | <b>744.00</b>   |
| <b>Vendor: 2528 - O.C. JONES &amp; SONS</b>                                                |                |              |                |                                                 |                 |
| 02282023                                                                                   | 101460         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-00245 | 60.00           |
| <b>Vendor 2528 - O.C. JONES &amp; SONS Total:</b>                                          |                |              |                |                                                 | <b>60.00</b>    |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                          | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount          |
|-------------------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-----------------|
| <b>Vendor: 2517 - OLIVERO PLUMBING COMPANY</b>                          |                |              |                |                                                    |                 |
| 02282023                                                                | 101461         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-01920 | 60.00           |
| <b>Vendor 2517 - OLIVERO PLUMBING COMPANY Total:</b>                    |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: OLI01 - OLIVERS TOWING INC</b>                               |                |              |                |                                                    |                 |
| 21-10765-12                                                             | 101462         | 03/03/2023   | 100-221-42107  | STORAGE VEHICLE PD                                 | 310.00          |
| <b>Vendor OLI01 - OLIVERS TOWING INC Total:</b>                         |                |              |                |                                                    | <b>310.00</b>   |
| <b>Vendor: OTI01 - OTIS ELEVATOR COMPANY</b>                            |                |              |                |                                                    |                 |
| 100401079587                                                            | 101463         | 03/03/2023   | 100-343-42108  | MAINTENANCE SERVICE MARCH<br>2023 CH               | 124.91          |
| <b>Vendor OTI01 - OTIS ELEVATOR COMPANY Total:</b>                      |                |              |                |                                                    | <b>124.91</b>   |
| <b>Vendor: PAC41 - PACIFIC ECORISK</b>                                  |                |              |                |                                                    |                 |
| 18774                                                                   | 101464         | 03/03/2023   | 500-641-44305  | ACUTE WET TESTING LAB WPCP                         | 1,046.00        |
| 18810                                                                   | 101464         | 03/03/2023   | 500-641-44305  | ACUTE WET TESTING LAB WPCP                         | 1,046.00        |
| <b>Vendor PAC41 - PACIFIC ECORISK Total:</b>                            |                |              |                |                                                    | <b>2,092.00</b> |
| <b>Vendor: PAC55 - PACIFIC SITE MANAGEMENT</b>                          |                |              |                |                                                    |                 |
| 62415                                                                   | 101465         | 03/03/2023   | 100-222-42108  | MONTHLY LANDSCAPE SERVICES                         | 125.93          |
| 62415                                                                   | 101465         | 03/03/2023   | 100-231-42108  | MONTHLY LANDSCAPE SERVICES                         | 337.43          |
| 62415                                                                   | 101465         | 03/03/2023   | 100-343-42108  | MONTHLY LANDSCAPE SERVICES                         | 180.02          |
| 62415                                                                   | 101465         | 03/03/2023   | 100-345-42108  | MONTHLY LANDSCAPE SERVICES                         | 5,787.95        |
| 62415                                                                   | 101465         | 03/03/2023   | 200-342-42108  | MONTHLY LANDSCAPE SERVICES                         | 335.81          |
| 62415                                                                   | 101465         | 03/03/2023   | 201-343-42108  | MONTHLY LANDSCAPE SERVICES                         | 548.93          |
| 62415                                                                   | 101465         | 03/03/2023   | 209-552-42108  | MONTHLY LANDSCAPE SERVICES                         | 204.23          |
| 62415                                                                   | 101465         | 03/03/2023   | 209-553-42108  | MONTHLY LANDSCAPE SERVICES                         | 212.31          |
| 62415                                                                   | 101465         | 03/03/2023   | 209-557-42108  | MONTHLY LANDSCAPE SERVICES                         | 212.31          |
| 62415                                                                   | 101465         | 03/03/2023   | 310-347-42108  | MONTHLY LANDSCAPE SERVICES                         | 62.16           |
| 62415                                                                   | 101465         | 03/03/2023   | 310-348-42108  | MONTHLY LANDSCAPE SERVICES                         | 65.37           |
| <b>Vendor PAC55 - PACIFIC SITE MANAGEMENT Total:</b>                    |                |              |                |                                                    | <b>8,072.45</b> |
| <b>Vendor: 2561 - PACIFIC STATES ENVIRONMENTAL CONTRACTORS</b>          |                |              |                |                                                    |                 |
| 02282023                                                                | 101466         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10318 | 60.00           |
| <b>Vendor 2561 - PACIFIC STATES ENVIRONMENTAL CONTRACTORS Total:</b>    |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2584 - PARMETER GENERAL ENGINEERING &amp; SERVICES</b>       |                |              |                |                                                    |                 |
| 02282023                                                                | 101467         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07962 | 60.00           |
| <b>Vendor 2584 - PARMETER GENERAL ENGINEERING &amp; SERVICES Total:</b> |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: ATH02 - PATRICIA ATHENOUR</b>                                |                |              |                |                                                    |                 |
| MARCH 2023                                                              | 101328         | 02/24/2023   | 100-117-41101  | 2023 RETIREE MEDICAL<br>REIMBURSEMENT MARCH 2023   | 164.90          |
| <b>Vendor ATH02 - PATRICIA ATHENOUR Total:</b>                          |                |              |                |                                                    | <b>164.90</b>   |
| <b>Vendor: CLA17 - PAUL CLANCY</b>                                      |                |              |                |                                                    |                 |
| MARCH 2023                                                              | 101329         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE<br>REIMBURSEMENT MARCH 2023       | 430.78          |
| <b>Vendor CLA17 - PAUL CLANCY Total:</b>                                |                |              |                |                                                    | <b>430.78</b>   |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                          | Payment Number | Payment Date | Account Number | Description (Payable)                                | Amount       |
|---------------------------------------------------------|----------------|--------------|----------------|------------------------------------------------------|--------------|
| <b>Vendor: 2537 - PAVEWEST INCORPORATED</b>             |                |              |                |                                                      |              |
| 02282023                                                | 101468         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10690   | 60.00        |
| <b>Vendor 2537 - PAVEWEST INCORPORATED Total:</b>       |                |              |                |                                                      | <b>60.00</b> |
| <b>Vendor: 1707 - PETERSON POWER SYSTEMS, INC</b>       |                |              |                |                                                      |              |
| 02282023                                                | 101469         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-06780   | 60.00        |
| <b>Vendor 1707 - PETERSON POWER SYSTEMS, INC Total:</b> |                |              |                |                                                      | <b>60.00</b> |
| <b>Vendor: PGE01 - PG&amp;E</b>                         |                |              |                |                                                      |              |
| 0081-02162023                                           | 101470         | 03/03/2023   | 200-342-43103  | 2501 SAN PABLO AVE TRAFFIC<br>CONTROLLER             | 86.11        |
| 0209-02162023                                           | 101470         | 03/03/2023   | 200-342-43103  | S/E CORNER SAN PABLO AVE &<br>TENNENT TRAFFIC SIGNAL | 95.67        |
| 0217-02152023                                           | 101470         | 03/03/2023   | 100-345-43103  | TENNENT & PARK ST CLUB<br>HOUSE                      | 11.69        |
| 0466-02162023                                           | 101470         | 03/03/2023   | 209-554-43103  | 635 TENNENT AVE YOUTH<br>CTR/CATV                    | 172.57       |
| 0466-02162023                                           | 101470         | 03/03/2023   | 505-119-43103  | 635 TENNENT AVE YOUTH<br>CTR/CATV                    | 258.86       |
| 0498-02092023                                           | 101470         | 03/03/2023   | 100-231-43103  | 3790 PINOLE VALLEY RD<br>FIRESTATION                 | 618.01       |
| 0813-02152023                                           | 101470         | 03/03/2023   | 200-342-43103  | 2149 1/2 APPIAN WAY TRAFFIC<br>SIGNAL                | 58.96        |
| 0883-02102023                                           | 101470         | 03/03/2023   | 100-222-43103  | 800 TENNENT AVE PUBLI C<br>SAFETY FACILITY           | 4,819.56     |
| 0883-02102023                                           | 101470         | 03/03/2023   | 100-223-43103  | 800 TENNENT AVE PUBLI C<br>SAFETY FACILITY           | 963.91       |
| 0883-02102023                                           | 101470         | 03/03/2023   | 100-231-43103  | 800 TENNENT AVE PUBLI C<br>SAFETY FACILITY           | 3,855.65     |
| 0887-02012023                                           | 101470         | 03/03/2023   | 200-342-43103  | PINON AVE & SAN PABLO AVE<br>TRAFFIC SIGNAL          | 110.27       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-110-43103  | 2131 PEAR ST                                         | 88.60        |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-111-43103  | 2131 PEAR ST                                         | 116.58       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-112-43103  | 2131 PEAR ST                                         | 128.23       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-115-43103  | 2131 PEAR ST                                         | 319.43       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-116-43103  | 2131 PEAR ST                                         | 93.26        |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-117-43103  | 2131 PEAR ST                                         | 1,037.56     |
| 0923-02152023                                           | 101470         | 03/03/2023   | 100-343-43103  | 2131 PEAR ST                                         | 1,932.88     |
| 0923-02152023                                           | 101470         | 03/03/2023   | 200-342-43103  | 2131 PEAR ST                                         | 338.08       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 212-461-43103  | 2131 PEAR ST                                         | 139.90       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 212-462-43103  | 2131 PEAR ST                                         | 352.07       |
| 0923-02152023                                           | 101470         | 03/03/2023   | 285-464-43103  | 2131 PEAR ST                                         | 116.58       |
| 1093-01312023                                           | 101470         | 03/03/2023   | 500-642-43103  | W END/HAZEL AVE SEWAGE<br>PLANT                      | 907.82       |
| 1121-02162023                                           | 101470         | 03/03/2023   | 200-342-43103  | DEL MONTE & SAN PABLO<br>TRAFFIC CONTROL LIGHT       | 76.60        |
| 1156-02102023                                           | 101470         | 03/03/2023   | 209-554-43103  | 635 TENNENT AVE YOUTH<br>CTR/CATV                    | 119.21       |
| 1156-02102023                                           | 101470         | 03/03/2023   | 505-119-43103  | 635 TENNENT AVE YOUTH<br>CTR/CATV                    | 178.82       |
| 1462-02102023                                           | 101470         | 03/03/2023   | 209-552-43103  | 2500 CHARLES ST SENIOR<br>CENTER                     | 1,306.08     |
| 1801-02082023                                           | 101470         | 03/03/2023   | 209-553-43103  | 2454 SIMAS AVE REC CTR &<br>POOL                     | 573.02       |
| 2182-02012023                                           | 101470         | 03/03/2023   | 200-342-43103  | OAKRIDGE/SAN PABLO AVE<br>TRAFFIC SIGNAL             | 106.19       |
| 2222-01252023                                           | 101470         | 03/03/2023   | 100-345-43103  | STREET AND HIGHWAY<br>LIGHTING                       | 23.75        |
| 2222-01252023                                           | 101470         | 03/03/2023   | 200-342-43103  | STREET AND HIGHWAY<br>LIGHTING                       | 13,401.92    |
| 2222-01252023                                           | 101470         | 03/03/2023   | 310-347-43103  | STREET AND HIGHWAY<br>LIGHTING                       | 134.65       |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount           |
|-----------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|------------------|
| 2222-01252023                                 | 101470         | 03/03/2023   | 310-348-43103  | STREET AND HIGHWAY LIGHTING                        | 192.36           |
| 2620-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | N/W CORNER APPIAN WAY & FITZGERALD DR TRAFFIC SIG  | 116.61           |
| 2793-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | 1451 FITZGERALD DR TRAFFIC SIGNAL                  | 88.71            |
| 3029-02102023                                 | 101470         | 03/03/2023   | 100-345-43103  | 1270 ADOBE RD @ OUTSIDE BATHROOMS                  | 93.60            |
| 3311-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | PINOLE VALLEY RD & HENRY TRAFFIC CONTROLLER        | 112.49           |
| 3537-02152023                                 | 101470         | 03/03/2023   | 100-343-43103  | 659 TENNENT AVE PARKING LOT LIGHTS                 | 99.12            |
| 3834-02052023                                 | 101470         | 03/03/2023   | 100-231-43103  | 3790 PINOLE VALLEY RD FIRESTATION                  | 394.86           |
| 3850-02152023                                 | 101470         | 03/03/2023   | 100-345-43103  | 601 TENNENT AVE CARETAKER'S SHED                   | 171.00           |
| 3914-02152023                                 | 101470         | 03/03/2023   | 100-345-43103  | FERNANDEZ PARK BALLPARK LIGHTING                   | 192.33           |
| 4065-02152023                                 | 101470         | 03/03/2023   | 209-559-43103  | 2937 PINOLE VALLEY RD TENNIS CT LIGHTS             | 403.75           |
| 4157-02092023                                 | 101470         | 03/03/2023   | 100-222-43103  | 809 CITY HALL                                      | 5.96             |
| 4193-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | HWY 80 PINOLE VALLEY RD TRAFFIC CONTROLLER         | 64.94            |
| 4368-02152023                                 | 101470         | 03/03/2023   | 200-342-43103  | APPIAN WAY & TARA HILLS TRAFFIC SIGNAL             | 149.18           |
| 4612-02152023                                 | 101470         | 03/03/2023   | 201-343-43103  | 2100 SAN PABLO AVE FARIA HOUSE                     | 27.56            |
| 5127-02162023                                 | 101470         | 03/03/2023   | 500-642-43103  | 893 1/2 SAN PABLO AVE PUMP STATION                 | 208.77           |
| 5137-02142023                                 | 101470         | 03/03/2023   | 209-557-43103  | 2450 SIMAS AVE SWIM CTR                            | 924.97           |
| 5374-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | 1220 PINOLE VALLEY RD TRAFFIC SIGNAL               | 106.02           |
| 5387-02162023                                 | 101470         | 03/03/2023   | 100-345-43103  | 588 MARLESTA RD LOUIS FRANCIS PARK                 | 50.79            |
| 6043-02092023                                 | 101470         | 03/03/2023   | 100-231-43103  | 3790 PINOLE VALLEY RD                              | 27.39            |
| 6969-02152023                                 | 101470         | 03/03/2023   | 201-343-43103  | 2361 SAN PABLO AVE PARKING LOT LIGHTS              | 141.06           |
| 7114-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | 2429 SAN PABLO AVE                                 | 121.52           |
| 7186-02102023                                 | 101470         | 03/03/2023   | 209-558-43103  | 601 TENNENT AVE PUBLIC MEETING HALL                | 204.06           |
| 7509-02152023                                 | 101470         | 03/03/2023   | 200-342-43103  | TARA HILLS DR 500 FT APPIAN WAY TRAFFIC SIGNAL     | 59.50            |
| 8086-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | N/S BORDER CITY OF PINOLE                          | 77.61            |
| 8687-02162023                                 | 101470         | 03/03/2023   | 200-342-43103  | FITZGERALD DR IFO LONG JOHN SILVERS TRAFFIC SIGNAL | 106.81           |
| 8716-02102023                                 | 101470         | 03/03/2023   | 500-641-43103  | SEWAGE PLNT-FT OF TENNENT                          | 6,985.35         |
| 9824-02162023                                 | 101470         | 03/03/2023   | 310-347-43103  | 1303 PINOLE VALLEY RD TRAFFIC CONTROL SVC          | 120.65           |
| 9900-02142023                                 | 101470         | 03/03/2023   | 200-342-43103  | 2303 GRANADA CT TRAFFIC CONTROL SERVICE            | 144.33           |
| 9985-02152023                                 | 101470         | 03/03/2023   | 201-343-43103  | NEAR 795 FERNANDEZ PARKING LOT LIGHTS              | 164.63           |
| <b>Vendor PGE01 - PG&amp;E Total:</b>         |                |              |                |                                                    | <b>44,098.42</b> |
| <b>Vendor: PIT06 - PITNEY BOWES</b>           |                |              |                |                                                    |                  |
| 02192023                                      | 101330         | 02/24/2023   | 100-117-42203  | POSTAGE REFILL                                     | 1,005.00         |
| <b>Vendor PIT06 - PITNEY BOWES Total:</b>     |                |              |                |                                                    | <b>1,005.00</b>  |
| <b>Vendor: PLA03 - PLANCHON ROOFING</b>       |                |              |                |                                                    |                  |
| 03012023                                      | 101473         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-00421    | 60.00            |
| <b>Vendor PLA03 - PLANCHON ROOFING Total:</b> |                |              |                |                                                    | <b>60.00</b>     |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                        | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount          |
|-----------------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-----------------|
| <b>Vendor: PON07 - PONDER ENVIRONMENTAL SERVICES, INC.</b>            |                |              |                |                                                    |                 |
| 39822                                                                 | 101474         | 03/03/2023   | 500-642-42101  | TRUCKING SERVICES PW                               | 9,041.30        |
| <b>Vendor PON07 - PONDER ENVIRONMENTAL SERVICES, INC. Total:</b>      |                |              |                |                                                    | <b>9,041.30</b> |
| <b>Vendor: 2388 - PRESTIGE PRINTING AND GRAPHICS</b>                  |                |              |                |                                                    |                 |
| 83155                                                                 | 101475         | 03/03/2023   | 100-341-42201  | BUSINESS CARDS FOR PW DPT.                         | 253.82          |
| <b>Vendor 2388 - PRESTIGE PRINTING AND GRAPHICS Total:</b>            |                |              |                |                                                    | <b>253.82</b>   |
| <b>Vendor: 2547 - QUALITY FIRST HOME IMPROVEMENT</b>                  |                |              |                |                                                    |                 |
| 03012023                                                              | 101476         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05686 | 60.00           |
| <b>Vendor 2547 - QUALITY FIRST HOME IMPROVEMENT Total:</b>            |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2594 - QUALITY TELECOM CONSULTANTS, INC.</b>               |                |              |                |                                                    |                 |
| 03012023                                                              | 101477         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10591 | 60.00           |
| <b>Vendor 2594 - QUALITY TELECOM CONSULTANTS, INC. Total:</b>         |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2504 - R &amp; R PACIFIC CONSTRUCTION</b>                  |                |              |                |                                                    |                 |
| 03012023                                                              | 101478         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10654 | 60.00           |
| <b>Vendor 2504 - R &amp; R PACIFIC CONSTRUCTION Total:</b>            |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: R&amp;S01 - R &amp; S ERECTION OF RICHMOND, INC.</b>       |                |              |                |                                                    |                 |
| 03012023                                                              | 101479         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00436 | 60.00           |
| <b>Vendor R&amp;S01 - R &amp; S ERECTION OF RICHMOND, INC. Total:</b> |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2605 - RANSOME COMPANY</b>                                 |                |              |                |                                                    |                 |
| 03012023                                                              | 101480         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-01925 | 60.00           |
| <b>Vendor 2605 - RANSOME COMPANY Total:</b>                           |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2025 - RAY MORGAN COMPANY, LLC.</b>                        |                |              |                |                                                    |                 |
| 4013752                                                               | 101481         | 03/03/2023   | 525-118-42107  | COPIERS RENTAL                                     | 1,239.32        |
| <b>Vendor 2025 - RAY MORGAN COMPANY, LLC. Total:</b>                  |                |              |                |                                                    | <b>1,239.32</b> |
| <b>Vendor: 2581 - REED &amp; GRAHAM, INC.</b>                         |                |              |                |                                                    |                 |
| 03012023                                                              | 101482         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09956 | 60.00           |
| <b>Vendor 2581 - REED &amp; GRAHAM, INC. Total:</b>                   |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 1225 - REVEL ENVIRONMENTAL MANUFACTURING, INC.</b>         |                |              |                |                                                    |                 |
| 03012023                                                              | 101483         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-07115 | 60.00           |
| <b>Vendor 1225 - REVEL ENVIRONMENTAL MANUFACTURING, INC. Total:</b>   |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2576 - REYFF ELECTRIC, INC.</b>                            |                |              |                |                                                    |                 |
| 03012023                                                              | 101484         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 22-02650 | 60.00           |
| 03012023-1                                                            | 101484         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-02650 | 60.00           |
| <b>Vendor 2576 - REYFF ELECTRIC, INC. Total:</b>                      |                |              |                |                                                    | <b>120.00</b>   |
| <b>Vendor: 2481 - S &amp; G CARPET AND MORE</b>                       |                |              |                |                                                    |                 |
| 03032023                                                              | 101485         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-08293 | 60.00           |
| <b>Vendor 2481 - S &amp; G CARPET AND MORE Total:</b>                 |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2577 - SEARS HOME IMPROVEMENTS</b>                         |                |              |                |                                                    |                 |
| 03012023                                                              | 101486         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05131 | 60.00           |
| <b>Vendor 2577 - SEARS HOME IMPROVEMENTS Total:</b>                   |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: SER07 - SERVICE CHAMPIONS</b>                              |                |              |                |                                                    |                 |
| 03012023                                                              | 101487         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-04708 | 60.00           |
| <b>Vendor SER07 - SERVICE CHAMPIONS Total:</b>                        |                |              |                |                                                    | <b>60.00</b>    |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount          |
|---------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-----------------|
| <b>Vendor: 2514 - SERVICE METAL PRODUCTS, INC.</b>            |                |              |                |                                                    |                 |
| 03012023                                                      | 101488         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-03983 | 60.00           |
| <b>Vendor 2514 - SERVICE METAL PRODUCTS, INC. Total:</b>      |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2531 - SEWER CONNECTION, INC.</b>                  |                |              |                |                                                    |                 |
| 03012023                                                      | 101489         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09092 | 60.00           |
| <b>Vendor 2531 - SEWER CONNECTION, INC. Total:</b>            |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2583 - SEWER WORKS, INC.</b>                       |                |              |                |                                                    |                 |
| 03012023                                                      | 101490         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09039 | 60.00           |
| <b>Vendor 2583 - SEWER WORKS, INC. Total:</b>                 |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 1714 - SHERRI D. LEWIS</b>                         |                |              |                |                                                    |                 |
| CC016PINOLE-FY2022/23                                         | 101331         | 02/24/2023   | 100-112-42101  | PREPARE CITY COUNCIL<br>MINUTES 02/07/23 MEETING   | 1,050.00        |
| <b>Vendor 1714 - SHERRI D. LEWIS Total:</b>                   |                |              |                |                                                    | <b>1,050.00</b> |
| <b>Vendor: 2508 - SIMPLY SOLAR</b>                            |                |              |                |                                                    |                 |
| 03012023                                                      | 101491         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09341 | 60.00           |
| <b>Vendor 2508 - SIMPLY SOLAR Total:</b>                      |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2612 - SMOKE GUARD CALIFORNIA, INC.</b>            |                |              |                |                                                    |                 |
| 03012023                                                      | 101492         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-08830 | 60.00           |
| <b>Vendor 2612 - SMOKE GUARD CALIFORNIA, INC. Total:</b>      |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2524 - SONIC TELECOM, LLC</b>                      |                |              |                |                                                    |                 |
| 03012023                                                      | 101493         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10708 | 60.00           |
| <b>Vendor 2524 - SONIC TELECOM, LLC Total:</b>                |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2611 - SOUTHGATE GLASS &amp; SCREEN INC.</b>       |                |              |                |                                                    |                 |
| 03012023                                                      | 101494         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-08196 | 60.00           |
| <b>Vendor 2611 - SOUTHGATE GLASS &amp; SCREEN INC. Total:</b> |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2490 - SPOKEN CLOTH , LLC</b>                      |                |              |                |                                                    |                 |
| 1029118                                                       | 101495         | 03/03/2023   | 100-231-42514  | BANNER FOR STATINO 74<br>REOPENING                 | 257.91          |
| <b>Vendor 2490 - SPOKEN CLOTH , LLC Total:</b>                |                |              |                |                                                    | <b>257.91</b>   |
| <b>Vendor: 2535 - STATCOMM, INC.</b>                          |                |              |                |                                                    |                 |
| 03012023                                                      | 101496         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09090 | 60.00           |
| <b>Vendor 2535 - STATCOMM, INC. Total:</b>                    |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2578 - STRIPING GRAPHICS</b>                       |                |              |                |                                                    |                 |
| 03012023                                                      | 101497         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-04905 | 60.00           |
| <b>Vendor 2578 - STRIPING GRAPHICS Total:</b>                 |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2569 - SUNBELT CONTROLS, INC.</b>                  |                |              |                |                                                    |                 |
| 03012023                                                      | 101498         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09439 | 60.00           |
| <b>Vendor 2569 - SUNBELT CONTROLS, INC. Total:</b>            |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2548 - SUPERIOR SECURITY SYSTEMS, INC.</b>         |                |              |                |                                                    |                 |
| 03012023                                                      | 101499         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00515 | 60.00           |
| <b>Vendor 2548 - SUPERIOR SECURITY SYSTEMS, INC. Total:</b>   |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2296 - SWENSON'S MOBILE FLEET REPAIR</b>           |                |              |                |                                                    |                 |
| I006086                                                       | 101500         | 03/03/2023   | 500-641-42107  | FLEET REPAIR WPCP                                  | 893.92          |
| I006095                                                       | 101500         | 03/03/2023   | 500-641-42107  | FLEET REPAIR WCPC                                  | 893.92          |
| <b>Vendor 2296 - SWENSON'S MOBILE FLEET REPAIR Total:</b>     |                |              |                |                                                    | <b>1,787.84</b> |



## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                 | Payment Number | Payment Date | Account Number | Description (Payable)                           | Amount           |
|----------------------------------------------------------------|----------------|--------------|----------------|-------------------------------------------------|------------------|
| <b>Vendor: 2604 - SYSTEMS PAVERS INC.</b>                      |                |              |                |                                                 |                  |
| 03012023                                                       | 101501         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-07661 | 60.00            |
| <b>Vendor 2604 - SYSTEMS PAVERS INC. Total:</b>                |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 1709 - T J K M</b>                                  |                |              |                |                                                 |                  |
| 0053703                                                        | 101332         | 02/24/2023   | 325-342-47205  | LOCAL ROAD SAFETY PLAN                          | 1,503.90         |
| <b>Vendor 1709 - T J K M Total:</b>                            |                |              |                |                                                 | <b>1,503.90</b>  |
| <b>Vendor: KRI01 - TERRI KRIEGER</b>                           |                |              |                |                                                 |                  |
| MARCH 2023                                                     | 101333         | 02/24/2023   | 100-117-41101  | RETIREE MEDICARE REIMBURSEMENT MARCH 2023       | 243.00           |
| <b>Vendor KRI01 - TERRI KRIEGER Total:</b>                     |                |              |                |                                                 | <b>243.00</b>    |
| <b>Vendor: 2551 - TESLA ENERGY OPERATIONS INC.</b>             |                |              |                |                                                 |                  |
| 03012023                                                       | 101502         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-05914 | 60.00            |
| <b>Vendor 2551 - TESLA ENERGY OPERATIONS INC. Total:</b>       |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2507 - THE PROFESSIONAL TREE CARE COMPANY</b>       |                |              |                |                                                 |                  |
| 03012023                                                       | 101503         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-06240 | 60.00            |
| <b>Vendor 2507 - THE PROFESSIONAL TREE CARE COMPANY Total:</b> |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2564 - THORPE DESIGN, INC.</b>                      |                |              |                |                                                 |                  |
| 03012023                                                       | 101504         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-10159 | 60.00            |
| <b>Vendor 2564 - THORPE DESIGN, INC. Total:</b>                |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2553 - TOTAL SITE MAINTENANCE, INC.</b>             |                |              |                |                                                 |                  |
| 03012023                                                       | 101505         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-08610 | 60.00            |
| <b>Vendor 2553 - TOTAL SITE MAINTENANCE, INC. Total:</b>       |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2586 - TRI CITY FENCE CO., INC.</b>                 |                |              |                |                                                 |                  |
| 03012023                                                       | 101506         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-00631 | 60.00            |
| <b>Vendor 2586 - TRI CITY FENCE CO., INC. Total:</b>           |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: 2607 - TUFF SHED</b>                                |                |              |                |                                                 |                  |
| 03012023                                                       | 101507         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-05132 | 60.00            |
| <b>Vendor 2607 - TUFF SHED Total:</b>                          |                |              |                |                                                 | <b>60.00</b>     |
| <b>Vendor: UNI38 - UNIVAR USA INC</b>                          |                |              |                |                                                 |                  |
| 50896351                                                       | 101334         | 02/24/2023   | 500-641-44303  | SOD HYPO WPCP                                   | 6,836.93         |
| 50898316                                                       | 101334         | 02/24/2023   | 500-641-44303  | SOD BISULFITE WPCP                              | 7,692.82         |
| <b>Vendor UNI38 - UNIVAR USA INC Total:</b>                    |                |              |                |                                                 | <b>14,529.75</b> |
| <b>Vendor: UNI07 - UNIVERSAL BUILDING SVCS.</b>                |                |              |                |                                                 |                  |
| 510866                                                         | 101508         | 03/03/2023   | 100-343-42108  | JANITORIAL SERVICES JAN 2023 CH                 | 1,296.00         |
| 510867                                                         | 101508         | 03/03/2023   | 100-222-42108  | JANITORIAL SERVICES JAN 2023 SAFETY BLDG        | 2,649.00         |
| 510868                                                         | 101508         | 03/03/2023   | 209-557-42108  | JANITORIAL SERVICES JAN 2023 SWIM CENTER        | 1,400.00         |
| 510869                                                         | 101508         | 03/03/2023   | 100-222-42108  | JANITORIAL SERVICES JAN 2023 FIRE               | 165.00           |
| 7174                                                           | 101508         | 03/03/2023   | 100-231-42108  | JANITORIAL SUPPLIES FIRE                        | 194.20           |
| 7419                                                           | 101508         | 03/03/2023   | 100-343-42108  | JANITORIAL SUPPLIES CY                          | 552.15           |
| <b>Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:</b>          |                |              |                |                                                 | <b>6,256.35</b>  |
| <b>Vendor: 2546 - UNLIMITED PROPERTY SERVICES, INC.</b>        |                |              |                |                                                 |                  |
| 03012023                                                       | 101509         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE PROCESSING FEE 23-04866 | 60.00            |
| <b>Vendor 2546 - UNLIMITED PROPERTY SERVICES, INC. Total:</b>  |                |              |                |                                                 | <b>60.00</b>     |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                                     | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount          |
|--------------------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-----------------|
| <b>Vendor: 2510 - UTILITY TRAFFIC CONTROL SERVICES</b>             |                |              |                |                                                    |                 |
| 03012023                                                           | 101510         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10335 | 60.00           |
| <b>Vendor 2510 - UTILITY TRAFFIC CONTROL SERVICES Total:</b>       |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2512 - VAL BETTI PLUMBING &amp; HEATING, INC.</b>       |                |              |                |                                                    |                 |
| 03012023                                                           | 101511         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-00143 | 60.00           |
| <b>Vendor 2512 - VAL BETTI PLUMBING &amp; HEATING, INC. Total:</b> |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2573 - VECTOR SECURITY, INC.</b>                        |                |              |                |                                                    |                 |
| 03012023                                                           | 101512         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09397 | 60.00           |
| <b>Vendor 2573 - VECTOR SECURITY, INC. Total:</b>                  |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2591 - VELEX INC.</b>                                   |                |              |                |                                                    |                 |
| 03012023                                                           | 101513         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-09491 | 60.00           |
| <b>Vendor 2591 - VELEX INC. Total:</b>                             |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: VER02 - VERIZON WIRELESS</b>                            |                |              |                |                                                    |                 |
| 9927786745                                                         | 101514         | 03/03/2023   | 525-118-43101  | CITY WIDE CELL PHONES                              | 5,256.88        |
| <b>Vendor VER02 - VERIZON WIRELESS Total:</b>                      |                |              |                |                                                    | <b>5,256.88</b> |
| <b>Vendor: 2536 - VIVINT, INC</b>                                  |                |              |                |                                                    |                 |
| 03012023                                                           | 101515         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-05568 | 60.00           |
| <b>Vendor 2536 - VIVINT, INC Total:</b>                            |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2566 - VORTEX INDUSTRIES, LLC.</b>                      |                |              |                |                                                    |                 |
| 03012023                                                           | 101516         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-03096 | 60.00           |
| <b>Vendor 2566 - VORTEX INDUSTRIES, LLC. Total:</b>                |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: VWR01 - VWR INTERNATIONAL, LLC.</b>                     |                |              |                |                                                    |                 |
| 8811936467                                                         | 101335         | 02/24/2023   | 500-641-44305  | LAB SUPPLIES WPCP                                  | 262.16          |
| 8812057921                                                         | 101517         | 03/03/2023   | 500-641-44305  | SUPPLIES WPCP                                      | 417.36          |
| <b>Vendor VWR01 - VWR INTERNATIONAL, LLC. Total:</b>               |                |              |                |                                                    | <b>679.52</b>   |
| <b>Vendor: 2529 - WACHTER, INC.</b>                                |                |              |                |                                                    |                 |
| 03012023                                                           | 101518         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10121 | 60.00           |
| <b>Vendor 2529 - WACHTER, INC. Total:</b>                          |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2542 - WALTON ENGINEERING, INC.</b>                     |                |              |                |                                                    |                 |
| 03012023                                                           | 101519         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-03168 | 60.00           |
| <b>Vendor 2542 - WALTON ENGINEERING, INC. Total:</b>               |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2533 - WEST COAST SOLAR</b>                             |                |              |                |                                                    |                 |
| 03012023                                                           | 101520         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-08497 | 60.00           |
| <b>Vendor 2533 - WEST COAST SOLAR Total:</b>                       |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: 2603 - WEST VALLEY CONSTRUCTION CO, INC.</b>            |                |              |                |                                                    |                 |
| 03012023                                                           | 101521         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-06294 | 60.00           |
| <b>Vendor 2603 - WEST VALLEY CONSTRUCTION CO, INC. Total:</b>      |                |              |                |                                                    | <b>60.00</b>    |
| <b>Vendor: WES01 - WESTERN EXTERMINATOR CO.</b>                    |                |              |                |                                                    |                 |
| 191669C                                                            | 101522         | 03/03/2023   | 209-552-42108  | PEST CONTROL MAINTENANCE<br>PSC AND SWIM CENTER    | 85.95           |
| 191669C                                                            | 101522         | 03/03/2023   | 209-553-42108  | PEST CONTROL MAINTENANCE<br>PSC AND SWIM CENTER    | 108.65          |
| 31272159                                                           | 101522         | 03/03/2023   | 209-552-42108  | PEST CONTROL MAINTENANCE<br>PSC                    | 85.95           |
| 31272167                                                           | 101522         | 03/03/2023   | 100-343-42108  | PEST CONTROL MAINTENANCE<br>CY                     | 77.30           |
| <b>Vendor WES01 - WESTERN EXTERMINATOR CO. Total:</b>              |                |              |                |                                                    | <b>357.85</b>   |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Payable Number                                          | Payment Number | Payment Date | Account Number | Description (Payable)                              | Amount            |
|---------------------------------------------------------|----------------|--------------|----------------|----------------------------------------------------|-------------------|
| <b>Vendor: 2545 - WESTERN STABILIZATION</b>             |                |              |                |                                                    |                   |
| 03012023                                                | 101523         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-08912 | 60.00             |
| <b>Vendor 2545 - WESTERN STABILIZATION Total:</b>       |                |              |                |                                                    | <b>60.00</b>      |
| <b>Vendor: WIL52 - WILLDAN FINANCIAL SERVICES</b>       |                |              |                |                                                    |                   |
| 010-52883                                               | 101524         | 03/03/2023   | 500-642-42101  | SEWER SPECIAL DISTRICT PW                          | 5,205.08          |
| <b>Vendor WIL52 - WILLDAN FINANCIAL SERVICES Total:</b> |                |              |                |                                                    | <b>5,205.08</b>   |
| <b>Vendor: 2496 - WY CONSTRUCTION INC.</b>              |                |              |                |                                                    |                   |
| 03012023                                                | 101525         | 03/03/2023   | 212-462-34232  | REFUND BUSINESS LICENSE<br>PROCESSING FEE 23-10680 | 60.00             |
| <b>Vendor 2496 - WY CONSTRUCTION INC. Total:</b>        |                |              |                |                                                    | <b>60.00</b>      |
| <b>Grand Total:</b>                                     |                |              |                |                                                    | <b>251,090.41</b> |

## Report Summary

## Fund Summary

| Fund                                          | Payment Amount    |
|-----------------------------------------------|-------------------|
| 100 - General Fund                            | 76,403.57         |
| 105 - Measure S -2006                         | 89.94             |
| 106 - MEASURE S-2014                          | 22.48             |
| 200 - Gas Tax Fund                            | 18,650.25         |
| 201 - Restricted Real Estate Maintenance Fund | 982.18            |
| 209 - Recreation Fund                         | 10,938.65         |
| 212 - Building & Planning                     | 8,948.18          |
| 215 - Measure C and J Fund                    | 250.06            |
| 285 - Housing Land Held for Resale            | 116.58            |
| 310 - Lighting & Landscape Districts          | 1,163.50          |
| 325 - City Street Improvements                | 1,503.90          |
| 500 - Sewer Enterprise Fund                   | 109,799.74        |
| 505 - Cable Access TV                         | 460.16            |
| 525 - Information Systems                     | 15,773.82         |
| 750 - Recognized Obligation Retirement Fund   | 5,987.40          |
| <b>Grand Total:</b>                           | <b>251,090.41</b> |

## Account Summary

| Account Number | Account Name                   | Payment Amount |
|----------------|--------------------------------|----------------|
| 100-000-31510  | Other Tax/Business License     | 100.00         |
| 100-10601      | Gas Tanks/Corp Yard            | 8,769.92       |
| 100-110-41005  | Emp Benefits/Employee A...     | 56.21          |
| 100-110-42301  | Travel & Training/Conf-Re...   | 55.00          |
| 100-110-43103  | Utilities/Electricity & Pow... | 88.60          |
| 100-111-41005  | Emp Benefits/Employee A...     | 44.97          |
| 100-111-43103  | Utilities/Electricity & Pow... | 116.58         |
| 100-112-41005  | Emp Benefits/Employee A...     | 22.48          |
| 100-112-42101  | Prof Svcs/Professional Ser...  | 1,050.00       |
| 100-112-42401  | Dues & Pub/Memberships         | 75.00          |
| 100-112-42514  | Admin Exp/Special Depart       | 171.52         |
| 100-112-43103  | Utilities/Electricity & Pow... | 128.23         |
| 100-113-41005  | Emp Benefits/Employee A...     | 11.24          |
| 100-115-41005  | Emp Benefits/Employee A...     | 33.73          |
| 100-115-43103  | Utilities/Electricity & Pow... | 319.43         |
| 100-116-41005  | Emp Benefits/Employee A...     | 22.48          |
| 100-116-42101  | Prof Svcs/Professional Ser...  | 965.60         |
| 100-116-42102  | Prof Svcs/Attorney Servic...   | 4,750.00       |
| 100-116-43103  | Utilities/Electricity & Pow... | 93.26          |
| 100-117-41101  | Retiree Benefits/Medical...    | 5,032.84       |
| 100-117-42203  | Office Exp/Shipping & Mai...   | 1,005.00       |
| 100-117-43103  | Utilities/Electricity & Pow... | 1,037.56       |
| 100-221-41005  | Emp Benefits/Employee A...     | 202.35         |
| 100-221-42101  | Prof Svcs/Professional Ser...  | 5,822.25       |
| 100-221-42107  | Prof Svcs/Equipment Mai...     | 2,672.01       |
| 100-221-42302  | Travel & Training/Mileage...   | 49.26          |
| 100-222-41005  | Emp Benefits/Employee A...     | 44.97          |
| 100-222-42101  | Prof Svcs/Professional Ser...  | 415.00         |
| 100-222-42108  | Prof Svcs/Building-Structu...  | 4,161.58       |
| 100-222-42201  | Office Expense                 | 385.21         |
| 100-222-43103  | Utilities/Electricity & Pow... | 4,825.52       |
| 100-223-41005  | Emp Benefits/Employee A...     | 123.66         |
| 100-223-43103  | Utilities/Electricity & Pow... | 963.91         |
| 100-231-41005  | Emp Benefits/Employee A...     | 146.14         |
| 100-231-42101  | Prof Svcs/Professional Ser...  | 1,038.56       |
| 100-231-42107  | Prof Svcs/Equipment Mai...     | 108.45         |
| 100-231-42108  | Prof Svcs/Building-Structu...  | 531.63         |
| 100-231-42514  | Admin Exp/Special Depart       | 257.91         |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

| Account Summary |                                |                |
|-----------------|--------------------------------|----------------|
| Account Number  | Account Name                   | Payment Amount |
| 100-231-43102   | Utilities/Water                | 394.20         |
| 100-231-43103   | Utilities/Electricity & Pow... | 4,895.91       |
| 100-231-43105   | Utilities/Cable                | 54.33          |
| 100-231-44410   | Safety Clothing                | 3,290.00       |
| 100-341-41005   | Emp Benefits/Employee A...     | 11.24          |
| 100-341-42101   | Prof Svcs/Professional Ser...  | 2,038.75       |
| 100-341-42103   | Prof Svcs/Temporary Serv...    | 2,328.48       |
| 100-341-42201   | Office Expense                 | 253.82         |
| 100-343-41005   | Emp Benefits/Employee A...     | 112.42         |
| 100-343-42108   | Prof Svcs/Building-Structu...  | 3,348.78       |
| 100-343-42511   | Admin Exp/Equipment Re...      | 4,425.00       |
| 100-343-43103   | Utilities/Electricity & Pow... | 2,032.00       |
| 100-343-44306   | Other Materials Supp/Ma...     | 148.39         |
| 100-345-42108   | Prof Svcs/Building-Structu...  | 5,787.95       |
| 100-345-43102   | Utilities/Water                | 232.58         |
| 100-345-43103   | Utilities/Electricity & Pow... | 543.16         |
| 100-345-44306   | Other Materials Supp/Ma...     | 808.50         |
| 105-221-41005   | Emp Benefits/Employee A...     | 44.97          |
| 105-231-41005   | Emp Benefits/Employee A...     | 44.97          |
| 106-222-41005   | Emp Benefits/Employee A...     | 11.24          |
| 106-231-41005   | Emp Benefits/Employee A...     | 11.24          |
| 200-342-42101   | Prof Svcs/Professional Ser...  | 2,892.92       |
| 200-342-42108   | Prof Svcs/Building-Structu...  | 335.81         |
| 200-342-43103   | Utilities/Electricity & Pow... | 15,421.52      |
| 201-343-42108   | Prof Svcs/Building-Structu...  | 548.93         |
| 201-343-42513   | Admin Exp/Rent                 | 100.00         |
| 201-343-43103   | Utilities/Electricity & Pow... | 333.25         |
| 209-20015       | Accounts Payable/Vendor...     | 10.00          |
| 209-551-41005   | Emp Benefits/Employee A...     | 22.48          |
| 209-552-41005   | Emp Benefits/Employee A...     | 22.48          |
| 209-552-42108   | Prof Svcs/Building-Structu...  | 376.13         |
| 209-552-43103   | Utilities/Electricity & Pow... | 1,306.08       |
| 209-552-43804   | Program Cost/Food Progr...     | 2,266.96       |
| 209-553-41005   | Emp Benefits/Employee A...     | 11.24          |
| 209-553-42108   | Prof Svcs/Building-Structu...  | 807.96         |
| 209-553-43102   | Utilities/Water                | 8.86           |
| 209-553-43103   | Utilities/Electricity & Pow... | 573.02         |
| 209-554-41005   | Emp Benefits/Employee A...     | 11.24          |
| 209-554-42108   | Prof Svcs/Building-Structu...  | 1,717.67       |
| 209-554-43103   | Utilities/Electricity & Pow... | 291.78         |
| 209-557-42108   | Prof Svcs/Building-Structu...  | 1,612.31       |
| 209-557-43102   | Utilities/Water                | 286.42         |
| 209-557-43103   | Utilities/Electricity & Pow... | 924.97         |
| 209-558-43103   | Utilities/Electricity & Pow... | 204.06         |
| 209-559-43102   | Utilities/Water                | 81.24          |
| 209-559-43103   | Utilities/Electricity & Pow... | 403.75         |
| 212-461-41005   | Emp Benefits/Employee A...     | 44.97          |
| 212-461-43103   | Utilities/Electricity & Pow... | 139.90         |
| 212-462-34232   | Fees/Issuance/Processing...    | 8,400.00       |
| 212-462-41005   | Emp Benefits/Employee A...     | 11.24          |
| 212-462-43103   | Utilities/Electricity & Pow... | 352.07         |
| 215-341-43101   | Utilities/Telephone            | 250.06         |
| 285-464-43103   | Utilities/Electricity & Pow... | 116.58         |
| 310-347-42101   | Prof Svcs/Professional Ser...  | 415.19         |
| 310-347-42108   | Prof Svcs/Building-Structu...  | 62.16          |
| 310-347-43103   | Utilities/Electricity & Pow... | 255.30         |
| 310-348-42101   | Prof Svcs/Professional Ser...  | 173.12         |
| 310-348-42108   | Prof Svcs/Building-Structu...  | 65.37          |

## WARRANT LISTING

Payment Dates: 2/18/2023 - 3/3/2023

## Account Summary

| Account Number | Account Name                   | Payment Amount    |
|----------------|--------------------------------|-------------------|
| 310-348-43103  | Utilities/Electricity & Pow... | 192.36            |
| 325-342-47205  | Improvements/Streets           | 1,503.90          |
| 500-10601      | Gas Tanks/Corp Yard            | 4,734.82          |
| 500-641-41005  | Emp Benefits/Employee A...     | 101.18            |
| 500-641-42101  | Prof Svcs/Professional Ser...  | 6,582.25          |
| 500-641-42107  | Prof Svcs/Equipment Mai...     | 3,307.84          |
| 500-641-42201  | Office Expense                 | 61.50             |
| 500-641-43103  | Utilities/Electricity & Pow... | 6,985.35          |
| 500-641-44302  | Other Materials Supp/Slu...    | 5,651.43          |
| 500-641-44303  | Other Materials Supp/Ch...     | 40,349.73         |
| 500-641-44304  | Other Materials Supp/Pe...     | 19,459.00         |
| 500-641-44305  | Other Materials Supp/Lab...    | 6,622.95          |
| 500-641-44306  | Other Materials Supp/Ma...     | 344.99            |
| 500-642-41005  | Emp Benefits/Employee A...     | 33.73             |
| 500-642-42101  | Prof Svcs/Professional Ser...  | 14,246.38         |
| 500-642-42401  | Dues & Pub/Memberships         | 202.00            |
| 500-642-43103  | Utilities/Electricity & Pow... | 1,116.59          |
| 505-119-41005  | Emp Benefits/Employee A...     | 22.48             |
| 505-119-43103  | Utilities/Electricity & Pow... | 437.68            |
| 525-118-42107  | Prof Svcs/Equipment Mai...     | 1,239.32          |
| 525-118-43101  | Utilities/Telephone            | 14,534.50         |
| 750-463-42101  | Prof Svcs/Professional Ser...  | 5,987.40          |
|                | <b>Grand Total:</b>            | <b>251,090.41</b> |

## Project Account Summary

| Project Account Key | Payment Amount      |
|---------------------|---------------------|
| **None**            | 249,586.51          |
| 32534247205IN2104   | 1,503.90            |
|                     | <b>Grand Total:</b> |
|                     | <b>251,090.41</b>   |

APPROVED BY:   
DATE: 3/2/2023



## CITY COUNCIL REPORT

9C

**DATE:** MARCH 7, 2023

**TO:** MAYOR AND COUNCIL MEMBERS

**FROM:** SANJAY MISHRA, PUBLIC WORKS DIRECTOR

**SUBJECT:** AWARD A CONTRACT FOR \$188,000 TO GHD, INC. TO DEVELOP AN ACTIVE TRANSPORTATION PLAN (ATP) – CAPITAL IMPROVEMENT PLAN (CIP) PROJECT IN2106

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### **RECOMMENDATION**

Staff recommends that the City Council adopt a resolution (Attachment A) to:

1. Allocate an additional \$113,000 from the General Fund unassigned fund balance to the current allocated budget of \$75,000 for the Capital Improvement Plan (CIP) Project No IN2106;
2. Award a contract (Attachment B) to GHD, Inc. to provide professional and technical planning services to develop an Active Transportation Plan (ATP); and
3. Authorize the City Manager to execute the contract in an amount not to exceed \$188,000.

### **BACKGROUND**

An Active Transportation Plan (ATP) is a comprehensive document that outlines strategies and actions to support and encourage active modes of transportation such as walking, cycling, and public transit. The benefits to a community of creating an ATP are the following:

- The community can apply for grant funding from the State Active Transportation Program, which was created by California Senate Bill (SB) 99 (2013) and consolidated a number of prior active transportation programs and funding sources;
- The community can use the ATP to guide city investment in capital projects related to active transportation; and
- The community can use the ATP to request that private developers make specific active transportation-related improvements as part of their projects.

The goals of the State Active Transportation Program include increasing the proportion of trips accomplished by walking and biking, increasing the safety and mobility of non-

motorized users, advancing efforts of regional agencies to achieve greenhouse gas reduction goals, enhancing public health, and providing a broad spectrum of projects to benefit many types of users including disadvantaged communities.

In 2017, the Legislature passed, and the Governor signed, Senate Bill (SB) 1, also known as the Road Repair and Accountability Act. SB 1 directs \$100 million annually from the Road Maintenance and Rehabilitation Account to the Active Transportation Program, significantly augmenting the available funding for this popular program.

The City of Pinole (City) seeks a qualified transportation consultant specializing in pedestrian/bicycle planning to provide professional and technical planning services to develop an ATP as part of Capital Improvement Plan IN2106. The ATP will identify opportunities to improve walking and biking use and help the city address regional goals to reduce vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions.

On November 14, 2022, City staff released a Request for Proposals (RFP) for Consulting Services for development of an ATP on [www.publicpurchase.com](http://www.publicpurchase.com) and posted contract documents on [www.ci.pinole.ca.us/bids](http://www.ci.pinole.ca.us/bids). Responses were due on December 15, 2022.

A total of 5 responses were received and provided to the review panel (Panel) for evaluation and scoring. The Panel consisted of two City of Pinole personnel representing the Public Works Department. All proposal responses were evaluated and rated independently by each Panel member using the criteria listed below:

| Criteria                       | Points |
|--------------------------------|--------|
| Qualifications and Staffing    | 40     |
| Project Approach and Work Plan | 35     |
| Schedule                       | 20     |
| Compliance with RFP            | 5      |
| TOTAL                          | 100    |

All the proposers were invited for an interview to further demonstrate their qualifications. The panel members shortlisted two top firms for further discussion based on their proposal, qualifications, and interview. The interview panel clarified to the top contenders that the City of Pinole's vision for an ATP includes development of active transportation concepts which rely on data collection, public outreach, and a detailed analysis to create a set of recommended projects for the existing key transportation corridors in Pinole (i.e., San Pablo Ave., Pinole Valley Road/Tennent Ave., Appian Way, and Fitzgerald Drive).

Staff requested the top two consultants to revise their proposal with the following guidance:

- Review various plans and policies (i.e., General Plan, Neighborhood Traffic Calming Policy, Three Corridor Specific Plan, Local Road Safety Plan, Old Town



Pinole Parking & Pedestrian Safety Study, Contra Costa Countywide bike and pedestrian plan, West County Action Plan);

- Produce 10% concept designs which incorporate community feedback;
- Conduct feasibility analysis including traffic data collection; and
- Develop cost estimates for each recommended project.

The top two consultants provided a revised cost proposal. Based on the revised proposal with the above tasks, City staff selected GHD, Inc.

### **REVIEW & ANALYSIS**

City staff recommends GHD, Inc. given their extensive experience in delivering similar planning documents and projects that cover all aspects of active transportation. Through the written proposal and oral interview, the firm demonstrated experience delivering projects similar in scope and size. Staff believes the firm's team has the experience and professional competency that will result in a satisfactory product for the City.

The cost proposal provided by GHD, Inc. for the scope of work as defined in the RFP and the specific additional tasks requested above is \$188,000.

Staff recommends the City Council allocate additional \$113,000 from the General Fund unassigned fund balance to the current allocated budget of \$75,000 for the Capital Improvement Plan (CIP) Project No IN2106 – Active Transportation Plan and award a contract to GHD, Inc. for development of an ATP. Furthermore, staff recommends that City Council authorize the City Manager to execute a contract with GHD, Inc. in an amount not to exceed \$188,000 for the Project.

### **FISCAL IMPACT**

The current CIP budget for the above project is \$75,000 and will require an additional \$113,000 to fund the entire scope of the effort. Staff recommends allocating the additional funds from the General Fund unassigned fund balance.

There are sufficient funds in the City's adopted CIP to award the contract to GHD, Inc. in an amount not to exceed \$188,000.

### **ATTACHMENTS**

- A. Resolution
- B. Consulting Services Agreement

RESOLUTION NO. 2023 – XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH GHD, INC. FOR \$188,000 TO PROVIDE CONSULTING SERVICES TO DEVELOP AN ACTIVE TRANSPORTATION PLAN (CIP PROJECT #IN2106)**

**WHEREAS**, the City of Pinole (“City”) has adopted the FY 2022/23 through FY 2026/27 Capital Improvement Plan (CIP) which includes the Active Transportation Plan (CIP Project # IN2106, the “Project”) as a funded project; and

**WHEREAS**, the City recognizes the importance of promoting active transportation modes, such as walking, cycling, and public transit, to improve public health, reduce greenhouse gas emissions, and enhance the livability of our community; and

**WHEREAS**, the City seeks to develop a comprehensive Active Transportation Plan that will guide future investment and policy decisions related to active transportation infrastructure, programs, and policies; and

**WHEREAS**, the City issued a Request for Proposals (RFP) on November 14, 2022, on [www.publicpurchase.com](http://www.publicpurchase.com) and posted the RFP on [www.ci.pinoles.ca.us/bids](http://www.ci.pinoles.ca.us/bids) seeking proposals from qualified consultants to provide professional services for the development of an Active Transportation Plan; and

**WHEREAS**, Five proposals were received and evaluated by the selection committee based on the criteria outlined in the RFP, including the consultant's experience, qualifications, interview and proposed methodology; and

**WHEREAS**, the selection committee has recommended that the contract be awarded to GHD, Inc. for their outstanding proposal and demonstrated expertise in active transportation planning and design;

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Pinole as follows:

1. GHD, Inc.’s proposal is found to be the most responsive and responsible proposal and is accepted by the City Council for development of the Active Transportation Plan (CIP Project # in 2601, the “Project”).
2. \$113,000 is allocated from the General Fund unassigned fund balance to the current budget of \$75,000 for the Capital Improvement Plan Project No. IN2106 for a total budget of \$188,000 to fund the scope of work described in the RFP and other tasks as requested by staff.
3. The City Manager is authorized to execute a professional services contract with GHD, Inc. in an amount not to exceed \$188,000 for the Project in a form to be approved by the City Attorney.

**PASSED AND ADOPTED** at a regular meeting of the Pinole City Council held on the 7th day of March 2023 by the following vote:

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

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 7th day of March 2023.

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Heather Bell, CMC  
City Clerk

**CONSULTING SERVICES AGREEMENT BETWEEN  
THE CITY OF PINOLE AND GHD, INC.**

THIS AGREEMENT for consulting services is made by and between the City of Pinole ("City") and GHD, Inc. ("Consultant") (together sometimes referred to as the "Parties") as of DATE, 2023, (the "Effective Date") in Pinole, California.

**Section 1. SERVICES.** Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

- 1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on DATE, and Consultant shall complete the work described in Exhibit A by that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.
- 1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a professional manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.
- 1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.
- 1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations hereunder.

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

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

- 2.1 Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:
- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
  - The beginning and ending dates of the billing period;
  - A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
  - At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
  - The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
  - The Consultant's signature.
- 2.2 Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.
- 2.3 Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.
- 2.4 Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever

incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

- 2.5 Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the following fee schedule attached hereto as Exhibit B.
- 2.6 Reimbursable Expenses.** Reimbursable expenses are specified in Exhibit A and shall not exceed Five hundred (\$500). Expenses not listed in Exhibit A are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.
- 2.7 Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.
- 2.8 Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.
- 2.9 Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

**Section 3. FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in Exhibit C, and only under the terms and conditions set forth therein.

**Section 4. INSURANCE REQUIREMENTS.** Before beginning any work under this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and

provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

**4.1 Workers' Compensation.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS (\$1,000,000.00) per accident. In the alternative, Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the City. The insurer, if insurance is provided, or the Consultant, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

**4.2 Commercial General and Automobile Liability Insurance.**

**4.2.1 General requirements.** Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

**4.2.2 Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (ed. 11/88) or GL 0002 (ed. 1/73) covering comprehensive General Liability and Insurance Services Office form number GL 0404 covering Broad Form Comprehensive General Liability. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (ed. 12/90) Code 1. No endorsement shall be attached limiting the coverage.

**4.2.3 Additional requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- b. Any failure of Consultant to comply with reporting provisions of the policy shall not affect coverage provided to City and its officers, employees, agents, and volunteers.

#### **4.3 Professional Liability Insurance.**

**4.3.1 General requirements.** Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000) covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed \$150,000 per claim.

**4.3.2 Claims-made limitations.** The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained, and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five years after completion of the Agreement or the work. The City shall have the right to exercise, at the Consultant's sole cost and expense, any extended reporting provisions of the policy, if the Consultant cancels or does not renew the coverage.
- d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

#### **4.4 All Policies Requirements.**

**4.4.1 Acceptability of insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

**4.4.2 Verification of coverage.** Prior to beginning any work under this Agreement, Consultant shall furnish City with complete certified copies of all policies, including



complete certified copies of all endorsements. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf.

**4.4.3 Notice of Reduction in or Cancellation of Coverage.** A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than ten (10) working days after Consultant is notified of the change in coverage.

**4.4.4 Additional insured; primary insurance.** A certified endorsement at least as broad as Insurance Services Office form number CG 20 10 (11/85 ed.) shall be attached to all policies stating that the City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Consultant, including the insured's general supervision of Consultant; products and completed operations of Consultant, as applicable; premises owned, occupied, or used by Consultant; and automobiles owned, leased, or used by the Consultant in the course of providing services pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.

A certified endorsement shall be attached to all policies stating that coverage is primary insurance with respect to the City and its officers, officials, employees, and volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.

**4.4.5 Deductibles and Self-Insured Retentions.** Consultant shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Consultant may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Consultant procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

**4.4.6 Subcontractors.** Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

**4.4.7 Variation.** The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

**4.5 Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

**Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.** Consultant shall indemnify, defend with counsel reasonably acceptable to the City, and hold harmless the City and its officials, officers, employees, agents, and volunteers from and against any and all losses, liability, claims, suits, actions, damages, and causes of action arising out of any personal injury, bodily injury, loss of life, or damage to property, or any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct or negligent acts or omissions of Consultant or its employees, subcontractors, or agents, by acts for which they could be held strictly liable, or by the quality or character of their work. The foregoing obligation of Consultant shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Consultant or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

**Section 6. STATUS OF CONSULTANT.**

- 6.1 Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.
- 6.2 Consultant No Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

**Section 7. LEGAL REQUIREMENTS.**

- 7.1 Governing Law.** The laws of the State of California shall govern this Agreement.
- 7.2 Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.
- 7.3 Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.
- 7.4 Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective

professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

**7.5 Pinole Business License.** Consultant shall obtain a City of Pinole business license according to the terms of Title 5 of the City of Pinole Municipal Code and deliver to City proof of such business license prior to beginning work under this Agreement. Work under this Agreement cannot begin until the City receives proof that Consultant has obtained a City of Pinole business license.

**7.6 Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

## **Section 8. TERMINATION AND MODIFICATION.**

**8.1 Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

**8.2 Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall be specified in writing by the City. Consultant understands and agrees that if City issues such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized

by the City, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

- 8.3 Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.
- 8.4 Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique professional competence, experience, and specialized professional knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the personal reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the City. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the City.
- 8.5 Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.
- 8.6 Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:
- 8.6.1** Immediately terminate the Agreement;
  - 8.6.2** Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;
  - 8.6.3** Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or
  - 8.6.4** Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

## **Section 9. KEEPING AND STATUS OF RECORDS.**

- 9.1 Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and

agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

**9.2 Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

**9.3 Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS (\$10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

## **Section 10 MISCELLANEOUS PROVISIONS.**

**10.1 Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

**10.2 Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.

**10.3 Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

**10.4 No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

- 10.5 Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.
- 10.6 Use of Recycled Products.** Consultant shall endeavor to prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.
- 10.7 Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a “conflict of interest,” as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

Consultant will comply with all conflict-of-interest laws and regulations including, without limitation, City’s Conflict of Interest Code (on file in the City Clerk’s Office). It is incumbent upon the Consultant or Consultant’s firm to notify the City pursuant to section 10.10 Notices of any staff changes relating to this Agreement.

- a. In accomplishing the scope of services of this Agreement, all officers, employees and/or agents of Consultant(s), unless as indicated in Subsection b., will be performing a very limited and closely supervised function, and, therefore, are unlikely to have a conflict of interest arise. No disclosures are required for any officers, employees, and/or agents of Consultant, except as indicated in Subsection b.

---

Initialed by City Attorney’s Office

- b. In accomplishing the scope of services of this Agreement, Consultant(s) will be performing a specialized or general service for the City, and there is substantial likelihood that the Consultant's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Consultant(s) shall be subject to the Disclosure Category "1-5" of the City's Conflict of Interest Code:

\_\_\_\_\_  
\_\_\_\_\_

**10.8 Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

**10.9 Contract Administration.** This Agreement shall be administered by the Public Works Director / City Engineer who shall act as the City's representative. All correspondence shall be directed to or through the Public Works Director / City Engineer or his or her designee.

**10.10 Notices.** Any written notice to Consultant shall be sent to:

GHD, Inc.  
William Silva, PE  
2235 Mercury Way, Suite 150  
Santa Rosa, CA 95407

For Mailing:  
GHD, Inc.  
William Silva, PE  
PO Box 7967  
Santa Rosa, CA 95407

Any written notice to City shall be sent to:

Public Works Director / City Engineer  
Department of Public Works  
2131 Pear Street  
Pinole, CA 94564

**10.11 Professional Seal.** Where applicable in the determination of the City, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation.



**10.12 Integration; Incorporation.** This Agreement, including all the exhibits attached hereto, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral. All exhibits attached hereto are incorporated by reference herein.

**10.13 Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

The Parties have executed this Agreement as of the Effective Date.

CITY OF PINOLE

GHD, INC.

\_\_\_\_\_  
Andrew Murray, City Manager

\_\_\_\_\_  
William Silva, PE, Regional Market Lead

Consultant's City of Pinole Business  
License #: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Eric S. Casher, City Attorney

Attest:

\_\_\_\_\_  
Heather Bell, City Clerk

**EXHIBIT A**  
**SCOPE OF SERVICES**

**-Attached separately-**

2300 Clayton Road, Suite 920  
Concord, CA 94520  
United States  
www.ghd.com



Our ref: 12599487

February 21, 2023

Sanjay Mishra, P.E., T.E.  
Public Works Director  
City of Pinole  
2131 Pear St  
Pinole, CA 94564

**RE: Revised Cost Proposal for the Development of an Active Transportation Plan**

Dear Mr. Mishra:

Please find the attached Cost Proposal for the Pinole Active Transportation Plan, updated as requested. The updated cost proposal includes the following added tasks:

- **Task 2.3.A1 Additional Engagement Activities:** provides an additional allocation of hours for one additional in-person workshop, two pop-up events, and as-needed participation in stakeholder meetings.
- **Task 3.2.A AM & PM Peak Period Counts @ 12 Intersections:** this would provide additional data relevant to potential improvement options on each of the four "concept plan" study corridors (San Pablo Avenue, Pinole Valley Road/Tennent Avenue, Appian Way and Fitzgerald Drive).
- **Task 4.1.A1 through 4.1.A4 Concept Plans:** these four added tasks pertain to the four "concept plan" study corridors. GHD will develop concept plans for each of the four corridors that identify recommended projects to improve corridor traffic operations and create more opportunities for active transportation for all users. For each study corridor: GHD will produce 10% concept designs which incorporate community feedback, and GHD will provide cost estimates for each recommended project.

Please let me know if you have any questions about the attached Cost Proposal. We look forward to further assisting you on this project.

Regards,

A handwritten signature in blue ink, appearing to read "Colin Burgett".

**Colin Burgett**  
Project Manager  
415.296.2053  
Colin.Burgett@ghd.com

A handwritten signature in blue ink, appearing to read "Todd Tregenza".

**Todd Tregenza, AICP**  
Project Director  
916.245.4216  
Todd.Tregenza@ghd.com

## REVISED COST PROPOSAL - PINOLE ACTIVE TRANSPORTATION PLAN - FEBRUARY 21, 2023

|              |                                                   | GHD Staff     |                  |                 |                           |               |                        |                      |                | Total Hours | Labor Cost | Other Direct Costs | TOTAL BUDGET |
|--------------|---------------------------------------------------|---------------|------------------|-----------------|---------------------------|---------------|------------------------|----------------------|----------------|-------------|------------|--------------------|--------------|
|              |                                                   | Kamesh Vedula | Todd Tregenza    | Colin Burgett   | Summer Lopez              | Kendra Ramsey | Emily Shandy           | Paige Thornton       | Patrick Lewis  |             |            |                    |              |
|              |                                                   | Principal     | Project Director | Project Manager | Assistant Project Manager | Task Leader   | Senior Transp. Planner | Transp Planner & GIS | Transp Planner |             |            |                    |              |
| Hourly Rate: |                                                   | \$268         | \$241            | \$241           | \$183                     | \$202         | \$183                  | \$158                | \$135          |             |            |                    |              |
| Task Name    |                                                   |               |                  |                 |                           |               |                        |                      |                |             |            |                    |              |
| 1            | PROJECT ADMINISTRATION                            |               |                  |                 |                           |               |                        |                      |                |             |            |                    |              |
| 1.1          | Project Initiation                                |               | 2                | 2               | 4                         |               |                        |                      |                | 8           | \$1,696    | \$100              | \$1,796      |
| 1.2          | Project Management                                |               |                  | 2               | 4                         |               |                        |                      |                | 6           | \$1,214    | \$0                | \$1,214      |
| 2            | PUBLIC ENGAGEMENT                                 |               |                  |                 |                           |               |                        |                      |                |             |            |                    |              |
| 2.1          | Public Participation Plan                         |               |                  | 1               | 1                         |               | 2                      |                      |                | 4           | \$790      | \$0                | \$790        |
| 2.2          | Public Input Survey                               |               |                  | 1               | 2                         |               | 2                      |                      | 11             | 16          | \$2,458    | \$0                | \$2,458      |
| 2.3          | Public Engagement Activities (base scope)         |               | 4                | 12              | 20                        |               | 30                     |                      |                | 66          | \$13,006   | \$400              | \$13,406     |
| 2.3.A1       | Additional Engagement Activities (expanded scope) |               | 16               | 16              | 32                        |               | 26                     | 10                   |                | 100         | \$19,906   | \$400              | \$20,306     |
| 3            | EXISTING CONDITIONS ANALYSIS                      |               |                  |                 |                           |               |                        |                      |                |             |            |                    |              |
| 3.1          | Plan and Policy Review                            |               |                  | 2               | 8                         |               |                        |                      |                | 10          | \$1,946    | \$0                | \$1,946      |
| 3.2          | Develop Goals, Objectives & Perf Measures         |               |                  | 2               | 8                         |               |                        |                      |                | 10          | \$1,946    | \$0                | \$1,946      |
| 3.3          | Existing Conditions Review                        | 1             | 2                | 4               | 12                        |               |                        | 23                   | 50             | 92          | \$14,294   | \$300              | \$14,594     |
| 3.2.A        | AM & PM Peak Period Counts @ 12 intersections     |               |                  |                 |                           |               |                        |                      |                | 0           | \$0        | \$4,800            | \$4,800      |
| 3.4          | Needs Assessment                                  |               | 2                | 8               | 12                        | 8             |                        | 4                    | 6              | 40          | \$7,664    | \$0                | \$7,664      |
| 4            | PROJECT RECOMMENDATIONS                           |               |                  |                 |                           |               |                        |                      |                |             |            |                    |              |
| 4.1          | Develop Project Recommendations (Citywide)        | 1             | 3                | 10              | 11                        | 8             |                        |                      | 4              | 37          | \$7,570    | \$0                | \$7,570      |
| 4.1.A1       | Concept Plan: San Pablo Avenue                    | 4             | 16               | 24              | 20                        | 8             | 30                     | 8                    | 10             | 120         | \$24,092   | \$100              | \$24,192     |
| 4.1..A2      | Concept Plan: Pinole Valley Road/Tennent Ave.     | 4             | 10               | 36              | 32                        | 10            | 40                     | 16                   | 32             | 180         | \$34,202   | \$100              | \$34,302     |
| 4.1.A3       | Concept Plan: Appian Way                          | 4             | 8                | 12              | 16                        | 6             | 20                     | 6                    | 8              | 80          | \$15,720   | \$68               | \$15,788     |
| 4.1.A4       | Concept Plan: Fitzgerald Drive                    | 4             | 8                | 12              | 10                        | 6             | 16                     | 5                    | 7              | 68          | \$13,597   | \$50               | \$13,647     |
| 4.2          | Financial Analysis                                | 2             | 3                | 8               | 7                         | 6             |                        |                      | 4              | 30          | \$6,220    | \$0                | \$6,220      |
| 5            | PREPARE ACTIVE TRANSPORTATION PLAN                |               |                  |                 |                           |               |                        |                      |                |             |            |                    |              |
| 5.1          | Develop Report                                    | 2             | 4                | 14              | 21                        | 8             |                        | 8                    | 20             | 77          | \$14,297   | \$0                | \$14,297     |
| 5.2          | Council/Commission Presentation                   |               |                  | 4               |                           |               |                        |                      |                | 4           | \$964      | \$100              | \$1,064      |
|              | TOTALS                                            | 22            | 78               | 170             | 220                       | 60            | 166                    | 80                   | 152            | 948         | \$181,582  | \$6,418            | \$188,000    |



Proposal for

# Consulting Services for the Development of an Active Transportation Plan

**RFP No: PW-2022-04**

City of Pinole

December 15, 2022

→ The Power of Commitment







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This document is and shall remain the property of GHD. The document may only be used for the purpose of assessing our offer of services and for inclusion in documentation for the engagement of GHD. Unauthorized use of this document in any form whatsoever is prohibited.

# 1. | Introductory Letter



**GHD**  
**2300 Clayton Road, Suite 920**  
**Concord, California 94520 USA**  
**[www.ghd.com](http://www.ghd.com)**

December 15, 2022

Proposal No. 12599487

Sanjay Mishra, P.E., T.E.  
Public Works Director  
City of Pinole  
2131 Pear St, Pinole, CA 94564

**RE: Proposal to Provide Consulting Services for the Development of an Active Transportation Plan  
RFP No. PW-2022-04**

Dear Mr. Mishra and Selection Committee,

We are pleased to submit GHD's proposal for the City of Pinole (City) Active Transportation Plan (ATP). GHD cares about developing cost-effective infrastructure and non-infrastructure recommendations to increase safety and connectivity for bicyclists and pedestrians and wants to help Pinole reach goals of sustainability, safety and achieving a resilient and vibrant City. Our team is fully available and committed to assist Pinole in developing an ATP that will improve walking and bicycling for residents, community members, stakeholders, and visitors of all ages and abilities and encourage people to reduce their vehicle miles traveled and greenhouse gas emissions.

GHD is currently working on the City of Chico's ATP and has delivered similar plans for the Cities of Elk Grove, Santa Maria and Gustine in the past two years. Given our experience with Pinole, we understand the importance of the ATP to improve active transportation facilities within your community and are committed to work with project stakeholders to understand and address locally identified needs. Highlighted strengths of our team include:

- **Industry Leading Planning and Design Experience.** GHD has delivered numerous active transportation plans and complete street projects throughout California. We bring experience from a team of experts that have a diverse background in a wide range of active transportation planning activities. We have a deep knowledge of the industry's best practices and propose effective solutions for successful plans that are ultimately implementable through transformative projects.
- **Proven Community Engagement Processes.** The GHD team understands the importance of an effective and inclusive public engagement effort and has a breadth of traditional and virtual engagement experience to draw from. We excel at working with local organizations and stakeholders to elicit broad engagement and will work with Pinole community members to craft a strategy that works for your residents and supports strong grant applications to fund project implementation.
- **We Know Pinole.** Our planners and engineers have worked with the City of Pinole to develop Community Corners – a project that is proactively garnering involvement from the community to choose the future usage of a single lot. Because of this project, we are familiar with the City's department heads and we understand the small town feel as well as the goals of your community.

Our job is so much more than preparing plans and getting the infrastructure in place. We have a responsibility to our communities to provide equitable transportation solutions that safely serve everyone. We also must do this in a way that keeps our most vulnerable road users safe as they access school, work, home, or any other desired destination. Our commitment is to exceed your expectations with this project and provide an ATP that you, your staff, and your community can be proud of. We look forward to working with you on this important project.

Please contact Colin Burgett with any questions regarding our submittal. We look forward to working with the City on this important project.

Sincerely,

**Colin Burgett**  
Project Manager  
+1.415.296.2053 | [Colin.Burgett@ghd.com](mailto:Colin.Burgett@ghd.com)

**Todd Tregenza, AICP**  
Project Director  
+1.916.245.4216 | [Todd.Tregenza@ghd.com](mailto:Todd.Tregenza@ghd.com)



## 2. Qualifications

### I. About GHD

GHD provides transportation planning and engineering, environmental, advisory, digital, and construction services to private and public sector clients. Operating globally and delivering services locally, we offer clients the ability to develop a working relationship with our local staff while having access to our global experience base. Put simply, we work where our clients work. Our business model is to work internationally and deliver locally.

#### Firm Information

Established in 1928, GHD is a wholly-owned subsidiary – a privately held international engineering firm owned by our people and operating across five continents. We are one of the world's leading professional services companies operating in the global markets of Transportation, Water, Energy and Resources, Environment, and Property and Buildings. Our people can offer decades of knowledge, as well as a deep understanding of the challenges facing businesses and communities today. We deliver projects with high standards of safety, quality, and ethics across the entire asset value chain. Driven by a client service-led culture, we connect the knowledge, skill, and experience of our people with innovative practices, technical capabilities, and robust systems to create lasting community benefits.

#### Transportation Services

GHD has an excellent performance record with municipal and government agencies throughout California. Many of GHD's past and current projects include the following services:

- Active Transportation Planning and Design
- Transportation Planning/Design
- Complete Streets/Streetscape Design
- Civil Engineering
- Landscape Architecture/Wayfinding
- Roundabout Planning/Design

### GHD AT-A-GLANCE

Year Founded:

**1928**

Organization Type:

**S Corporation**

Number of Employees:

**10,000+**

California Office Locations:





Rendering of Esplanade at 1st Avenue, City of Chico, CA

## Committed to You

GHD is dedicated to understanding and helping our clients achieve their goals. We are committed to sustainable development, safety and innovation. We care for the wellbeing of our people, assist communities in need, and conduct business in an ethical and environmentally responsible manner. We can also offer our clients the confidence and peace of mind that comes from the fact that **GHD is ranked 26th in the “Top 150 Global Design Firms” by Engineering News-Record in 2022.**

## Don't just take our word for it

The cornerstone of our business is a client-centered culture and teamwork-based approach known as “One GHD”. We are proud of our long tradition of repeat, local government clients. **A full 90% of our clients are agencies or government entities, and 75% of our work comes from repeat clients.** We believe this illustrates not only our knowledge of specialized engineering disciplines, but also our willingness to listen and respond to individual client needs. Each of our project managers is an advocate for his or her client through the design, permitting, and construction process.

## Bringing the right expertise and resources

Based on our understanding of your project needs, we propose a team structure that spans the anticipated needed services to deliver the ATP. We have handcrafted a project team to meet the needs

**90+ years in operation**  
**135+ countries served**  
**200+ offices worldwide**  
**1.6<sup>B</sup> USD revenue 2021**  
**5 global markets**  
**10<sup>K</sup> people**  
**50+ service lines**

↳ Providing engineering, environmental, advisory, architecture, digital and construction services

of this project, which is detailed in the Project Team Organization section, because of their in-depth knowledge of delivering several critical elements of the ATP including GIS, multimodal planning and design expertise, stakeholder engagement and funding opportunities. The organizational chart details our proposed team, including disciplinary-based roles tailored to your project and additional staff may be called on if needed or desired.

The following sections in the proposal presents the relevant experience and qualifications of this diversely balanced group of industry-recognized leaders assembled just for your ATP project.



## II. GHD's Financial Condition

### Financial Stability

GHD is an employee-owned company that has been in continual operation since its founding in 1928 and has enjoyed 94 years of profitability. With a strong balance sheet that is well-funded, and with net assets exceeding \$59 million USD, GHD maintains favorable funding arrangements with its bank HSBC. Global revenues exceed \$1 billion USD annually and with low levels of intangible assets and conservative gearing, GHD has a firm platform for further growth. We reserve the right to withhold our detailed financial statements but, if selected and with a signed confidentiality agreement in place, we could provide hard copies of our recent financial statements for review.

Our USA West Region is comprised of 400+ FTE professionals located in offices throughout the West Coast and US Micronesia with annual revenues of \$80 million. We are complimented by an additional 2600 FTE professionals located in North America, and 200 more in the Philippines. We regularly draw on technical expertise from other operating centers to augment our local project teams and to provide our clients with the full advantage of working with a globally recognized consulting firm.

### Litigation and Bankruptcy

GHD trusts the City of Palo Alto will appreciate that due to the commercial sensitivity and confidentiality of any litigation in which GHD may have been involved, GHD is not at liberty to disclose the information sought. However, we point out that as a component of its prudent risk management practices, GHD obtains high quality professional liability insurance in the world market, and domestically in the U.S., to provide cover in the industries in which it operates.

As a consequence of engaging in business, there are sometimes claims asserted that may or may not give rise to litigation. The details and progress of any such claims are by necessity commercially sensitive and remain in confidence. We are able to inform you that there have been claims notified in the normal course of business, none of which we believe are material to the services which are the subject of your RFP. There are however presently no significant ongoing contract failures, no criminal matters, and there have been no judgments against GHD Inc. within the last 10 years.

GHD is able to disclose the following in regard to claims which have arisen from a contract that resulted in litigation or arbitration:

- Claim from City of Santa Rosa related to a contract for design and construction services. The City seeks indemnity related to excess construction costs. GHD contests liability. Claim remains pending.
- Claim from Humboldt Waste Management Authority related to personal injury of a third party on a landfill site for which GHD performed work. Humboldt seeks indemnity for damages claimed by injured party. GHD contests liability. Claim remains pending.

For further information regarding GHD's claims history, kindly contact GHD's Counsel, Scott Weiner at 602.216.7222 or [scott.weiner@ghd.com](mailto:scott.weiner@ghd.com) to arrange for a confidential disclosure.

GHD has not filed (or had filed against it) any bankruptcy or insolvency proceeding, voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors in the past 10 years.

## III. Experience

### Active Transportation Planning

Our team helps create active, connected communities where bicycling and walking are part of a healthy lifestyle and sustainable transportation system. We have considerable experience assisting local agencies with planning and creating bicycle and pedestrian

infrastructure and providing safe, efficient, and accessible connectivity for local communities and regional networks. In addition, GHD's transportation professionals bring experience from planning and funding through design and construction, giving us the ability to craft actionable, feasible plans that the City can implement.



# Chico Active Transportation Plan Project

## Project Location

Chico, CA

## Client/Contact

City of Chico  
Jesse Hudson, Assistant Planner  
411 Main Street, Chico, CA 95928  
T: 530.879.6943  
E: [jesse.hudson@chicoca.gov](mailto:jesse.hudson@chicoca.gov)

## Date

03/2022 – Present

## Relevant Team Members

Kendra Ramsey (PM), Colin Burgett,  
Todd Tregenza, Paige Thornton,  
Summer Lopez, Patrick Lewis

## Objective

Develop the City of Chico's first Active Transportation Plan, incorporating pedestrian needs with an updated assessment of bicycle needs since the prior Bicycle Plan was adopted in 2019.

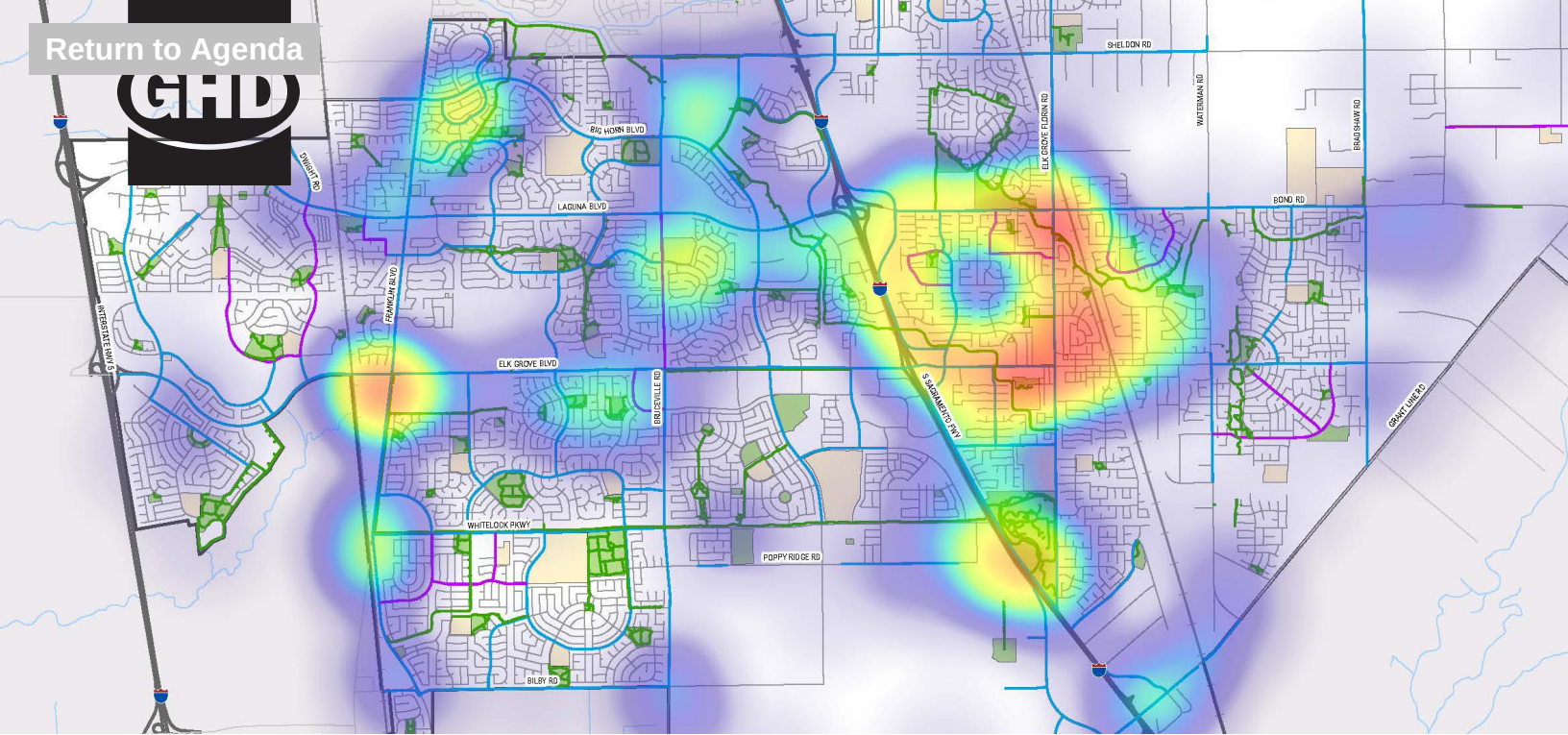
## Project Description

The Plan is focused on developing refreshed active transportation network recommendations to meet current facility design best practices, including incorporating Class IV Separated Bikeways and supporting a safe, comfortable, and connected network to help achieve mode shift to bicycling and walking.

The Plan will include robust community engagement, including direct outreach to stakeholder groups, community workshops, and an interactive website with a variety of input tools throughout the project. The first community workshop was held recently and was attended by over 100 people. An interactive online map to collect location-specific feedback has received nearly 900 comments.

The Plan, which is set to be completed mid-2023, will provide an actionable, fiscally constrained blueprint for the future of Chico's bicycling and walking network, building on Chico's identity as a bicycling community and facilitating connections to schools, shopping, employment, and other destinations. It will support the City's Climate Action Plan Goals, recommend policy and ordinance changes as appropriate to facilitate implementation of infrastructure improvements, and include programmatic recommendations to increase bicycling and walking in Chico. The project website is live and can be viewed here: [www.ChicoATP.com](http://www.ChicoATP.com).





# Elk Grove Bicycle, Pedestrian and Trails Master Plan Project

## Project Location

Elk Grove, CA

## Client/Contact

Carrie Whitlock, *Strategic Planning & Innovation Program Manager*

8401 Laguna Palms Way

Elk Grove, CA 95758

T: 916.478.2238

E: [cwhitlock@elkgrovecity.org](mailto:cwhitlock@elkgrovecity.org)

## Date

01/2020 – 05/2021

## Relevant Team Members

Kendra Ramsey (PM), Kamesh Vedula, Todd Tregenza, Paige Thornton, Emily Shandy

## Objective

Develop a Bicycle, Pedestrian and Trail Master Plan which is actionable, financially constrained, includes prioritized projects to improve bicycle and pedestrian mobility within the City of Elk Grove, and prepares the City to seek grant funding. Develop an Active Transportation Fee Program to allow the City to assess and collect fees on new development to fund active transportation improvements to serve those developments and the community.

## Project Description

The City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan incorporates current active transportation best practices, the City's recently adopted Climate Action Plan goals and objectives, and the City's General Plan land use and transportation projections to create a network of facilities which make walking and bicycling in Elk Grove comfortable, pleasant, and viable options for residents.

The Plan is rooted in extensive prior community engagement and survey efforts and addresses both the City's urban neighborhoods and rural residential areas. An updated set of Design Protocols accompanies the Plan, providing guidance to City staff and developers designing and implementing facilities in the City.

With community engagement for the project set to launch just as the COVID-19 pandemic hit, GHD worked with the City to implement remote engagement strategies, including focus groups held via web conferencing, a web-based participatory mapping platform, and virtual open house meetings.

The Plan was adopted by the Elk Grove City Council in May 2021 and is available to be viewed here: <https://bit.ly/39zp8Yz>.



# Santa Maria Active Transportation Plan Project

## Project Location

Santa Maria, CA

## Client/Contact

City of Santa Maria Public Works  
Department (*now City of Morro Bay*)  
Eric Riddiough, PE, *City Engineer*,  
595 Harbor Street, Morro Bay, CA 93442  
**T:** 805.772.6569  
**E:** [eriddiough@morrobayca.gov](mailto:eriddiough@morrobayca.gov)

## Date

12/2018 – 01/2021

## Relevant Team Members

Kendra Ramsey (PM), Kamesh Vedula,  
Todd Tregenza, Paige Thornton, Emily  
Shandy

## Objective

Develop an Active Transportation Plan which is actionable, includes prioritized projects to improve bicycle and pedestrian mobility within Santa Maria, and prepares the City to seek grant funding.

## Project Description

GHD developed an update to the City of Santa Maria ATP using a performance-based approach. An active transportation infrastructure inventory, including high-priority ADA-accessibility review and a detailed Level of Traffic Stress analysis was performed to identify the relative connectivity of the low stress bicycle network within the City. A complete pedestrian and bicycle collision analysis was also performed to highlight areas with higher needs for improvement.

Given the diversity of the Santa Maria community, GHD used both traditional in-person workshops, online workshops, and pop-up events with a particular focus on the Spanish-speaking community of Santa Maria. A community survey was distributed by Promotores (health advocates) at primarily-Spanish-speaking community events, and an informational flyer was sent home with all 17,000 students in Santa Maria schools. A website also provided access to the survey as well as an interactive map to collect comments. Based on the technical analyses and public input, GHD developed improvement recommendations, which were prioritized with stakeholder feedback. GHD also completed an Active Transportation Program Cycle 5 grant application for a package of high-priority projects. The ATP was adopted in January 2021 and is available to view at <https://bit.ly/3cdr632>.





# Gustine Active Transportation Plan Project

## Project Location

Gustine, CA

## Client/Contact

City of Gustine  
Jami Westervelt, *Economic & Community Development Director*  
352 Fifth Street Gustine, CA 95322  
**T:** 209.854.6471  
**E:** jwestervelt@cityofgustine.com

## Date

05/2021 – 12/2021

## Relevant Team Members

Kendra Ramsey (PM), Paige Thornton,  
Kamesh Vedula, Emily Shandy

## Objective

Develop a comprehensive active transportation plan for the City of Gustine which addresses transportation needs to community destinations such as schools, parks, and civic facilities. Help prepare City to seek grant funding for implementation.

## Description

GHD developed the first Active Transportation Plan for the City of Gustine, a small rural community in Merced County. Gustine is well-suited to walking and bicycling, with a relatively small footprint and flat terrain; barriers to active transportation include the railroad and a state highway bisecting the City. GHD worked with the City to establish achievable goals for the Plan, based on recent successes in implementing new multi-modal improvements, and drawing from community feedback on desired connections for safer facilities for walking and bicycling. The Plan establishes both a long-term vision and short-term priorities for improving walking and bicycling in Gustine. It provides recommendations for a comprehensive bicycle and pedestrian network to provide access to schools, downtown, parks, and other destinations. These proposed infrastructure projects are paired with recommendations for policy changes as well as education, encouragement, and evaluation programs.

Outreach for the project was conducted during the COVID-19 pandemic and included multiple workshops virtual workshops as well as an interactive project website with a map-based feedback tool. Outreach was also conducted through an advisory committee of community members, as well as in-person outreach at outdoor community events.

***This project was successfully completed on an accelerated six-month timeline to meet project funding requirements.***



# Belmont Comprehensive Pedestrian & Bicycle Plan

## Project Location

Belmont, CA

## Client/Contact

City of Belmont  
Bozhena Palatnik, PE, *Senior Civil Engineer*  
1 Twin Pines Ln, Belmont, CA 94002  
**T:** 650.595.7463  
**E:** bpalatnik@belmont.gov

## Date

2016

## Relevant Team Members

Colin Burgett (*while formerly with TJKM*)

## Description

GHD's Colin Burgett (formerly TJKM) authored a comprehensive pedestrian and bicycle master plan to encourage people of all ages to bike or walk more. Belmont's circulation network had several bicycle lane segments but did not provide a continuous network, while sidewalks in many areas are limited due to steep terrain, right-of-way-limitations and opposition from neighborhood groups. The plan included a thorough review of existing bicycle, pedestrian, and Safe Routes to Schools planning documents, including the City's Complete Streets Policy. Colin facilitated public outreach including walking/biking tours and advisory committee meetings, and tabulated results from community surveys. The plan identified Belmont's first citywide bikeway network map, recommended pedestrian priority segments, provided cost estimates, and identified a phased list of capital improvement projects.





# Scotts Valley and Ecology Action Active Transportation Plan

## Project Location

Scotts Valley, CA

## Client/Contact

City of Scotts Valley and Ecology Action

Amelia Conlon, *Ecology Action of Santa Cruz*

877 Cedar St Unit 240, Santa Cruz, CA 95060

T: 831.426.5925

E: [aconlen@ecoact.org](mailto:aconlen@ecoact.org)

## Date

2019 – 2020

## Relevant Team Members

Colin Burgett (*while formerly with TJKM*)

## Description

GHD's Colin Burgett (formerly with TJKM) assisted Ecology Action and the City of Scotts Valley with strategic tasks focusing on successful completion and implementation of the city's active transportation plan. The plan was a partnership between the City of Scotts Valley and nonprofits Ecology Action and Bike Santa Cruz County, funded through a Caltrans Sustainable Communities Transportation Planning Grant. The plan describes current conditions, list barriers to active transportation, and recommends infrastructure and non-infrastructure solutions which promote statewide goals of reducing greenhouse gas emissions while fostering livable communities, healthy transportation, and public involvement in transportation planning. Public input was gathered through outreach events including a community meeting that Colin Burgett led, and online comments. The outreach process defined the community's vision of a sustainable pedestrian and bike-friendly city, and identified key concerns and barriers to non-motorized travel. The plan guides future improvements and secure grant funding. The planning team developed a detailed set of projects to enhance citywide mobility.



IV. Subconsultants

Since GHD has extensive in-house resources, no subconsultants are proposed as part of our team for this project. However, we are open to bringing on subconsultants or additional team members as needed to meet project requirements.

V. References

GHD has gained a reputation among our clients for responsive service, technical excellence, and overall quality of work. Our clients will attest to our quality on these similar projects with similar scopes of work in the recent past.

| CLIENT NAME       | CONTACT INFO                                                                                                                                   | PROJECT                                                                                                                      |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| City of Elk Grove | <b>Carrie Whitlock, AICP</b><br><i>Strategic Planning &amp; Innovation Program Manager</i><br>T: 916.478.2238<br>E: cwhitlock@elkgrovecity.org | <b>Elk Grove Bicycle, Pedestrian &amp; Trails Master Plan</b><br><i>(Please see page 7 for detailed project description)</i> |
| City of Ukiah     | <b>Craig Schlatter</b><br><i>Director of Community Development</i><br>T: 707.463.6219<br>E: cschlatter@cityofukiah.com                         | <b>Ukiah 2040 General Plan Mobility Element</b>                                                                              |
| City of Redding   | <b>Zach Bonnin</b><br><i>Transportation Planner</i><br>T: 530.245.7112<br>E: zbonnin@cityofredding.org                                         | <b>Redding 2045 General Plan Transportation Element</b>                                                                      |



### 3. | Staffing

This team of key individuals will be dedicated throughout the project, and no staffing changes will occur without prior approval from the City. This dedicated team approach will ensure project continuity and increased efficiency in project delivery, which will be critical to meeting your project goals. We briefly introduce our key personnel below and the services they will provide. Detailed resumes for our key personnel are provided in the Appendix section.

#### Effective Leadership

Our team of professionals have the experience, resources and vision to successfully deliver a plan that achieves community goals and can be successfully implemented. GHD is engaged in bicycle and pedestrian planning efforts ranging from master planning to final design, and provides the right mix of planning vision and implementation focus.

#### Meet our Project Manager **Colin Burgett**

Colin Burgett will serve as Project Manager and be responsible for overseeing the day-to-day activities of the project team. He is a sustainable transportation planner with over two decades of experience developing active transportation and complete streets solutions. Colin specializes in strategic planning including citywide bicycle and pedestrian plans, general plans, transit studies and corridor mobility plans. He manages projects that place a strong emphasis on facilitating the interactions between transportation systems, land use patterns and urban design components.



#### Why Colin?

##### ➔ Active Transportation experience

**Proof:** Colin's experience includes citywide bicycle and pedestrian master plans in Belmont, Oakland, Patterson, San Leandro, Seaside and Scotts Valley.



##### ➔ Complete Streets expertise

**Proof:** Colin has developed complete streets solutions that enhance mobility for numerous communities ranging from San Francisco to Albuquerque, including community mobility planning for communities throughout the Bay Area.



##### ➔ Ability to convey the complex and controversial to the community in a manner that reaches the community and stakeholders



**Qualifications:** MS, City & Regional Planning, Polytechnic State University, San Luis Obispo, CA; BS, Political Science, University of Oregon, Eugene, OR

#### Applicable Experience:

- Active Transportation Plans for the cities of Belmont, Oakland, Patterson, San Leandro, Seaside and Scotts Valley
- General Plan Mobility updates for the cities of East Palo Alto, Menlo Park, Petaluma, Redding, Seaside and others
- Community planning studies including the Palo Alto Downtown Development Cap Study, Alameda Transit Access Study, Albuquerque Central Avenue Complete Streets and others



## Additional Key Personnel



**15 Years of Experience**

### Todd Tregenza, AICP | Project Director

Todd will ensure the Project Manager and Project Team have access to any and all resources needed to complete the Bicycle and Pedestrian Transportation Plan to the City of Palo Alto's full satisfaction. Todd is a transportation planner with over 15 years of experience, over 14 of which are with GHD. He specializes in multimodal transportation studies, including corridor plans, area plans, and Citywide plans. His focus is on data- and performance-driven planning that prioritizes improvement projects with a high degree of implementation and funding opportunities.

**Qualifications:** BS, Community and Regional Development, University of California, Davis, CA | American Institute of Certified Planners #29678

**Applicable Experience:**

- Active Transportation Plans for City of Turlock, City of Santa Maria, City of Chico and others
- Imola Avenue Complete Streets Corridor Plan: Project Manager, Napa Valley Transportation Authority, Napa, CA
- West Texas Complete Streets, City of Fairfield, CA



**21 Years of Experience**

### Kamesh Vedula, PE, TE | QA/QC

Kamesh specializes in the disciplines of transportation engineering, planning, and modelling. He has over 20 years of experience in transportation engineering and planning, with over 18 years with GHD. He will work with the project team to ensure the quality assurance and control plan established at the beginning of the project and throughout the project development process. He has served as the QA/QC manager for various projects and has in-depth knowledge on the key elements of this project.

**Qualifications:** MS, Transportation, Kansas State University, Manhattan, KS; BS, Civil Engineering, Nagarjuna University, Bapatla, India | Civil Engineer, CA #79926; Traffic Engineer, CA #2546

**Applicable Experience:**

- Active Transportation Plans for cities of Chico, Elk Grove, St. Helena and others
- Heart of Fairfield – West Texas Complete Streets Project, Fairfield, CA
- Imola Avenue Corridor Complete Streets Improvement Plan, Napa, CA



**7 Years of Experience**

### Summer Lopez | Assistant Project Manager

Summer will support the overall effort to complete your project on time and on budget. She has over seven years of experience in transportation planning with a specialty in active transportation, non-infrastructure and plans. Summer spent three years at Caltrans managing plan and non-infrastructure project types through California's ATP and has managed a variety of projects that support active transportation project implementers through California's Active Transportation Resource Center. These projects range in technical assistance programs, active transportation project evaluation, bicycle and pedestrian infrastructure design and non-infrastructure program development training and resources. She is well-versed and experienced in community engagement and has implemented in-person and virtual engagement efforts at the local, regional and state level.

**Qualifications:** BA, Urban Studies and Planning, University of California, San Diego, CA

**Applicable Experience:**

- Chico Active Transportation Plan: Assistant Project Manager, City of Chico
- Elk Grove Laguna Creek Inter-Regional Trail Master Plan: Planner, City of Elk Grove
- Project Manager | Active Transportation Resource Center | Caltrans HQ | Sacramento, CA



**15 Years of Experience**

### Kendra Ramsey, AICP | Task Leader

Kendra will play a key role in developing key deliverables including the Existing Conditions assessment, identifying Active Transportation enhancements, providing prioritization recommendations, and developing the updated plan document with an emphasis on maximizing successful implementation. She has 15 years of experience in active transportation planning, policy, program design, and implementation. She has cross-sector expertise in community engagement, public health, and equitable development. Her experience includes state and local government, as well as the non-profit sector. Kendra has managed the development of numerous ATPlans for municipal and county clients, developed and implemented Safe Routes to School (SRTS) plans and programs, consulted on effective active transportation accommodation within large roadway projects, and written successful regional and state grant applications for local agencies. She has helped her clients secure grant funds through the Active Transportation Program and Sustainable Transportation Planning Grant program across multiple cycles.

**Qualifications:** MS, Community Development, University of California, Davis, CA

American Institute of Certified Planners (AICP) Certified Planner, Safe Routes to School National Course Instructor

**Applicable Experience:**

- Active Transportation Plans for City of Chico, City of Elk Grove, City of Gustine, Santa Maria and others
- Active Transportation Program Grant Writing | Project Manager | Various Clients | Various Locations
- Project Manager | Safe Routes for School for City of Merced, City of Santa Monica, Collusa County, Solano County and others



**11 Years of Experience**

### Emily Shandy, AICP, LCI | Public Outreach

Emily has 11 years of experience in public engagement and active transportation planning. Her expertise includes developing bicycle and pedestrian plans at the city, county, and statewide level; developing, implementing, and evaluating SRTS plans and programs; conducting trail and corridor studies; and writing successful state and regional grant applications for local agencies. With a focus on community needs and unique contexts, she excels at delivering projects that help clients advance their vision for their community while tailoring approaches to use resources efficiently.

**Qualifications:** BA, Urban Studies and Planning, University of California, San Diego, CA; American Institute of Certified Planners #32363, American Planning Association, League Cycling Instructor #4752, League of American Bicyclists

**Applicable Experience:**

- *Chico Active Transportation Plan: Assistant Project Manager, City of Chico*
- *Santa Maria Active Transportation Plan: Assistant Project Manager, City of Santa Maria*
- *Gustine Active Transportation Plan: Assistant Project Manager, Gustine, CA*



**3 Years of Experience**

### Paige Thornton | Transportation Planning/GIS

Paige has extensive experience managing and analyzing spatial and non-spatial data as it pertains to the transportation planning process. Paige will lead data analysis efforts, including the following assessments: safety/collision, level of traffic stress, disadvantaged community status, and recommendation development and prioritization. Additionally, Paige will support in-person and virtual public engagement efforts and, where needed, coordinate the integration of project tasks with our GIS-based, digital systems.

**Qualifications:** BA, American Studies and Political Science (Minor: Urban Studies and Planning), San Francisco State University, CA

**Applicable Experience:**

- *Chico Active Transportation Plan: Transportation Planner/GIS Analyst, City of Chico*
- *Santa Maria Active Transportation Plan: Transportation Planner/GIS Analyst, City of Santa Maria*
- *Elk Grove Bicycle, Pedestrian, Trails Master Plan: Transportation Planner/GIS Analyst, City of Elk Grove*



**4 Years of Experience**

### Patrick Lewis, MPL | Transportation Planner

Patrick has four years of experience in active transportation and mobility planning, policy, and implementation. He has supplementary expertise in community engagement, intelligent transportation systems, and transit marketing. Patrick's experience includes state and local government as well as the private sector. He has contributed to Active Transportation Plans for municipal clients, supported outreach for live events and pop-up transportation infrastructure demonstration projects, managed the municipal bicycle parking program for the City of Los Angeles, designed site plans for innovative bicycle parking hub facilities, written Federal grant applications supporting safe streets, and evaluated state grant applications for the California Transportation Commission's Active Transportation Program.

**Qualifications:** MPL, Transportation Planning, University of Southern California, Los Angeles, CA; BA, Sociology, University of California, Davis, CA

**Applicable Experience:**

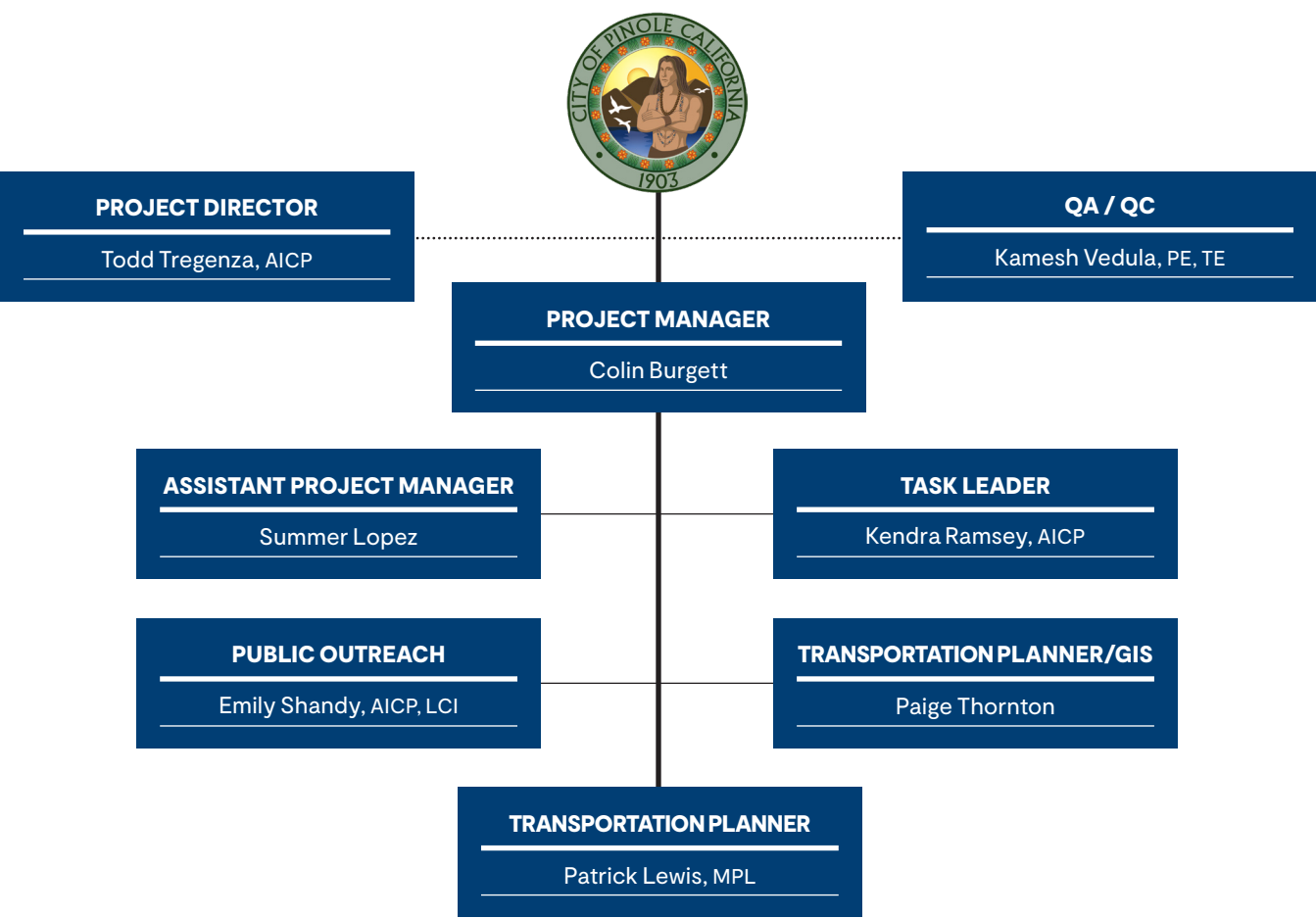
- *Chico Active Transportation Plan: Planner, City of Chico*
- *Elk Grove Laguna Creek Inter-Regional Trail Master Plan: Planner, City of Elk Grove*
- *Colfax Downtown Connectivity and Main Street Improvement Plan: Planner, City of Colfax*





### Organization Chart

The organization chart below details our proposed team, including disciplinary-based roles based on our understanding of your project needs.



## 4. Project Approach and Work Plan

## Overview

GHD proposes the following Work Plan to accomplish the Scope of Work outlined in the RFP. We have included detail on our approach to deliver each of the tasks. For each applicable task, draft deliverables will be revised based on one set of consolidated, internally consistent comments received from the City before being incorporated into the final deliverable.

## TASK 1: PROJECT ADMINISTRATION

## Task 1.1 – Project Initiation

GHD will work with the City of Pinole to schedule the project kick-off meeting within two (2) weeks of receiving the notice to proceed. Our team will lead the meeting with several goals to set the project up for success: establishing clear communication protocols, clarifying project budget, scope and schedule, determining timeline and format for deliverables, discussing critical data, GIS needs and information to keep GHD on schedule, and a preliminary discussion to plan for conducting, coordinating, and sharing outreach and engagement activities, mapping outputs, and associated deliverables and reports. GHD will also prepare a simplified version of the schedule for presentation to broader audiences such as the City's standing committees, members of the public and City Council.

**Task 1.1 Deliverables:**

- Kickoff meeting; agenda; presentation and handouts; minutes and action items
- Project schedule and budget breakdown

## Task 1.2 – Project Management

GHD will schedule and facilitate monthly meetings with the City, as well as any other project partners and task leaders as arranged. GHD will prepare the meeting agenda and document meeting minutes. Meetings will focus on task and deliverable progress. These meetings may be conducted via video or audio conferencing, as needed.

GHD will provide monthly invoice packages that document hours worked and reimbursable expenses; a progress summary will provide a brief discussion of the work performed to support the City's grant reporting needs.

**Task 1.2 Deliverables:**

- Monthly Project Management Status Meetings: Meeting Agendas; Meeting Minutes and Action Items
- Monthly Project Status Reports
- Monthly Invoice

## TASK 2: PUBLIC ENGAGEMENT

## Task 2.1 – Public Participation Plan

GHD will create a Public Participation Plan (PPP) that will include gathering input from a wide variety of stakeholders and a diverse cross-section of the community. This PPP will clearly identify details of outreach steps, activities, events, and efforts needed to provide project information to the community and to gather valuable and focused input from residents and stakeholders. With a focus on transportation-related issues, GHD will pro-actively identify concerns







of the community with meaningful engagement that is tailored and appropriate for the respective audience. Outreach and engagement strategies will include a variety of hybrid and/or in-person events such as public workshops or community meetings and pop-up engagement at pre-existing events throughout the city. Our goal will be to engage the residents and stakeholders in a meaningful way that encourages open dialogue and communication and identifies concerns throughout the planning process. The PPP will be delivered to the City within three (3) weeks of the kickoff meeting.

We are well-versed in providing outreach materials and collateral in multiple languages using native speakers to develop technical translations of project materials such as flyers and workshop content to maintain information integrity. Project promotional materials will be both in English and Spanish at a minimum. Our approach is to work with our clients to develop appropriate interpretation strategies for each project, which could range from simultaneous interpretation, to holding workshops in the primary language spoken within the community with interpretation back to English. GHD will work with the City to gauge public health concerns and determine the feasibility of in-person events or whether to host meetings virtually. GHD has achieved much success in executing virtual meetings. All public outreach feedback and information will be captured and documented in an Appendix of the Pinole Active Transportation Plan (ATP).

#### **Task 2.1 Deliverables:**

- Public Participation Plan (PPP)

#### **Task 2.2 – Public Input Survey**

A project survey will allow collection of opinions on existing conditions for bicycling and walking needs, and other information to assist in the development of recommendations and strategies for the Pinole ATP. GHD will create a survey accessible to community members via a public website and/or hosted on the City's website, if preferred. The survey will feature questions that get to the heart of active transportation concerns and matters: what are your thoughts on current traffic and road conditions on routes you take when walking or bicycling? What improvements would you like to see? In what areas are you experiencing challenges, barriers and limitations when bicycling and walking? We design surveys that are easy to take and elicit key information. The survey will be available in English and Spanish, allowing the user to select their desired language to view translated content.

All survey content will be submitted to the City for review and approval, as well as to post on their existing agency communication channels. The survey can be made available on the Project Website, as well as the City's website if desired. Survey hard copies will be made available at relevant events such as a community workshop. A list of contacts will be developed for distribution of the survey, building from prior City outreach, as well as interest expressed to the project team via the Project Website or during public engagement activities.

#### **Task 2.2 Deliverables:**

- Survey/questionnaire
- Survey results report





### Task 2.3 – Public Engagement Activities

GHD understands that promoting an inclusive environment and creating a desirable event is critical to achieving broad public engagement in the ATP. Our approach is to make engagement accessible for as many community members as possible. This includes families that may lack the time to attend in-person outreach events and would prefer to engage with project materials and information at a time and place that works to their convenience. This also includes members of the community that may not feel as comfortable in a digital environment and would prefer to meet in person, whether at a scheduled standalone outreach event or at a project booth that brings in-person engagement to an outdoor event they may already be attending. Our team specializes in translating complex technical issues, design details, and transportation jargon into relatable and approachable terms.

In coordination with the City, we anticipate some in-person events will be possible during ATP development while some events may need to be virtual. Accordingly, we plan to conduct a hybrid of both in-person and virtual events, with the ability to move events entirely virtual if conditions require us to do so. As part of the PPP for the ATP, we will provide a strategy built on the following events and timing relative to deliverables:

- **Community Meeting/Public Workshop 1:** Introduce the ATP, gather feedback on perceived barriers to active transportation, opportunities for improvement and needs of the local community.

- **Virtual Meeting/Public Workshop 2:** The second workshop would be conducted virtually via Zoom or Teams, and would be conducted to allow for community review and input on the recommended improvements to be prepared in Task 4.

## TASK 3: EXISTING CONDITIONS ANALYSIS

### Task 3.1 – Plan and Policy Review

A successful ATP requires a solid understanding of the existing policy and regulatory framework which impacts active transportation, including General Plans, planning studies, expenditure plans, and guidelines. GHD staff are skilled at identifying and reviewing these and other relevant documents to understand the current landscape and suggest any alternations to policy or practice to facilitate implementation of the ATP. GHD will review publicly available data and documents, and information made available by the City of Pinole, Contra Costa County, Contra Costa County Transportation Authority, and other relevant agencies, and compile information on existing plans and policies at local, regional, state and federal levels. The plan and policy review, at a minimum, will identify regional and local efforts, status and progress made on previous planning efforts and studies with a goal to ensure that the proposed ATP complements existing and prior City efforts.

This review will include the following:

- City of Pinole General Plan (2010)
- City of Pinole Neighborhood Traffic Calming Policy (2008)
- City of Pinole Three Corridors Specific Plan (2010), updated (2018)
- Old Town Pinole Parking & Pedestrian Safety Study (2020)
- Capital Improvement Plan (FY 2022/23 – 2026/27)
- City of Pinole Operating Budget (2022/23)
- Contra Costa Countywide Bike and Pedestrian Plan (2018)
- Contra Costa County Transportation Authority (CCTA) Transportation Expenditure Plan (2020)
- CCTA Countywide Comprehensive Transportation Plan (2017)
- Contra Costa County Transportation Analysis Guidelines (2020)
- West County Action Plan (2017)
- West Contra Costa High-Capacity Transit Study (2017)
- Local Road Safety Plan (2023)
- Pinole ADA Transition Plan (2004)

GHD will develop an **Existing Conditions Chapter** which encompasses the review and assessment of current pedestrian and bicycle facilities and amenities, transportation patterns, and demographic information for the Pinole community. Maps will document the current active transportation network, collision locations and “hot spots,” and destinations/ trip generators. The Existing Conditions Chapter will be provided to the City for review and comment, and revised based on one set of consolidated, internally consistent comments from the City.

#### **Task 3.1 Deliverables:**

- Existing plans and policies summary (Technical Memorandum)

### **Task 3.2 – Develop Goals, Objectives, and Performance Measures**

Creating goals, objectives and performance measures is key in creating and implementing a successful plan. GHD will develop a range of goals (short, medium, and long), objectives, and performance measures that align with prior plans and goals of the City and region and in accordance with local, state, and federal policies and guidelines. Examples of measuring successful performance indicators include comparing increases in bicycling and walking mode share, growth and investment in active transportation infrastructure, miles of new bike paths, bike lanes, or sidewalks, among others. These will form the baseline indicators for performance measures. Additionally, during project outreach efforts we will introduce goals and objectives to the community to solicit input. This approach will help in developing performance measures that utilize ATP community support as an indicator to help with prioritizing projects into short, medium, and long-term categories. GHD will identify the responsible party for each action and potential targets for achieving each goal.

GHD will develop a **Goals, Objectives and Performance Measures Chapter** which will include

the range of developed goals and objectives, and performance measures. The Goals, Objectives and Performance Measures Chapter will be provided to the City for review and comment, and revised based on one set of consolidated, internally consistent comments from the City.

#### **Task 3.2 Deliverables:**

- Draft goals, objectives, and performance measures (Technical Memorandum)

### **Task 3.3 – Existing Conditions Review**

The Existing Conditions Review of Pinole will be multi-faceted and will include a GIS and demographics analysis, Level of Traffic Stress (LTS) analysis, and safety analysis.

#### **GIS and Demographics Analysis**

GHD will prepare a summary report that utilizes both demographic data and Geographic Information Systems (GIS) data provided by the City or other publicly available sources to develop base maps that illustrates existing and future land uses, as well as existing active transportation facilities and networks to help analyze conditions for bicycle and walking. Examples include sidewalks, curb ramps, intersection crossing treatments, bikeway facility types, off street multi-use paths, and bike parking throughout the City.

#### **Level of Traffic Stress**

GHD will also perform a Level of Traffic Stress (LTS) analysis for bicycle facilities, as developed by the Mineta Transportation Institute. LTS analysis uses roadway conditions on a street segment or intersection to predict the comfort experienced by a bicyclist. The goal is to identify where there are high-stress connections or crossings that should be addressed to improve overall connectivity of the low-stress bicycle facility network. GHD will utilize bicycle network data in GIS format to conduct the analysis and produce the final maps. The maps will identify key





barriers to low-stress connectivity, suggesting where bicycle facility improvements should be focused to create comfortable routes to destinations that will be appealing to a greater number of potential bicyclists.

### Safety Analysis

GHD will also analyze the most recent 10 years of available data from the Transportation Injury Mapping System (TIMS) and prepare maps and other exhibits to illustrate locations or characteristics of collisions in the City for people bicycling and walking. Data will be reviewed to identify both locations with a history of reported collisions (“hot spots”), as well as risk factors for fatal and severe injury locations. GHD will also review data related to contributing factors, traffic violations, environmental conditions, injury severity, determinations of fault, and movements or behavior of involved parties preceding the reported collisions. This analysis will be documented in narrative form, as well as maps and other exhibits, as appropriate, and included in the Existing Conditions Summary (Technical Memorandum).

The existing conditions review will be documented in a **Needs Assessment Chapter**, described in Task 3.4, which will be provided to the City for review

and comment, and revised based on one set of consolidated, internally consistent comments from the City.

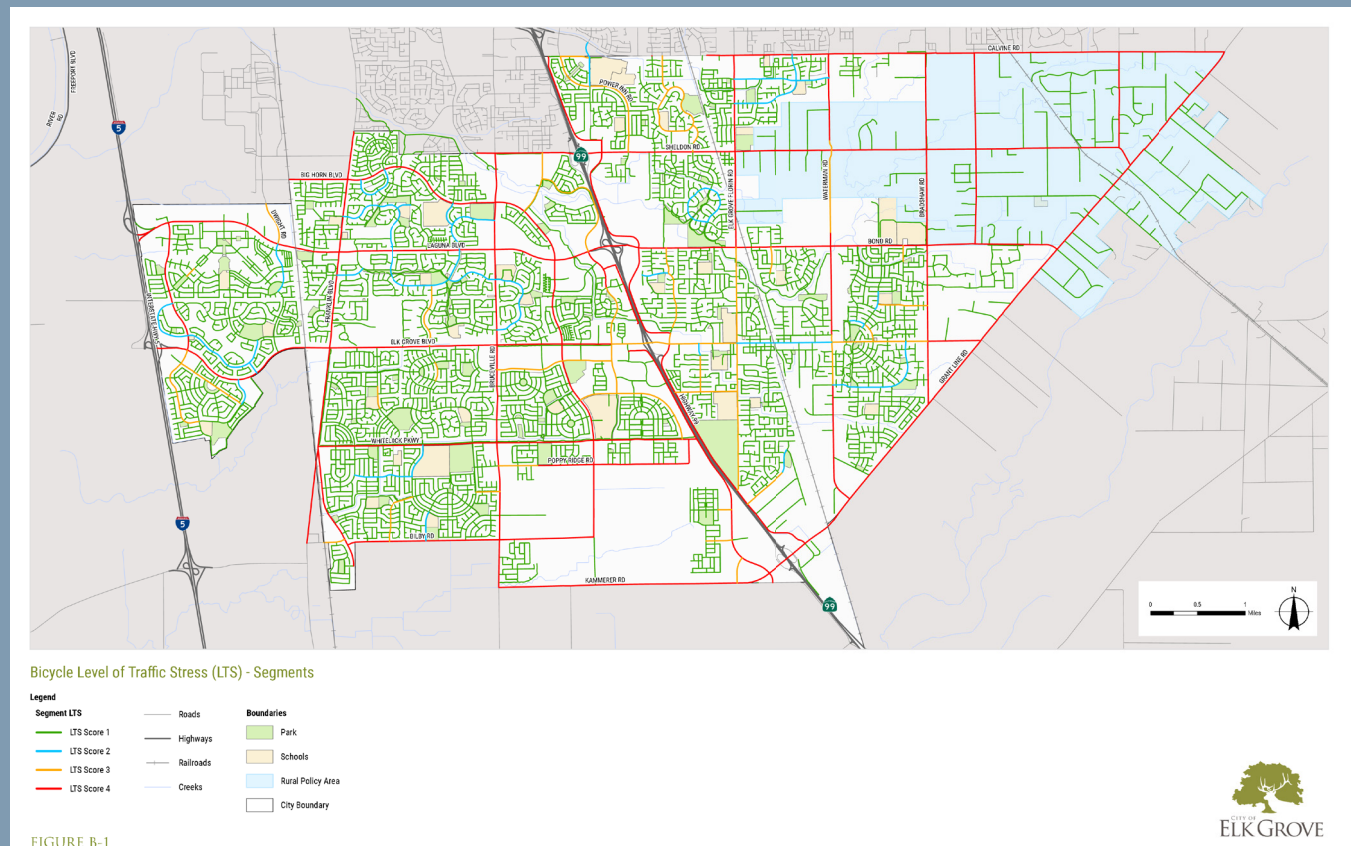
### Task 3.3 Deliverables:

- Existing conditions summary (Technical Memorandum)

### Task 3.4 – Needs Assessment

Utilizing the data gathered from the Existing Conditions Summary, GHD will prepare a Needs Assessment to identify conditions in key areas to gain a deeper understanding of community needs through prior review and analysis tasks. Component factors to inform the Needs Assessment will include:

- **Future Growth** – align the Pinole ATP needs with plans and programs that guide new development and bolster coordination with planned projects.
- **Bicyclist and Pedestrian Safety Needs** – using LTS data and analysis, identify where there are high-stress corridors, connections, or crossings that need to be addressed to improve overall traffic safety and connectivity with low stress active transportation facility network.



Example of Level of Traffic Stress

- **Gap and Barrier Analysis** – Using existing data and GIS analysis, GHD will identify gaps in the active transportation infrastructure such as the sidewalk network, as well as locations with incomplete or disconnected bikeways. The gap analysis will identify locations without these facilities currently and inform development of a prioritized set of recommendations.
- **Public Engagement** – with a focus on mobility and accessibility for people of all ages and abilities, gather input from community stakeholders that align with ATP plan goals and objectives, as well as projects and programs. The Needs Assessment will be documented in narrative form utilizing maps and information gathered in prior tasks, as well as in a series of maps. Maps will depict bicycle involved collisions and pedestrian-involved collisions.

#### **Task 3.4 Deliverables:**

- Needs Assessment Summary (Technical Memorandum)

## **TASK 4: PROJECT RECOMMENDATIONS**

### **Task 4.1 – Develop Project Recommendations**

GHD will develop a list of bicycle and pedestrian recommendations building from the existing conditions, and needs assessment detailed in Task 3, as well as community outreach in Task 2. project lists will be based on industry best practices and the GHD team's expertise in crafting context-appropriate active transportation facility networks for our clients.

#### **Pedestrian Network Recommendations**

The proposed pedestrian network will include recommendations for sidewalks and Class I shared use paths (consistent with the bicycle network recommendations). GHD will also identify locations for accessibility upgrades and crossing improvements, including enhanced crossing features such as Rectangular Rapid Flashing Beacons.

#### **Bicycle Network Recommendations**

The proposed bicycle facility network will consider recommendations for four classes of bikeways: Class I shared use paths (consistent with the pedestrian network recommendations), Class II bicycle lanes, Class III bicycle routes, and Class IV separated bikeways. As appropriate for local contexts, GHD will incorporate current best practices in bikeway design that build on these four classes with additional features and enhancements that improve safety and reduce traffic stress for people bicycling, including buffered bicycle lanes (a form of Class II) or bicycle boulevards (a form of Class III). Intersection and crossing recommendations

will also be provided, as appropriate, along with bicycle parking and other amenities.

The proposed Pedestrian and Bicycle Network Recommendations will be delivered to the City as a Workbook (Excel) that contains details such as facility type, location and or start/end points, length, and additional details necessary to describe the recommendation. In addition, maps of the network recommendations will be provided in PDF format. GHD will provide the draft recommendations files and schedule a meeting with the City to discuss comments. Recommendations will be revised based on one set of consolidated, internally consistent comments received from the City before being incorporated into the Draft Plan.

As part of this task, GHD will conduct a high-level review of local, regional, and state policies and best management practices to mitigate environmental impacts.

#### **Non-Infrastructure Recommendations**

GHD will review non-infrastructure programs that exist or have existed in the past. GHD will use information collected from the City and publicly available sources such as school districts and community organizations to document and evaluate existing programming. Programs typically fall within four of the "Five E's" of active transportation planning: engagement, education, encouragement, evaluation, and engineering (represented by the network recommendations and design standards).

- Engagement involves listening to and working with school communities and community organizations to understand their needs and build support for their programs.
- Education programs can address people driving, as well as pedestrians and bicyclists to distribute information on sharing roads and trails safely.
- Encouragement programs will create community interest and increase participation in walking, bicycling, and trails.
- Evaluation programs are invaluable to the success of bicycle, pedestrian, and trails planning efforts, and include measuring public reaction to programs and projects

After conducting this review of existing programs, GHD will develop recommendations for future programs.

#### **Task 4.1 Deliverable:**

- Project recommendations summary (Technical Memorandum)

## Task 4.2 – Financial Analysis

Following program and project prioritization, planning level cost estimates will be developed. GHD will provide a planning level unit cost list for recommended facility treatments involving capital improvements, as well as estimate future costs related to operations and maintenance. Also, actionable plans are fiscally constrained to what can reasonably be funded and developed within stated horizons of most comprehensive plans. Transformational projects requiring large investments will likely be a high priority to the Pinole community. As such, GHD will identify key funding programs and eligibility criteria at the regional, state, and federal levels so that transformational projects have the highest success when submitting grant applications. We will also provide estimates for project strategies for non-infrastructure programs based on examples from existing programs offered in US cities.

### **Task 4.2 Deliverables:**

- Financial analysis (Technical Memorandum)

**We have helped our clients secure over \$40 million in funding from the Active Transportation Program since its inception, contributing to a total of over \$150 million won for our clients across transportation funding programs.**

## TASK 5: PREPARE ACTIVE TRANSPORTATION PLAN

### **Task 5.1 – Develop Report**

The Draft ATP will incorporate the technical memoranda of prior tasks and highlight key public engagement input, as well as City staff direction. The Draft ATP will be developed in a format that is easily accessible and understandable to members of the public, but also useful and actionable for the City staff charged with implementing the ATP. The document will include an Executive Summary supplemented by maps, tables and graphics developed in prior tasks, as well as appendices for the technical memoranda. GHD will provide the Draft ATP to the City for review and will revise based on one set of internally consistent,

consolidated comments. Following revisions, the Final ATP will be completed.

### **Task 5.1 Deliverable:**

- Active Transportation Plan (draft and final)
- All project files, supporting technical data, reports, and documentation, and compilation of comments received and responses

### **Task 5.2 – Council/Commission Presentation**

GHD will be available to attend up to two (2) public meetings with City of Pinole governing boards, to be determined with City staff. The presentations will effectively and succinctly summarize the process, input and recommendations of the Pinole ATP. GHD will prepare a PowerPoint presentation and will assist City staff in presenting at the City Council meeting for approval and adoption. The slides will be provided to the City for review and revised based on one set of consolidated, internally consistent comments.

### **Task 5.2 Deliverable:**

- Presentation slides and attendance at up to two Commission/Council meetings



## 5. Cost Proposal

### APPENDIX C – COST PROPOSAL

Enter below the proposed not-to-exceed amount for providing consulting services as described in the Scope of Work.

Not to Exceed Amount: Seventy Five Thousand Dollars (\$75,000)

Attach separate details of the proposal to show the breakdown of the not-to exceed amount and provide hourly rate sheets as necessary.

1. I acknowledge receipt of this RFP and ☒ NA / # \_\_\_\_\_ addenda(s) for Consulting Services for the Development of an Active Transportation Plan.
2. I agree to submit monthly invoices and NET 30 payment terms.
3. This proposal shall remain firm for 120 days from the date of proposal.

NAME OF PROPOSER

GHD, Inc.

ADDRESS

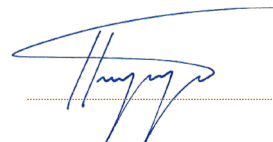
2300 Clayton Rd, Suite 920, Concord, CA 94520

TELEPHONE

916.245.4216

SIGNATURE OF PERSON

AUTHORIZED TO BIND PROPOSER



SIGNATURE'S NAME AND TITLE

Todd Tregenza, AICP, Project Director

DATE SIGNED

December 15, 2022



## GHD Cost Proposal and Hourly Rate Schedule

| Hourly Rate: |                                           | GHD Staff     |                  |                 |                           |               |                 |                      | Total Hours | Labor Cost | Other Direct Costs | TOTAL BUDGET |                |
|--------------|-------------------------------------------|---------------|------------------|-----------------|---------------------------|---------------|-----------------|----------------------|-------------|------------|--------------------|--------------|----------------|
|              |                                           | Kamesh Vedula | Todd Tregenza    | Colin Burgett   | Summer Lopez              | Kendra Ramsey | Emily Shandy    | Paige Thornton       |             |            |                    |              | Patrick Lewis  |
|              |                                           | Principal     | Project Director | Project Manager | Assistant Project Manager | Task Leader   | Public Outreach | Transp Planner & GIS |             |            |                    |              | Transp Planner |
|              |                                           | \$268         | \$241            | \$241           | \$183                     | \$202         | \$183           | \$158                | \$135       |            |                    |              |                |
| Task Name    |                                           |               |                  |                 |                           |               |                 |                      |             |            |                    |              |                |
| 1            | PROJECT ADMINISTRATION                    |               |                  |                 |                           |               |                 |                      |             |            |                    |              |                |
| 1.1          | Project Initiation                        |               | 2                | 2               | 4                         |               |                 |                      |             | 8          | \$1,696            | \$100        | \$1,796        |
| 1.2          | Project Management                        |               |                  | 2               | 4                         |               |                 |                      |             | 6          | \$1,214            | \$0          | \$1,214        |
| 2            | PUBLIC ENGAGEMENT                         |               |                  |                 |                           |               |                 |                      |             |            |                    |              |                |
| 2.1          | Public Participation Plan                 |               |                  | 1               | 1                         |               | 2               |                      |             | 4          | \$790              | \$0          | \$790          |
| 2.2          | Public Input Survey                       |               |                  | 1               | 2                         |               | 2               |                      | 11          | 16         | \$2,458            | \$0          | \$2,458        |
| 2.3          | Public Engagement Activities              |               | 4                | 12              | 20                        |               | 30              |                      |             | 66         | \$13,006           | \$400        | \$13,406       |
| 3            | EXISTING CONDITIONS ANALYSIS              |               |                  |                 |                           |               |                 |                      |             |            |                    |              |                |
| 3.1          | Plan and Policy Review                    |               |                  | 2               | 8                         |               |                 |                      |             | 10         | \$1,946            | \$0          | \$1,946        |
| 3.2          | Develop Goals, Objectives & Perf Measures |               |                  | 2               | 8                         |               |                 |                      |             | 10         | \$1,946            | \$0          | \$1,946        |
| 3.3          | Existing Conditions Review                | 1             | 2                | 4               | 12                        |               |                 | 23                   | 50          | 92         | \$14,294           | \$300        | \$14,594       |
| 3.4          | Needs Assessment                          |               | 2                | 8               | 12                        | 8             |                 | 4                    | 6           | 40         | \$7,664            | \$0          | \$7,664        |
| 4            | PROJECT RECOMMENDATIONS                   |               |                  |                 |                           |               |                 |                      |             |            |                    |              |                |
| 4.1          | Develop Project Recommendations           | 1             | 3                | 10              | 11                        | 8             |                 |                      | 4           | 37         | \$7,570            | \$0          | \$7,570        |
| 4.2          | Financial Analysis                        | 2             | 3                | 8               | 7                         | 6             |                 |                      | 4           | 30         | \$6,220            | \$0          | \$6,220        |
| 5            | PREPARE ACTIVE TRANSPORTATION PLAN        |               |                  |                 |                           |               |                 |                      |             |            |                    |              |                |
| 5.1          | Develop Report                            | 2             | 4                | 14              | 21                        | 8             |                 | 8                    | 20          | 77         | \$14,297           | \$0          | \$14,297       |
| 5.2          | Council/Commission Presentation           |               |                  | 4               |                           |               |                 |                      |             | 4          | \$964              | \$100        | \$1,064        |
|              | TOTALS                                    | 6             | 20               | 70              | 110                       | 30            | 34              | 35                   | 95          | 400        | \$74,065           | \$900        | \$74,965       |



## 6. Schedule

■ Task Progress   
 ■ Deliverable   
 ■ Kick-Off Meeting   
 ■ PA Meeting  
■ On-going Task   
 ■ Workshop   
 ■ Engagement Event   
 ■ Presentation

| Task Description                                        | Feb-23 | Mar-23 | Apr-23 | May-23 | Jun-23 | Jul-23 | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 |
|---------------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| <b>Task 1 Project Administration</b>                    |        |        |        |        |        |        |        |        |        |        |        |
| 1.1 Project Initiation                                  | M      | M      | M      | M      | M      | M      | M      | M      | M      | M      |        |
| <b>Task 2 Public Engagement</b>                         |        |        |        |        |        |        |        |        |        |        |        |
| 2.1 Public Participation Plan                           |        | D      |        |        |        |        |        |        |        |        |        |
| 2.2 Public Input Survey                                 |        |        |        |        |        |        |        |        |        |        |        |
| 2.3 Public Engagement Activities                        |        |        |        |        |        | W      |        |        | E      |        |        |
| <b>Task 3 Existing Conditions Analysis</b>              |        |        |        |        |        |        |        |        |        |        |        |
| 3.1 Plan and Policy Review                              |        |        | D      |        |        |        |        |        |        |        |        |
| 3.2 Develop Goals, Objectives, and Performance Measures |        |        |        | D      |        |        |        |        |        |        |        |
| 3.3 Existing Conditions Review                          |        |        |        |        | D      |        |        |        |        |        |        |
| 3.4 Needs Assessment                                    |        |        |        |        |        | D      |        |        |        |        |        |
| <b>Task 4 Project Recommendations</b>                   |        |        |        |        |        |        |        |        |        |        |        |
| 4.1 Develop Project Recommendations                     |        |        |        |        |        |        | D      |        |        |        |        |
| 4.2 Financial Analysis                                  |        |        |        |        |        |        |        | D      |        |        |        |
| <b>Task 5 Prepare Active Transportation Plan</b>        |        |        |        |        |        |        |        |        |        |        |        |
| 5.1 Develop Report                                      |        |        |        |        |        |        |        |        | D      |        |        |
| 5.2 Council/Commission Presentation                     |        |        |        |        |        |        |        |        |        | P      | P      |

## 7. Exceptions/Deviations

GHD has carefully reviewed the RFP's conditions, requirements and sample contract. We have current executed contracts with the City and anticipate signing future contracts with the same language.

## 8. Conflict of Interest Statement

GHD does not have any existing or potential conflict of interest relative to the performance of the contractual services resulting from this RFP.

## 9. Contract Agreement

These proposal terms shall remain in effect for one hundred and twenty (120) days from this day, December 15, 2022.

# A

## **APPENDIX:** **Key Personnel Resumes**



## Colin Burgett

### Project Manager



#### Location

San Francisco, CA

#### Experience

20 years

#### Qualifications/Accreditations

- MS, City & Regional Planning, Polytechnic State University, San Luis Obispo, CA, 1998
- BS, Political Science, University of Oregon, Eugene, OR, 1993

#### Relevant Experience Summary

Colin has over 20 years of professional experience with expertise in multimodal transportation and integrated transportation / land use planning. He specializes in strategic planning for large-scale projects, including citywide transportation plans, large area plans, campus plans, bicycle and pedestrian master plans, EIR transportation studies, VMT policy development and assessments, Bus Rapid Transit (BRT) corridor studies, and transit station area plans. Colin has extensive experience with projects that emphasize corridor revitalization, transit-oriented development, and complete streets planning. He manages projects that place a strong emphasis on facilitating the interactions between transportation systems, land use patterns, and urban design components.

#### Project Experience

##### ***Belmont Comp. Pedestrian & Bicycle Plan Project***

**Role:** Task Leader

**Client:** City of Belmont

**Location:** Belmont, CA

Prepared a comprehensive needs assessment, incorporating public input. Developed citywide bikeway network and pedestrian priority improvement recommendations. Worked with team on cost estimates. Worked closely with City staff and technical advisory committee and led walking tour. Prepared a strategic implementation plan and CIP list with phasing.

##### ***Scotts Valley Active Transportation Plan Project***

**Role:** Subconsultant Project Manager

**Client:** City of Scotts Valley

**Location:** Scotts Valley, CA

Reviewed existing conditions and developed improvement options and concept designs as a subconsultant to Ecology Action. Conducted community workshop discussions to gather input on key needs and developed improvement options.

##### ***Safe Routes to Downtown Los Altos Project***

**Role:** Principal-in-Charge

**Client:** Passarelle Investment Company

**Location:** Los Altos, CA

Oversaw study focused on enhancing connections to Downtown Los Altos for pedestrians and bicyclists. The study investigated potential surface access improvements. Developed several conceptual design alternatives to improve pedestrian crossings by redesigning right-turn slip lanes.

##### ***San Leandro Bicycle & Pedestrian Master Plan Project***

**Role:** Project Manager

**Client:** City of San Leandro

**Location:** San Leandro, CA

Key tasks included updates to the recommended bikeway network and incorporation of a pedestrian component. Pedestrian and bicycle improvement options were developed for high-priority and "hot-spot" locations.

##### ***Oakland Bicycle Master Plan Project***

**Role:** Principal Author, Lead Planner

**Client:** City of Oakland

**Location:** Oakland, CA

Served as Principal Author and Lead Planner of the City of Oakland's first Bicycle Master Plan. Worked closely with the City's Bicycle and Pedestrian Advisory Committee, developed the plan components including bikeway network map, and led the plan through public review and adoption.

##### ***Patterson Active Transportation Plan Project***

**Role:** Project Manager

**Client:** City of Patterson

**Location:** Patterson, CA

Managed initiation of a citywide Active Transportation Plan (ATP) that focuses on non-motorized forms of travel. Oversaw development of a project website to facilitate community outreach and led discussions with the citizens' advisory committee.



## Todd Tregenza AICP

### Project Director



#### Location

Sacramento, CA

#### Qualifications/Accreditations

- BS, Community and Regional Development, University of California, Davis, CA, 2007
- American Institute of Certified Planners #29678

#### Experience

15 years

#### Memberships

- American Planning Association
- Young Professionals in Transportation

### Relevant Experience Summary

Todd has 15 years of experience in transportation planning projects, assisting dozens of agencies throughout central and northern California in short- and long-range programming, including the development of travel demand models, general plan circulation elements, specific and master plans, corridor studies, capital improvement programs, nexus and fee studies, transportation operational analyses, and impact analyses. This experience spans public and private sectors, extending into on-call contracts and arrangements with municipalities, where Todd prepares transportation studies and grant applications, performing peer reviews of impact studies and developing California Environmental Quality Act (CEQA) impact analyses for development projects of all sizes.

### Project Experience

#### *City of Santa Maria Active Transportation Plan*

**Role:** Senior Transportation Planner

**Client:** City of Santa Maria

**Location:** Santa Maria, CA

Assisted in the assembly and preparation of background transportation conditions. Assisted in the mapping of points of interest and bicycle connectivity relative to route comfort level. Reviewed proposals for bicycle route enhancements and new bicycle facility recommendations and assisted team in ensuring proposals were prioritized against established performance metrics.

#### *City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan Project*

**Role:** Senior Transportation Planner

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

As part of the GHD team, leading development of an Active Transportation impact fee to serve as a companion program to the City's Roadway impact fee. Applying use of an asset-based methodology to generate a nexus between future development and active transportation improvement needs without using Level of Service (LOS).

#### *Imola Corridor Complete Streets Improvement Plan*

**Role:** Project Manager

**Client:** Napa Valley Transportation Authority

**Location:** Napa, CA

Managed the development of a 3.5-mile multimodal complete streets plan for Imola Avenue in the City and County of Napa. The plan primarily addressed safety improvements for all road users and improved pedestrian and bicyclist mobility. Coordinated plan development with agency and community stakeholders to ensure

a community-driven process, then prioritized and programmed improvements according to various measures of effectiveness, such as cost-benefit, constructability, and environmental stewardship.

#### *Valley Springs Town Center Connectivity Plan*

**Role:** Project Manager

**Client:** Calaveras Council of Governments

**Location:** Valley Springs, CA

Managed the development of a community-driven multimodal complete streets plan for the "Town Center" area within Calaveras County, with a focus on multimodal and school safety. Coordinated plan development with community stakeholders to ensure community "buy-in" on recommendations and ensured support from all public agency partners, including Caltrans, Calaveras County, and Calaveras Council of Governments. Assessed existing conditions for bicycle, pedestrian, transit, and auto users, including intersection operations, multimodal traffic stress and safety, and accessibility and connectivity. Developed implementable, cost-effective grant-eligible, prioritized infrastructure recommendations for plan.

#### *City of Turlock Active Transportation Plan Project*

**Role:** Transportation Planner

**Client:** City of Turlock

**Location:** Turlock, CA

Prepared the City's first ATP as part of the Alta Design + Planning Team. The project team identified gap closure projects and reassessed the City's planned multimodal infrastructure in the context of improving connectivity and ensuring strong multimodal connections between critical destinations, such as schools, residential neighborhoods, and parks. For each identified project, a sheet was developed that highlighted destinations served, existing conditions, relation to existing plans, and possible funding sources, such as grant programs. Project included a citywide collision analysis and GIS mapping through every stage.



## Kamesh Vedula PE, TE

### QA/QC



### Location

Roseville, CA

### Experience

21 years

### Qualifications/Accreditations

- MS, Transportation, Kansas State University, Manhattan, KS, 2004
- BS, Civil Engineering, Nagarjuna University, Bapatla, India, 2000
- Civil Engineer, CA #79926
- Traffic Engineer, CA #2546

### Relevant Experience Summary

Kamesh has over 21 years in the disciplines of transportation engineering, planning, and modeling. He oversees the workload balance of the transportation planning / engineering group and coordinates with other groups and regions to level staff resources. Kamesh is an Intersection Control Evaluation (ICE) specialist, completing numerous ICE projects within a majority of Caltrans Districts and conducting ICE analyses training classes in Caltrans District 11 and Headquarters. His project management experience includes Caltrans Project Study Report-Project Development Support (PSR-PDS), Project Approval / Environmental Documents (PA/ED), ICE studies, roundabout planning / design, advanced roundabout operations analyses / design, complete streets studies, corridor studies, traffic impact studies, and traffic safety studies. Kamesh oversees daily operations including team meetings, scheduling, invoicing, and client coordination through active communication.

### Project Experience

#### ***Santa Maria Active Transportation Plan Project***

**Role:** Project Director

**Client:** City of Santa Maria

**Location:** Santa Maria, CA

Oversaw the development and provided QA / QC and engineering advice for the Santa Maria Active Transportation Plan, an actionable, financially constrained plan which provides a foundation for future grant applications to improve bicycle and pedestrian connectivity in Santa Maria. Plan development included significant outreach to diverse local constituencies, data-driven analysis of existing conditions, and development of context-appropriate facility and program recommendations.

#### ***Eastside Transportation Corridor Improvement Study Project***

**Role:** Principal-in-Charge

**Client:** County of Fresno

**Location:** Fresno County, CA

Served as Principal-in-Charge overseeing a diverse, five-firm project team to develop comprehensive report on existing transportation conditions, future needs, and network recommendations to improve multimodal transportation in rural, eastern Fresno County. Provided QA / QC on traffic modeling and recommendations development.

#### ***City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan Project***

**Role:** Principal-in-Charge

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

Provided technical oversight for a three-firm project team in the development of an update to the City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan, which will prepare the City to seek grant funding and quickly implement high-priority recommendations. The plan will include context-appropriate network recommendations for the urban, suburban, and rural areas of the City, and will recommend strategies to leverage new development to construct a well-connected active transportation network.

#### ***Valley Springs Town Center Connectivity Plan (Valley Springs Complete Streets) Project***

**Role:** Principal-in-Charge, Advisor

**Client:** Calaveras Council of Governments

**Location:** Calaveras County, CA

Oversaw the traffic forecasting and operations, assisted with identification of improvements for consistency against the project need and purpose, and reviewed cost estimates. The plan identified near- and long-term complete streets projects for implementation along SR 49 and Mountain Ranch Road. Improvements included bicycle and pedestrian facilities to close network gaps and provide safe crossings, intersection signalizations, and potential roundabout locations as well as a new multi-modal network to connect growth areas to existing neighborhoods and amenities.



## Summer Lopez

### Assistant Project Manager



#### Location

Sacramento, CA

#### Qualifications/Accreditations

- BA, Urban Studies and Planning, University of California, San Diego, CA, 2015

#### Relevant Experience Summary

Summer has over seven years of experience in transportation planning with a specialty in active transportation, non-infrastructure, and plans. Summer spent three years at Caltrans managing plan and non-infrastructure project types through California's Active Transportation Program (ATP) and has managed a variety of projects that support active transportation project implementers through California's Active Transportation Resource Center. These projects range in technical assistance programs, active transportation project evaluation, bicycle and pedestrian infrastructure design and non-infrastructure program development training and resources. She is well-versed and experienced in community engagement and has implemented in-person and virtual engagement efforts at the local, regional and state level. Summer has both contributed to major planning efforts of regional plans and managed active transportation plans and scope development at the state level. She has spent the last few years supporting agencies through all aspects of their ATP projects and ensuring success for local agencies in the delivery of their non-infrastructure and plan projects.

#### Project Experience

##### ***Chico Active Transportation Plan (ATP) Project***

**Role:** Planner

**Client:** City of Chico

**Location:** Chico, CA

Supporting the development of an Active Transportation Plan focused on improving safety, comfort, and connectivity for people walking and bicycling in Chico, a Bicycle Friendly Community. Led the development of city-wide bicycle and pedestrian recommendations, prepared English and Spanish flyers for upcoming workshops.

##### ***City of Elk Grove Laguna Creek Inter-Regional Trail Master Plan Project***

**Role:** Planner

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

Supporting the development of a comprehensive plan for the completion of the Laguna Creek Trail, serving the Cities of Elk Grove and Sacramento, and Sacramento County. Prepared public draft for comments, engaged with residents at a festival for an outdoor pop-up workshop, and prepared presentations for various committee meetings to share public draft.

##### ***ATP Non-Infrastructure and Plans Project***

**Role:** Program Manager

**Client:** Caltrans Headquarters

**Location:** Sacramento, CA

Managed various aspects of the ATP's non-infrastructure and plan project types. Developed guidance and policies for the program,

#### Experience

7 years

#### Memberships

- Women's Transportation Seminar; Sacramento Chapter Board Member
- American Planning Association; Sacramento Valley PLAN Mentorship Steering Committee Member

reviewed scopes of all funded ATP plan and non-infrastructure projects and reviewed all non-infrastructure and plan applications for Project Study Report (PSR) equivalent in both ATP Cycles 5 and 6. Worked with the California Transportation Commission on guideline development and co-led non-infrastructure guidance development for ATP Cycles 5 and 6. Aided local agencies in implementing successful projects on time and on budget.

##### ***Active Transportation Resource Center Project***

**Role:** Project Manager

**Client:** Caltrans Headquarters

**Location:** Sacramento, CA

Managed the Active Transportation Resource Center, including managing up to 10 active transportation-focused projects at a time. Developed resources, tools, training, and technical assistance programs to support active transportation project implementers throughout California.

##### ***Disadvantaged Communities Technical Assistance Program Project***

**Role:** Project Manager

**Client:** Caltrans Headquarters

**Location:** Sacramento, CA

Developed and managed the Disadvantaged Communities Technical Assistance Program for both Active Transportation Program Cycle 5 and 6, developed program selection criteria, survey, and performed selection of recipients. Shared program outcomes to many differing audiences throughout the state, partnering with and garnering support from the Caltrans districts and the California Transportation Commission.





## Kendra Ramsey AICP

### Task Leader



#### Location

Sacramento, CA

#### Experience

15 years

#### Qualifications/Accreditations

- MS, Community Development, University of California, Davis, CA, 2009
- BA, Sociology, University of California, Santa Cruz, CA, 2005
- American Institute of Certified Planners (AICP) Certified Planner #32395
- Safe Routes to School National Course Instructor

#### Relevant Experience Summary

Kendra has 15 years of experience in active transportation and sustainable land use planning, policy, program design, and implementation. She has cross-sector expertise in community engagement, public health, and transportation equity. Kendra's experience includes state and local government as well as the non-profit sector. She has managed the development of numerous Active Transportation Plans (ATP) for municipal and county clients, developed and implemented Safe Routes to School (SRTS) plans and programs, consulted on effective active transportation accommodation within large roadway projects, and written successful regional and state grant applications for local agencies

#### Project Experience

##### ***Elk Grove Bicycle, Pedestrian, and Trails Master Plan Project***

**Role:** Project Manager

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

Managed a three-firm project team in the development of an update to the Elk Grove Bicycle, Pedestrian, and Trails Master Plan that will prepare the City to seek grant funding and quickly implement high-priority recommendations. The plan includes context-appropriate network recommendations for the urban, suburban, and rural areas of the City and recommends strategies to leverage new development to construct a well-connected active transportation network. Extensive engagement conducted during the COVID-19 stay-at-home orders via a variety of virtual engagement media.

##### ***Imola Avenue Corridor Complete Streets Study***

**Role:** Active Transportation Advisor

**Client:** Napa Valley Transportation Authority

**Location:** Napa, CA

Provided draft concept improvement review and consulted on strategies to maximize active transportation benefits on a corridor study to increase multimodal comfort and accessibility, improve traffic operations, and create a vibrant and inviting streetscape. The visually rich plan includes documentation of existing conditions and needs identified by the community alongside recommended improvements and a strategic implementation plan that considers funding opportunities and maintenance.

##### ***Chico Active Transportation Plan Project***

**Role:** Project Manager

**Client:** City of Chico

**Location:** Chico, CA

Managing the development of an ATP focused on improving safety, comfort, and connectivity for people walking and bicycling in Chico, a Bicycle Friendly Community. Recently hosted the first community workshop for the event, which was attended by over 100 people.

##### ***City of Santa Maria Active Transportation Plan***

**Role:** Project Manager

**Client:** City of Santa Maria

**Location:** Santa Maria, CA

Managed the development of the ATP to improve bicycling and walking in Santa Maria, a disadvantaged community. Developed and implemented effective virtual engagement strategy during COVID-19 pandemic. Managed development of a Cycle 5 Active Transportation Program grant application for priority projects.

##### ***Gustine Active Transportation Plan Project***

**Role:** Project Manager

**Client:** City of Gustine

**Location:** Gustine, CA

Managed the development of an ATP for the city of Gustine in California's Central Valley. Developed and implemented a hybrid community engagement program, including virtual Project Advisory Committee meetings to provide strategic direction, virtual workshops, and an interactive website, and in-person pop-up engagement at community events.



## Emily Shandy AICP, LCI

### Public Outreach



#### Location

Sacramento, CA

#### Qualifications/Accreditations

- BA, Urban Studies and Planning, University of California, San Diego, CA, 2012
- American Institute of Certified Planners #32363, American Planning Association
- League Cycling Instructor #4752, League of American Bicyclists

#### Experience

11 years

#### Memberships

- Association of Pedestrian and Bicycle Professionals, Sacramento Region Chapter, Founder/Co-Chair
- City of Davis Planning Commission
- American Planning Association
- League of American Bicyclists

#### Relevant Experience Summary

Emily has 11 years of experience in transportation planning and public engagement. Her expertise includes developing active transportation plans at the city, county, and statewide level; developing, implementing, and evaluating SRTS plans and programs; conducting trail and corridor studies; writing reports to secure Caltrans approvals for projects on the state highway system; and writing successful state and regional grant applications for local agencies. With a focus on community needs and unique contexts, Emily excels at delivering projects that help clients advance their vision for their community while balancing the needs and requirements of diverse stakeholders and responsible agencies.

#### Project Experience

##### ***Elk Grove Bicycle, Pedestrian, and Trails Master Plan Project***

**Role:** Assistant Project Manager

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

Assisted the project manager and served as the planning lead for a three-firm project team in the development of an update to the Elk Grove Bicycle, Pedestrian and Trails Master Plan to prepare the City to seek grant funding and quickly implement high-priority recommendations. The completed plan included context-appropriate network recommendations for the urban, suburban, and rural areas of the City and recommended strategies to leverage new development to construct a well-connected active transportation network.

##### ***Gustine Active Transportation Plan (ATP) Project***

**Role:** Assistant Project Manager

**Client:** City of Gustine

**Location:** Gustine, CA

Assisted the project manager with oversight of the development of an active transportation plan for the City of Gustine in California's Central Valley. The project included engaging a core group of stakeholders to provide strategic direction and insight into the community's first active transportation plan.

##### ***Santa Maria ATP Project***

**Role:** Senior Planner

**Client:** City of Santa Maria

**Location:** Santa Maria, CA

Assisted with development of recommended facilities and reviewed deliverables for best practices in active transportation planning to provide a plan and project list to be utilized to support the pursuit of competitive grant funding.

##### ***Livermore Bicycle, Pedestrian, and Trails ATP Project***

**Role:** Planner

**Client:** City of Livermore

**Location:** Livermore, CA

Stepped in and led the development of this plan through the end of the project after multiple staff changes contributed to significant delays. Refined and completed the plan on time and within the remaining budget, delivering to the client a detailed document with analysis of existing conditions; comprehensive bicycling, walking, and equestrian project and program recommendations; and a thoughtful strategy to guide the City in implementing the plan. Work performed while with another firm.

##### ***Concord Bicycle, Pedestrian, and Safe Routes to Transit Plan Project***

**Role:** Lead Planner

**Client:** City of Concord

**Location:** Concord, CA

Led development of an ATP that included a focus on connections to Bay Area Rapid Transit (BART) and other transit options in the community. Community outreach emphasized capacity building for residents, with multiple bilingual workshops centered on building a shared understanding of planning concepts and processes to empower residents in shaping the future of their community. Work performed while with another firm.



## Paige Thornton

### Transportation Planner / GIS



#### Location

Sacramento, CA

#### Qualifications/Accreditations

- BA, American Studies and Political Science (Minor: Urban Studies and Planning), San Francisco State University, CA, 2016

#### Experience

3 years

#### Memberships

- Young Professionals in Transportation, Member and Former Board of Director's Member
- American Planning Association, Sacramento Valley Chapter
- Association of Pedestrian and Bicycle Professionals, Sacramento Region Chapter

### Relevant Experience Summary

Paige, an early-career geospatial professional with a focus in transportation planning, joined GHD in 2019 possessing strong communication skills with a background in local government, as well as client-facing and customer service roles. She is an analyst who provides support on a variety of planning and land use projects, including active transportation plans, multimodal corridor / connectivity studies, and Vehicle Miles Traveled (VMT) mitigation studies. With extensive analytical and technical project experience utilizing GIS, data analysis and Creative Suite software, Paige excels in managing and analysing spatial and non-spatial data and supporting public outreach efforts.

### Project Experience

#### *City of Elk Grove Bicycle, Pedestrian, and Trails Master Plan Project*

**Role:** Transportation Planner

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

The Project will result in an update to the City's Master Plan, with network recommendations tailored to the City's diversity of land uses to develop a safe and well-connected active transportation network. Managed spatial analysis tasks, led safety analysis, LTS analysis, and recommendation development/ prioritization process, assisted in developing report content, and built and managed the project's public outreach website and interactive web map.

#### *Eastside Transportation Corridor Improvement Study*

**Role:** GIS Analyst

**Client:** Fresno Council of Governments

**Location:** Fresno County, CA

Supporting the project manager, served as Lead Transportation Planner for the recommendation development, prioritization and benefit-cost assessment phases of the project. As Lead Transportation Planner, led data analysis, plan development, as well as managed spatial data analysis and mapping tasks.

#### *City of Santa Maria Active Transportation Plan*

**Role:** Transportation Planner

**Client:** City of Santa Maria

**Location:** Santa Maria, CA

The project resulted in the City's first ATP, which provides a foundation for future grant applications to improve safety and connectivity in Santa Maria. Served as the primary analyst responsible for LTS analysis, safety assessment, recommendation development / prioritization and spatial analysis

and mapping tasks. Assisted with public outreach efforts, including preparing and facilitating public workshops, as well as managing the project website and the interactive web map. Also supported the development of the ATP Cycle 5 grant application that resulted from the plan.

#### *State Route (SR) 29 Comprehensive Multimodal Corridor Plan Project*

**Role:** Transportation Plan

**Client:** Nevada County Transportation Commission

**Location:** Napa Valley, CA

The project resulted in a comprehensive multimodal Plan for the SR 29 corridor through Napa and Solano Counties, including the cities of Vallejo, American Canyon and Napa, providing multimodal solutions to address the needs of a severely congested corridor. Assisted with the community/stakeholder outreach efforts, created and managed the public outreach website using Social Pinpoint platform (interactive web-based tool), created the Synchro network for Level of Service analysis, completed planning document and policy review, performed LTS and safety analyses, developed plan components, and managed spatial analysis and mapping tasks.

#### *Trinity County Active Transportation Plan Project*

**Role:** Transportation Planner

**Client:** Trinity County Resource Conservation District

**Location:** Trinity County, CA

The project resulted in the analysis of the existing transportation conditions in the County, as well as a set of recommended improvements to address the identified needs of each of the jurisdictions within the County. GHD prepared a report of findings, and the final document was produced by County staff. Completed the LTS analysis, developed improvement recommendations and map packages of improvements for all major community areas in Trinity County, and developed report content.



## Patrick Lewis MPL

### Transportation Planner



#### Location

Los Angeles, CA

#### Qualifications/Accreditations

- MPL, Transportation Planning, University of Southern California, Los Angeles, CA, 2020
- BA, Sociology, University of California, Davis, CA, 2011

#### Experience

4 years

#### Memberships

- American Planning Association

### Relevant Experience Summary

Patrick has four years of experience in active transportation and mobility planning, policy, and implementation. He has supplementary expertise in community engagement, intelligent transportation systems, and transit marketing. Patrick's experience includes state and local government as well as the private sector. He has contributed to Active Transportation Plans for municipal clients, supported outreach for live events and pop-up transportation infrastructure demonstration projects, managed the municipal bicycle parking program for the City of Los Angeles, designed site plans for innovative bicycle parking hub facilities, written Federal grant applications supporting safe streets, and evaluated state grant applications for the California Transportation Commission's Active Transportation Program.

### Project Experience

#### *Chico Active Transportation Plan Project*

**Role:** Planner

**Client:** City of Chico

**Location:** Chico, CA

Leading chapter development of an Active Transportation Plan focused on improving safety, comfort, and connectivity for people walking and bicycling in Chico, a bicycle-friendly community. Developed programmatic and policy chapters, created an online survey to garner stakeholder feedback, and publicized the first community workshop via email marketing and project website.

#### *City of Elk Grove Laguna Creek Inter-Regional Trail Master Plan Project*

**Role:** Planner

**Client:** City of Elk Grove

**Location:** Elk Grove, CA

Supporting the development of a comprehensive plan for the completion of the Laguna Creek Trail, serving the cities of Elk Grove and Sacramento, and Sacramento County. This project builds on work in the Bicycle, Pedestrian, & Trail Master Plan to further conceptual design of the gaps in the current trail network. Contributed to multiple Laguna Creek Inter-Regional Trail Master Plan programmatic and policy chapters, including funding sources.

#### *Colfax Downtown Connectivity and Main Street Improvement Plan Project*

**Role:** Planner

**Client:** City of Colfax

**Location:** Colfax, CA

Contributing to existing conditions and transportation analysis of the Colfax Downtown Connectivity and Main Street Improvement Plan, which will serve as a road map for the transformation of Downtown Colfax into an area with a connected network for walking and bicycling and an inviting environment for residents and visitors to frequent local businesses and civic amenities. Wrote the project data request memo, cataloguing all of the documents, data, and key information needed to complete the existing conditions review, build basemaps, etc.

#### *Sacramento County "Safe Streets and Roads for All" Grant Writing Project*

**Role:** Planner

**Client:** County of Sacramento

**Location:** North Highlands, CA

Supported the development of a US Department of Transportation "Safe Streets and Roads for All" Grant application in the 2022 application cycle for the County of Sacramento in Northern California. Served as the lead author of the application narrative, demonstrating the need for the project, the innovative features, and the extensive community engagement. The project addresses safety for pedestrians and bicyclists through a multi-modal reimagining of Elkhorn Boulevard, a high injury corridor in the unincorporated community of North Highlands, including upgraded Class IV bike lanes, curb ramps, and sidewalk gap closures as well as non-infrastructure elements like community and roadway safety education and marketing campaigns.







## CITY COUNCIL REPORT

9D

**DATE:** MARCH 7, 2023

**TO:** MAYOR AND COUNCIL MEMBERS

**FROM:** JOE BINGAMAN, PUBLIC WORKS MANAGER  
SANJAY MISHRA, PUBLIC WORKS DIRECTOR

**SUBJECT: REPORT ON CITY-OWNED PROPERTIES AND RECOMMENDATION  
TO FUND A PROPERTY AND FACILITIES MASTER PLAN AS PART OF  
THE FY 2023/24 – 2027/28 CAPITAL IMPROVEMENT PLAN**

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### **RECOMMENDATION**

Staff recommends that the City Council receive information on City-owned properties and allocate funding to prepare a property and facilities master plan as part of the Capital Improvement Plan (CIP) for Fiscal Year (FY) 2023/24 – 2027/28.

### **BACKGROUND**

The City Council requested a future Council agenda item of a report on City-owned property.

The City owns various types of properties and facilities, including office buildings, recreational centers, parks, and public safety facilities. Many of these facilities are aging and require renewal. Some properties are underutilized, leading to unnecessary operating costs. The City actively manages twelve facilities with over 107,000 square feet of space, of which approximately 40,000 square feet is office space.

A Property and Facilities Master Plan will provide direction to the City on how to best utilize and maintain the City's properties and facilities. It will provide information on major maintenance needs (e.g., repairs vs. replace) of City facilities and will help the City to better coordinate funding streams, efficiently manage staff resources, and maximize property utilization. Cost projections will be developed and will provide a basis for capital projects.

The City recently procured the Beehive asset management system and staff is in the process of completing data entry of all the assets the City owns (i.e., buildings, parking lots, storm water infrastructure, sanitary sewer collection system, parks, open spaces, etc.). Staff uses the system to log repair requests, generate work orders, assign tasks, and record maintenance work.

Table1 below lists facilities which are actively maintained by Public Works Operations and Maintenance division. Listed area of the facilities are approximations.



**TABLE 1**

| <b>Facilities</b>                                         | <b>Area in Square Feet</b> |
|-----------------------------------------------------------|----------------------------|
| City Hall                                                 | 16,000                     |
| Public Safety Building (Police and Fire Departments)      | 20,000                     |
| Youth Center                                              | 6,000                      |
| Memorial Hall (Theater)                                   | 2,600                      |
| Senior Center                                             | 16,300                     |
| Swim Center                                               |                            |
| - Main Building                                           | 2,300                      |
| - Property including pool.                                | 22,000                     |
| - Storage Shed/Snack Shed                                 | 700                        |
| Tiny Tots                                                 | 6,400                      |
| Water Pollution Control Plant (WPCP) Offices              | 2,900                      |
| Public Works Operation & Maintenance Office (within WPCP) | 1,400                      |
| Corp Yard- Maintenance Building (within WPCP)             | 1,500                      |
| Pinole Shores Maintenance Building                        | 1,400                      |
| Fire Station 74                                           | 2,600                      |
| Post Office                                               | 4,600                      |
| <b>Total</b>                                              | <b>106,700</b>             |

Attachment A lists other properties that City of Pinole owns and manages on an as needed basis. Open spaces are considered natural areas and Public Works does not maintain Open Space areas.

## **REVIEW & ANALYSIS**

The goal of a property and facilities master plan is to optimize the use of City-owned properties, reduce maintenance and operating costs, and ensure safe and secure environments for employees and the public.

It is anticipated that the scope of services of a consultant that would create a property and facilities master plan would include the tasks below.

### **Task 1 – Evaluation and Gathering Data & Visioning**

Consultant will work with the City staff to understand and generally document the existing City properties, major department facilities, and defined programmatic needs.

### **Task 2 – Analysis**

Consultant will use the data collected during Task 1 to define strategic City facility needs on a 20 year timetable, which include initial ranking/prioritizing.

### **Task 3 – Initial Findings and City Council Presentation**

Consultant will evaluate information gained from work documented in Tasks 1 and 2 and develop an initial findings master plan report. Components of the report will include facilities needs assessment, demographics and projected growth, City services analysis for each department and a Project Procurement Manual for future facilities development.

#### **Task 4 – Property and Facilities Master Plan**

Consultant will evaluate and refine information gained from work documented in all previous tasks to develop a final Property and Facilities Master Plan Report.

#### **FISCAL IMPACT**

There is no fiscal impact to receiving this report. It is estimated that a budget of \$150,000 will be needed in the CIP for preparation of a Property and Facilities Master Plan.

#### **ATTACHMENTS**

A – City-Owned Properties (Other than Facilities)

## Attachment A – City-Owned Properties (Other Than Facilities)

| Description                   | Address                        | Parcel Number | Use                   |
|-------------------------------|--------------------------------|---------------|-----------------------|
| City Monument Sign            | San Pablo Avenue               | 401-200-017   | Community Enhancement |
| Elevated sitting area         | San Pablo Avenue               | 401-150-031   | Community Enhancement |
| Parking lot                   | 659 Tennent Avenue             | 401-141-015   | Community Enhancement |
| Parking lot                   | Tennent Avenue                 | 401-142-012   | Community Enhancement |
| Parking lot                   | 648 Tennent Avenue             | 401-142-013   | Community Enhancement |
| Parking lot                   | 836 Tennent Ave                | 401-164-003   | Community Enhancement |
| Parking lot                   | 813 Fernandez Ave              | 401-166-027   | Community Enhancement |
| Parking lot                   | 2572 Charles Ave               | 401-182-001   | Community Enhancement |
| Parking lot                   | 2560 Charles Ave               | 401-182-003   | Community Enhancement |
| Parking lot above Post Office | Pear Street                    | 401-487-001-0 | Community Enhancement |
| Parking lot and sidewalk      | Adjacent to Charles            | 401-200-016-4 | Community Enhancement |
| Parking Lot at Senior Center  | 2518 Charles Ave               | 401-182-005   | Community Enhancement |
| SS Lift Station               | San Pablo Ave                  | 402-161-001   | Government Services   |
| SS Lift Station               | Hazel St (Easement)            | 402-013-061   | Government Services   |
| Open Space                    | Ridge above Goularte           | 360-240-025   | Open Space            |
| Open Space                    | Ponderosa Trail                | 360-601-001-9 | Open Space            |
| Open Space                    | Ponderosa Trail                | 360-602-001   | Open Space            |
| Open Space                    | adjacent to Mariotti Reservoir | 401-230-016-8 | Open Space            |
| Open Space                    | Galbreth                       | 430-033-001   | Open Space            |
| Open Space                    | Galbreth                       | 430-411-003   | Open Space            |
| Open Space                    | Galbreth                       | 430-412-001   | Open Space            |
| Open Space                    | Galbreth                       | 430-421-021   | Open Space            |
| Open Space                    | Galbreth                       | 430-422-001   | Open Space            |
| Open Space                    | near Avis                      | 430-432-001   | Open Space            |
| Open Space                    | Avis Way                       | 430-490-005   | Open Space            |
| Hugh Young Area               | 3760 Victor St                 | 360-392-010   | Open Space            |
| Land locked parcel            | Near Henry                     | 401-462-039-9 | Open Space            |
| Eucalyptus Grove              | Samuel Street                  | 401-186-031   | Open Space            |
| to replace Fire Station       | Pinon Open Space               | 401-080-058-1 | Open Space            |
| to replace Fire Station       | Pinon Open Space               | 401-080-059   | Open Space            |
| 1818 Canyon Dr                | Canyon Park                    | 401-442-011   | Park                  |
| Amber Swartz Park             | Savage Ave                     | 360-483-007-9 | Park                  |
| Bay Front Park + Bay          | 1 Tennent Ave                  | 401-010-007-3 | Park                  |
| Bay Trail                     | near Carlotta Circle           | 402-140-009-0 | Park                  |
| Parcel behind 1818 Canyon     | Canyon Park                    | 401-442-034   | Park                  |
| Fernandez Park                | Tennent Avenue                 | 401-141-013   | Park                  |

| Description                            | Address                 | Parcel Number | Use  |
|----------------------------------------|-------------------------|---------------|------|
| Francis Park                           | Francis Park            | 403-100-013-8 | Park |
| Francis Park                           | Marlesta                | 403-522-017-9 | Park |
| Francis Park                           | Marlesta                | 403-522-018-7 | Park |
| Francis Park                           | Marlesta                | 403-522-019-5 | Park |
| Park                                   | Nob Hill Ave            | 402-110-007-0 | Park |
| Park                                   | Sarah Park              | 430-440-035   | Park |
| Park                                   | Sarah Park              | 430-452-001   | Park |
| Park                                   | Sarah Park              | 430-482-001   | Park |
| Pinole Valley Park                     | 3700 Pinole Valley Road | 360-200-004   | Park |
| Pinole Valley Park                     | Pinole Valley Road      | 360-210-001-2 | Park |
| Pinole Valley Park                     | Pinole Valley Road      | 360-210-002-0 | Park |
| Pinole Valley Park (Caretaker's House) | 1270 Adobe Road         | 360-210-006-1 | Park |
| Pinon Park                             | 1600 Primrose Lane      | 401-080-049   | Park |
| same easement as Sarah Park            | behind Trader Joe's     | 430-461-025   | Park |
| View Park                              | 2021 Henry Ave          | 401-461-053-1 | Park |
| Parcel adjacent to School Street       | Pear Street             | 401-161-009   |      |
| Community Corners                      | 2301 San Pablo Avenue   | 401-162-001   |      |
| Faria House, linear park/trail         | 2100 San Pablo Ave      | 401-120-035   |      |
| Fowler House                           | 2548 Charles Ave        | 401-182-004   |      |
| Post Office                            | 2101 Pear Street        | 401-163-003   |      |
| Vacant lot                             | Donegal Road            | 401-094-014   |      |
|                                        |                         |               |      |



## CITY COUNCIL REPORT

10A

**DATE:** MARCH 7, 2023

**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** ERIC CASHER, CITY ATTORNEY

**SUBJECT: INTRODUCE AN ORDINANCE AMENDING CHAPTERS 8.24 AND 8.25 OF THE PINOLE MUNICIPAL CODE TO MODIFY PROVISIONS CONCERNING NUISANCE ABATEMENT PROCEDURES AND RELATED CODE ENFORCEMENT**

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### **RECOMMENDATION**

Staff recommends the City Council waive the first reading and introduce an ordinance (Attachment A) amending Chapter 8.24 “Community Preservation” and Chapter 8.25 “Administrative Citations and Penalties” of the Pinole Municipal Code to modify provisions concerning the City’s nuisance abatement procedures and related code enforcement.

### **BACKGROUND**

Chapter 8.24.020 of the Pinole Municipal Code (PMC) defines a variety of activities that constitute a private property nuisance in the City of Pinole. Examples include unlawful outdoor storage, hazardous conditions created by landscaping or vegetation, trash, litter, illegal buildings or structures, and/or violations of the Uniform Building, Electrical, Plumbing, Mechanical, Fire, Abatement of Dangerous Buildings or Uniform Housing Codes. When the City identifies a code violation on private property that is determined to be a “nuisance” the City will initiate an abatement procedure.

The City’s nuisance abatement procedures are set forth in PMC Chapter 8.24.050 through 8.24.130, Community Preservation, Article III. Under the City’s existing nuisance ordinance, upon the determination of a nuisance by the City Manager Staff must issue a courtesy notice to the property owner or occupant advising them of the nuisance condition on the property and providing them with fourteen (14) days to correct the violation before the City may issue a notice of violation. If the owner/occupant fails to correct the violation within fourteen (14) days, the City may then issue a notice and order of violation ordering the correction of the violation within fourteen (14) days. The property owner/occupant has ten (10) days from the notice and order of violation to appeal the City’s findings. All matters of appeal are heard before a Board of Appeals, a hearing body comprised of members selected by the City Manager. If an appeal is timely filed, the City must await the findings of the Board before taking further action. If no appeal is filed, the City must then set an Order to Show Cause hearing and seek appropriate Board authority to abate the nuisance. In

effect, the current PMC provides the property owner a minimum of twenty-eight (28) days to correct the violation before the City can initiate an abatement action.

Chapter 8.25 Administrative Citations and Penalties section of the PMC sets forth the City's administrative procedures for the imposition, enforcement, collection, and administrative review of civil fines related to code enforcement. Upon the notice of violation, PMC Chapter 8.25 authorizes the City to issue administrative citations and penalties in addition to the available abatement procedures, or in lieu thereof. The City may impose up to three (3) civil fines pursuant to Government Code § 53069.4 within twelve (12) months. In addition, the City may impose administrative penalties at \$100 per day, up to a total of \$1,000. If a violation pertains to a building, plumbing, electrical, or other similar structural or zoning issue, that does not create an immediate danger to health or safety, the person responsible for the continuing violation must be given thirty (30) days to correct or otherwise remedy the violation prior to the imposition of an administrative fine.

The proposed ordinance makes substantive changes to the abatement procedures found in Chapter 8.24 to reduce delay in initiating the City's abatement procedures. Specifically, the proposed ordinance will provide that the courtesy notice of a PMC violation is optional. This will eliminate the mandatory fourteen (14) day courtesy window of time to correct the nuisance and allow Staff to immediately issue a notice of violation if the subject nuisance warrants such action. The proposed ordinance will also amend Chapter 8.24, to eliminate the mandatory Order To Show Cause Hearing before the Board of Appeals, and replace the Board with a defined Administrative Hearing Officer authorized to hear all issues on appeal and order the abatement of any public nuisance as defined in the PMC, or in any state or federal statute, following notice and an opportunity for a hearing. This includes revising Article VI. Graffiti of Chapter 8.24 which currently follows the same appeal procedures.

Lastly, the proposed ordinance will revise Chapter 8.25 to shorten the time with which a property owner/occupant may correct a violation pertaining to building, plumbing, electrical, or other similar structural or zoning issue, not considered an immediate danger to health or safety, from thirty (30) days to fourteen (14) days prior to the imposition of an administrative fine. This change made to the PMC is intended to provide the City and City Staff more effective and efficient procedures to address situations where hazardous and blight conditions are being caused by property owners/occupants leaving debris and/or other obstructions on sidewalks and in streets.

## **DISCUSSION**

Staff generally applies a complaint-based approach to code enforcement. Due to resource constraints, staff generally investigates and seeks correction of violations of the PMC only when they receive a complaint or themselves observe a violation. That includes situations in which City of Pinole Police Department peace officers receive a call about an alleged violation or observe a potential violation in the field.



The PMC has a number of tools in place currently to seek correction of violations. Although effective, those tools can sometimes result in lengthy processes disproportionate to the violation. Staff have identified several existing tools in the Municipal Code that could be modified to address many Code violations more efficiently.

The first are revisions that allow Staff the opportunity to immediately issue a notice of violation if the subject nuisance warrants such action. The second is to replace the hearing body designated as the Board of Appeals with a single individual designated as the Administrative Hearing Officer who is authorized to hear all issues on appeal, review the City's determination of a violation, and order the abatement of any public nuisance as defined in the PMC, or in any state or federal statute, following appropriate notice and opportunity for a hearing consistent with constitutional due process protections. The last is to streamline certain citation procedures.

Working with the City Attorney, Staff is proposing amendments to the Chapters 8.24 and 8.25 of the Municipal Code to:

- Provide that a courtesy notice of violation is an optional step of Staff rather than mandatory as currently provided for under the PMC.
- Allow Staff to immediately issue a notice of violation if the subject nuisance warrants such action.
- Eliminate the mandatory Order To Show Cause Hearing before the designated hearing body, the Board of Appeals.
- Establish a defined Administrative Hearing Officer, authorized to hear all matters of appeal, review the City's determination of a code violation, and order the abatement of any public nuisance following written notice and an opportunity for hearing.
- Replace all appeal procedures before the Board of Appeals stated throughout Chapter 8.24 to be consistent the revised procedures before the Administrative Hearing Officer, including the appeals procedures under Article VI. Graffiti.
- Shorten the time with which a property owner/occupant may correct a violation pertaining to building, plumbing, electrical, or other similar structural or zoning issue, not considered an immediate danger to health or safety, from thirty (30) days to fourteen (14) days prior to the imposition of an administrative fine.

#### Code Enforcement Procedures

As required by the mandatory courtesy notice of violation provisions to the code enforcement procedures, Staff must provide a property owner and/or occupant at least fourteen (14) days to voluntarily correct any violation of the PMC before the City can serve notice of the violation and order the correction. Once the notice is issued, the party in violation then has fourteen (14) additional days to correct the

violation before the City can institute the Order to Show Cause proceedings confirming the nuisance condition and authorizing abatement actions.

In effect, the PMC as currently written provides a property owner/occupant a minimum of twenty-eight (28) days to correct a violation before the City can initiate abatement proceedings. The proposed Ordinance seeks to avoid unnecessary delay in the City's abatement procedures caused by lengthy processes when the violation itself is a simple matter for which the current processes are sometimes out of proportion. This proposed change ensures that the courtesy notice option will remain available to the City and also provide Staff with the opportunity to immediately issue a notice of violation and initiate the abatement proceedings if the subject nuisance warrants such action. For example, Staff may elect to issue a courtesy notice to encourage voluntary abatement of conditions that do not present an immediate danger to occupants or neighbors such as excessive accumulated outdoor junk and storage which would otherwise require timely and costly clean-up time by the City, before formal enforcement action is taken. Alternatively, Staff could immediately issue a notice of violation for conditions pertaining to building, health and safety issues that pose an immediate danger to health or safety, such as unauthorized additional dwelling units, unauthorized building conversion, and substandard housing matters.

If the person cited requests a hearing, they would present their case in front of a hearing officer designated by the City Manager rather than a Board of Appeals. A hearing officer is typically an impartial person familiar with mediation procedures and/or municipal laws and regulations. If the citation is upheld at the hearing, fines may be imposed as a remedy and Staff may be authorized to abate the condition. The recipient of the citation, if dissatisfied with the result of the administrative hearing officer's decision, maintains the right to appeal to the Contra Costa County Superior Court.

The benefits of this approach are to decrease the amount of administrative process required to seek compliance with local law and eliminate appeals to the Board of Appeal. Instead, appeals would be heard by a hearing officer, while maintaining the appropriate notice and opportunity for a hearing consistent with constitutional due process protections. See Attachment B for diagrams outlining the current nuisance abatement process and the proposed nuisance abatement process.

#### Administrative Citation Process

Under the current PMC, and State law, the City is authorized to issue an administrative citation process to enforce violations of the PMC, including real property nuisances. This process avoids the need for a finding by the administrative hearing officer, ideally allowing violations to be handled more quickly and without the burden and expense involved in such proceedings. The revisions to the citations provisions related to code enforcement in Chapter 8.25 seek to shorten the time with which a property owner/occupant may correct a violation pertaining to building, plumbing, electrical, or other similar structural or zoning issue, not considered to be

an immediate danger to health or safety, from thirty (30) days to fourteen (14) days prior to the imposition of an administrative fine. This should increase the City's ability to respond to some violations without a significant increase in Staff time devoted to enforcement.

### **ENVIRONMENTAL STATUS**

The proposed text amendments are categorically exempt pursuant to Section 15308 of the California Environmental Quality Act (CEQA) Guidelines; actions by regulatory agencies for the protection of the environment.

### **FISCAL IMPACT**

The goal is for the proposed amendments to increase compliance with the law and therefore reduce the amount of Staff time related to code enforcement and fines or penalties collected by the City. Therefore, the fiscal impact of the proposed ordinance cannot be determined with certainty.

### **ATTACHMENTS**

- A. Ordinance Amending Chapter 8.24 "Community Preservation" and Chapter 8.25 "Administrative Citations and Penalties" of the Pinole Municipal Code To Modify Provisions Concerning Nuisance Abatement Procedures and Related Code Enforcement  
Exhibit A: Chapter 8.24 Community Preservation  
Exhibit B: Chapter 8.25 Administrative Citations and Penalties
- B. Diagram of existing nuisance abatement process and proposed amended abatement process

**ORDINANCE NO. 2023-XX****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE  
AMENDING CHAPTER 8.24 “COMMUNITY PRESERVATION” AND CHAPTER 8.25  
“ADMINISTRATIVE CITATIONS AND PENALTIES” OF THE PINOLE MUNICIPAL  
CODE TO MODIFY PROVISIONS CONCERNING NUISANCE ABATEMENT  
PROCEDURES AND RELATED CODE ENFORCEMENT**

**WHEREAS**, the City of Pinole’s nuisance abatement procedures following a determination of a nuisance condition upon private property within the City are set forth in Pinole Municipal Code (“PMC”) Chapter 8.24 “Community Preservation”; and

**WHEREAS**, the Code Chapter 8.25 “Administrative Citations and Penalties” sets forth the City’s administrative procedures for the imposition, enforcement, collection, and administrative review of civil fines related to code enforcement; and

**WHEREAS**, the City of Pinole has determined that portions of the PMC related to nuisance procedures and related code enforcement, as currently drafted, do not adequately address the means in which the City now conducts its business; and

**WHEREAS**, staff have performed a comprehensive review of the PMC to assist the City Council in identifying the aforementioned issues; and

**WHEREAS**, the City now desires to amend Chapters 8.24 and 8.25 of the PMC to modify provisions concerning nuisance abatement procedures and related code enforcement, specifically to:

- a) Provide that a courtesy notice of violation is optional rather than mandatory as currently provided for under the PMC;
- b) Allow Staff to immediately issue a notice of violation if the subject nuisance warrants such action;
- c) Eliminate the mandatory Order To Show Cause Hearing before the designated hearing body Board of Appeals;
- d) Authorize an Administrative Hearing Officer, to hear all matters of appeal, review the City’s determination of a code violation, and order the abatement of any public nuisance following written notice and an opportunity for hearing;
- e) Replace all appeal procedures before the Board of Appeals to proceed before the Administrative Hearing Officer;
- f) Shorten the time with which a property owner/occupant may correct a violation pertaining to building, plumbing, electrical, or other similar structural or zoning issue, not considered an immediate danger to health or safety, from thirty (30) days to fourteen (14) days prior to the imposition of an administrative fine; and

**WHEREAS**, the City believes that an update of the PMC will enable the City to better enforce laws, rules, and regulations that are designed to protect the health, safety, and welfare of City residents, businesses, and visitors.

**NOW, THEREFORE**, the City Council of the City of Pinole does ordain as follows:

**Section 1. Recitals.**

The above recitals are true and correct and made a part of this Ordinance.

**Section 2. Municipal Code Amendment – Chapter 8.24.**

Pinole Municipal Code Chapter 8.24 “Community Preservation” sections 8.24.050 through 8.24.380, are hereby amended to read as stated in Exhibit A attached hereto and incorporated herein (deletions in ~~strike~~through; additions in underline).

**Section 3. Municipal Code Amendment – Chapter 8.25.**

Pinole Municipal Code Chapter 8.25 “Administrative Citations and Penalties,” is hereby amended to read as stated in Exhibit B attached hereto and incorporated herein (deletions in ~~strike~~through; additions in underline).

**Section 4. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Pinole hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

**Section 6. California Environmental Quality Act (“CEQA”).**

The proposed amendments are exempt from CEQA based on the rule set forth in CEQA Guidelines Section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the proposed amendments to the Zoning Code will have a significant effect on the environment.

**Section 7. Effective Date.**

In accordance with California Government Code Section 36937, this Ordinance shall take effect and be in force on the thirty-first day after adoption.

**Section 8. Publication.**

Within fifteen (15) days after the passage of this Ordinance the City Clerk shall cause this Ordinance or a summary thereof to be published or to be posted in at least three public places in the City of Pinole in accordance with the requirements of California Government Code Section 36933.

PASSED AND ADOPTED on this \_\_\_\_ day of \_\_\_\_\_ 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Devin T. Murphy, Mayor

ATTEST:

\_\_\_\_\_  
Heather Bell, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Eric S. Casher, City Attorney



## EXHIBIT A

### Chapter 8.24 Community Preservation

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#### ARTICLE III. ABATEMENT PROCEDURE

##### Sections:

|                     |                                                                              |
|---------------------|------------------------------------------------------------------------------|
| 8.24.050            | Notification of nuisance.                                                    |
| 8.24.070            | Hearing body.                                                                |
| 8.24.080            | Appeal of notice and order.                                                  |
| 8.24.090            | Staying of order under appeal.                                               |
| <del>8.24.095</del> | <del>Order to show cause hearing.</del>                                      |
| 8.24.100            | Hearing procedure.                                                           |
| 8.24.110            | Action by <del>appeals board</del> , <u>administrative hearing officer</u> . |
| 8.24.120            | Abatement by city.                                                           |
| 8.24.130            | Limitation of filing - judicial action.                                      |

#### 8.24.050 NOTIFICATION OF NUISANCE.

When the City Manager has inspected or caused to be inspected any condition on any parcel of land or structure and has found and determined that such condition on such parcel of land or structure is being maintained contrary to one (1) or more of the provisions of this chapter, the City Manager shall commence proceedings to cause the abatement of such condition.

**ABATEMENT.** May be accomplished by abatement proceedings, citation proceedings or by any other procedures available under state or local law.

The following steps are to be followed in the abatement proceedings process:

- A. Step One. The City Manager ~~shall~~ may issue a courtesy notice (letter) to the record owner and/or tenant of the parcel of land, containing (1) a description of the conditions on the property constituting a nuisance, and the applicable code section(s) being violated; (2) an explanation of the action(s) required; (3) a time frame not less than fourteen (14) days in which to abate the conditions or establish and present to the City Manager a schedule for abatement; and (4) a scheduled date for reinspection.
- B. Step Two.
  1. If abated, the City Manager will document findings and close the case, forwarding a letter of appreciation to the owner and/or tenant for his/her cooperation.
  2. If not abated, the City Manager may take either or both of the following actions:
    - a. Commence criminal proceedings for violations of any provisions of this chapter through the citation process; and/or
    - b. Issue a second letter in the form of a notice and order to the record owner and/or tenant containing:
      - i. Reference to the first letter,

- ii. The street address and a legal description sufficient for identification of the parcel of land and structures thereon,
- iii. A statement that the City Manager has found the premises or structures to be a nuisance with a brief and concise description of the conditions found to render the building in violation of the provisions of this code and the applicable code sections being violated,
- iv. A statement of the action required to be taken as determined by the City Manager,
- v. A time frame not less than fourteen days in which to abate the conditions,
- vi. A scheduled date for reinspection,
- vii. Statements advising that if the abatement work is not commenced within the time specified, the City Manager may proceed to cause the work to be done and charge the costs thereof against the property or its owner, and that the property or its owner shall also be charged for all enforcement costs incurred by the city and shall receive at the conclusion of the enforcement case, a summary of enforcement costs associated with the processing of the case,
- viii. Statements advising (A) that any person having any record title or legal interest in the parcel of land may appeal from the notice and order or any action of the City Manager to the ~~Board of Appeals~~ Administrative Hearing Officer, provided the appeal is made in writing and filed with the office of the City Manager within ten days from the date of service of such notice and order (or within five days from such date if the City Manager has determined the condition is such as to make it dangerous to the life, limb, property or safety to the public or adjacent property); and (B) that failure to appeal will constitute a waiver of all right of an administrative hearing and determination of the matter.

C. Alternatively, the City Manager may immediately issue a letter in the form of a notice and order to the record owner and/or tenant whereon the nuisance exists of the existence of such nuisance, and require the abatement of such nuisance. The notice and order issued under this section may be utilized as the notice and order provided it contains all information required to be in Subsection (B) (2) (b) (ii-viii) above.

~~C.~~ D. Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and/or tenant and posted on the property; and one copy thereof shall be served on each of the following if known to the City Manager or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the City Manager to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served to relieve any such person from any duty or obligation imposed by the provisions of this section.

~~D.~~ E. Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt required, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the City Manager. If no address of any

such person so appears or is known to the City Manager, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the parcel of land involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of the mailing.

- C. Proof of Service. Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the persons affecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail shall be affixed to the copy of the notice and order retained by the City Manager.

#### **8.24.070 HEARING BODY.**

All hearings authorized by or conducted pursuant to this chapter shall be heard by a Board of Appeals an Administrative Hearing Officer, or their designee, who shall hear and rule on objections to abatement of the nuisance. The City Manager may determine the composition of the Board shall designate the Administrative Hearing Officer. No person who has been involved in the enforcement of a particular matter shall sit on the Board serve as the Administrative Hearing Officer. Nothing shall prevent the City Manager from employing a single third-party, neutral hearing officer to perform the duties of the Board Administrative Hearing Officer. Appeals to the Board Administrative Hearing Officer shall be processed in accordance with the provisions contained in Section 8.24.080. Copies of all rules of procedures or regulations adopted by the Board Administrative Hearing Officer shall be delivered to the City Manager, who shall make them freely accessible to the public.

#### **8.24.080 APPEAL OF NOTICE AND ORDER.**

- A. Any person entitled to service under this article may appeal from any notice and order or any action of the City Manager under this code by filing with the office of the City Manager a written appeal containing:
  - 1. A street address and a description sufficient for identification of the property and the affected structures thereon;
  - 2. The names of all appellants participating in the appeal;
  - 3. A brief statement setting forth the legal interest of each of the appellants in the structure or the property involved in the notice and order;
  - 4. A brief statement in ordinary and concise language of the specific order of action protested, together with any material facts claimed to support the contentions of the appellant;
  - 5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
  - 6. The signatures of all parties named as appellants and their official mailing addresses;
  - 7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
- B. The appeal shall be filed within ten days from the date of service of such notice and order or action of the City Manager; provided, however that if the parcel of land or structure is in such condition as to make it dangerous to the life, limb, property or safety of the public or adjacent property, such appeal shall be filed within five days from the date of the service of the notice and order of the City Manager.

- C. As soon as practicable after receiving the written appeal, the ~~secretary of the Board of Appeals~~ City Manager shall fix a date, time and place for the hearing of the appeal by the ~~Board~~ Administrative Hearing Officer . Such date shall not be less than five days nor more than thirty days from the date the appeal was filed with the City Manager. Written notice of the time and place of the hearing shall be given at least five days prior to the date of the hearing to each appellant by the ~~secretary of the Board~~ City Manager either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
- D. Failure of any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.
- E. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

#### **8.24.090 STAYING OF ORDER UNDER APPEAL.**

Enforcement of any notice and order of the City Manager issued under this code, including the imposition of administrative penalties, shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

#### **8.24.095 RESERVED.**

#### **~~8.24.095 ORDER TO SHOW CAUSE HEARING.~~**

~~Where the terms of a notice and order have not been complied with, or where the form of abatement so requires, the City Manager or his/her designee may set an order to show cause hearing (hereinafter, "OSC") before the Board of Appeals. The procedures for providing notice, conducting the hearing, providing a final written determination, and any other relevant actions shall comport with this Chapter.~~

#### **8.24.100 HEARING - PROCEDURE.**

Procedure for the conduct of the appeals ~~or OSC~~ hearing shall comply with the provisions of the current edition of the Uniform Code for the Abatement of Dangerous Buildings.

#### **8.24.110 ACTION BY ~~APPEALS BOARD~~ ADMINISTRATIVE HEARING OFFICER.**

If the ~~Board of Appeals~~ Administrative Hearing Officer may uphold, modify, or overrule the City Manager's determination of nuisance, and proposed abatement, through the issuance of an administrative decision and order. Where abatement is ordered, the ~~Board~~ Administrative Hearing Officer shall order the City Manager to abate the nuisance. The administrative decision and order shall be served pursuant to Section 8.24.060 of this code. The administrative decision and order shall be served within ten days after the hearing. The administrative decision and order shall be final and conclusive.

#### **8.24.120 ABATEMENT BY CITY.**

If such nuisance is not abated as ordered within the abatement period, the manager shall cause the same to be abated by city employees or private contracts. In appropriate circumstances, the Manager shall request the City Attorney to obtain all necessary judicial approval for entry onto the subject premises for

abatement purposes. The cost, including administrative costs, attorneys fees and other incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty days thereafter. The term “administrative costs” shall include, but not be limited to, documenting the nuisance; the actual expenses and costs of the city in the preparation of notices, specifications and contracts, and in inspecting the work; and the costs of printing and mailing required hereunder.

**8.24.130 LIMITATION OF FILING - JUDICIAL ACTION.**

Any judicial action appealing the ~~Board of Appeals~~ Administrative Hearing Officer's decision and order shall be commenced within thirty calendar days of the date of service of the decision.

## Chapter 8.24 Community Preservation

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### ARTICLE VI. GRAFFITI

#### Sections:

|          |                                                         |
|----------|---------------------------------------------------------|
| 8.24.300 | Declared nuisance.                                      |
| 8.24.310 | Abatement.                                              |
| 8.24.320 | Graffiti prohibited.                                    |
| 8.24.330 | Council to determine costs.                             |
| 8.24.340 | Authority to remove.                                    |
| 8.24.350 | Graffiti removal.                                       |
| 8.24.360 | Prior consent for removal.                              |
| 8.24.370 | Notice of intention to abate and remove graffiti; form. |
| 8.24.380 | Treble damages.                                         |

#### **8.24.300 DECLARED NUISANCE.**

The defacing of public and private property results in the creation of unsightly graffiti. Graffiti reduces property values, encourages blight, and frequently becomes a forum of gang-related potentially criminal activities.

#### **8.24.310 ABATEMENT.**

For the reasons stated in Section 8.24.300, the City Council finds and declares that the presence of graffiti on private or public property constitutes a public nuisance which may be abated as such in accordance with provisions of this chapter, or any other applicable provision of law.

#### **8.24.320 GRAFFITI PROHIBITED.**

It is unlawful for any person to intentionally place graffiti upon any private or public property.

#### **8.24.330 COUNCIL TO DETERMINE COSTS.**

The City Council shall from time to time determine and fix an amount to be assessed as administrative costs excluding the actual cost of removal of the graffiti.

#### **8.24.340 AUTHORITY TO REMOVE.**

Upon discovering the existence of graffiti on private or public property within the City, the City Manager or designee shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed in this article.

#### **8.24.350 GRAFFITI REMOVAL.**

The City Manager or designee shall determine the type of removal process, which may include, but is not limited to painting out, application of graffiti-resistant paint, washing of surface, sanding or fence plank replacement.

#### **8.24.360 RESERVED.**

**8.24.370 NOTICE OF INTENTION TO ABATE AND REMOVE GRAFFITI; FORM.**

- A. The City Manager shall cause a notice of intention to remove graffiti to be mailed by registered or certified mail to the owner of the real property upon which graffiti has been unlawfully applied.

The notice shall advise the following:

1. If consent to remove the graffiti is provided to the City by the owner, or by any person authorized by the owner, within ten days of mailing the notice, the city shall remove the graffiti at no cost to the owner.
2. If the owner objects to removal of the graffiti by the city the owner may request a hearing before the ~~Board of Appeals~~ Administrative Hearing Officer in the manner specified in Section 8.24.080.
3. If within ten days of the mailing of the notice, the graffiti has not been removed and the city has not received from the owner either a consent to remove the graffiti or a written request for a public hearing, then the city shall be entitled to remove the graffiti and assess the costs of administration and removal to the property owner.

- B. The notice of intention to remove graffiti shall be in substantially the following form:

NOTICE OF INTENTION TO ABATE AND REMOVE GRAFFITI

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: Graffiti at (property address)

As owner shown on the last equalized assessment roll of the real property located at \_\_\_\_\_, you are hereby notified that the undersigned has determined pursuant to Chapter 8.24 of the Pinole Municipal Code that there exists upon said real property certain graffiti which constitutes a public nuisance.

The City of Pinole desires to remove the graffiti as quickly as possible. If within ten (10) days of the mailing of this notice you, or any person authorized by you provides the City with written consent to remove the graffiti, the City shall remove the graffiti at no expense to you as the owner. If within ten (10) days of the mailing of this notice, the graffiti has not been removed and the City has not received from you written consent to remove the graffiti, the City shall determine the graffiti a public nuisance and assess the cost of administration and removal to you without a hearing.

If you object to the removal of the graffiti from your property by the City and/or to the costs which shall be assessed to you pursuant to the terms of this letter, you may request a hearing before the ~~Board of Appeals~~ Administrative Hearing Officer pursuant to Section 8.24.0870 of the Pinole Municipal Code.

If you desire the City to remove the graffiti from your property at no expense to yourself, please provide written consent to the City on or before \_\_\_\_\_, 2\_\_\_\_. A consent form is included with this notice, for your convenience.

Notice mailed: \_\_\_\_\_

\_\_\_\_\_  
City Manager or designee  
City of Pinole



**8.24.380 TREBLE DAMAGES.**

Upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that any person is responsible for the unlawful application of graffiti, a penalty in the amount of three times the costs of abatement shall be paid by the violator(s).

## EXHIBIT B

### Chapter 8.25 ADMINISTRATIVE CITATIONS AND PENALTIES

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#### Sections:

|          |                                                                                            |
|----------|--------------------------------------------------------------------------------------------|
| 8.25.010 | Street defined. <i>Definitions.</i>                                                        |
| 8.25.020 | Permit – Required.                                                                         |
| 8.25.030 | Permit – Fees. <i>Exemptions.</i>                                                          |
| 8.25.040 | Notice to superintendent – Deposit required – Liability for damage. <i>Permit – Fees .</i> |

#### **8.25.010 ADMINISTRATIVE CITATIONS AND PENALTIES.**

- A. Authority. This chapter is adopted pursuant to Government Code §§ 36901 and 53069.4.
- B. Goals. This chapter is adopted in order to:
  - 1. Protect the health, safety and welfare of the city and its citizens;
  - 2. Penalize responsible parties who fail or refuse to comply with any city ordinance or fail to promptly abate a public nuisance;
  - 3. Minimize expense and delay where the alternative remedy is to pursue responsible parties in the civil or criminal justice system.

#### **8.25.020 ADMINISTRATIVE CITATIONS.**

- A. General. This section makes any violation of the provisions of this Code subject to civil fine.
  - 1. This section establishes the administrative procedures for the imposition, enforcement, collection, and administrative review of civil fines pursuant to Government Code § 53069.4 and the city's plenary police power.
  - 2. The issuance of an administrative citation under this section is solely at the city's discretion and is one option the city has to address violations of this code. By adopting this section, the city does not intend to limit its discretion to utilize any other remedy, civil or criminal, for such violations that the city may select in a particular case.
  - 3. The purpose of issuing administrative citations pursuant to this section is to encourage voluntary and complete compliance with the provisions of this code for the protection and benefit of the entire community.
  - 4. Notwithstanding any lease, license or any other instrument or agreement, the owner of any real property has the right to enter upon his or her own property to the extent reasonably necessary to abate any nuisance or correct any violation of this code existing

thereon. The provisions of this section shall be an implied term of any instrument affecting the right to possession of real property located in the city.

5. Because of the serious blighting conditions that can result affecting the residents' health and safety, this section is intended to impose strict civil liability upon the owners and lessees of real property for all building, housing, fire and health code and zoning violations that occur upon the subject premises.
6. Administrative citations are available as a remedy, in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this chapter. Whenever a code enforcement officer, or other official designated by the City Manager, determines that a violation of this chapter has occurred, the official shall have the authority to impose an administrative fine on any person responsible for the violation. If the violation pertains to a building, plumbing, electrical, or other similar structural or zoning issue, that does not create an immediate danger to health or safety, the person responsible for the continuing violation shall be afforded ~~thirty~~ fourteen days to correct or otherwise remedy the violation prior to the imposition of an administrative fine.

B. Form of citation. The administrative citation shall contain the following information:

1. The date of the violation.
2. The address or a description of the location where the violation occurred.
3. The section of the code that was violated along with a description of the violation.
4. The amount of the fine date by which payment must be submitted unless an appeal hearing has been requested.
5. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation.
6. An explanation of the payment and hearing process.
7. The name and signature of the citing official.
8. The name of the person cited.
9. Any other information deemed necessary by the City Manager or City Attorney for enforcement or cost recovery purposes.

C. Service of the citation. The citation shall be personally served upon the citee or shall be sent by certified mail, return receipt requested, to the citee. If the citee is a property owner within the City and cannot be personally served, the citation shall be sent to the property owner by certified mail, return receipt requested at the address where the violation occurred and to the address of record shown on the most recent assessment roll.

D. Appeal Hearing.

1. The recipient of an administrative citation may request, in writing, a hearing before the ~~Board of Appeals~~ Administrative Hearing Officer established pursuant to section 8.24.070 of this code.
  2. The request for hearing shall be filed with the office of the City Manager within thirty days from the date of service of the citation. A copy of the citation and an address for providing notice of the hearing and decision shall be included with the written request.
  3. As soon as practicable after receiving the written request for hearing, the City Manager shall fix a date, time and place for the hearing by the ~~Board~~ Administrative Hearing Officer. Such date shall not be less than five days nor more than thirty days from the date the appeal was filed with the City Manager. Written notice of the time and place of the hearing shall be given at least five days prior to the date of the hearing to the party contesting the citation by the City Manager either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the citee at the address shown on the request for hearing.
  4. The administrative citation and any additional report submitted by the code enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents. The code enforcement officer may provide additional evidence and testimony at the hearing. Non-appearance of the code enforcement officer shall not affect the final decision of the ~~Board~~ Administrative Hearing Officer.
  5. At the hearing, the person cited shall be given the opportunity to testify and to present evidence concerning the administrative citation, including any request to reduce the amount of the fine to be imposed. In lieu of appearance, the citee may file a written declaration with the ~~Board~~ Administrative Hearing Officer signed under penalty of perjury prior to the hearing date. A failure to file a written declaration before the hearing or personally attend the hearing will be considered a non-appearance. Non-appearance by the citee shall not affect the final decision of the ~~Board~~ Administrative Hearing Officer.
  6. The ~~Board~~ Administrative Hearing Officer shall conduct the hearing pursuant to the applicable procedures of Chapter 8.24 of this code.
  7. The ~~Board of Appeals~~ Administrative Hearing Officer may uphold, modify, or overrule the terms of the administrative citation, including the amount of any fine and the time for making payment of any fine, through a written decision. The written decision shall be served pursuant to Section 8.25.020(C) within ten days after the hearing. The written decision shall be final and conclusive.
- E. Amount of fine. A first violation shall be subject to a fine of no more than one hundred dollars. A second violation during the same twelve-month period shall be subject to a fine of no more than two hundred dollars. A third or subsequent violation during the same twelve-month period shall be subject to a fine of no more than five hundred dollars. The City Manager or his/her designee may establish a schedule of fines for specific sections of this Code or may provide a fine for a specific violation.

F. Payment of Fine.

1. The citee shall pay the fine indicated on the administrative citation by remitting payment to the city within thirty days from the date of service of the citation. This requirement for payment of the fine shall be tolled during the pendency of an appeal of the citation.
2. Where the ~~Board of Appeals~~ Administrative Hearing Officer has sustained the administrative citation and upheld or modified the fine, the citee shall remit payment of the fine to the city as indicated within the ~~Board's~~ Administrative Hearing Officer's written decision.
3. If the fine is not paid within applicable time period, the city may use all available legal means to collect any past due administrative citation fines or late payment charges.

G. Judicial Appeal. Any person aggrieved by the ~~Board of Appeals~~ Administrative Hearing Officer's decision on an administrative citation may appeal the decision by filing a petition for review in a court of competent jurisdiction pursuant to the provisions set forth in Government Code Section 53069.4.

**8.25.030 ADMINISTRATIVE PENALTIES.**

A. General.

1. This section is adopted pursuant to Government Code §§ 36901 and 53069.4 and provides an administrative process for imposing and appealing administrative penalties, and for enforcing such penalties.
2. The purpose of this section is to provide for administrative penalties, in addition to all other legal remedies, criminal or civil, which may be pursued by the city to abate a public nuisance.
3. Use of the provisions of this section shall be at the sole discretion of the city.

B. Imposition of administrative penalty.

1. In any notice and order issued by the city pursuant to section 8.24.050 of this code to abate a public nuisance, the city may provide notice of its intent to impose an administrative penalty in an amount up to one hundred dollars per day for a failure to abate the conditions causing a public nuisance.
2. The imposition of the administrative penalty must be appealed in the same manner as an appeal of the notice and order is appealed. All administrative penalties shall be stayed during the pendency of an appeal.
3. The city may include the administrative penalty in any administrative or civil action to seek recovery of costs related to its effort to abate the public nuisance, including seeking payment as a personal obligation of the person responsible for the public nuisance or making the administrative penalty part of a lien for any costs or special assessment on the property subject to an abatement action.

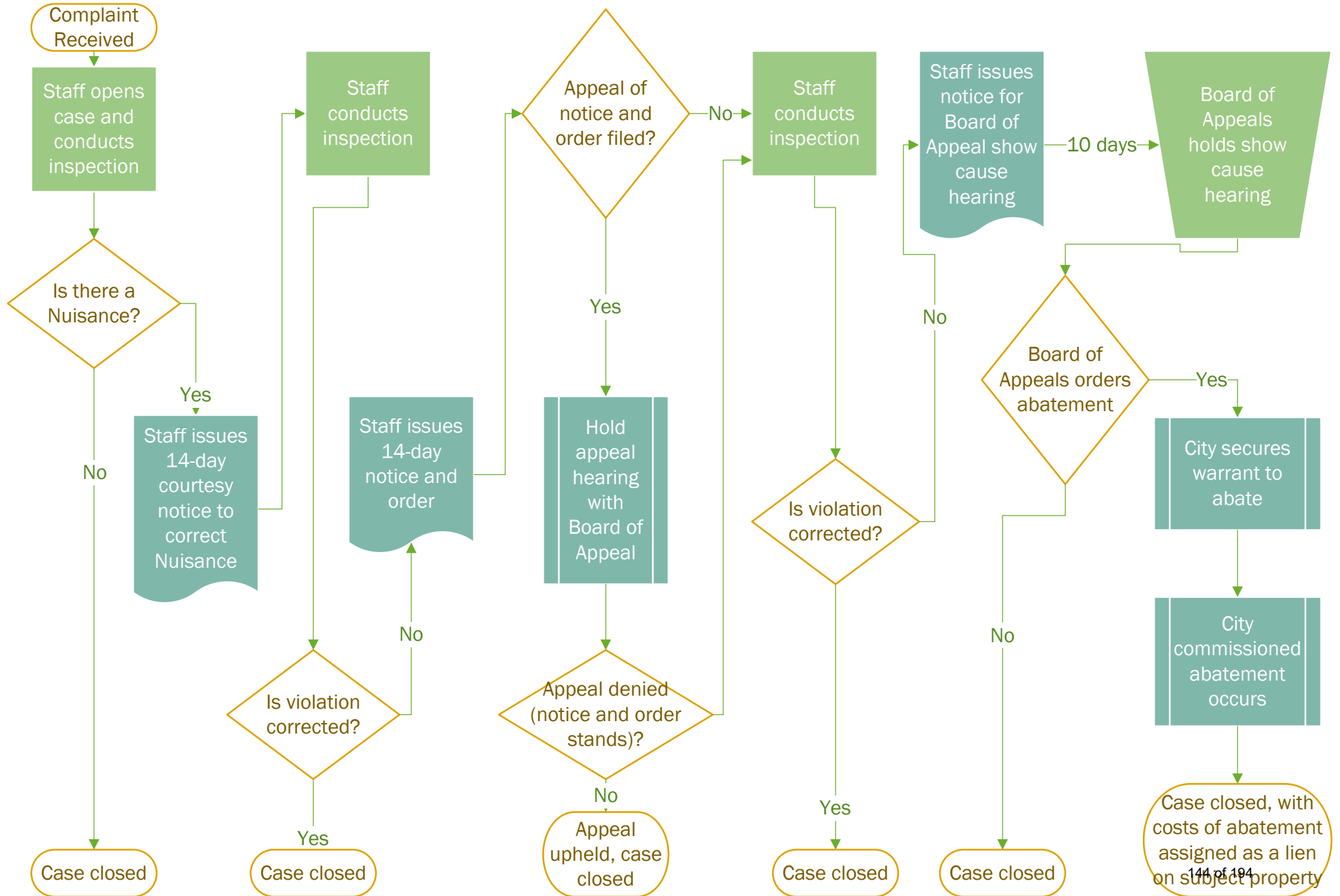
4. The maximum administrative penalty the city may seek is one hundred thousand dollars.
  5. The imposition of an administrative penalty is in addition to any other enforcement power that the city may have to abate the public nuisance, including but not limited to criminal citation, administrative citation, summary abatement, preliminary injunction, or civil action..
- C. Appeal. Any person aggrieved by the imposition of an administrative penalty may appeal the final decision by filing a petition for review in a court of competent jurisdiction pursuant to the provisions set forth in Government Code Section 53069.4.

#### **8.25.040 CONTRA COSTA COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT.**

Employees of Contra Costa Mosquito and Vector Control District shall have the authority to perform inspections and issue administrative citations, pursuant to the procedures in this chapter, for the limited purpose of mosquito and vector abatement to prevent the spread of the West Nile Virus.

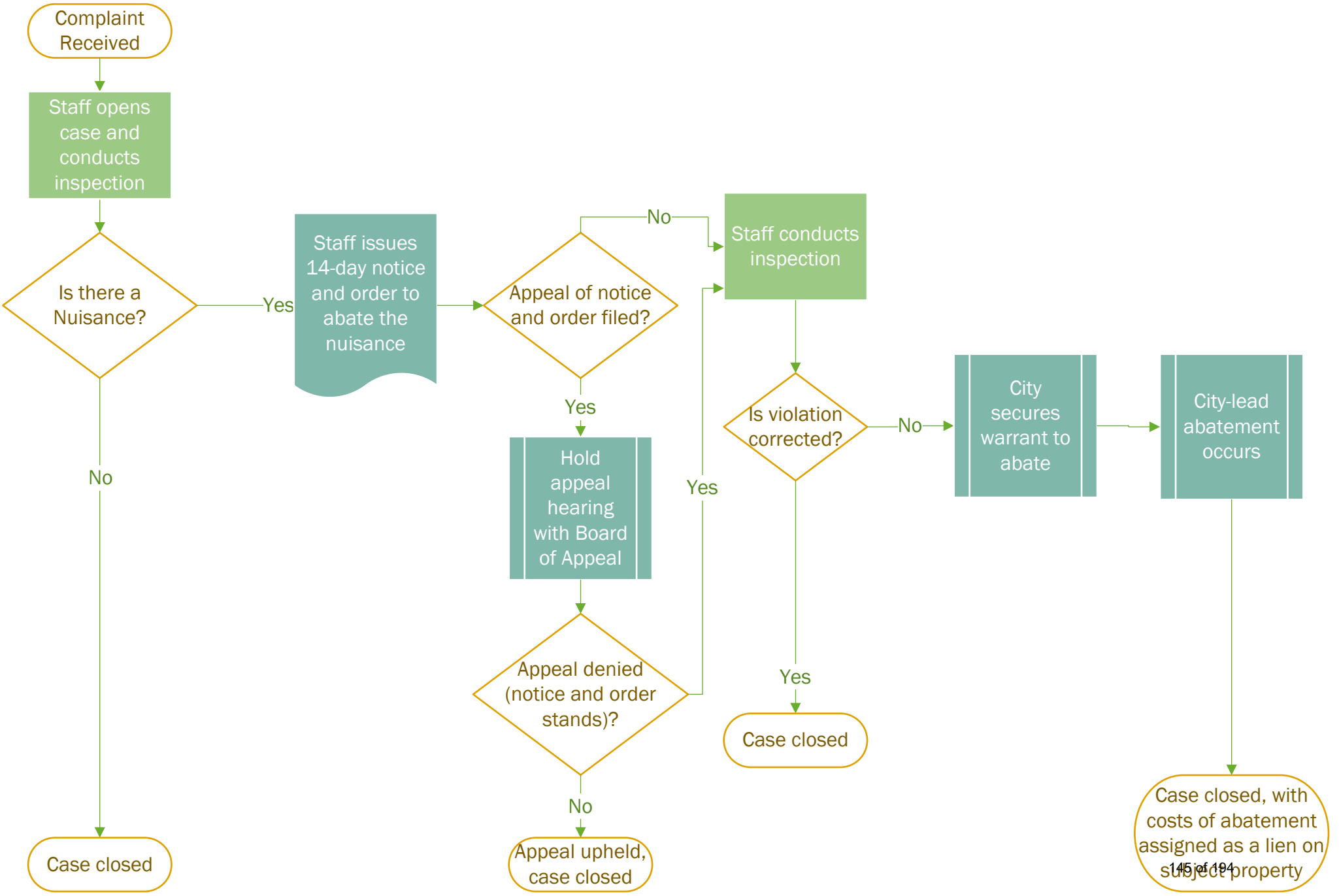
## Current Nuisance Abatement Process

n to Agenda





# Proposed Streamlined Nuisance Abatement Process





## CITY COUNCIL REPORT

**10B**

**DATE:** March 7, 2023

**TO:** MAYOR AND CITY COUNCIL MEMBERS

**FROM:** ERIC CASHER, CITY ATTORNEY

**SUBJECT:** INTRODUCTION AND FIRST READING OF AN ORDINANCE TO AMEND TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE MUNICIPAL CODE TO PROVIDE THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT WITH JURISDICTION AND AUTHORITY TO CONDUCT FIRE AND EMERGENCY MEDICAL RESPONSE SERVICES WITHIN THE CITY

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### **RECOMMENDATION**

Staff recommends that the City Council introduce and waive the first reading of an Ordinance amending Title 2 of the Pinole Municipal Code to provide the Contra Costa County Fire Protection District (“Con Fire”) with jurisdiction and authority to conduct fire and emergency medical response services within the City of Pinole for the term of the Fire Protection Services agreement.

### **BACKGROUND**

On October 10, 2022, the City entered into a Fire Protection Services agreement with the Con Fire (the “Agreement”). The agreement became effective January 1, 2023. Pursuant to the Agreement, Con Fire will provide fire and emergency medical response services within the City of Pinole for the term of the Agreement. Con Fire is not currently referenced in the Pinole Municipal Code.

The Pinole Municipal Code does has several provisions wherein authority for fire service delivery and Municipal Code compliance oversight are delegated to the Pinole Fire Chief. The proposed amendment adds a section to the Pinole Municipal Code designating Con Fire as the provider of fire and emergency medical response services within the City of Pinole for the term of the Agreement.

### **DISCUSSION**

On March 4, 2023, pursuant to the Agreement, the City of Pinole Fire Department will be consolidated with Con Fire, and Con Fire will begin enforcement of all applicable provisions of the City’s Building and Fire Codes. While the agreement between the City and Con Fire outlines the duties and responsibilities of both

parties, the City's Municipal Code must be amended to reflect and provide that Con Fire is the authority having jurisdiction within the City with respect to fire and emergency medical response services. City staff worked with representatives from Con Fire to draft the language proposed in the ordinance below.

The attached draft ordinance amends Title 2 of the Municipal Code to provide Con Fire with the duties, responsibilities, and authority currently held by the Pinole Fire Department and Fire Chief. Further, the amendment will provide that all instances and references to the City of Pinole Fire Department or Fire Chief shall heretofore mean and refer to Con Fire and the Con Fire, Fire Chief.

On February 27, 2023, the Municipal Code Update Sub-Committee reviewed the proposed ordinance set forth below, and recommended approval of the draft ordinance, as presented:

## 2.06 FIRE DISTRICT

Notwithstanding the provisions of this Code to the contrary, whenever a function, power, obligation or liability is imposed upon the office of the Fire Chief, either by the general laws of the State of California, by this Code, by an uncodified ordinance or by any administrative rules, regulations, custom or practice of the City of Pinole, and only for the term of any agreement between the City and the Contra Costa County Fire Protection District, the Contra Costa County Fire Chief or designee shall have or exercise such function, power, obligation, or be subject to such liability. The Contra Costa County Fire Protection District shall be fully vested with the requisite legal authority and exclusive responsibility to have or perform such function, power, obligation, or incur such liability. The Contra Costa County Fire Chief shall, at all times and pursuant to agreement with the City, assign officers to the former duties of the Pinole Fire Chief and his or her subordinate officers, and such officers shall possess the requisite licenses, registrations and qualifications for such duties. For the authentication and certification of official acts, documents, records and maps, the Contra Costa County Fire Chief and assigned officers shall use the seal, title and emoluments, if any, of their respective offices.

Any references herein or in any other portion of the Code to the Pinole Fire Department shall heretofore mean and refer to the Contra Costa County Fire Protection District.

## Environmental Review

Adoption of the attached Ordinance is exempt from CEQA based on the general rule set forth in CEQA Guidelines Section 15061(b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

It can be seen with certainty that there is no possibility that the adoption of the attached and Ordinance will have a significant effect on the environment.

### **FISCAL IMPACT**

There is no direct fiscal impact of amending Title 2 of the Municipal Code.

### **ATTACHMENTS**

- A. Draft Ordinance amending Title 2, Administration and Personnel, of the City's Municipal Code

**ORDINANCE NO. 2023-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE  
AMENDING TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE PINOLE  
MUNICIPAL CODE TO PROVIDE JURISDICTION TO THE CONTRA COSTA  
COUNTY FIRE PROTECTION DISTRICT TO PROVIDE FIRE SERVICES IN PINOLE  
PURSUANT TO THE FIRE SERVICES AGREEMENT DATED OCTOBER 10, 2022**

**WHEREAS**, on October 10, 2022 the City of Pinole entered into a Fire Protection Services Agreement with the Contra Costa County Fire Protection District; and

**WHEREAS**, the Fire Protection Services agreement between the City and the Contra Costa County Fire Protection District becomes effective on January 1, 2023; and

**WHEREAS**, pursuant to the Fire Protection Services agreement, the Contra Costa County Fire Protection District will assume the obligations, duties, and responsibilities of the Pinole Fire Department; and

**WHEREAS**, pursuant to the Fire Protection Services agreement, the Contra Costa County Fire Protection District will provide fire and emergency medical response services in the City of Pinole for the term of the Fire Protection Services agreement; and

**WHEREAS**, in anticipation of the effective date of the Fire Protection Services agreement, and formal transition of services to the Contra Costa County Fire Protection District, the City Council desires to adopt the proposed ordinance and changes to Title 2, Administration and Personnel, of the Pinole Municipal Code.

**NOW, THEREFORE**, the City Council of the City of Pinole does ordain as follows:

**Section 1. Recitals.**

The above recitals are true and correct and made a part of this Ordinance.

**Section 2. Municipal Code Amendment – Title 2.**

Title 2, Administration and Personnel, of the Municipal Code is hereby amended to add Chapter 2.66, as follows, with deletions in ~~striketrough~~ and additions in underline:

**2.66 FIRE DISTRICT**

Notwithstanding the provisions of this Code to the contrary, whenever a function, power, obligation or liability is imposed upon the office of the Fire Chief, either by the general laws of the State of California, by this Code, by an uncodified ordinance or by any administrative rules, regulations, custom or practice of the City of Pinole, and only for the term of any agreement between the City and the Contra Costa County Fire

Protection District, the Contra Costa County Fire Chief or designee shall have or exercise such function, power, obligation, or be subject to such liability. The Contra Costa County Fire Protection District shall be fully vested with the requisite legal authority and exclusive responsibility to have or perform such function, power, obligation, or incur such liability. The Contra Costa County Fire Chief shall, at all times and pursuant to agreement with the City, assign officers to the former duties of the Pinole Fire Chief and his or her subordinate officers, and such officers shall possess the requisite licenses, registrations and qualifications for such duties. For the authentication and certification of official acts, documents, records and maps, the Contra Costa County Fire Chief and assigned officers shall use the seal, title and emoluments, if any, of their respective offices.

Any references herein or in any other portion of the Code to the Pinole Fire Department shall heretofore mean and refer to the Contra Costa County Fire Protection District.

### **Section 3. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Pinole hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

### **Section 4. California Environmental Quality Act ("CEQA").**

The proposed amendments are exempt from CEQA based on the rule set forth in CEQA Guidelines Section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the proposed amendments to the Zoning Code will have a significant effect on the environment.

### **Section 5. Effective Date.**

In accordance with California Government Code Section 36937, this Ordinance shall take effect and be in force on the thirty-first day after adoption.

### **Section 6. Publication.**

Within fifteen (15) days after the passage of this Ordinance the City Clerk shall cause this Ordinance or a summary thereof to be published or to be posted in at least three

public places in the City of Pinole in accordance with the requirements of California Government Code Section 36933.

PASSED AND ADOPTED on this \_\_\_\_ day of \_\_\_\_\_ 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Devin T. Murphy, Mayor

ATTEST:

\_\_\_\_\_  
Heather Bell, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Eric S. Casher, City Attorney





## CITY COUNCIL REPORT

**12A**

**DATE:** MARCH 7, 2023

**TO:** MAYOR AND COUNCIL MEMBERS

**FROM:** ANDREW MURRAY, CITY MANAGER  
HEATHER BELL, CITY CLERK

**SUBJECT:** REVIEW CITY COUNCIL MEETING PROCEDURES

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### **RECOMMENDATION**

It is recommended that the City Council review the City Council Meeting Procedures, discuss proposed revisions, and provide direction to staff.

### **BACKGROUND**

The Pinole City Council has established, by resolution, procedures for creating and posting City Council meeting agendas, the standard Council meeting agenda format, and procedures for conducting City Council meetings. The City Council has a tradition of reviewing the meeting procedures each year and considering revisions. The City Council has historically considered and adopted revisions, if any, in a two-step process. The City Council first reviews the resolution containing the current procedures and, if it would like any revisions, directs staff to update the resolution and return to Council at a subsequent meeting, at which the City Council adopts the resolution containing the current or revised procedures.

The current procedures are contained in Resolution 2022-07 (Attachment C), which was approved on February 1, 2022.

The current agenda format, as defined in the procedures, meets all relevant legal requirements, functions adequately, contains all the necessary categories, and is compliant with the Brown Act.

Staff is recommending that the City Council consider various changes to the Council procedures. The proposed changes are tracked in the revised document (Attachment A) for Council's review and consideration. The changes that staff is recommending for Council consideration include some copy-editing changes addressing formatting and punctuation intended to improve clarity; some line editing changes addressing reorganization intended to better describe practices and improve clarity; and some edits that make substantive changes to the procedures. The main substantive change included for Council's consideration is clarifying what items can appear on an agenda (Section 6).

**FISCAL IMPACT**

There is no fiscal impact associated with amending the Council meeting procedures.

**ATTACHMENTS:**

|               |                                     |
|---------------|-------------------------------------|
| Attachment A: | Draft Proposed Resolution – Tracked |
| Attachment B  | Draft Proposed Resolution – Clean   |
|               | Exhibit A to the Resolution         |
| Attachment C: | Resolution 2022-07                  |

RESOLUTION NO. 20223 - ~~XX07~~

## RESOLUTION OF THE CITY COUNCIL OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING AND SETTING FORTH COUNCIL MEETING PROCEDURES FOR THE PREPARATION AND POSTING OF AGENDAS AND THE CONDUCT OF MEETINGS

The Pinole City Council hereby repeals all prior resolutions related to the conduct of meetings, including Resolution 103-2003; 178-2003, 2005-02, 2007-07, 2007-86, 2008-74, 2009-124, 2012-08, 2012-127, 2014-67, and 2015-109, 2016-100, 2017-13, 2017-72, 2018-113, 2019-03, -2020-114, 2021-28, ~~and~~ 2021-68, ~~and~~ 2022-07 and resolves as follows:

1. Regular Meetings. Pursuant to Section 2.12.010 of the Municipal Code, a regular meeting of the Pinole City Council shall be held at 6:00 p.m. on the first and third Tuesdays of every month at the Council Chambers, 2131 Pear Street in Pinole, California. ~~Upon the agreement of the City Manager and the Mayor, a regular meeting of the City Council may be scheduled to start at a time other than 6:00 p.m. Upon the agreement of the City Manager and the Mayor, a regular meeting of the City Council may be cancelled. Items are placed on the agenda under the respective section headings. Public Hearings are scheduled to commence on or around 7 p.m. pursuant to the Municipal Code.~~

2. Special Meetings. ~~Upon the agreement of the City Manager and the Mayor and confirmation of the availability of a quorum of the City Council, a special meeting of the City Council may be scheduled. The date and time of a special meeting will be set in consideration of the likely availability of members of the public to attend at that date and time.~~

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3.2. Closed Sessions. Closed Sessions of the Pinole City Council will customarily be held ~~at 6 p.m. before the prior to the consideration of~~ regular business items on the City Council agenda in Open Session. The City Council will endeavor to conclude Closed Session ~~is scheduled to be concluded~~ by or before 7 p.m. If all Closed Session business items cannot be completed during that time, Council may convene back into Closed Session following all of the Open Session business items that evening or the Closed Session items will not either be held over to the next meeting, ~~or Council may convene back into Closed Session following all the business items that evening.~~

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4. Posting of Meeting Agenda. As required by the Brown Act, at least seventy-two (72) hours before a regular meeting, and twenty-four (24) hours before a special meeting ~~of the City Council~~, the City Clerk shall post the agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall be posted on the bulletin board located outside of City Hall and online on the City's website

5. Council Action Limited. As required by the Brown Act, the Council shall not take action on any item not appearing on the posted agenda unless:

- A. It is determined by a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the Council is present, the unanimous vote of the members present, that the need to take action arose after the posting of the agenda.
- B. It is determined by a majority vote of the Council that an emergency situation as described in Government Code Section 54956.5 necessitated prompt action due to the disruption or threatened disruption of public facilities.
- C. The item was posted for a prior meeting less than five (5) days previously and continued to the meeting where action is being taken.

~~5. Posting Notices for Special Meetings. The call and notice of special meetings shall be posted at least twenty four (24) hours on the bulletin board located outside of City Hall and~~

[online on the City's website.](#)

6. **Agenda Preparation.** The City Manager will in coordination with the Mayor identify the items among those initiated by staff to carry out City functions and those approved by a majority of the City Council as Council requests for future agenda items, that will be included on each specific City Council meeting agenda. Only items that are staff initiated and approved by the City Manager, items that are approved by a majority of the City Council as Council requests for future agenda items, or proclamations/presentations requested by local jurisdictions or non-profits may appear on a Council meeting agenda except as noted above in the section regarding adding new agenda items after the posting deadline. Items may include those requested as future agenda items by the City Council and those needed by City staff to carry out City functions, and proclamations/presentations requested by local jurisdictions or non-profits. Staff The City Manager and the Mayor will endeavor not to include more items on a single agenda than the Council can reasonably address during a single meeting. Items requested as future agenda items by the City Council will be placed on a Council meeting agenda as soon as staff has had sufficient time to conduct any necessary preparations for the item. The City Manager may schedule items requested by Council as future agenda items for specific meeting dates based on specific time sensitivity or natural timing of the item. The City Council can establish a date certain the feasibility of which it should confirm with staff, for a future agenda item when it approves a future agenda item. Cut-off time for placing items on the agenda shall be Wednesday, thirteen days preceding each regular Tuesday meeting, with the final agenda to be prepared by 5:00 pm of the Thursday preceding the meeting.

7. **Order of Business.** Promptly at the hour appointed for each ~~regular~~ meeting, the members of the Council, ~~the~~ City Clerk, City Attorney, ~~and~~ City Manager, the Police Chief or his designee and such other staff members as the City Manager deems are necessary shall assemble in the Council Chambers or some other publicly announced location. The standard agenda items, their sequence, and the standard agenda format for a regular meeting is as shown below. The order of business may be suspended at any Council meeting by a majority vote of the members in attendance.

~~A statement of conflict must be disclosed by an official who has a conflict prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).~~

#### **REGULAR MEETING AGENDA FORMAT**

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

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##### **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 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.

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**EXAMPLES:**

- A. CONFERENCE WITH LABOR NEGOTIATOR  
Pursuant to GC §54597.6  
City Labor Negotiator:  
Employee Organizations:
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to GC §54597  
Public Employee Performance Evaluation:

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

**5. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION****6. CITIZENS TO BE HEARD (Public Comments)**

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

**7. REPORTS & COMMUNICATIONS**

- A. Mayor
  - 1. Announcements
- B. Mayoral and Council Appointments
- C. City Council Reports and Communications
- D. Council Requests for Future Agenda Items and Other Staff Follow-Up
- E. City Manager Report and Department Staff
- F. City Attorney Report

**8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS**

- A. Proclamations
- B. Presentations/Recognitions

**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 ~~M~~member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the remainder of the Consent Calendar.

## 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 on a matter or with a party that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.**

## 11. OLD BUSINESS

## 12. NEW BUSINESS

## 13. CITIZENS TO BE HEARD (Public Comments)

**Open only to members of the public who did not speak under the first Citizens to Be Heard, Agenda Item 6. Citizens may speak under any item not listed on the Agenda.** The time limit is 3 minutes for City Council items and is subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future meeting.

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## 14. ADJOURNMENT

### END OF AGENDA FORMAT

8. **Conflict of Interest.** A statement of conflict must be disclosed by a**An official who has a conflict must disclose such prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).**

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98. **Decorum.** The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. Any person making impertinent, derogatory, or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting may be removed from the room if the Presiding Officer so directs.

The City Council, staff, and the public shall observe the following standards of behavior that promote civility at all public meetings. These standards will be listed on the agenda coversheet for each meeting.

- Treat everyone courteously;
- Give open-minded consideration to all viewpoints;
- Listen to others respectfully;
- Focus on the issues and avoid personalizing debate; and
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

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109. Norms of Behavior and Code of Ethics and Conduct: The City Council has approved ~~the~~ Council Norms of Behavior, incorporated hereto as Exhibit A. The City Council has also approved a Code of Ethics and Conduct which is codified in Chapter 2.62.030 of the Pinole Municipal Code.

110. Approval of Minutes. A true copy of the minutes of proceedings of regular and special meetings not theretofore approved, as the same shall be entered in the journal of proceedings, shall be provided by the City Clerk to each Council member at least twenty-four (24) hours before regular meetings. Unless otherwise ordered by the Council, the City Clerk shall prepare and produce action minutes of the meetings, which may be approved without a public reading of the same. The minutes as approved by the Council shall be the permanent official record of the proceedings of the City Council.

121. Tape Recordings. Council meetings are televised live on Pinole's Local Community Access Channel (Channel 26). Tape recordings and livestream of Council meetings and livestream on social media pages are kept in order to assist in the preparation of minutes. After the prepared minutes have been approved, video tape recordings shall be retained pursuant to the Citywide Records Retention Policy.

132. Rules of Order. The following definitions and rules shall govern the proceedings ~~and order of business~~ of the Council:

a. Reports. Under the items Mayor and City Council Reports and Communications, City Manager Report and City Attorney Report ~~of business entitled "Reports",~~ the Council may shall receive reports ~~from Council Members, the City Manager, and the City Attorney,~~ which are intended to be limited to approximately two (2) minutes from each individual. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted by Council Members to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes. The City Manager Report shall include a report on anticipated agenda items for the next meeting.

b. Consent Calendar. ~~Items listed under the "Consent Calendar" are considered to be routine or noncontroversial and will be enacted, approved, received or adopted by one motion in the form as shown on the agenda. A member of the public or Council member(s) wishing to comment on an item may do so before action is taken. If an item is removed from the Consent Calendar for discussion or response to questions, the items shall be removed from the Consent Calendar, and an action shall be taken to approve the balance of the Consent Calendar. Immediately following, the items removed for discussion should be considered separately for action by Council. All matters under the Consent Calendar are considered to be routine and noncontroversial. All of the Consent Calendar items may be enacted together by one Council action. If any Council Member wishes to comment on a Consent Calendar item, they may do so before action is taken on the Consent Calendar. If, following comments, 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 remainder of the Consent Calendar.~~

c. Public Comment. Public comment, including Citizens to be Heard, is for ~~members of the public to provide comments to the City Council on municipal affairs. Under Citizens to Be Heard, members of the public may provide comments to the City Council on any municipal affair not addressed by another agenda item. Public comment is not intended as a~~

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~~mechanism for members of the public to seek to have questions about municipal affairs answered by City staff, and City staff will generally not address public comments provided in the form of a question. Members of the public should seek to have questions about municipal affairs answered by directly contacting an appropriate City representative outside of a Council meeting.~~

~~dc. Citizens To Be Heard. Citizens may may provide comment to the City Council on any matter not listed on this Council meeting's agenda. Citizens may speak for 3 minutes -subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future meeting.~~

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~~Members of the public may address the Council on any item of interest that is within the jurisdiction of the Council. Individuals who want to speak should complete a card giving his/her name and the item number or description. Individuals will be heard during the Council's consideration of the item. If the item is not listed on the agenda, describe the subject matter on the card and it will be called under Citizens to be Heard, (Public Comment). Time limit is 3 minutes, subject to modification by the Mayor. Individuals may not share or offer time to another speaker.~~

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dd. Public Hearings shall consist of matters wherein published notice has been given and where public hearings are required by law and such matters as the Council may deem necessary or desirable to schedule for public hearings. Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. Individuals may not share or offer time to another speaker. The order of business for Public Hearings is as follows:

- I. All persons wishing to speak for or against a matter which has been set for Public Hearing are requested to complete a card giving his/her name and address, and to hand the card to the City Clerk as early as possible in the meeting. The cards can be found on the Clerk's desk or on a table located in the back of the Council Chambers.
- II. The speakers shall address remarks to and through the Mayor.
- III. Persons addressing the Council shall state their name, the city in which they reside, the interest they represent, if any, and shall state on which side of the argument they wish to be heard.
- IV. Prior to opening the Public Hearing, the Mayor may request a staff report and presentation.
- V. All persons wishing to be heard shall confine their remarks to the merits of the matter being considered and shall refrain from references to personalities.
- VI. Applicant/Appellant (10 minutes), subject to adjustment by the Mayor) - The applicant or his/her representative shall first address the Council and shall, in his/her first address, state all relevant reasons and present all

relevant evidence on behalf of the application/matter.

VII. Opponent (5 minutes), subject to adjustment by the Mayor – The primary opponent representative to a project/application shall address the Council second and shall state all relevant reasons and present all relevant evidence on behalf of the opposition.

VIII. The Mayor shall next request the Clerk to read or acknowledge any written communication received on the application.

IX. Public Comments ~~will be~~ (3 minutes per speaker), subject to adjustment by the Mayor). Any persons wishing to speak either in favor of, in opposition to, or simply to comment on the application/matter shall next be recognized by the Mayor in the order in which they present themselves.

X. Applicant Close (5 minutes, subject to adjustment by the Mayor) - After all persons desiring to speak on the application have completed their presentation and any written communications have been acknowledged, the applicant will be permitted 5 minutes to close the argument by presenting matter in rebuttal on presentation made in opposition to the application.

XI. If the applicant, in rebuttal, presents new evidence not covered in the original presentation, persons who have previously spoken on the application may be granted an opportunity to comment on the new evidence only.

XII. The applicant shall have the right to close the argument.

XIII. The Public Hearing shall then be concluded on the part of the public and brought to the Council level for discussion and decision. There is no further comment permitted from the audience unless requested by the Council.

XIV. In matters set for Public Hearing before the City Council, the Mayor reserves the right to limit the length of time for argument.

ee. Appeals. Appeals shall be presented to the Council through the City Clerk and/or as required by law. Persons other than parties to the appeal may speak only by permission of the Council. The process for appellant/opposition speakers shall be the same as outlined above for Public Hearings.

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f. Public Discussion

I. Permission - Any person addressing the Council shall first secure the permission of the presiding officer.

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II. Not A Debate - Public discussion should not be used to elicit a debate between Council members or staff and the public.

III. Time Limits - The Council may establish time limits for the consideration of any agenda item as well as establish an overall time period for the consideration of any matter.

IV. Public ~~Comment-Discussion~~ During Council Deliberation - Public ~~discussion-comment~~ shall be allowed following the staff report and Council questions ~~and~~ before deliberations. Speakers shall be allowed three minutes each, subject to modification by the Mayor.

V. Limit on Public Discussion After Motion to Terminate Deliberation - No discussion shall be permitted after a motion, which would terminate further deliberation, has been adopted.

h. ~~g.h.~~ ~~Old Business.~~ This item is for city business which has been raised at a previous meeting and which has not been completed.

hi. ~~New Business.~~ This item is for new city business which has not been previously presented to the City Council.

#### i.13. Council Deliberation.

I. Presiding Officer May Deliberate - The Mayor may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his/her acting as the Mayor.

II. Getting the Floor - Improper References to be Avoided - Every member desiring to speak shall address the Mayor, and upon recognition shall confine himself/herself to the question under deliberation, avoiding negative references to personalities and indecorous language.

III. Interruptions - A Council member, once recognized, shall not be interrupted when speaking unless it is to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question ~~of~~ order be determined, and if in order, said member shall be permitted to proceed.

IV. Motion to Reconsider - A motion to reconsider any action taken by the Council may be made only on the date such action was taken or the next meeting of the Council. Such motion must be made by one who voted on the prevailing side, and may be made at any time or while a member has the floor and have precedence over all other motions; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same other motion at a subsequent meeting of the Council or a motion to rescind.

V. Repeal or Amendment of Action Requiring More Than a Majority Vote - Any

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ordinance or resolution which is passed or adopted and which, as part of its terms, requires more than a majority vote of the Council in order to pass, a motion pursuant to such an ordinance or resolution shall require a vote of the same percent of the Council to repeal or amend the ordinance or resolution.

- VI. Motion to Table - A motion to lay on the table is not debatable and shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.
- VII. Motion to Call for Question or Continue to a Date Specific - A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- VIII. Statement of Position - When a motion to call for the question is adopted, each member of the Council may briefly state his/her position on the matter before roll call or call for the next item of business.
- IX. Privilege of Closing Deliberation - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the deliberations or making the final statement. Further, it shall be the privilege of the Mayor to close debate where the Mayor determines that further debate is not advancing deliberations.
- X. Division of Question - If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.
- XI. Second Required - All motions except for nominations and a point of order shall require a second.
- XII. Miscellaneous - All other matters not covered by these rules shall be decided by a majority of the Council. Roberts' Rules of Order may be used for guidance. Further, this Resolution supersedes any prior resolutions relating to the conduct of Council meetings.

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#### 14. Council Requests for Future Agenda Items and Other Staff Follow-Up

Under this agenda item, any Council Member may make a motion that an item be scheduled for discussion at a future City Council meeting or that staff conduct a specific follow-up task. The request must be approved by a majority vote of the Council in order to be carried out. The Council Member raising the request shall specify the type of follow-up they seek, among the following: staff provide information on a topic to Council in a memorandum; staff schedule a presentation to Council by an outside party at a future Council meeting; staff schedule a report to Council by staff at a future Council meeting; staff schedule an agenda item at a future Council meeting for staff to receive direction from Council on an issue; and staff present proposed City legislation/policy (resolution or ordinance) to Council at a future Council meeting. Council requests that staff conduct a special project that would require substantial staff time and/or substantial other City resources will be brought to Council as a future Council agenda item for staff to receive direction

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from Council on how to resource and prioritize the special project within the City workplan.

k. Study Sessions and Workshops are special meetings of the City Council that provide in-depth information and give City Council members background and insight for addressing critical City issues more effectively and allow additional time for public review and participation.

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l.15. Adjournment - Meetings will be adjourned at 11:00 p.m., unless Council approves a motion to extend the meeting.~~to address specific items not yet taken up on the agenda.~~

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~~16. Study Sessions and Workshops are special meetings of the City Council that provide in-depth information and give City Council members background and insight for addressing critical City issues more effectively and allow additional time for public review and participation.~~

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**PASSED AND ADOPTED** this 7th day of March, 2023~~2~~, by the following vote:

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

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 7th day of March 2023~~2~~.

\_\_\_\_\_  
Heather Bell, CMC  
City Clerk

## RESOLUTION NO. 2023 - XX

**RESOLUTION OF THE CITY COUNCIL OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING AND SETTING FORTH COUNCIL MEETING PROCEDURES FOR THE PREPARATION AND POSTING OF AGENDAS AND THE CONDUCT OF MEETINGS**

The Pinole City Council hereby repeals all prior resolutions related to the conduct of meetings, including Resolution 103-2003; 178-2003, 2005-02, 2007-07, 2007-86, 2008-74, 2009-124, 2012-08, 2012-127, 2014-67, and 2015-109, 2016-100, 2017-13, 2017-72, 2018-113, 2019-03, 2020-114, 2021-28, 2021-68, and 2022-07 and resolves as follows:

1. Regular Meetings. Pursuant to Section 2.12.010 of the Municipal Code, a regular meeting of the Pinole City Council shall be held at 6:00 p.m. on the first and third Tuesdays of every month at the Council Chambers, 2131 Pear Street in Pinole, California. Upon the agreement of the City Manager and the Mayor, a regular meeting of the City Council may be scheduled to start at a time other than 6:00 p.m. Upon the agreement of the City Manager and the Mayor, a regular meeting of the City Council may be cancelled.

2. Special Meetings. Upon the agreement of the City Manager and the Mayor and confirmation of the availability of a quorum of the City Council, a special meeting of the City Council may be scheduled. The date and time of a special meeting will be set in consideration of the likely availability of members of the public to attend at that date and time.

3. Closed Sessions. Closed Sessions of the Pinole City Council will customarily be held prior to the consideration of regular business items on the City Council agenda in Open Session. The City Council will endeavor to conclude Closed Session by or before 7 p.m. If all Closed Session items cannot be completed during that time, Council may convene back into Closed Session following all of the Open Session business items that evening or the Closed Session items can be held over to the next meeting,

4. Posting of Meeting Agenda. As required by the Brown Act, at least seventy-two (72) hours before a regular meeting, and twenty-four (24) hours before a special meeting, the City Clerk shall post the agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall be posted on the bulletin board located outside of City Hall and online on the City's website

5. Council Action Limited. As required by the Brown Act, the Council shall not take action on any item not appearing on the posted agenda unless:

- A. It is determined by a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the Council is present, the unanimous vote of the members present, that the need to take action arose after the posting of the agenda.
- B. It is determined by a majority vote of the Council that an emergency situation as described in Government Code Section 54956.5 necessitated prompt action due to the disruption or threatened disruption of public facilities.
- C. The item was posted for a prior meeting less than five (5) days previously and continued to the meeting where action is being taken.

6. Agenda Preparation. The City Manager will in coordination with the Mayor identify the items, among those initiated by staff to carry out City functions and those approved by a majority of the City Council as Council requests for future agenda items, that will be included on each specific City Council meeting agenda. Only items that are staff initiated and approved by the City Manager, items that are approved by a majority of the City Council as Council requests for future agenda items, or proclamations/presentations requested by local jurisdictions or non-profits

may appear on a Council meeting agenda except as noted above in the section regarding adding new agenda items after the posting deadline. The City Manager and the Mayor will endeavor not to include more items on a single agenda than the Council can reasonably address during a single meeting. Items requested as future agenda items by the City Council will be placed on a Council meeting agenda as soon as staff has had sufficient time to conduct any necessary preparations for the item. The City Manager may schedule items requested by Council as future agenda items for specific meeting dates based on specific time sensitivity or natural timing of the item. The City Council can establish a date certain, the feasibility of which it should confirm with staff, for a future agenda item when it approves a future agenda item. Cut-off time for placing items on the agenda shall be Wednesday, thirteen days preceding each regular Tuesday meeting, with the final agenda to be prepared by 5:00 pm of the Thursday preceding the meeting.

7. Order of Business. Promptly at the hour appointed for each meeting, the members of the Council, City Clerk, City Attorney, City Manager, the Police Chief or his designee and such other staff members as the City Manager deems necessary shall assemble in the Council Chambers or some other publicly announced location. The standard agenda items, their sequence, and the standard agenda format for a regular meeting is as shown below. The order of business may be suspended at any Council meeting by a majority vote of the members in attendance.

#### **REGULAR MEETING AGENDA FORMAT**

**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 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.**

**EXAMPLES:**

A. CONFERENCE WITH LABOR NEGOTIATOR  
Pursuant to GC §54597.6  
City Labor Negotiator:  
Employee Organizations:

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to GC §54597  
Public Employee Performance Evaluation:



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

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

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

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

**7. REPORTS & COMMUNICATIONS**

- A. Mayor
  - 1. Announcements
- B. Mayoral and Council Appointments
- C. City Council Reports and Communications
- D. Council Requests for Future Agenda Items and Other Staff Follow-Up
- E. City Manager Report
- F. City Attorney Report

**8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS**

- A. Proclamations
- B. Presentations/Recognitions

**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 remainder of the Consent Calendar.*

**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 on a matter or with a party that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.***

**11. OLD BUSINESS**

**12. NEW BUSINESS**

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

**Open only to members of the public who did not speak under the first Citizens to Be Heard, Agenda Item 6.**  
**Citizens may speak under any item not listed on the Agenda.** The time limit is 3 minutes for City Council items and

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

## 14. ADJOURNMENT

### END OF AGENDA FORMAT

8. Conflict of Interest. An official who has a conflict must disclose such prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).

9. Decorum. The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. Any person making impertinent, derogatory, or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting may be removed from the room if the Presiding Officer so directs.

The City Council, staff, and the public shall observe the following standards of behavior that promote civility at all public meetings. These standards will be listed on the agenda coversheet for each meeting.

- Treat everyone courteously;
- Give open-minded consideration to all viewpoints;
- Listen to others respectfully;
- Focus on the issues and avoid personalizing debate; and
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

10. Norms of Behavior and Code of Ethics and Conduct: The City Council has approved the Council Norms of Behavior, incorporated hereto as Exhibit A. The City Council has also approved a Code of Ethics and Conduct which is codified in Chapter 2.62.030 of the Pinole Municipal Code.

11. Approval of Minutes. A true copy of the minutes of proceedings of regular and special meetings not theretofore approved, as the same shall be entered in the journal of proceedings, shall be provided by the City Clerk to each Council member at least twenty-four (24) hours before regular meetings. Unless otherwise ordered by the Council, the City Clerk shall prepare and produce action minutes of the meetings, which may be approved without a public reading of the same. The minutes as approved by the Council shall be the permanent official record of the proceedings of the City Council.

12. Tape Recordings. Council meetings are televised live on Pinole's Local Community Access Channel (Channel 26). Tape recordings and livestream of Council meetings

and livestream on social media pages are kept in order to assist in the preparation of minutes. After the prepared minutes have been approved, video tape recordings shall be retained pursuant to the Citywide Records Retention Policy.

13. Rules of Order. The following definitions and rules shall govern the proceedings of the Council:

a. Reports. Under the items Mayor and City Council Reports and Communications, City Manager Report and City Attorney Report , the Council shall receive reports which are intended to be limited to approximately two (2) minutes from each individual. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted by Council Members to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes. The City Manager Report shall include a report on anticipated agenda items for the next meeting.

b. Consent Calendar. All matters under the Consent Calendar are considered to be routine and noncontroversial. All of the Consent Calendar items may be enacted together by one Council action. If any Council Member wishes to comment on a Consent Calendar item, they may do so before action is taken on the Consent Calendar. If, following comments, 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 remainder of the Consent Calendar.

c. Public Comment. Public comment, including Citizens to be Heard, is for members of the public to provide comments to the City Council on municipal affairs. Under Citizens to Be Heard, members of the public may provide comments to the City Council on any municipal affair not addressed by another agenda item. Citizens may speak for 3 minutes subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future meeting.

d. Public Hearings shall consist of matters wherein published notice has been given and where public hearings are required by law and such matters as the Council may deem necessary or desirable to schedule for public hearings. Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. Individuals may not share or offer time to another speaker. The order of business for Public Hearings is as follows:

- I. All persons wishing to speak for or against a matter which has been set for Public Hearing are requested to complete a card giving his/her name and address, and to hand the card to the City Clerk as early as possible in the meeting. The cards can be found on the Clerk's desk or on a table located in the back of the Council Chambers.
- II. The speakers shall address remarks to and through the Mayor.
- III. Persons addressing the Council shall state their name, the city in which they reside, the interest they represent, if any, and shall state on which side of the argument they wish to be heard.
- IV. Prior to opening the Public Hearing, the Mayor may request a staff report

and presentation.

- V. All persons wishing to be heard shall confine their remarks to the merits of the matter being considered and shall refrain from references to personalities.
- VI. Applicant/Appellant (10 minutes, subject to adjustment by the Mayor) - The applicant or his/her representative shall first address the Council and shall, in his/her first address, state all relevant reasons and present all relevant evidence on behalf of the application/matter.
- VII. Opponent (5 minutes, subject to adjustment by the Mayor) – The primary opponent representative to a project/application shall address the Council second and shall state all relevant reasons and present all relevant evidence on behalf of the opposition.
- VIII. The Mayor shall next request the Clerk to read or acknowledge any written communication received on the application.
- IX. Public Comments (3 minutes per speaker, subject to adjustment by the Mayor). Any persons wishing to speak either in favor of, in opposition to, or simply to comment on the application/matter shall next be recognized by the Mayor in the order in which they present themselves.
- X. Applicant Close (5 minutes, subject to adjustment by the Mayor) - After all persons desiring to speak on the application have completed their presentation and any written communications have been acknowledged, the applicant will be permitted 5 minutes to close the argument by presenting matter in rebuttal on presentation made in opposition to the application.
- XI. If the applicant, in rebuttal, presents new evidence not covered in the original presentation, persons who have previously spoken on the application may be granted an opportunity to comment on the new evidence only.
- XII. The applicant shall have the right to close the argument.
- XIII. The Public Hearing shall then be concluded on the part of the public and brought to the Council level for discussion and decision. There is no further comment permitted from the audience unless requested by the Council.
- XIV. In matters set for Public Hearing before the City Council, the Mayor reserves the right to limit the length of time for argument.

e. Appeals. Appeals shall be presented to the Council through the City Clerk and/or as required by law. Persons other than parties to the appeal may speak only by permission of the Council. The process for appellant/opposition speakers shall be the same as outlined above

for Public Hearings.

. Public Discussion

- I. Permission - Any person addressing the Council shall first secure the permission of the presiding officer.
- II. Not A Debate - Public discussion should not be used to elicit a debate between Council members or staff and the public.
- III. Time Limits - The Council may establish time limits for the consideration of any agenda item as well as establish an overall time period for the consideration of any matter.
- IV. Public Comment During Council Deliberation - Public comment shall be allowed following the staff report and Council questions and before deliberations. Speakers shall be allowed three minutes each, subject to modification by the Mayor.
- V. Limit on Public Discussion After Motion to Terminate Deliberation - No discussion shall be permitted after a motion, which would terminate further deliberation, has been adopted.

g.. Old Business. This item is for city business which has been raised at a previous meeting and which has not been completed.

h. New Business. This item is for new city business which has not been previously presented to the City Council.

i. Council Deliberation.

- I. Presiding Officer May Deliberate - The Mayor may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his/her acting as the Mayor.
- II. Getting the Floor - Improper References to be Avoided - Every member desiring to speak shall address the Mayor, and upon recognition shall confine himself/herself to the question under deliberation, avoiding negative references to personalities and indecorous language.
- III. Interruptions - A Council member, once recognized, shall not be interrupted when speaking unless it is to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question of order be determined, and if in order, said member shall be permitted to proceed.
- IV. Motion to Reconsider - A motion to reconsider any action taken by the Council may be made only on the date such action was taken or the next meeting of the Council. Such motion must be made by one who voted on the prevailing side, and may be made at any time or while a member has the floor and have precedence over all other motions; it shall be debatable.

Nothing herein shall be construed to prevent any member of the Council from making or remaking the same other motion at a subsequent meeting of the Council or a motion to rescind.

- V. Repeal or Amendment of Action Requiring More Than a Majority Vote - Any ordinance or resolution which is passed or adopted and which, as part of its terms, requires more than a majority vote of the Council in order to pass, a motion pursuant to such an ordinance or resolution shall require a vote of the same percent of the Council to repeal or amend the ordinance or resolution.
- VI. Motion to Table - A motion to lay on the table is not debatable and shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.
- VII. Motion to Call for Question or Continue to a Date Specific - A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- VIII. Statement of Position - When a motion to call for the question is adopted, each member of the Council may briefly state his/her position on the matter before roll call or call for the next item of business.
- IX. Privilege of Closing Deliberation - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the deliberations or making the final statement. Further, it shall be the privilege of the Mayor to close debate where the Mayor determines that further debate is not advancing deliberations.
- X. Division of Question - If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.
- XI. Second Required - All motions except for nominations and a point of order shall require a second.
- XII. Miscellaneous - All other matters not covered by these rules shall be decided by a majority of the Council. Roberts' Rules of Order may be used for guidance. Further, this Resolution supersedes any prior resolutions relating to the conduct of Council meetings.

j.. Council Requests for Future Agenda Items and Other Staff Follow-Up – Under this agenda item, any Council Member may make a motion that an item be scheduled for discussion at a future City Council meeting or that staff conduct a specific follow-up task. The request must be approved by a majority vote of the Council in order to be carried out. The Council Member raising the request shall specify the type of follow-up they seek, among the following: staff provide information on a topic to Council in a memorandum; staff schedule a presentation to Council by an outside party at a future Council meeting; staff schedule a report to Council by staff

at a future Council meeting; staff schedule an agenda item at a future Council meeting for staff to receive direction from Council on an issue; and staff present proposed City legislation/policy (resolution or ordinance) to Council at a future Council meeting. Council requests that staff conduct a special project that would require substantial staff time and/or substantial other City resources will be brought to Council as a future Council agenda item for staff to receive direction from Council on how to resource and prioritize the special project within the City workplan.

k. Study Sessions and Workshops are special meetings of the City Council that provide in-depth information and give City Council members background and insight for addressing critical City issues more effectively and allow additional time for public review and participation.

l. Adjournment - Meetings will be adjourned at 11:00 p.m., unless Council approves a motion to extend the meeting..

**PASSED AND ADOPTED** this 7th day of March, 2023, by the following vote:

|          |                 |
|----------|-----------------|
| AYES:    | COUNCILMEMBERS: |
| NOES:    | COUNCILMEMBERS: |
| ABSENT:  | COUNCILMEMBERS: |
| ABSTAIN: | COUNCILMEMBERS: |

I hereby certify that the foregoing resolution was introduced, passed and adopted on this 7th day of March 2023.

---

Heather Bell, CMC  
City Clerk



## RESOLUTION NO. 2021- 27

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF  
CONTRA COSTA, STATE OF CALIFORNIA,  
ADOPTING REVISED CITY COUNCIL NORMS OF BEHAVIOR**

**WHEREAS**, the City Council adopted Norms of Behavior in August 2019 subsequent to a Council teambuilding workshop in June 2019; and

**WHEREAS**, the City Council held a special meeting, in a workshop format, in January 2021 during which the City Council reviewed and discussed the Norms of Behavior; and

**WHEREAS**, based on the discussion, the meeting facilitator, Management Partners, has created a recommended revised set of norms;

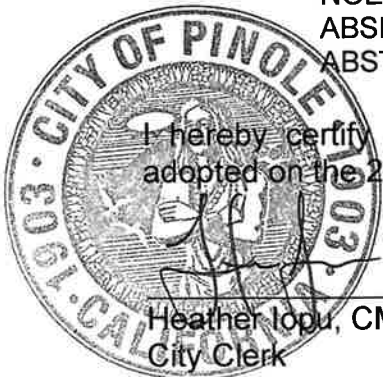
**NOW, THEREFORE, BE IT RESOLVED** that the Pinole City Council does hereby establish the following revised set of Norms of Behavior:

1. Work for the public good, not for personal interest.
2. Empower and communicate through the City Manager.
3. Work for “win/win” solutions by striving for consensus and seeking common ground.
4. The Council’s policy deliberation process will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.
5. Praise Council and staff decision(s) in public and offer corrective comment(s) in private.
6. Share information with each other early in the process to avoid surprises.
7. Address one another by role and last name and shake hands once the meeting concludes.
8. Establish a structure where the Mayor calls on members.
9. Prior to a Council vote, where there may be confusion, the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
10. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

**PASSED AND ADOPTED** at a regular meeting of the Pinole City Council held on the 20<sup>th</sup> day of April 2021 by the following vote:

|          |                                                   |
|----------|---------------------------------------------------|
| AYES:    | COUNCILMEMBERS: <b>Murphy, Salimi, Tave, Toms</b> |
| NOES:    | COUNCILMEMBERS: <b>None</b>                       |
| ABSENT:  | COUNCILMEMBERS: <b>Martínez-Rubin</b>             |
| ABSTAIN: | COUNCILMEMBERS: <b>None</b>                       |

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 20<sup>th</sup> day of April 2021.



Heather Iopu, CMC  
City Clerk

## RESOLUTION NO. 2022 - 07

**RESOLUTION OF THE CITY COUNCIL OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AMENDING AND SETTING FORTH COUNCIL MEETING PROCEDURES FOR THE PREPARATION AND POSTING OF AGENDAS AND THE CONDUCT OF MEETINGS**

The Pinole City Council hereby repeals all prior resolutions related to the conduct of meetings, including Resolution 103-2003; 178-2003, 2005-02, 2007-07, 2007-86, 2008-74, 2009-124, 2012-08, 2012-127, 2014-67, and 2015-109, 2016-100, 2017-13, 2017-72, 2018-113, 2019-03, 2020-114, 2021-28 and 2021-68 and resolves as follows:

1. Regular Meetings. Pursuant to Section 2.12.010 of the Municipal Code, a regular meeting of the Pinole City Council shall be held at 6:00 p.m. on the first and third Tuesdays of every month at the Council Chambers, 2131 Pear Street in Pinole, California. Items are placed on the agenda under the respective section headings. Public Hearings are scheduled to commence on or around 7 p.m. pursuant to the Municipal Code.

2. Closed Sessions of the Pinole City Council will customarily be held at 6 p.m. before the regular business items on the City Council agenda. The Closed Session is scheduled to be concluded by or before 7 p.m. If all business cannot be completed during that time, the items will either be held over to the next meeting, or Council may convene back into Closed Session following all the business items that evening.

3. Posting of Meeting Agenda. As required by the Brown Act, at least seventy-two (72) hours before a regular meeting, and twenty-four (24) hours before a special meeting of the City Council, the City Clerk shall post the agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall be posted on the bulletin board located outside of City Hall and online on the City's website

4. Council Action Limited. As required by the Brown Act, the Council shall not take action on any item not appearing on the posted agenda unless:

- A. It is determined by a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the Council is present, the unanimous vote of the members present, that the need to take action arose after the posting of the agenda.
- B. It is determined by a majority vote of the Council that an emergency situation as described in Government Code Section 54956.5 necessitated prompt action due to the disruption or threatened disruption of public facilities.
- C. The item was posted for a prior meeting less than five (5) days previously and continued to the meeting where action is being taken.

5. Posting Notices for Special Meetings. The call and notice of special meetings shall be posted at least twenty-four (24) hours on the bulletin board located outside of City Hall and online on the City's website.

6. Agenda Preparation. The City Manager will in coordination with the Mayor identify the items that will be included on each specific City Council agenda. Items may include those requested as future agenda items by the City Council and those needed by City staff to carry out City functions, and proclamations/presentations requested by local jurisdictions or non-profits. Staff will endeavor not to include more items on a single agenda than the Council can reasonably address during a single meeting. Items requested as future agenda items by the City Council will be placed on a Council meeting agenda as soon as staff has had sufficient time to conduct any necessary preparations for the item. The City Manager may schedule items requested by Council as future agenda items based on specific time sensitivity or natural timing of the item. The City

Council can establish a date certain for a future agenda item when it approves a future agenda item. Cut-off time for placing items on the agenda shall be Wednesday, thirteen days preceding each regular Tuesday meeting, with the final agenda to be prepared by 5:00 pm of the Thursday preceding the meeting.

7. Order of Business. Promptly at the hour appointed for each regular meeting, the members of the Council, the City Clerk, City Attorney, and City Manager, the Police Chief or his designee and such other staff members as are necessary shall assemble in the Council Chambers or some other publicly announced location. A statement of conflict must be disclosed by an official who has a conflict prior to consideration of the decision by publicly identifying in detail the financial interest that causes the conflict; recusing himself /herself from discussion and voting, and leaving the room until the decision has been reached (GC Section 87200).

### **AGENDA FORMAT**

**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 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.

**EXAMPLES:**

- A. CONFERENCE WITH LABOR NEGOTIATOR  
Pursuant to GC §54597.6  
City Labor Negotiator:  
Employee Organizations:
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to GC §54597  
Public Employee Performance Evaluation:

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

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

## **7. REPORTS & COMMUNICATIONS**

- A. Mayor
  - 1. Announcements
- B. Mayoral and Council Appointments
- C. City Council Reports and Communications
- D. Council Requests for Future Agenda Items and Other Staff Follow-Up
- E. City Manager and Department Staff
- F. City Attorney Report

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

- A. Proclamations
- B. Presentations/Recognitions

## **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.

## **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.**

## **11. OLD BUSINESS**

## **12. NEW BUSINESS**

## **13. CITIZENS TO BE HEARD (Public Comments)**

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

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

## **14. ADJOURNMENT**

## END OF AGENDA FORMAT

8. Decorum. The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. Any person making impertinent, derogatory, or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting may be removed from the room if the Presiding Officer so directs.

The City Council, staff, and the public shall observe the following standards of behavior that promote civility at all public meetings. These standards will be listed on the agenda coversheet for each meeting.

- Treat everyone courteously;
- Give open-minded consideration to all viewpoints;
- Listen to others respectfully;
- Focus on the issues and avoid personalizing debate; and
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

9. Norms of Behavior: The City Council has approved Council Norms of Behavior incorporated hereto as Exhibit A.

10. Approval of Minutes. A true copy of the minutes of proceedings of regular and special meetings not theretofore approved, as the same shall be entered in the journal of proceedings, shall be provided by the City Clerk to each Council member at least twenty-four (24) hours before regular meetings. Unless otherwise ordered by the Council, the City Clerk shall prepare and produce action minutes of the meetings, which may be approved without a public reading of the same. The minutes as approved by the Council shall be the permanent official record of the proceedings of the City Council.

11. Tape Recordings. Council meetings are televised live on Pinole's Local Community Access Channel (Channel 26). Tape recordings and livestream of Council meetings and livestream on social media pages are kept in order to assist in the preparation of minutes. After the prepared minutes have been approved, video tape recordings shall be retained pursuant to the Citywide Records Retention Policy.

12. Rules of Order. The following definitions and rules shall govern the proceedings and order of business of the Council:

a. Reports. Under the item of business entitled "Reports", the Council may receive reports from Council Members, the City Manager, and the City Attorney, which are intended to be limited to approximately two (2) minutes from each individual. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted by Council Members to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes. The City Manager shall include a report on

anticipated agenda items for the next meeting.

b. Consent Calendar. Items listed under the "Consent Calendar" are considered to be routine or noncontroversial and will be enacted, approved, received or adopted by one motion in the form as shown on the agenda. A member of the public or Council member(s) wishing to comment on an item may do so before action is taken. If an item is removed from the Consent Calendar for discussion or response to questions, the items shall be removed from the Consent Calendar, and an action shall be taken to approve the balance of the Consent Calendar. Immediately following, the items removed for discussion should be considered separately for action by Council.

c. Citizens To Be Heard. Members of the public may address the Council on any item of interest that is within the jurisdiction of the Council. Individuals who want to speak should complete a card giving his/her name and the item number or description. Individuals will be heard during the Council's consideration of the item. If the item is not listed on the agenda, describe the subject matter on the card and it will be called under Citizens to be Heard, (Public Comment). Time limit is 3 minutes, subject to modification by the Mayor. Individuals may not share or offer time to another speaker.

d. Public Hearings shall consist of matters wherein published notice has been given and where public hearings are required by law and such matters as the Council may deem necessary or desirable to schedule for public hearings. Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. Individuals may not share or offer time to another speaker. The order of business for Public Hearings is as follows:

- I. All persons wishing to speak for or against a matter which has been set for Public Hearing are requested to complete a card giving his/her name and address, and to hand the card to the City Clerk as early as possible in the meeting. The cards can be found on the Clerk's desk or on a table located in the back of the Council Chambers.
- II. The speakers shall address remarks to and through the Mayor.
- III. Persons addressing the Council shall state their name, the city in which they reside, the interest they represent, if any, and shall state on which side of the argument they wish to be heard
- IV. Prior to opening the Public Hearing, the Mayor may request a staff report and presentation.
- V. All persons wishing to be heard shall confine their remarks to the merits of the matter being considered and shall refrain from references to personalities.
- VI. Applicant/Appellant (10 minutes), subject to adjustment by the Mayor - The applicant or his/her representative shall first address the Council and shall, in his/her first address, state all relevant reasons and present all relevant evidence on behalf of the application.

- VII. Opponent (5 minutes), subject to adjustment by the Mayor – The primary opponent representative to a project/application shall address the Council second and shall state all relevant reasons and present all relevant evidence on behalf of the opposition.
- VIII. The Mayor shall next request the Clerk to read or acknowledge any written communication received on the application.
- IX. Public Comments will be (3 minutes per speaker), subject to adjustment by the Mayor. Any persons wishing to speak either in favor of, in opposition to, or simply to comment on the application shall next be recognized by the Mayor in the order in which they present themselves.
- X. After all persons desiring to speak on the application have completed their presentation and any written communications have been acknowledged, the applicant will be permitted 5 minutes to close the argument by presenting matter in rebuttal on presentation made in opposition to the application.
- XI. If the applicant, in rebuttal, presents new evidence not covered in the original presentation, persons who have previously spoken on the application may be granted an opportunity to comment on the new evidence only.
- XII. The applicant shall have the right to close the argument.
- XIII. The Public Hearing shall then be concluded on the part of the public and brought to the Council level for discussion and decision. There is no further comment permitted from the audience unless requested by the Council.
- XIV. In matters set for Public Hearing before the City Council, the Mayor reserves the right to limit the length of time for argument.
- e. Appeals. Appeals shall be presented to the Council through the City Clerk and/or as required by law. Persons other than parties to the appeal may speak only by permission of the Council. The process for appellant/opposition speakers shall be the same as outlined above for Public Hearings.
- f. Public Discussion
  - I. Permission - Any person addressing the Council shall first secure the permission of the presiding officer.
  - II. Not A Debate - Public discussion should not be used to elicit a debate between Council members or staff and the public.
  - III. Time Limits - The Council may establish time limits for the consideration of any agenda item as well as establish an overall



time period for the consideration of any matter.

- IV. Public Discussion During Council Deliberation - Public discussion shall be allowed following the staff report and Council questions and before deliberations. Speakers shall be allowed three minutes each, subject to modification by the Mayor.
- V. Limit on Public Discussion After Motion to Terminate Deliberation - No discussion shall be permitted after a motion, which would terminate further deliberation, has been adopted.

13. Council Deliberation.

- I. Presiding Officer May Deliberate - The Mayor may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his/her acting as the Mayor.
- II. Getting the Floor - Improper References to be Avoided - Every member desiring to speak shall address the Mayor, and upon recognition shall confine himself/herself to the question under deliberation, avoiding negative references to personalities and indecorous language.
- III. Interruptions - A Council member, once recognized, shall not be interrupted when speaking unless it is to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question or order be determined, and if in order, said member shall be permitted to proceed.
- IV. Motion to Reconsider - A motion to reconsider any action taken by the Council may be made only on the date such action was taken or the next meeting of the Council. Such motion must be made by one who voted on the prevailing side, and may be made at any time or while a member has the floor and have precedence over all other motions; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same other motion at a subsequent meeting of the Council or a motion to rescind.
- V. Repeal or Amendment of Action Requiring More Than a Majority Vote - Any ordinance or resolution which is passed or adopted and which, as part of its terms, requires more than a majority vote of the Council in order to pass, a motion pursuant to such an ordinance or resolution shall require a vote of the same percent of the Council to repeal or amend the ordinance or resolution.
- VI. Motion to Table - A motion to lay on the table is not debatable and shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.

- VII. Motion to Call for Question or Continue to a Date Specific - A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- VIII. Statement of Position - When a motion to call for the question is adopted, each member of the Council may briefly state his/her position on the matter before roll call or call for the next item of business.
- IX. Privilege of Closing Deliberation - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the deliberations or making the final statement. Further, it shall be the privilege of the Mayor to close debate where the Mayor determines that further debate is not advancing deliberations.
- X. Division of Question - If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.
- XI. Second Required - All motions except for nominations and a point of order shall require a second.
- XII. Miscellaneous - All other matters not covered by these rules shall be decided by a majority of the Council. Roberts' Rules of Order may be used for guidance. Further, this Resolution supersedes any prior resolutions relating to the conduct of Council meetings.

14. Council Requests for Future Agenda Items and Other Staff Follow-Up – Under this agenda item, any Council Member may make a motion that an item be scheduled for discussion at a future City Council meeting or that staff conduct a specific follow-up task. The request must be approved by a majority vote of the Council in order to be carried out. The Council Member raising the request shall specify the type of follow-up they seek, among the following: staff provide information on a topic to Council in a memorandum; staff schedule a presentation to Council by an outside party at a future Council meeting; staff schedule a report to Council by staff at a future Council meeting; staff schedule an agenda item at a future Council meeting for staff to receive direction from Council on an issue; and staff present proposed City legislation/policy (resolution or ordinance) to Council at a future Council meeting. Council requests that staff conduct a special project that would require substantial staff time and/or substantial other City resources will be brought to Council as a future Council agenda item for staff to receive direction from Council on how to resource and prioritize the special project within the City workplan.

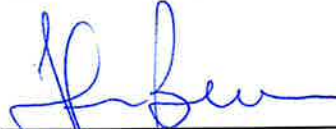
15. Meetings will be adjourned at 11:00 p.m., unless Council approves a motion to extend the meeting to address specific items not yet taken up on the agenda.

16. Study Sessions and Workshops are special meetings of the City Council that provide in-depth information and give City Council members background and insight for addressing critical City issues more effectively and allow additional time for public review and participation.

**PASSED AND ADOPTED** this 1st day of **February, 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 this 1st day of February 2022.



---

Heather Bell, CMC  
City Clerk

## RESOLUTION NO. 2021- 27

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF  
CONTRA COSTA, STATE OF CALIFORNIA,  
ADOPTING REVISED CITY COUNCIL NORMS OF BEHAVIOR**

**WHEREAS**, the City Council adopted Norms of Behavior in August 2019 subsequent to a Council teambuilding workshop in June 2019; and

**WHEREAS**, the City Council held a special meeting, in a workshop format, in January 2021 during which the City Council reviewed and discussed the Norms of Behavior; and

**WHEREAS**, based on the discussion, the meeting facilitator, Management Partners, has created a recommended revised set of norms;

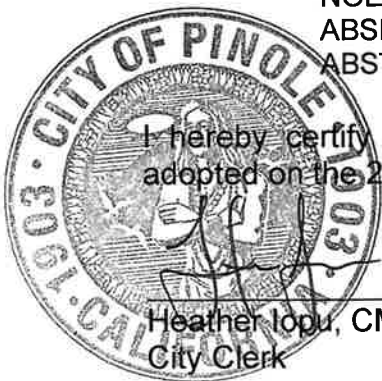
**NOW, THEREFORE, BE IT RESOLVED** that the Pinole City Council does hereby establish the following revised set of Norms of Behavior:

1. Work for the public good, not for personal interest.
2. Empower and communicate through the City Manager.
3. Work for “win/win” solutions by striving for consensus and seeking common ground.
4. The Council’s policy deliberation process will be performed in the following order: Council questions; public questions/comment; Council deliberations; motion(s); decision made by majority vote.
5. Praise Council and staff decision(s) in public and offer corrective comment(s) in private.
6. Share information with each other early in the process to avoid surprises.
7. Address one another by role and last name and shake hands once the meeting concludes.
8. Establish a structure where the Mayor calls on members.
9. Prior to a Council vote, where there may be confusion, the proposed action will be read aloud so that the entire Council is clear about what they are voting on.
10. Summaries of Council liaison (i.e., advisory committees and regional agencies) assignment meetings will be submitted to the City Clerk periodically and be included as attachments to Council agendas and reflected in the minutes.

**PASSED AND ADOPTED** at a regular meeting of the Pinole City Council held on the 20<sup>th</sup> day of April 2021 by the following vote:

|          |                                                   |
|----------|---------------------------------------------------|
| AYES:    | COUNCILMEMBERS: <b>Murphy, Salimi, Tave, Toms</b> |
| NOES:    | COUNCILMEMBERS: <b>None</b>                       |
| ABSENT:  | COUNCILMEMBERS: <b>Martínez-Rubin</b>             |
| ABSTAIN: | COUNCILMEMBERS: <b>None</b>                       |

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 20<sup>th</sup> day of April 2021.



Heather Iopu, CMC  
City Clerk



## CITY COUNCIL REPORT

12B

**DATE:** March 7, 2023

**TO:** MAYOR AND COUNCIL MEMBERS

**FROM:** JEREMY ROGERS, COMMUNITY SERVICES DIRECTOR  
MARIA PICAZO, RECREATION MANAGER

**SUBJECT:** OPTIONS FOR A CITY-SPONSORED FOURTH OF JULY  
CELEBRATION FOR 2023

---

### **RECOMMENDATION**

City staff recommends that the City Council receive a report on options for a City-sponsored Fourth of July celebration for 2023 and provide direction to staff.

### **BACKGROUND**

For many years prior to the Great Recession, the City organized a Fourth of July fireworks show and other activities. The City discontinued these activities in response to funding constraints created by the Great Recession. The City organized a Fourth of July fireworks show, for the first time since the Great Recession, in 2022, in collaboration with the City of Hercules.

On February 1, 2022, staff presented a report to the City Council that outlined options for a City-sponsored Fourth of July fireworks display in July 2022. (City Council staff report attached.) At that meeting, Council directed staff to return with information on options for a Fourth of July celebration that did not include fireworks. In addition, Council directed staff to again contact the City of Hercules to determine whether the two cities could collaborate and cost share on a coordinated Fourth of July celebration, potentially including fireworks.

At its meeting on February 15, 2022, the City Council directed staff to partner with the City of Hercules for a joint Fourth of July fireworks show and to organize an information sharing event involving local nonprofit organizations in Fernandez Park on Fourth of July. (City Council staff report attached.) The joint Fourth of July fireworks show was launched from land near the Hercules bayfront. The fireworks show included shells ranging from three inches to six inches which went up 300 to 600 feet in the air. The cost of the fireworks show, not including staff time, was \$25,243. This cost was Pinole's contribution to the overall cost of the show which came out to about a 50% share. The information sharing event at Fernandez Park was canceled due to low interest by nonprofit organizations. Members of the community did view the fireworks show from Fernandez Park.

The City Council has not discussed options for a 2023 Fourth of July celebration. The City Council allocated \$100,000 for unspecified community events in the FY 2022/23 budget. \$26, 589.54 has been expended on the 2022 fireworks show and 2022 United Against Hate event. Staff expects to use an estimated \$5,000 for the 2023 Earth Day event and Egg Hunt. \$68, 410.46 would be available for community events offered in FY 2022/23. Staff has prepared the information below for Council's consideration.

## **REVIEW AND ANALYSIS**

### **Fourth of July Celebration Options**

#### **Fireworks Show**

Staff contacted three companies to request proposals for a fireworks show in Pinole for Fourth of July 2023. The City received one verbal proposal from Pyro Spectaculars. The location of the show is TBD. The Fire Department prefers an off shore show to reduce the risk of a wildfire, however, the location will most likely have to be on land due to the low-level depth in the bay, and therefore how far offshore a barge would need to moor to launch the fireworks. Bayfront Park is an option for a show with the fireworks pointed out over the water. Other land options are Fernandez Park ball field, PVHS athletic fields, or Pinole Valley Park. The vendor will conduct an analysis of City property and recommend a location that will be suitable for a low-level fireworks show. The City of Pinole Police Department will be involved with the planning to work out logistics from their standpoint. The minimum cost for a show on the Fourth of July is \$25,000 for a twenty-minute show featuring 3 inch shells that go 275-300 feet in the air. This price is not including any permits that may be required.

#### **Drone Light Show**

Staff researched alternatives to fireworks for a Fourth of July celebration. Staff received proposals for a drone light show from Skyrunner Drone Light Shows. They can provide a 12-minute drone light show on Fourth of July for \$50,000. The show would be visible to people in the immediate vicinity and possibly up to one mile away. Potential locations for the show include Fernandez Park, Pinole Valley Park, or PVHS football field. No City permits would be required. The vendor will have all necessary FAA licenses and permits. The benefit of a drone show over a fireworks show is that drones do not create any smoke or any fire risk. The drones fly around 150 feet in the air so the location needs to be in an open area. Providing amplified music to sync with the drones makes for a more pleasurable viewing experience.

#### **Joint Fireworks Show**

Staff has been in communication with the City of Hercules regarding a joint event. The City of Hercules is interested in hosting a joint fireworks show in 2023. The location of the fireworks show has not been determined.

### **Staffing Costs**

Support from various City departments will be needed to implement the Fourth of July celebration, including event coordination and crowd control and safety. Staff costs are estimated to be approximately \$13,153.

### **FISCAL IMPACT**

The cost to the City for a Fourth of July celebration would range from approximately \$38,153 to \$63,153.

### **ATTACHMENTS:**

Attachment A: City Council Staff Report for February 1, 2022  
Attachment B: City Council Staff Report for February 15, 2022





## CITY COUNCIL REPORT

## ATTACHMENT A

**DATE:** FEBRUARY 1, 2022

**TO:** MAYOR AND COUNCIL MEMBERS

**FROM:** MARIA PICAZO RECREATION MANAGER

**SUBJECT:** OPTIONS FOR A CITY-SPONSORED FOURTH OF JULY FIREWORKS SHOW FOR 2022

---

### **RECOMMENDATION**

City staff recommends that the City Council receive a report on options for a City-sponsored Fourth of July fireworks show for 2022.

### **BACKGROUND**

On April 7, 2020, staff presented a report to the City Council that outlined options for a City-sponsored Fourth of July fireworks display in Pinole. It was determined that the only permissible location from which to launch fireworks in Pinole would be a barge in the bay, due to firework fall zone issues.

The City Council decided not to move forward with a City-sponsored fireworks display for Fourth of July 2020 as the City was in the midst of the COVID pandemic and there were concerns that having a Fourth of July event would result in large gatherings, which might be inconsistent with State and the County health directives.

At its meeting on May 4, 2021, the City Council discussed the possibility of a City-sponsored fireworks show for Fourth of July 2021 (City Council staff report attached). The City Council decided not to move forward with a show in 2021. The City Council did direct staff to provide Council with a report in January 2022 on options for a Fourth of July fireworks display in 2022 with a net City cost of no more than \$40,000. Staff has prepared the information below for Council's consideration.

### **REVIEW AND ANALYSIS**

#### **Proposals**

Staff contacted four companies to request proposals for a fireworks show in Pinole for Fourth of July 2022. The City received two proposals from companies that are able to provide a fireworks show from a barge in the bay. Many companies indicated that they

have been overwhelmed with requests this year and will be unable to fulfill all requests due to staffing and supply shortages.

Below is information on the two proposals received.

#### Devastating Pyrotechnics

Cost: \$38,100 (excluding permits)

Date: Either Sunday July 3, 2022 or Monday July 4, 2022 (no cost difference)

Show length: Approximately 18 minutes

Visibility: Estimated to be up to two miles from the bay

#### Fireworks & Stage FX America

Cost: \$37,000 for Saturday July 2, 2022 (excluding permits)

\$40,000 for Sunday July 3 or Monday July 4, 2022 (excluding permits)

Date: Saturday July 2, 2022 (cost difference)

Either Sunday, July 3, 2022 or Monday July 4, 2022 (no cost difference)

Show length: Approximately 16 minutes

Visibility: Estimated to be up to two miles from the bay

The vendor would be responsible for obtaining all necessary permits and having all necessary safety measures for the launch site (barge) in place.

The cost of permits that the vendor would be required to obtain are not included in the proposed costs above. The vendor would determine the permit costs when they applied for the permits. The vendors have estimated that permit fees will be \$1,000 - \$2,000.

The vendors stated that the City would need to execute agreements with the vendors to secure the dates as the vendors expect to reach their full capacity for bookings by the end of February. The companies also need sufficient lead time to obtain the necessary permits, insurance, supplies, and staff to execute the fireworks show.

#### **Viewing Location**

Staff proposes that the City would not designate one particular viewing location. Rather, the City would provide a list of numerous possible viewing locations.

#### **Staffing Costs**

Support from various City departments will be needed to implement the fireworks show, including event coordination and crowd control and safety. Staff costs are estimated to be approximately \$12,770. Below is a breakdown per department.

- The Fire Department expenses are estimated to be approximately \$2,750. This would include staffing two additional Fire suppression staff (for a total of 5) and one additional apparatus, likely a small truck to allow access in a small and crowded space where medical assistance was needed.
- Police Department expenses are estimated to be approximately \$4,420. This cost represents two Sergeants at 5 ½ hours of overtime; nine sworn officers at 5 ½ hours of overtime; and two Community Services Officers at regular straight time.
- Public Works expenses are estimated to be approximately \$4,000. This amount reflects overtime for three Public Works Maintenance Workers, one Public Works Supervisor, three vehicles, and equipment for a street closure at Tennent Ave.
- Community Services Department expenses are estimated to be approximately \$1,600. This reflects staff's time to coordinate the event and marketing for the event.

Part of the reason for this level of staffing is due to the need to monitor the Bay Trail Bridge for safety reasons. That effort will also require coordination with East Bay Regional Park District.

### **Sponsorship Information**

In previous years, fundraising activities were used to offset the cost of the City-sponsored Fourth of July fireworks display. Should the Council wish to seek assistance in funding of the fireworks display, staff can reach out to the Bay Front Chamber, local merchants, and/or other organizations to seek sponsorship of the event. Based on past experience seeking sponsorships for community events, City staff expects that it would be possible to acquire \$5,000 in private sponsorships. City staff contacted staff at the City of Hercules to determine whether Hercules might be interested in cosponsoring the fireworks display through a financial contribution. Hercules is planning to host their own Fourth of July fireworks show and are in the beginning stages of planning. There might be an opportunity for collaboration between the City of Pinole and the City of Hercules.

### **FISCAL IMPACT**

The gross cost to the City for a fireworks show on Saturday July 2, 2022, including City staff and permit costs, would be approximately \$51,770. The gross cost for a show on Sunday July 3, 2022 or Monday July 4, 2022 would range from approximately \$51,070 to \$54,770 depending on the fireworks company. The net cost to the City would depend on financial contributions toward the event received from other organizations.

The costs associated with a fireworks show for Fourth of July 2022 was not included in the FY 2021/22 budget. However, Council did include \$100,000 for community events in

the Community Services Department FY 2021/22 budget. Expenses for the fireworks show could be allocated to this account if Council chooses to provide that direction.

**ATTACHMENTS:**

|               |                                                                      |
|---------------|----------------------------------------------------------------------|
| Attachment A: | City Council Staff Report for May 4, 2021                            |
| Attachment B: | Devastating Pyrotechnics 7/3/2022 or 7/4/2022 Proposal               |
| Attachment C: | Fireworks & Stage FX America 7/2/2022, 7/3/2022 or 7/4/2022 Proposal |



## CITY COUNCIL REPORT

## ATTACHMENT B

**DATE:** FEBRUARY 15, 2022

**TO:** MAYOR AND COUNCIL MEMBERS

**FROM:** MARIA PICAZO RECREATION MANAGER

**SUBJECT:** OPTIONS FOR A CITY-SPONSORED FOURTH OF JULY CELEBRATION FOR 2022

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### **RECOMMENDATION**

City staff recommends that the City Council receive a report on options for a City-sponsored Fourth of July celebration for 2022 and provide direction to staff.

### **BACKGROUND**

At its meeting on May 4, 2021, the City Council discussed the possibility of a City-sponsored fireworks show for Fourth of July 2021 (City Council staff report attached). The City Council decided not to move forward with a show in 2021. The City Council did direct staff to provide Council with a report in January 2022 on options for a Fourth of July fireworks display in 2022 with a net City cost of no more than \$40,000.

On February 1, 2022, staff presented a report to the City Council that outlined options for a City-sponsored Fourth of July fireworks display in July 2022 (City Council staff report attached). At that meeting, Council directed staff to return to Council with information on options for a Fourth of July celebration that did not include fireworks. In addition, Council directed staff to again contact the City of Hercules to determine whether the two cities could collaborate and cost share on a coordinated Fourth of July celebration, potentially including fireworks.

Note that Council allocated \$100,000 for unspecified community events in the FY 2021/22 budget.

### **REVIEW AND ANALYSIS**

#### **Alternatives to Fireworks for a Fourth of July Celebration**

Staff researched alternatives to fireworks for a Fourth of July celebration. Staff received proposals for laser light and drone light shows. Staff was not able to find a vendor that could offer a water and light show.

### Laser Light Show

Vendor: Dynamic FX

Cost: \$8,000

Date: Saturday, July 2

Event Details: A multi-laser light show projected in front of the audience including music

Location: Fernandez Park

Show length: Approximately 15 minutes

Visibility: Immediate vicinity only

Vendor: Laser Light Company

Option 1

Cost: \$6,500

Date: July 2-4 (open availability)

Event Details: A multi-laser light show projected on a screen including music

Location: Fernandez Park

Show length: Approximately 15 minutes

Visibility: Immediate vicinity only

Option 2

Cost: \$16,500

Date: July 2-4 (open availability)

Event Details: A multi-laser light show projected in front of the audience including music. This show will include more lasers than the basic laser show quoted above.

Location: Fernandez Park

Show length: Approximately 20 minutes

Visibility: Immediate vicinity only

### Drone Light Show

Vendor: Drone Light Show

Cost: \$18,400

Date: July 2-4 (open availability)

Event Details: A one hundred drone show above Fernandez Park including music.

Location: Fernandez Park

Show length: Approximately 20 minutes

Visibility: Immediate vicinity and may be visible for up to one mile away from the launching location.

Vendor: Hire UAV Pro

Cost: \$40,000

Date: July 2-4 (open availability)

Event Details: A one hundred drone show above Fernandez Park. Music will not be provided.

Location: Fernandez Park

Show length: Approximately 10-12 minutes

Visibility: Immediate vicinity and may be visible for up to a mile away from the launching location.

#### Fourth of July or Summer Festival

Vendor: Multiple

Cost: \$15,000

Date: July 2, 2022

Event Details: A festival in Fernandez Park which could include food vendors, music, carnival games, inflatable slides, balloon twisters, face painters, and an opportunity for City Departments and local organizations to table the event and provide information.

#### Joint Fireworks Show/Sponsorships

Staff again contacted the City of Hercules regarding a joint event. The City of Hercules allocated \$75,000 for a 2022 fireworks show and plans to host the event on the Fourth of July. Hercules staff is in the process of selecting a launching location on land in Hercules, but they are not opposed to continuing the conversation on collaboration.

Staff also contacted the Bayfront Chamber of Commerce to request the Chamber's sponsorship of a City Fourth of July event. The Chamber will present the event to the board of directors for consideration once the City has finalized the event details.

#### Additional Information and List of 2022 Events

Staff contacted numerous vendors to request proposals for Fourth of July related events, but availability is limited. Most vendors contacted are already booked for the Fourth of the July weekend. The vendors that provided quotes will reach capacity soon. If Council provides direction, staff will start the process to reserve the necessary vendors and execute necessary contracts.

Note that Fourth of July falls one week after the traditional date of the annual car show, which is normally held on the last weekend of June. (The 2022 car show is tentatively set for June 26, 2022.) Council approved providing City support to the 2021 car show in an amount up to \$15,000. The actual cost of City support was \$30,000. Staff is recommending that Council allocate \$30,000 from the \$100,000 already budgeted for unspecified community events to support the 2022 car show.

Staff also recommends that the City Council review and approve the following list of City-sponsored community events for 2022.

#### Tentative List of 2022 Community Events

- April 2022: Spring Egg Hunt
- April or May 2022: Community Service Day
- June 2022: Pinole Car Show
- July 2022: Fourth of July Celebration TBD
- July – September 2022: Summer concerts and movies in Fernandez Park
- August or October 2022: National Night Out
- September 2022: Coastal Cleanup
- October 2022: Dumpster Day and Fall Festival or Halloween Movie
- November 2022 Veterans Day Event and Senior Center Craft Fair
- December 2022: Holiday Festival

#### **Staffing Costs**

Support from various City departments will be needed to implement the Fourth of July celebration, including event coordination and crowd control and safety. Staff costs are estimated to be approximately \$12,770. The total cost for all community events listed above has not been determined.

#### **FISCAL IMPACT**

The gross cost to the City for a Fourth of July celebration would range from approximately \$19,270 to \$52,770 depending on the event sponsored. The net cost to the City would depend on financial contributions toward the event received from other organizations.

The costs associated with the additional 2022 community events were included in the FY 2021/22 budget.

#### **ATTACHMENTS:**

Attachment A: City Council Staff Report for May 4, 2021  
Attachment B: City Council Staff Report for February 1, 2022