

**PINOLE CITY COUNCIL
SPECIAL MEETING
MINUTES
SEPTEMBER 22, 2015**

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

The Special Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Pro Tem Swearingen called the Special meeting to order at 6:04 PM and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Mayor Pro Tem Roy Swearingen
Council Member Tim Banuelos
Council Member Phil Green
Council Member Debbie Long

Mayor Peter Murray and Council Member Green were absent/excused. The voting record reflects their absence.

B. STAFF PRESENT

Belinda Espinosa, City Manager
Stephanie Downs, Assistant City Attorney
Hector De La Rosa, Assistant City Manager
Patricia Athenour, City Clerk

City Clerk Athenour announced the Special Meeting agenda was posted on September 17, 2015 at 4:00 P.M. The residence at 2732 Henry Avenue was also posted for the purposes of Council Member Green to teleconference into this meeting. All legal notice was provided. Council Member Green did not join the meeting this evening, as stated in the Roll Call.

The Council responded to the City's Clerk question, stating there were no conflicts with any items on the agenda.

3. CONVENE TO A CLOSED SESSION

Mayor Pro Tem Swearingen announced, due to the absence of Mayor Murray, the Closed Session matters were continued to the Regular Meeting of October 6, 2015.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to GC §54957
City Manager

B. CONFERENCE WITH LABOR NEGOTIATORS
Gov. Code § 54957.6

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

There was no Closed Session conducted. The items were continued to October 6, 2015

5. NEW BUSINESS

- A. Rejection of the Bids for the Senior Center Roof Project and Authorization for Re-Bidding the Project [**Council Report No. 2015-96; Action: Adopt Resolution Per Staff Recommendation (Petrie)**]

Al Petrie, Interim Public Works Director, entered Council Report 2015-96 into the record. He provided a brief background stating that the budget for the project was \$300,000; bids were opened on September 16, 2015. It was determined that four of the six bidders did not sign or receive the addendum, which invalidated the bid process. Staff requested Council to reject the bids and authorize an immediate re-bid. Mr. Petrie was available for questions.

Council Member Long asked if the disclosed information regarding the six could compromise the future bid process.

Mr. Petrie did not believe so, and advised the Council that the bids were read out loud at the opening so all contractors are aware where they fit in the range.

She also asked if the bid specifications bid the entire project and also a phased project. Mr. Petrie said it included the whole project as a base bid and phasing was the alternate.

Discussion ensued regarding the proper method to notice bid holders regarding an addendum. Mr. Petrie explained that the procedure would include placing the addendum in the bid book, notify the persons on the bidder's list, placing a notation on the web advising bid holders to obtain the addendum, along with the addendum and sending it to the State Clearinghouse.

Assistant City Manager De La Rosa added that the clearinghouse had the responsibility to notify those plan holders who purchased from them and they City notifies those who purchased here. Those who obtain the plans from the website are responsible to seek out addendums from the website, as they are not on the plan holder list retained by the City or the clearinghouse. The City did not send an addendum to one of the bidders.

Mayor Pro Tem Swearingen said as far as he was concerned the standard process was followed and the clearing house should have notified all the bid holders. He encouraged the Public Works staff to move this forward as quickly as possible and get the project on its way.

Mr. De La Rosa said the process was being streamlined to advertise for ten days before the bid period closes. Staff may call a special meeting to award the contract; otherwise it will be on the October 20th agenda.

Mayor Pro Tem Swearingen said that staff the low bidder and the second low, should confirm that they would be able to complete the project in the advertised timeline.

Mr. De La Rosa said that staff anticipates completion in mid-to late January 2016 if the job is awarded on October 20, 2015. Contingency plans were discussed if there are rains during the repair. Staff mentioned the use of tarps Council Member Long said more mitigation efforts are necessary to insure the situation is addressed to minimize any damage.

ACTION: Motion by Council Members Banuelos / Long, the Council Adopted Resolution 2015-85, Rejected the Bids for the Senior Center Roof Project and Authorized Advertisement and Rebidding the Project.

Vote: **Passed:** **3-0**
 Ayes: **Banuelos, Long, Swearingen**
 Noes: **None**
 Abstain: **None**
 Absent: **Murray, Green**

- B. Discussion Regarding the City Manager Weekly Report [**Verbal Discussion; Action: Provide Direction to the City Manager (Espinosa)**]

Mayor Swearingen said this matter was continued to October 6, 2015.

- C. Appointment to the West Contra Costa Unified School District Prioritization Committee for Facilities Master Planning [**Verbal Report; Action: Council Discretion (Espinosa)**]

Belinda Espinosa, City Manager reported that the WCCUSD Superintendent Dr. Bruce Harder requested the appointment of a Pinole Citizens to sit on the District Prioritization Committee for Facilities Master Planning. The District was asking for community input and request that a citizen be appointed to this new committee charged with assisting the District with sequencing and funding. In Pinole, the schools under consideration would be Shannon and Collins. A meeting, separate from this committee, will be held on October 8th at 6:30 in the Pinole Middle School cafeteria, to receive community input on the Facilities Master Plan.

Ms. Espinosa referred the appointment to the Council for their input and suggestions.

Council Member Long asked or interested citizens to submit their name to either a council member or the city clerk.

Mayor Pro Tem Swearingen asked Ms. Espinosa to mention that in the City Manager's Weekly Report and on the PCTV scroll. An appointment would be made at the October 6, 2015 Council meeting.

6. ADJOURNMENT

At 6:27 p.m., Mayor Pro Tem Swearingen adjourned the Special meeting to the Regular City Council Meeting of October 6, 2015 in remembrance of Amber Swartz

Submitted by:

Patricia Athenour, MMC, City Clerk

APPROVED BY CITY COUNCIL: