



PINOLE CITY COUNCIL AGENDA

TUESDAY
DECEMBER 3, 2019

5:00 P.M. - SPECIAL MEETING

6:00 P.M.- REGULAR MEETING

THERE IS NO CLOSED SESSION – REGULAR MEETING STARTS AT 6:00 P.M.

2131 Pear Street, Pinole, California

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

Public Comment: The public is encouraged to address the City Council on any matter listed on the agenda or on any other matter within its jurisdiction subject to the rules of decorum described in Council Resolution 2019-03. If you wish to address the City Council, please complete the gold card that is provided at the rear entrance to the Council Chambers and hand the card to the City Clerk. City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council will hear public comment on matters not listed on the agenda during Citizens to be Heard, Agenda Item 5.

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. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device.

Note: Staff reports are available for inspection at the Office of the City Clerk, City Hall, 2131 Pear Street during regular business hours, 8:00 a.m. to 4:30 p.m. Monday – Thursday, and on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hiopu@ci.pinole.ca.us

COUNCIL MEETINGS ARE TELEVISED LIVE ON CHANNEL 26. They are retelecast the following Thursday at 6:00 p.m. The Community TV Channel 26 schedule is published on the city's website at www.ci.pinole.ca.us. City Council meetings are video-streamed live on the City's website, and remain archived on the site for five (5) years.

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.*

**CALL AND NOTICE OF
PINOLE CITY COUNCIL
SPECIAL MEETING
AT 5:00 PM
DECEMBER 3, 2019**

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

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

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

3 BUSINESS ITEM

Public Comments will be taken prior to the interview portion of the meeting. No comments or questions will be taken after the interview portion of the meeting.

- A. City Treasurer Interviews [Action: Conduct Interviews; Agendize Consideration of the Appointment of the Treasurer at the December 17, 2019 Regular Meeting]

Public Copies of Applications and Accompanying Information Will Be Available At the Meeting.

4. ADJOURNMENT to the Regular City Council Meeting of December 3, 2019 in remembrance of Amber Swartz.

POSTED: November 27, 2019 at 4:00 p.m.

Heather Iopu, CMC
City Clerk

**CALL AND NOTICE OF
PINOLE CITY COUNCIL
REGULAR MEETING
AT 6:00 PM
DECEMBER 3, 2019**

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

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

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

3. CONVENE TO A CLOSED SESSION

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

NO CLOSED SESSION SCHEDULED

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

5. CITIZENS TO BE HEARD (Public Comments)

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

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Proclamation in Recognition of City Manager, Michelle Fitzer

B. Presentations / Recognitions

1. Introduction of New Planning Manager David Hanham by Development Services Director/City Engineer Tamara Miller
2. Administration & Recreation Department Updates by Assistant City Manager De La Rosa and Finance Director Andrea Miller

7. CONSENT CALENDAR

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

- A. Approve the Minutes of the Meetings of November 5 and November 19, 2019**

- B. Receive the November 16, 2019 – November 29, 2019 List of Warrants in the Amount of \$562,975.48 and the November 29, 2019 Payroll in the Amount of \$409,049.70

8. COUNCIL REORGANIZATION

- A. Presentations to Mayor Murray
- B. Council Comments to Outgoing Mayor
- C. Reorganization of the City Council In Accordance with Council Resolution 2010-87 and Appointment of Mayor and Mayor Pro Tem [Action: Council Discretion to Nominate Officers and Adopt A Resolution of Appointment (H. Iopu)]
- D. Administer Oath to Mayor and Mayor Pro Tem by City Clerk
- E. Transfer of the Gavel & Comments by the New Mayor

FIFTEEN MINUTE RECESS – RECEPTION IN CITY HALL FOYER

9. 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. Public Hearing And Second Reading Of An Ordinance To Adopt, With Local Modifications, The 2019 California Green Code, Building Code, Fire Code and Related Construction Codes Code [Action: Conduct Public Hearing and Approve Ordinance per Staff Recommendation (T. Miller)]

10. OLD BUSINESS

- A. Receive A Report On The Fire Ballot Polling Results [Action: Receive and File Report (Fitzer)]

11. NEW BUSINESS

- A. Approve And Authorize The Mayor To Execute The Employment Agreement For Andrew Murray To Become The City Manager [Adopt Resolution per Staff Recommendation (Fitzer)]
- B. Review, Discuss And Appoint To The 2020 Council Committee Assignments List [Action: Discuss and Provide Direction (Iopu)]

12. 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

13. ADJOURNMENT to the Regular City Council Meeting of December 17, 2019 In Remembrance of Amber Swartz.

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

POSTED: November 27, 2019 at 4:00 P.M.

Heather Iopu, CMC
City Clerk

CITY COUNCIL SPECIAL MEETING

MINUTES

November 5, 2019

5:00 p.m.

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

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the Special Meeting of the City Council to order 5:06 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney

City Clerk Iopu announced the agenda was posted on October 31, 2019 at 4:00 p.m. All legally required notice was provided.

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

3. CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code § 54956.8

Property: 811 San Pablo Avenue

Agency negotiator: City Manager Fitzer and Assistant City Manager De La Rosa

Negotiating parties: Housing Consortium of the East Bay (HCEB)

Under negotiation: Price and terms

Mayor Murray convened the meeting to closed session at 5:07 p.m.

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

Mayor Murray reconvened to open session at 6:07 p.m. and announced that there was no reportable action.

5. ADJOURNMENT to the Special City Council Meeting of November 5, 2019 In Remembrance of Amber Swartz.

At 6: 07 p.m. Mayor Murray adjourned the meeting to the Special City Council Meeting of November 5, 2019 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council:

CITY COUNCIL SPECIAL MEETING

MINUTES

November 5, 2019

6:00 p.m.

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

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the Special Meeting of the City Council to order 6:08 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Jennifer Faught, City Attorney
Neil Gang, Police Chief
Justin Shiu, Planning Staff

City Clerk Iopu announced the agenda was posted on October 31, 2019 at 4:00 p.m. All legally required notice was provided.

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

3. **APPEAL & PUBLIC HEARING** *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. Consider An Appeal Of A Project Proposing A Personal Storage Facility At 890 San Pablo Avenue [**Action: Consider Appeal and Provide Direction**]

Mayor Murray gave a summary of the appeal procedures.

Attorney Faught read a preliminary statement into the record and asked the Council to disclose any discussions that they had with the project applicant prior to the hearing.

Council member Salimi reported interactions with the applicant.

Justin Shiu, Planning staff, presented a report to the Council and provided details of the project approval by the Planning Commission.

Beau Reinberg, project applicant, presented report on the application that was submitted for 890 San Pablo Avenue for an Extra Space Storage facility. Provided details of the project and the application process.

Ivette Ricco, appellant, presented the basis for her appeal to the City Council. Stated that the project is not in agreement with the General Plan. Asked that the Council deny the project.

At 6:35 p.m. Mayor Murray opened the public hearing.

The following speakers addressed the City Council:

Rafael Menis, resident of Pinole, spoke in favor of the project and the benefits it would provide such as resources for local businesses and public storage space.

Lance Smith, resident of Pinole, spoke in opposition to the project. Stated that the project provides benefits to the business owner and not the City of Pinole.

The applicant, Beau Reinberg made rebuttal statements.

At 6:47 p.m. Mayor Murray closed the public hearing.

City Attorney Faught advised Council on the deliberation and decision process.

Council members made comments.

ACTION: Motion by Council members Salimi/Tave to deny the project application for 890 San Pablo Avenue on the basis that it does not meet the Goal LU1 nor LU7 of the City's General Plan.

Vote:	Passed	3-2
	Ayes:	Murray, Salimi, Tave
	Noes:	Martinez-Rubin, Swearingen
	Abstain:	None
	Absent:	None

City Attorney Faught advised Council that the decision of the Council should be formalized in the form of a resolution which should be brought forward by staff at a future meeting for approval by the Council.

4. ADJOURNMENT to the Regular City Council Meeting of November 5, 2019 In Remembrance of Amber Swartz.

At 7:15 p.m. Mayor Murray adjourned to the Regular City Council Meeting of November 5, 2019 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council:

**CITY COUNCIL MEETING
MINUTES
November 5, 2019**

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

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the Regular Meeting of the City Council to order 6:08 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Tamara Miller, Development Services Director/City Engineer
Neil Gang, Police Chief
Scott Kouns, Fire Chief

City Clerk Iopu announced the agenda was posted on October 31, 2019 at 4:00 p.m. All legally required notice was provided.

City Clerk Iopu announced that additional materials pertaining to Items 6B4, 8A, 9A on the Agenda were provided at the dais for the Council and copies were placed at the rear of the Chamber for the public.

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

3. CONVENE TO A CLOSED SESSION

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

None.

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

5. CITIZENS TO BE HEARD (Public Comments)

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

The following speakers addressed the City Council:

Ivette Ricco, resident of Pinole, expressed concern regarding a message she received regarding a survey related to Pinole and asked whether it was issued by the City.

Jeff Rubin, President of the Pinole History Museum, gave details of a successful fundraising dinner event; thanked attendees and supporters of the event. Announced Veteran's Memorial event at Fernandez Park on November 11th.

Maureen Toms, resident of Pinole, thanked Public Safety staff for their work during the Public Safety Power Shutoff events. Stated that the City staff set up a charging center and provided timely information for the public. Made comments regarding lack of air monitoring sensors in Pinole and asked the City to consider opportunities to acquire sensors in the future.

Mayor Murray responded to public comments.

Rafael Menis, resident of Pinole, thanked Police and Fire departments for their efforts in recent fire and power shut off events. Encouraged citizens of Pinole to take caution when leaving their cars unattended and to put personal belongings away to minimize the chance of break in. Announced community clean-up event on November 10th.

James Tillman, resident of Pinole, stated that there is an unfair advantage that Hercules has with regard to rates residents pay for service. Asked the Council to consider the issue at a future meeting. Asked if the Planning Commission can be staffed by an attorney.

City Attorney Casher responded to the public question.

Alex Amenu, resident of Pinole, thanked public safety staff for keeping residents informed regarding fire and power shut off events. Stated that there are options for privately owned air quality monitoring sensors for residents. Made statements regarding how implementing public sensors could provide assurance for residents that the data they receive from the City is accurate.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations/Recognitions

1. Shelter in Place Day – November 6, 2019

Mayor Murray read the proclamation.

B. Presentations/Recognitions

1. Certificate of Recognition for Dina Rosales, City Treasurer

Mayor Murray made comments in recognition of Dina Rosales for her service. Dina Rosales made comments thanking the Council, staff and citizens of Pinole for the experience she has had living and serving the community.

2. Wastewater Pollution Control Plant Update by Mike Warriner and Tamara Miller

Mike Warriner presented the update. Council members asked questions. Staff responded to questions.

The following speakers addressed the City Council:

Debbie Long, resident of Pinole, complimented staff for their good work on the project. Asked questions regarding details of the report.

Staff responded to questions.

James Tilman, resident of Pinole, spoke regarding the costs of the project and whether the modifications had been included in the numbers. Asked questions regarding details of the report.

Staff responded to public questions.

3. Fire Department Update by Chief Kouns and Battalion Chief Wynkoop

Battalion Chief Wynkoop and Chief Kouns presented an update regarding the Fire department.

The following speaker addressed the City Council:

Vincent Wells, made comments in response to the staff report. Spoke regarding the reasons for fire truck medical response in addition to ambulance services. Spoke regarding medical response times, details of mutual aid agreement and the interaction with neighboring cities.

4. Quarterly Code Enforcement Update by Tamara Miller

Development Services Director/City Engineer gave an update on the City's Code Enforcement Activities. Presented PowerPoint report of the most recent statistics.

7. **CONSENT CALENDAR**

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

- A. Approve the Minutes of the Meetings of October 22 and October 26, 2019
- B. Receive the October 12, 2019 – November 1, 2019 List of Warrants in the Amount of \$959,246.36; the October 18, 2019 Payroll in the Amount of \$419,936.98; and the November 1, 2019 Payroll in the Amount of \$434,028.69.
- C. Authorizing An Application For SB 2 Planning Grant Program Funds **[Action: Adopt Resolution per Staff Recommendation (T.Miller)]**

- D. Authoring Submittal Of An Application For Per Capita Grant Funds **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**
- E. Approve An Amendment To The Contract And Issue A Task Order For 4Leaf For Staff Augmentation For An Amount Not To Exceed \$211,285 **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**
- F. Approve An Amendment To The Contract For A Task Order For M Group For Staff Augmentation For An Amount Not To Exceed \$87,000 **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**
- G. Placement Of Liens For Delinquent Unpaid Waste Collection Charges Falling Delinquent Between May & August 2019, Considered At An Administrative Hearing On October 3, 2019 **[Action: Adopt Resolution Per Staff Recommendation (Iopu)]**
- H. Update To The Measure S 2014 Five-Year Funding Plan **[Action: Adopt Resolution Per Staff Recommendation (Fitzer)]**

ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to approve Consent Calendar Items 7A-7H.

Vote:	Passed	5-0
	Ayes:	Murray, Swearingen, Tave, Martinez-Rubin, Salimi
	Noes:	None
	Abstain:	None

Item 7I was pulled for further discussion by Councilmember Tave.

- I. Approve An Amendment To The Professional Services Agreement With Emergency Services Consulting International (ESCI) In An Amount Not To Exceed \$10,500 To Perform Additional Analysis In The Fire Service Delivery Study **[Action: Adopt resolution per Staff Recommendation (Fitzer)]**

Council members asked questions regarding the details of the report.

City Manager Fitzer provided clarifying comments in response to the Council members questions.

The following speakers addressed the City Council:

Rafael Menis, spoke regarding the details of the staff report. Asked question regarding the poll questions and whether or not they included the update to assumptions.

CM Fitzer responded to questions.

Vincent Wells, spoke regarding history of similar research that has been done in the past for the City. Asked for a careful review by Council before proceeding with a contract amendment.

ACTION: Motion by Councilmembers Tave/Martinez-Rubin to approve Consent Calendar Items 7I

Vote:	Passed	5-0
	Ayes:	Murray, Swearingen, Tave, Martinez-Rubin, Salimi
	Noes:	None
	Abstain:	None

8. PUBLIC HEARINGS

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

- A. Ordinance Adding Chapter 10.78 to the Pinole Municipal Code Restricting Oversized Vehicle Parking on City Streets **[Action: Conduct Public Hearing and Approve First Reading (Casher)]**

City Attorney Casher introduced the item and highlighted the changes in language of the ordinance.

Council members asked questions of staff.

Community Development Services Director Miller responded to questions.

The following speakers addressed the City Council:

Henry Clemes, asked for clarification on ordinance language with regard to Oversized Vehicles. Expressed concerns that there may be confusion based on the current citations regarding oversized vehicles.

Pat Rei, resident of Pinole, thanked staff for making the addition to the ordinance language since the first reading. Spoke regarding his own experience with a past code enforcement action related to oversized vehicles and expressed the need to be careful with the specifics of the ordinance.

Lance Smith, resident of Pinole, spoke in favor of the item and encouraged the City to continue to take action in response to Got Junk trucks that are parked in his neighborhood.

City Attorney Casher responded to questions posed during the public comment.

ACTION: Motion by Councilmembers Salimi/Tave to approve Ordinance Adding Chapter 10.78 to the Pinole Municipal Code Restricting Oversized Vehicle Parking on City Streets

Vote:	Passed	5-0
	Ayes:	Murray, Swearingen, Tave, Martinez-Rubin, Salimi
	Noes:	None
	Abstain:	None

9. OLD BUSINESS

- A. Provide Direction On Process And Activities Related To Becoming A Charter City **[Action: Discuss and Provide Direction (Mog)]**

Assistant City Attorney Mog gave report and outlined the options for the Council.

Council members asked questions and made comments.

ACTION: Motion by Councilmembers Salimi/Tave to direct staff to move forward with a Council developed Charter which will be presented to the public for input.

Vote:	Passed	5-0
	Ayes:	Murray, Swearingen, Tave, Martinez-Rubin, Salimi
	Noes:	None
	Abstain:	None

10. NEW BUSINESS

None.

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements

Mayor Murray announced Mayor's Conference in El Cerrito. Discussion will be regarding BART.

Mayor Murray stated that a selection has been made for the new Executive Director of the Integrated Waste Management Board and that there will be an announcement made soon.

- B. Mayoral & Council Appointments
- C. City Council Committee Reports & Communications

Council member Martinez-Rubin reported her attendance at a CalPers Workshop and shared useful points that were discussed. Highlighted the importance of giving these issues attention in order to mitigate future risks to the City.

Council member Tave reported successful local Halloween event.

- D. Council Requests For Future Agenda Items

Council member Martinez-Rubin requested future informational item employer funding programs to mitigate possibility of unfunded liabilities.

Council member Salimi requested item to reconsider benches on Galbreath road. Consensus given.

Council member Salimi requested a presentation by PG&E regarding power shut-off events. Consensus given.

Council member Salimi requested a future item to consider use of City logo by Council members.
Consensus given.

E. City Manager Report / Department Staff

None.

F. City Attorney Report

None.

12. ADJOURNMENT to the Special City Council Meeting of November 6, 2019 in Remembrance of Amber Swartz.

At 11:48 p.m., Mayor Murray adjourned the meeting to the Regular City Council Meeting of November 19, 2019 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council:

**CITY COUNCIL MEETING
MINUTES
November 19, 2019**

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

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the Regular Meeting of the City Council to order 6:01 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Tamara Miller, Development Services Director/City Engineer
Neil Gang, Police Chief
Scott Kouns, Fire Chief
Andrea Miller, Finance Director

City Clerk Iopu announced the agenda was posted on November 14, 2019 at 4:00 p.m. All legally required notice was provided.

City Clerk Iopu announced that additional materials pertaining to Items 6B1, 6B2, and 10A on the Agenda were provided at the dais for the Council and copies were placed at the rear of the Chamber for the public.

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

3. CONVENE TO A CLOSED SESSION

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

None.

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

5. CITIZENS TO BE HEARD (Public Comments)

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

The following speakers addressed the City Council:

Rafael Menis, resident of Pinole, spoke regarding the Ring App, asked if Pinole has an agreement with them.

Tammy Campbell, resident of Pinole, announced that she is seeking volunteers for the engineering program at high school she is involved with and will report back regularly to the Council regarding her work there.

Theresa Teller, spoke regarding a mental health awareness bill. Spoke regarding activism in her own life and discussed her presentation regarding stigmas related to mental health.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Pinole Valley High School Girls Volleyball Team

Mayor Murray presented the Proclamation to the Pinole Valley High School Girls Volleyball Team. Council members made comments honoring the team coaches and principal.

B. Presentations / Recognitions

1. Contra Costa County Elections Department - Update on March Primary Election by Assistant Registrar of Voters, Scott Konopsek

Presentation made by Scott Konopasek who spoke regarding the March Election, update to vote by mail campaign, and installation of new permanent ballot box at Pinole City Hall.

2. Planning/Building Update by Development Services Director/City Engineer Tamara Miller

Tamara Miller gave report on the Building and Planning Division activities.

3. New Employee Introductions - New Permit Technicians, Brandy Fernandez-Reyes and Jaime Aldred

Tamara Miller introduced new Permit Technicians, Brandy Fernandez-Reyes and Jaime Aldred. Council members welcomed the new staff to Pinole.

7. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Council member(s) wishes to comment on an item, they may do so before action is taken on the Consent

Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

- A. Approve the Minutes of the Meetings of November 6 and November 8, 2019
- B. Receive the November 2, 2019 – November 15, 2019 List of Warrants in the Amount of \$539,707.24 and the November 15, 2019 Payroll in the Amount of \$434,350.74
- C. Receive the Quarterly Investment Report for the Quarter Ending September 30, 2019 **[Action: Receive and File Report (A. Miller)]**
- G. Resolution Confirming Denial of Permits for a Project Proposing a Personal Storage Facility at 890 San Pablo Avenue [Action: Adopt Resolution per Staff Direction (T. Miller)]

ACTION: Motion by Councilmembers Martinez-Rubin/Tave to approve Consent Calendar Items A, B, C and G.

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

The following items were pulled for further discussion:

- D. Approve a Three Year Contract with Precision IT Consulting for Administration of the City's Information Technology System in an Amount not to Exceed \$522,000 and Appropriate \$9,000 from the General Fund Fund Balance **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

The following speaker addressed the City Council:

Irma Rupert, resident of Pinole, spoke regarding the contract, made comments about City's use of consultants rather than employees for IT work. Suggested the Council approve a shorter term contract.

Council members asked questions regarding details of the report. Assistant City Manager De La Rosa presented staff report.

Precision representatives and staff responded to questions.

ACTION: Motion by Councilmembers Swearingen/Martinez Ruben to approve Consent Calendar Items D.

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

- E. Ordinance Adding Chapter 10.78 to the Pinole Municipal Code Restricting Oversized Vehicle Parking on City Streets [Action: Adopt Ordinance on Second Reading (Casher)]

The following speaker addressed the City Council:

Phil Malgren, resident of Pinole, spoke in opposition to the item, asked questions regarding the details of the proposed ordinance.

Mayor Murray and City Attorney Casher responded to questions of public speaker.

ACTION: Motion by Councilmembers Swearingen/Salimi to approve Consent Calendar Item E.

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

- F. Resolution Authorizing the City Manager to Execute a Contract with Avery and Associates in an Amount Not to Exceed \$22,900 for Professional Recruitment Services for the Battalion Chief Position [Action: Adopt Resolution per Staff Recommendation (Fitzer)]

The following speaker addressed the City Council:

Irma Rupert, Spoke in support of the item. Asked why we don't do internal promotions instead of using consultants for outside recruitment.

Council members responded to the questions.

ACTION: Motion by Councilmembers Martinez-Rubin/Swearingen to approve Consent Calendar Item F.

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

8. PUBLIC HEARINGS

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

- A. Resolution Adopting A Revised Fire Prevention Fee Schedule for Permits,

Plan-Checking and Other Services and Amending the Fire Department Master Fee Schedule [Action: Adopt Resolution per Staff Recommendation (Kouns)] (Item Continued to the December 17, 2019 meeting)

9. OLD BUSINESS

- A. Receive And Review A Report From HdL Econsolutions On The City's Market Analytics, Void Analysis And Community Profile Reports [Action: Discuss and Provide Direction (De La Rosa)]

Assistant De La Rosa introduced Barry Foster of HdL Econsolutions who presented information and highlighted the report. Discussed the remaining work to be completed under their contract.

Council members asked questions of HdL representative.

Staff and HdL representative responded to questions.

The following speakers addressed the City Council:

Rafael Menis, resident of Pinole, asked questions regarding the details of the report and asked for clarification of data.

City Manager De La Rosa and HdL representative responded to questions.

Alexander Jason, resident of Pinole, stated that what Pinole needs is a 24-hour urgent care facility.

Mayor Murray made comments in response to the public comment. Council held discussion.

ACTION: Motion by Councilmembers Tave/Martinez-Rubin to move forward with Step 5 of the HdL Contract for outreach services

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

- B. Receive the FY 2019-20 First Quarter Financial Report and Adopt A Resolution Approving Budget Adjustments [Action: Approve Resolution per Staff Recommendation (A. Miller)]

Finance Director Miller presented report.

Council members asked questions. Staff responded to questions.

ACTION: Motion by Councilmembers Swearingen/Salimi to Receive the FY 2019-20 First Quarter Financial Report and Adopt A Resolution Approving Budget Adjustments

Vote:	Passed	5-0
	Ayes:	Murray, Swearingen, Tave, Martinez-Rubin, Salimi
	Noes:	None

Abstain: None
Absent: None

10. NEW BUSINESS

- A. Overview and Discussion of Sanctuary Cities and SB 54 “The California Values Act” [Action: Discuss and Provide Direction (Casher)]

City Attorney Casher introduced the item and presented staff report.

Council members asked questions of City staff.

Discussion by Council members.

The following speakers addressed the City Council:

Grecya Vidal Zavala, resident of Pinole, made comments in support of Sanctuary Cities, provided facts regarding undocumented people and crimes. Gave details of personal experience and the people who are affected by these policies.

David Rupert, resident of Pinole, spoke in support of SB54 and Sanctuary Cities, spoke regarding the misinformation that is out there on the issue, gave details of history of federal executive orders concerning the topic.

Rafael Menis resident of Pinole, spoke regarding details of the staff report, made comments regarding the legal background, provided perspective on the current letter of law on the issue, and cited constitutional questions regarding the federal powers vs. state powers.

Debbie Long, resident of Pinole, spoke in opposition and stated that public safety is diminished by Sanctuary City. Stated that Sanctuary cities shield criminal activities.

Ricardo Valzco, resident of Pinole, stated that he is present at the meeting to educate himself. Asked whether or not crimes are reported under SB54 and Sanctuary City.

Bob Kopp, resident of Pinole, spoke in opposition of becoming a Sanctuary City. Stated that Council should focus on other issues.

Alexander Jason, Spoke in opposition to SB 54.

Stephanie Hernandez-Jarvis, resident of Pinole, spoke in favor of Sanctuary City and SB 54. Spoke regarding the importance for a City to stand up for its values.

Benjamin Jarvis resident of Pinole, spoke in support of SB54 and Sanctuary Cities. Spoke regarding the urgency and importance of supporting immigrant communities. Spoke regarding his own experience.

Richard Cassel, resident of Pinole, spoke regarding immigration issues and stated that there are costs and crimes associated with illegal immigration.

Tammy Campbell, resident of Pinole, stated that there is fear at the center of the debate. Spoke in favor of inclusivity.

Irma Rupert, resident of Pinole spoke regarding her personal experience and the effects of discrimination. Spoke in favor of discussion on the issue.

Joel Gannoti, resident of Pinole, made statements regarding immigration issues and politicians.

Bill Journey, resident of Pinole, spoke in opposition of the issue. Provided legal perspective.

Council members held discussion. No action taken.

Mayor Murray called a recess at 9:58 p.m.

Mayor Murray reconvened the meeting at 10:07 p.m.

- B. Approval of Findings to Support Local Modifications to the 2019 California Green Code, Building Code, Fire Code and Related Construction Codes; Introduction of and Ordinance to Adopt, with Local Modifications, the 2019 California Building Standards Code [**Action: Adopt Resolution and Introduce Ordinance per staff Recommendation (T. Miller)**]

Development Services Director/City Engineer Miller presented staff report.

Council members asked questions. Staff responded to questions.

ACTION: Motion by Councilmembers Tave/Swearingen to Approve the Findings to Support Local Modifications to the 2019 California Green Code, Building Code, Fire Code and Related Construction Codes, Introduce Ordinance to Adopt, with Local Modifications, the 2019 California Building Standards Code

Ayes:	Murray, Swearingen, Tave, Martinez-Rubin, Salimi
Noes:	None
Abstain:	None
Absent:	None

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements

Mayor Murray announced that Recycle More selected its Executive Director, Peter Holtzclaw. Announced presentation by BART at the Mayor's Conference. Announced upcoming Pinole events: Crab Feed on January 11th and Christmas Tree Lighting on December 7th.

- B. Mayoral & Council Appointments
- B. City Council Committee Reports & Communications

Council member Tave announced attendance at the last School Board Meeting. Expressed concerns regarding the budget deficit.

Mayor Murray provided details of the November West County Mayors/Supervisors meeting at which a presentation by the School District was given to explain their plan to address the budget deficit.

Mayor Pro Tem Swearingen reported his attendance at the Pinole Veteran's Day event and gave credit to Jeff Rubin for running a successful event.

Council member Martinez-Rubin announced that she has been appointed to a Revenue and Taxation Policy Committee for the CA League of Cities, East Bay Division. She will serve at meetings four times each year and will report back to the Council with relevant information.

Council member Salimi congratulated Mayor Murray on his 50th wedding anniversary. Council member Salimi will be meeting with MCE in the coming week. Announced that there will be no PSPS event this week.

Council member Tave announced that he had been appointed to CA League of Cities Governance, Transparency and Labor Relations Board.

D. Council Requests For Future Agenda Items

Council member Tave requested an agenda item to discuss a plan to review vacant lots in Pinole. No consensus given.

Council member Salimi requested an agenda item to discuss opening a bank. Consensus given.

Mayor Pro Tem requested an agenda item to discuss rental property regulations. Consensus given.

E. City Manager Report / Department Staff

Assistant City Manager De La Rosa announced the City Treasurer Application deadline, November 21st.

F. City Attorney Report

None.

12. ADJOURNMENT to the Regular City Council Meeting of December 3, 2019 in Remembrance of Amber Swartz.

At 11:28 p.m., Mayor Murray adjourned the meeting to the Regular City Council Meeting of December 3, 2019 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council
Pinole City Council
Minutes – November 19, 2019
Page 8



City of Pinole, CA

WARRANT LISTING

By Vendor Name

Payment Dates 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 4LE00 - 4LEAF, INC.					
J1909-01A-R	92615	11/29/2019	212-20339	PINOLE SQUARE AUG 1-31 19	3,030.00
J1909-02A-R	92615	11/29/2019	212-20340	MAKING WAVES ACADEMY AUG 1-31 19	10,560.00
J1909A16-RV	92615	11/29/2019	100-465-42101	ON- CALL BUILDING DEPT SERVICES	14,152.00
J1909A16-RV	92615	11/29/2019	212-461-42101	ON- CALL BUILDING DEPT SERVICES	6,420.00
J1909A16-RV	92615	11/29/2019	212-462-42101	ON- CALL BUILDING DEPT SERVICES	12,506.75
J1909A17	92615	11/29/2019	100-465-42101	ON- CALL BUILDING DEPT SERVICES SEP 1-30 19	11,560.00
J1909A17	92615	11/29/2019	212-461-42101	ON- CALL BUILDING DEPT SERVICES SEP 1-30 19	600.00
J1909A17	92615	11/29/2019	212-462-42101	ON- CALL BUILDING DEPT SERVICES SEP 1-30 19	8,512.50
Vendor 4LE00 - 4LEAF, INC. Total:					67,341.25
Vendor: A&K01 - A & K MACHINE SHOP					
12254	92616	11/29/2019	500-641-42107	PARTS- TP	440.28
12255	92616	11/29/2019	500-641-42107	EQUIPMENT MAINTENANCE- TP	965.00
Vendor A&K01 - A & K MACHINE SHOP Total:					1,405.28
Vendor: AIR10 - AIRGAS USA, LLC					
9966207076	92617	11/29/2019	100-343-42514	RENT CYL MED LARGE AIR	74.55
Vendor AIR10 - AIRGAS USA, LLC Total:					74.55
Vendor: EUG00 - ALEX EUGENIO					
112519	92618	11/29/2019	209-552-43804	HOLIDAY LUNCHEON ENTERTAINMENT- SC	150.00
Vendor EUG00 - ALEX EUGENIO Total:					150.00
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
5025519 110619	92619	11/29/2019	500-641-42201	DRINKING WATER FOR WASTE WATER 11 TENNENT	209.29
5025531 110619	92619	11/29/2019	100-343-42514	DRINKING WATER FOR CORP YARD- 11 TENNANT ST	157.73
Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:					367.02
Vendor: ALL14 - ALLSTAR FIRE EQUIPMENT, INC.					
219344	92562	11/22/2019	100-231-42107	SUPPLIES- FD	370.53
Vendor ALL14 - ALLSTAR FIRE EQUIPMENT, INC. Total:					370.53
Vendor: 1685 - ALTA PLANNING + DESIGN, INC.					
00-2019-191-3	92620	11/29/2019	106-461-42101	OTP Parking and Pedestrian Safety Study	6,463.75
Vendor 1685 - ALTA PLANNING + DESIGN, INC. Total:					6,463.75
Vendor: AME47 - AMERINATIONAL COMMUNITY SERVICES, INC.					
19-00814	92621	11/29/2019	285-464-42101	MONTHLY LOAN SERVICE FEE	116.10
19-00814	92621	11/29/2019	750-463-42101	MONTHLY LOAN SERVICE FEE	61.15
Vendor AME47 - AMERINATIONAL COMMUNITY SERVICES, INC. Total:					177.25
Vendor: ARM04 - ARMOR LOCKSMITH SERVICES					
70772	92622	11/29/2019	100-343-42514	MASTER PADLOCK- PW	306.74
Vendor ARM04 - ARMOR LOCKSMITH SERVICES Total:					306.74
Vendor: ATT01 - AT&T					
000013840295	92564	11/22/2019	525-118-43101	7139BAN CABLE SERVICES 10/01- 10/31/19 - IT	215.76

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
OCT 24 19-5000	92563	11/22/2019	525-118-43101	DSL INTERNET FOR CITY HALL 10/25- 11/24/19	101.65
Vendor ATT01 - AT&T Total:					317.41
Vendor: AVE03 - AVERY ASSOCIATES					
2867	92565	11/22/2019	212-461-42504	FINAL FEE FOR SEARCH OF PLANNING MANAGER	5,000.00
2868	92565	11/22/2019	212-461-42504	SEARCH EXP FOR RECRUITMENT OF PLANNING MANAGER	2,386.15
Vendor AVE03 - AVERY ASSOCIATES Total:					7,386.15
Vendor: DUG01 - BARRY DUGGAN					
111919	92566	11/22/2019	100-221-42514	REIMBURSEMENT FOR DOG FOOD K9 KAIZER- PD	95.55
Vendor DUG01 - BARRY DUGGAN Total:					95.55
Vendor: BAY04 - BAY AREA BARRICADE SVC.					
0008288	92623	11/29/2019	100-342-42514	REANTAL SERVICES- PW	1,304.35
Vendor BAY04 - BAY AREA BARRICADE SVC. Total:					1,304.35
Vendor: ESP01 - BELINDA ESPINOSA					
DEC 2019	92567	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	86.41
Vendor ESP01 - BELINDA ESPINOSA Total:					86.41
Vendor: SIM16 - BETTY SIMMONS					
111819	92624	11/29/2019	209-551-42515	ENTERTAINMENT SERVICES FOR TREE LIGHTING EVENT	200.00
Vendor SIM16 - BETTY SIMMONS Total:					200.00
Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS					
5854085	92568	11/22/2019	209-552-43804	DAILY LUNCH PROGRAM- SC	996.27
5858937	92568	11/22/2019	209-552-43804	DAILY LUNCH PROGRAM- SC	1,401.09
5863795	92625	11/29/2019	209-552-43804	DAILY LUNCH PROGRAM- SC	1,277.31
Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:					3,674.67
Vendor: 1656 - BOND BLACKTOP, INC					
16391	92569	11/22/2019	200-342-47205	RETENTION FOR 2018 PAVEMENT SLURRY SEAL PROJECT	8,701.47
Vendor 1656 - BOND BLACKTOP, INC Total:					8,701.47
Vendor: 1654 - BRINK'S INCORPORATED					
10917209	92570	11/22/2019	100-115-42101	TRANSPORTATION 11/01- 11/30/19	171.84
2953463	92570	11/22/2019	100-115-42101	TRANSPORTATION 10/01- 10/31/19	13.14
Vendor 1654 - BRINK'S INCORPORATED Total:					184.98
Vendor: CAP10 - CAP-HILLTOP					
31192	92626	11/29/2019	100-345-42108	OCT 2019 OUTDOOR CLEANING OF PARKS	1,612.50
Vendor CAP10 - CAP-HILLTOP Total:					1,612.50
Vendor: CIT08 - CITY MECHANICAL, INC					
60204	92627	11/29/2019	209-557-42108	SERVICE- SWIM CENTER	1,584.87
Vendor CIT08 - CITY MECHANICAL, INC Total:					1,584.87
Vendor: CON16 - CITY OF CONCORD					
80248	92628	11/29/2019	209-554-42201	PRINTING SERVICES	38.19
Vendor CON16 - CITY OF CONCORD Total:					38.19
Vendor: MAR23 - CITY OF MARTINEZ					
112119	92629	11/29/2019	100-110-42303	DINNER CCC MAYOR'S CONFERENCE DEC 5TH MARTINEZ	55.00
Vendor MAR23 - CITY OF MARTINEZ Total:					55.00

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1234 - COASTLAND CIVIL ENGINEERING, INC.					
47241	92630	11/29/2019	106-345-47203	FERNANDEZ PARK RESTROOM BLDG REPLACEMENT	720.00
Vendor 1234 - COASTLAND CIVIL ENGINEERING, INC. Total:					720.00
Vendor: COM20 - COMCAST					
NOV 01 19-3450	92631	11/29/2019	215-341-43101	I-80 MOBILITY PROJECT 11/05- 12/04/19	240.99
NOV 09 19-3131	92571	11/22/2019	100-231-43105	COMCAST BUSINESS CABLE 11/14- 12/13/19- FD	7.85
NOV 14 19-0875	92631	11/29/2019	100-117-43105	COMCAST BUSINESS CABLE 11/19- 12/18/19- FD	29.89
NOV 16 19-0511	92631	11/29/2019	100-222-42514	COMCAST BUSINESS CABLE 11/21- 12/20/19- PD	176.35
Vendor COM20 - COMCAST Total:					455.08
Vendor: CON93 - CONCORD UNIFORMS LLC					
16144	92572	11/22/2019	722-20431	CLOTHES- PD	241.21
Vendor CON93 - CONCORD UNIFORMS LLC Total:					241.21
Vendor: CON26 - CONTRA COSTA HEALTH SERVICES					
IN0227649	92573	11/22/2019	204-227-42514	PERMITS NATIONAL NIGHT OUT- 595 TENNANT AVE	155.00
Vendor CON26 - CONTRA COSTA HEALTH SERVICES Total:					155.00
Vendor: 1734 - CRAFTCO, INC.					
9402165587	92574	11/22/2019	200-342-47205	SUPER SHOT 125DC W/100 CFM COMPRESSOR	10,318.53
9402165587	92574	11/22/2019	377-342-47205	SUPER SHOT 125DC W/100 CFM COMPRESSOR	71,574.58
Vendor 1734 - CRAFTCO, INC. Total:					81,893.11
Vendor: 1740 - CRISTINA OCAMPO					
111819	92632	11/29/2019	209-20309	PYC MAIN HALL RENTAL 11/16/19 DEPOSIT PAYABLE	250.00
Vendor 1740 - CRISTINA OCAMPO Total:					250.00
Vendor: CSG01 - CSG CONSULTANTS INC.					
27685	92633	11/29/2019	212-462-42101	IN HOUSE BUILDING SERVICES 9/28- 10/25/19	15,200.00
27820	92633	11/29/2019	212-461-42101	INTERIM PLANNING MANAGER SERVICES 9/28- 10/25/19	14,918.75
Vendor CSG01 - CSG CONSULTANTS INC. Total:					30,118.75
Vendor: COO13 - DANA COOK					
DEC 2019	92575	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	351.82
Vendor COO13 - DANA COOK Total:					351.82
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
83353031	92634	11/29/2019	100-10601	GASOLINE FOR CORP YARD	1,755.59
Vendor 1443 - DIESEL DIRECT WEST, INC. Total:					1,755.59
Vendor: NOW01 - DONNA NOW					
111819	92635	11/29/2019	209-551-42515	ENTERTAINMENT SERVICES FOR TREE LIGHTING EVENT	165.00
Vendor NOW01 - DONNA NOW Total:					165.00
Vendor: EBM01 - EBMUD					
39199-110519	92636	11/29/2019	500-642-43102	05005 HYDRAND PERMIT- CONSTRUCTION	615.35
Vendor EBM01 - EBMUD Total:					615.35
Vendor: 1723 - ELAINE BULAWIN					
111819	92637	11/29/2019	209-551-42515	ENTERTAINMENT SERVICES FOR TREE LIGHTING EVENT	350.00
Vendor 1723 - ELAINE BULAWIN Total:					350.00

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: FAR01 - FARMER BROS. COFFEE					
69621750	92576	11/22/2019	209-552-43804	COFFEE & SEASONING- SC	282.01
Vendor FAR01 - FARMER BROS. COFFEE Total:					282.01
Vendor: FED01 - FEDEX					
6-839-73594	92577	11/22/2019	100-222-42201	FEDEX SERVICES- PD	11.58
Vendor FED01 - FEDEX Total:					11.58
Vendor: GAT07 - GATEWAY PINOLE VISTA, LLC					
DEC 19	92578	11/22/2019	201-343-42513	DEC 19 1340 FITZGERALD DR LEASE PAYMENT	100.00
Vendor GAT07 - GATEWAY PINOLE VISTA, LLC Total:					100.00
Vendor: 1153 - GOVERNMENTJOBS.COM, INC					
INV-11880	92579	11/22/2019	100-116-42510	GOVERNMENTJOBS SUBSCRIPTION 12/05/19- 12/04/20	4,361.11
Vendor 1153 - GOVERNMENTJOBS.COM, INC Total:					4,361.11
Vendor: GRA03 - GRAINGER					
9346315212	92638	11/29/2019	500-641-42107	SUPPLIES/PARTS- TP	39.62
Vendor GRA03 - GRAINGER Total:					39.62
Vendor: KEN14 - GREG KENNEDY RN					
77	92580	11/22/2019	100-231-42101	EMS CQI DUTIES FOR THE MONTH OF OCT 2019	2,000.00
Vendor KEN14 - GREG KENNEDY RN Total:					2,000.00
Vendor: HEA01 - HEALTH CARE DENTAL TRUST					
DEC 2019	92639	11/29/2019	100-110-41002	DENTAL PREMIUMS FOR DEC 2019	581.32
DEC 2019	92639	11/29/2019	100-111-41002	DENTAL PREMIUMS FOR DEC 2019	133.72
DEC 2019	92639	11/29/2019	100-112-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	100-113-41002	DENTAL PREMIUMS FOR DEC 2019	62.18
DEC 2019	92639	11/29/2019	100-115-41002	DENTAL PREMIUMS FOR DEC 2019	470.82
DEC 2019	92639	11/29/2019	100-116-41002	DENTAL PREMIUMS FOR DEC 2019	219.12
DEC 2019	92639	11/29/2019	100-117-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	100-221-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	100-221-41002	DENTAL PREMIUMS FOR DEC 2019	1,958.22
DEC 2019	92639	11/29/2019	100-222-41002	DENTAL PREMIUMS FOR DEC 2019	352.84
DEC 2019	92639	11/29/2019	100-223-41002	DENTAL PREMIUMS FOR DEC 2019	1,757.82
DEC 2019	92639	11/29/2019	100-231-41002	DENTAL PREMIUMS FOR DEC 2019	1,388.98
DEC 2019	92639	11/29/2019	100-341-41002	DENTAL PREMIUMS FOR DEC 2019	447.60
DEC 2019	92639	11/29/2019	100-343-41002	DENTAL PREMIUMS FOR DEC 2019	1,075.36
DEC 2019	92639	11/29/2019	105-221-41002	DENTAL PREMIUMS FOR DEC 2019	823.66
DEC 2019	92639	11/29/2019	105-231-41002	DENTAL PREMIUMS FOR DEC 2019	195.90
DEC 2019	92639	11/29/2019	106-222-41002	DENTAL PREMIUMS FOR DEC 2019	133.72
DEC 2019	92639	11/29/2019	106-231-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	204-227-41002	DENTAL PREMIUMS FOR DEC 2019	313.88

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
DEC 2019	92639	11/29/2019	209-551-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	209-552-41002	DENTAL PREMIUMS FOR DEC 2019	124.36
DEC 2019	92639	11/29/2019	209-554-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	500-641-41002	DENTAL PREMIUMS FOR DEC 2019	1,130.06
DEC 2019	92639	11/29/2019	500-642-41002	DENTAL PREMIUMS FOR DEC 2019	281.30
DEC 2019	92639	11/29/2019	505-119-41002	DENTAL PREMIUMS FOR DEC 2019	156.94
DEC 2019	92639	11/29/2019	998-20105	DENTAL PREMIUMS FOR DEC 2019	438.24
Vendor HEA01 - HEALTH CARE DENTAL TRUST Total:					12,863.32
Vendor: JWE01 - J. W. ENTERPRISES - NORTH					
219270	92581	11/22/2019	100-117-42511	PORTABLE TOILET RENTAL	137.70
Vendor JWE01 - J. W. ENTERPRISES - NORTH Total:					137.70
Vendor: 1285 - JACKSON LEWIS P.C.					
7432360	92582	11/22/2019	100-116-42101	General Advice and Council Svcs ending Oct 31 2019	666.00
Vendor 1285 - JACKSON LEWIS P.C. Total:					666.00
Vendor: MEL05 - JAMES MELVIN					
DEC 2019	92583	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	135.50
Vendor MEL05 - JAMES MELVIN Total:					135.50
Vendor: ROS13 - JAMES W. ROSE					
DEC 2019	92584	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	566.90
Vendor ROS13 - JAMES W. ROSE Total:					566.90
Vendor: JAN92 - JAN-PRO OF THE GREATER BAY AREA					
94101	92585	11/22/2019	209-552-42108	NOVEMBER JANITORIAL SERVICES- SC	422.00
94493	92585	11/22/2019	209-552-42108	NOVEMBER JANITORIAL SERVICES- SC KITCHEN	405.00
Vendor JAN92 - JAN-PRO OF THE GREATER BAY AREA Total:					827.00
Vendor: 1630 - JOHN AND CLAIRE INVESTIGATIONS					
1092	92640	11/29/2019	100-221-42101	BACKGROUND INVESTIGATION- PD	1,500.00
Vendor 1630 - JOHN AND CLAIRE INVESTIGATIONS Total:					1,500.00
Vendor: 1549 - JONATHAN PORTER					
111819	92586	11/22/2019	100-221-42302	COSTS TO ATTEND IMPACT WEAPONS COURSE 12/01- 13/19	1,083.50
111819	92586	11/22/2019	100-221-42303	COSTS TO ATTEND IMPACT WEAPONS COURSE 12/01- 13/19	450.00
111819-02	92586	11/22/2019	100-221-42302	COSTS TO ATTEND DEFENSIVE TACTICS COURSE 1/5-17/20	1,309.50
111819-02	92586	11/22/2019	100-221-42303	COSTS TO ATTEND DEFENSIVE TACTICS COURSE 1/5-17/20	450.00
Vendor 1549 - JONATHAN PORTER Total:					3,293.00
Vendor: MIS01 - JULIAN MISRA					
DEC 2019	92587	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	135.50
Vendor MIS01 - JULIAN MISRA Total:					135.50

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1735 - KATIE DOUNGCHAI					
111819	92588	11/22/2019	209-20308	PSC MAIN HALL RENTAL(Lisa Srisavat) 11/16/19 REFUN	750.00
Vendor 1735 - KATIE DOUNGCHAI Total:					750.00
Vendor: 1736 - KATO PLUMBING, INC.					
112519	92641	11/29/2019	212-462-42502	REFUND OVERPAYMENT OF PW19-0281	63.00
Vendor 1736 - KATO PLUMBING, INC. Total:					63.00
Vendor: COP02 - KENETH COPPO					
DEC 2019	92589	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	1,230.95
Vendor COP02 - KENETH COPPO Total:					1,230.95
Vendor: KEN09 - KENNEDY AND ASSOCIATES, INC.					
19-236	92642	11/29/2019	212-461-42101	PROFESSIONAL SERVICES: 760 SAN PABLO	2,763.13
19-237	92642	11/29/2019	207-344-42101	PROFESSIONAL SERVICES STORM WATER	2,262.13
Vendor KEN09 - KENNEDY AND ASSOCIATES, INC. Total:					5,025.26
Vendor: 1424 - KRISTINA SANTOYO					
112419	92643	11/29/2019	209-552-42108	PETTY CASH REPORT SENIOR CENTER	10.25
112419	92643	11/29/2019	209-552-43804	PETTY CASH REPORT SENIOR CENTER	68.33
Vendor 1424 - KRISTINA SANTOYO Total:					78.58
Vendor: BRE09 - KYLE BRECKENRIDGE					
111819	92590	11/22/2019	100-221-42302	COSTS TO ATTEND ICI COURSE JAN 6- 17 2020	1,309.50
111819	92590	11/22/2019	100-221-42303	COSTS TO ATTEND ICI COURSE JAN 6- 17 2020	450.00
Vendor BRE09 - KYLE BRECKENRIDGE Total:					1,759.50
Vendor: LAN01 - LANER ELECTRIC SUPPLY, INC					
899236	92644	11/29/2019	100-343-42108	MAINTENANCE- PW	329.57
899396	92644	11/29/2019	100-343-42108	MAINTENANCE- PW	130.58
Vendor LAN01 - LANER ELECTRIC SUPPLY, INC Total:					460.15
Vendor: 1739 - LEEANN PHAM					
111919	92645	11/29/2019	209-20309	PYC MAIN HALL RENTAL 11/17/19 DEPOSIT PAYABLE	250.00
Vendor 1739 - LEEANN PHAM Total:					250.00
Vendor: LOP05 - LESLIE LOPEZ					
111819	92591	11/22/2019	100-221-42514	REIMBURSEMENT PURCHASE OF BATTERIES FOR BOLA WRAP	46.22
Vendor LOP05 - LESLIE LOPEZ Total:					46.22
Vendor: 1253 - LIL' FROG CREATIONS					
420	92646	11/29/2019	209-551-42514	TABLECLOTH WITH RECREATION LOGO	235.10
421	92646	11/29/2019	209-551-42515	BANNER AND POSTER FOR TREE LIGHTING EVENT	214.82
Vendor 1253 - LIL' FROG CREATIONS Total:					449.92
Vendor: BRU10 - LINDA BRUNS					
DEC 2019	92592	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	33.61
Vendor BRU10 - LINDA BRUNS Total:					33.61
Vendor: 1705 - M V P CONSTRUCTION, LLC					
019-006-2	92614	11/22/2019	106-345-47203	FERNANDEZ PARK RESTROOMS PROGRESS PAYMENT #2	133,691.37
Vendor 1705 - M V P CONSTRUCTION, LLC Total:					133,691.37

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: MAN01 - MANNA FOODS, INC.					
900263	92593	11/22/2019	209-552-43804	MEAT FOR DAILY LUNCHEON- SC	332.54
900264	92647	11/29/2019	209-552-43804	FOOD PROGRAM- SC	288.31
Vendor MAN01 - MANNA FOODS, INC. Total:					620.85
Vendor: 1545 - MARITZA SANCHEZ					
111819	92594	11/22/2019	100-221-42514	PETTY CASH REPORT- PD	251.55
Vendor 1545 - MARITZA SANCHEZ Total:					251.55
Vendor: DRA01 - MARY DRAZBA					
DEC 2019	92595	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	103.16
Vendor DRA01 - MARY DRAZBA Total:					103.16
Vendor: MCM05 - MCMASTER-CARR SUPPLY CO.					
20748713	92648	11/29/2019	500-641-42107	SUPPLIES/PARTS- TP	154.69
Vendor MCM05 - MCMASTER-CARR SUPPLY CO. Total:					154.69
Vendor: MEY01 - MEYERS,NAVE,RIBACK,SILVER					
2019090257	92596	11/22/2019	100-114-42102	CITY ATTORNEY SERVICES	19,040.90
2019090257	92596	11/22/2019	106-114-42102	CITY ATTORNEY SERVICES	4,428.00
2019090259	92596	11/22/2019	100-114-42102	CITY COUNCIL MEETINGS	2,012.00
2019090260	92596	11/22/2019	100-114-42102	PUBLIC RECORDS ACT REQUESTS	203.00
2019090261	92596	11/22/2019	100-114-42102	RISK MANAGEMENT	145.00
2019090262	92596	11/22/2019	100-114-42102	PINOLE SHORES II- CR	4,763.00
2019090263	92596	11/22/2019	100-114-42102	BALLOT MEASURE- FIRE SAFETY PARCEL TAX	281.61
2019090264	92596	11/22/2019	100-114-42102	MAKING WAVES ACADEMY- CR	2,737.00
2019090265	92596	11/22/2019	100-114-42102	GENERAL SERVICES- PUBLIC WORKS	377.00
2019090266	92596	11/22/2019	100-114-42102	PUBLIC WORKS- NON- ROUTINE PROJECTS	513.50
2019090267	92596	11/22/2019	100-114-42102	CLAIM AGAINST PG&E FOR DELAYS TO PROJECT CONSTRUCT	8,909.50
2019090268	92596	11/22/2019	100-114-42102	GENERAL SERVICES- CITY CLERK	87.00
2019090269	92596	11/22/2019	100-114-42102	GENERAL SERVICES- CITY ATTORNEY MISCELLANEOUS	152.00
2019090270	92596	11/22/2019	100-114-42102	PINOLE/HERCULES WASTE WATER UPGRADE PROJECT	355.50
2019090273	92596	11/22/2019	100-114-42102	GENERAL SERVICES- CODE ENFORCEMENT	232.00
2019090274	92596	11/22/2019	100-114-42102	GENERAL SERVICES- COMMUNITY DEVELOPMENT	669.00
2019090275	92596	11/22/2019	100-114-42102	GENERAL SERVICES- FIRE	249.00
2019090276	92596	11/22/2019	100-114-42102	GENERAL SERVICES- RECREATIONAL	145.00
2019090277	92596	11/22/2019	100-114-42102	SUCCESSOR AGENCY- ADMINISTRATIVE MATTERS	964.50
Vendor MEY01 - MEYERS,NAVE,RIBACK,SILVER Total:					46,264.51
Vendor: 1311 - M-GROUP					
1001458	92649	11/29/2019	212-461-42101	PROFESSIONAL SERVICES THROUGH 10/31/19 PLANNING	6,900.00
Vendor 1311 - M-GROUP Total:					6,900.00
Vendor: ROG02 - MILES ROGERS					
DEC 2019	92598	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	437.73
Vendor ROG02 - MILES ROGERS Total:					437.73

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 1722 - MILINA YUZON					
111819	92650	11/29/2019	209-551-42515	ENTERTAINMENT SERVICES FOR TREE LIGHTING EVENT	165.00
Vendor 1722 - MILINA YUZON Total:					165.00
Vendor: 1741 - MURENDER MCLEAD JACKSON					
110519	92651	11/29/2019	209-20309	PYC MAIN HALL RENTAL 10/26/19 DEPOSIT PAYABLE	250.00
Vendor 1741 - MURENDER MCLEAD JACKSON Total:					250.00
Vendor: 1036 - NANCY VOISEY					
DEC 2019	92599	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	351.82
Vendor 1036 - NANCY VOISEY Total:					351.82
Vendor: 1729 - PAM- BATA					
T7119915492849	92600	11/22/2019	100-231-42107	CARQUINEZ BRIDGE TOLL VIOLATION PLATES AM10N36	76.00
Vendor 1729 - PAM- BATA Total:					76.00
Vendor: ATH02 - PATRICIA ATHENOUR					
DEC 2019	92601	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	202.00
Vendor ATH02 - PATRICIA ATHENOUR Total:					202.00
Vendor: CLA17 - PAUL CLANCY					
DEC 2019	92602	11/22/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR DEC 2019	352.33
Vendor CLA17 - PAUL CLANCY Total:					352.33
Vendor: PGE01 - PG&E					
NOV 08 19-1801	92603	11/22/2019	209-553-43103	2454 SIMAS AVE REC CTR & POOL	64.56
NOV 12 19-0498	92603	11/22/2019	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	187.02
NOV 12 19-4157	92603	11/22/2019	100-222-43103	809 CITY HALL	14.77
NOV 13 19-0883	92603	11/22/2019	100-222-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	1,126.59
NOV 13 19-0883	92603	11/22/2019	100-223-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	225.32
NOV 13 19-0883	92603	11/22/2019	100-231-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	901.27
NOV 13 19-1156	92603	11/22/2019	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	22.00
NOV 13 19-1156	92603	11/22/2019	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	33.00
NOV 13 19-1462	92603	11/22/2019	209-552-43103	2500 CHARLES ST SENIOR CENTER	355.98
NOV 13 19-7186	92603	11/22/2019	209-558-43103	601 TENNENT AVE PUBLIC MEETING HALL	8.66
NOV 13 19-8716	92603	11/22/2019	500-641-43103	SEWAGE PLNT-FT OF TENNENT	2,628.08
NOV 15 19-0813	92603	11/22/2019	200-342-43103	2149 1/2 APPIAN WAY TRAFFIC SIGNAL	42.48
NOV 15 19-4368	92603	11/22/2019	200-342-43103	APPIAN WAY & TARA HILLS TRAFFIC SIGNAL	113.49
NOV 15 19-7509	92603	11/22/2019	200-342-43103	TARA HILLS DR 500 FT APPIAN WAY TRAFFIC SIGNAL	46.64
NOV 18 19-0217	92652	11/29/2019	100-345-43103	TENNENT & PARK ST CLUB HOUSE	16.74
NOV 18 19-0923	92652	11/29/2019	100-110-43103	2131 PEAR ST	88.13
NOV 18 19-0923	92652	11/29/2019	100-111-43103	2131 PEAR ST	115.96
NOV 18 19-0923	92652	11/29/2019	100-112-43103	2131 PEAR ST	127.54
NOV 18 19-0923	92652	11/29/2019	100-115-43103	2131 PEAR ST	317.72
NOV 18 19-0923	92652	11/29/2019	100-116-43103	2131 PEAR ST	92.77

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
NOV 18 19-0923	92652	11/29/2019	100-117-43103	2131 PEAR ST	1,032.02
NOV 18 19-0923	92652	11/29/2019	100-343-43103	2131 PEAR ST	1,922.58
NOV 18 19-0923	92652	11/29/2019	200-342-43103	2131 PEAR ST	336.28
NOV 18 19-0923	92652	11/29/2019	212-461-43103	2131 PEAR ST	139.15
NOV 18 19-0923	92652	11/29/2019	212-462-43103	2131 PEAR ST	350.19
NOV 18 19-0923	92652	11/29/2019	285-464-43103	2131 PEAR ST	115.96
NOV 18 19-2506	92652	11/29/2019	215-341-43103	701 Pinon/2489 San Pablo- Electric CHGS	43.97
NOV 18 19-2969	92652	11/29/2019	201-343-43103	600 Tennent Ave-Blackies Storage	21.72
NOV 18 19-3537	92652	11/29/2019	100-343-43103	659 TENNENT AVE PARKING LOT LIGHTS	91.56
NOV 18 19-3850	92652	11/29/2019	100-345-43103	601 TENNENT AVE CARETAKER'S SHED	122.77
NOV 18 19-3914	92652	11/29/2019	100-345-43103	FERNANDEZ PARK BALLPARK LIGHTING	433.25
NOV 18 19-4065	92652	11/29/2019	209-559-43103	2937 PINOLE VALLEY RD TENNIS CT LIGHTS	221.42
NOV 18 19-4612	92652	11/29/2019	201-343-43103	2100 SAN PABLO AVE FARIA HOUSE	47.86
NOV 18 19-5137	92652	11/29/2019	209-557-43103	2450 SIMAS AVE SWIM CTR	96.40
NOV 18 19-5274	92652	11/29/2019	201-343-43103	2361 SAN PABLO AVE OLD BANK BUILDING	45.01
NOV 18 19-6969	92652	11/29/2019	201-343-43103	2361 SAN PABLO AVE PARKING LOT LIGHTS	100.23
NOV 18 19-7964	92652	11/29/2019	310-348-43103	2680 PINOLE VALLEY RD MEDIAN IRRIGATION SHOPPING C	11.37
NOV 18 19-9985	92652	11/29/2019	201-343-43103	NEAR 795 FERNANDEZ PARKING LOT LIGHTS	166.06
NOV 19 19-0081	92652	11/29/2019	200-342-43103	2501 SAN PABLO AVE TRAFFIC CONTROLLER	73.96
NOV 19 19-0209	92652	11/29/2019	200-342-43103	S/E CORNER SAN PABLO AVE & TENNENT TRAFFIC SIGNAL	78.10
NOV 19 19-0466	92652	11/29/2019	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	42.99
NOV 19 19-0466	92652	11/29/2019	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	64.48
NOV 19 19-2615	92652	11/29/2019	100-345-43103	S/E CORNER OF ROGERS & NOB HILL SPRINKLER SYSTEM	9.85
NOV 19 19-2793	92652	11/29/2019	200-342-43103	1451 FITZGERALD DR TRAFFIC SIGNAL	71.06
NOV 19 19-3311	92652	11/29/2019	200-342-43103	PINOLE VALLEY RD & HENRY TRAFFIC CONTROLLER	111.20
NOV 19 19-4193	92652	11/29/2019	200-342-43103	HWY 80 PINOLE VALLEY RD TRAFFIC CONTROLLER	54.65
NOV 19 19-5127	92652	11/29/2019	500-642-43103	893 1/2 SAN PABLO AVE PUMP STATION	106.45
NOV 19 19-5374	92652	11/29/2019	200-342-43103	1220 PINOLE VALLEY RD TRAFFIC SIGNAL	86.80
NOV 19 19-5387	92652	11/29/2019	100-345-43103	588 MARLESTA RD LOUIS FRANCIS PARK	42.69
NOV 19 19-7114	92652	11/29/2019	200-342-43103	2429 SAN PABLO AVE	55.48
NOV 19 19-8086	92652	11/29/2019	200-342-43103	N/S BORDER CITY OF PINOLE	107.07
NOV 19 19-9824	92652	11/29/2019	310-347-43103	1303 PINOLE VALLEY RD TRAFFIC CONTROL SVC	107.33
NOV 20 19-1121	92652	11/29/2019	200-342-43103	DEL MONTE & SAN PABLO TRAFFIC CONTROL LIGHT	64.11
NOV 20 19-1233	92652	11/29/2019	200-342-43103	SAN PABLO AVE TRAFFIC SIGNAL	82.55
NOV 20 19-2620	92652	11/29/2019	200-342-43103	N/W CORNER APPIAN WAY & FITZGERALD DR TRAFFIC SIG	75.70

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
NOV 20 19-8687	92652	11/29/2019	200-342-43103	FITZGERALD DR IFO LONG JOHN SILVERS TRAFFIC SIGNAL	80.01
Vendor PGE01 - PG&E Total:					13,141.00
Vendor: PIT06 - PITNEY BOWES					
NOV 18 19	92655	11/29/2019	100-117-42203	POSTAGE- FD	1,694.85
Vendor PIT06 - PITNEY BOWES Total:					1,694.85
Vendor: 1009 - PRECISION IT CONSULTING					
10353	92604	11/22/2019	525-118-42101	OFFICE 365 MIGRATION AUG- OCT (INV 1 OF 2)	13,320.00
10354	92604	11/22/2019	525-118-42101	WINDOWS 7 COMPUTER UPGRADES (INV 1 OF 4)	4,290.00
10355	92604	11/22/2019	525-118-42101	SWITCHES FOR CITY HALL/PUBLIC SAFETY (INV 1 OF 2)	4,350.00
Vendor 1009 - PRECISION IT CONSULTING Total:					21,960.00
Vendor: QUI10 - QUINN'S UNIFORMS					
87578	92605	11/22/2019	100-222-44410	64386 WOMENS STRYKE PANT ORDER# 87578	75.68
Vendor QUI10 - QUINN'S UNIFORMS Total:					75.68
Vendor: 1730 - RAM GIRI					
92319	92606	11/22/2019	209-554-36402	REFUND FOR ENRICHMENT CLASS CANCELLED	200.00
Vendor 1730 - RAM GIRI Total:					200.00
Vendor: RAN06 - RANEY PLANNING & MANAGEMENT, INC.					
1937E-6	92656	11/29/2019	212-20340	PINOLE SQUARE REDEVELOPMENT LABOR OCT 2019	2,658.00
1959E-2	92656	11/29/2019	212-20330	MAKING WAVES ACADEMY IS/MND LABOR OCT 2019	4,607.14
Vendor RAN06 - RANEY PLANNING & MANAGEMENT, INC. Total:					7,265.14
Vendor: 1738 - ROSA ZUNIGA					
112519	92657	11/29/2019	209-20308	PSC MAIN HALL RENTAL 11/23/19 DEPOSIT PAYABLE	750.00
Vendor 1738 - ROSA ZUNIGA Total:					750.00
Vendor: ROS08 - RSG, INC.					
1005334	92607	11/22/2019	285-464-42101	COMPLIANCE MONITORING- YEAR 3	3,240.00
1005346	92607	11/22/2019	285-464-42101	Affordable Housing RFP and Developer Selection	630.00
Vendor ROS08 - RSG, INC. Total:					3,870.00
Vendor: 1204 - S&L BODY AND FRAME					
351	92608	11/22/2019	100-221-42107	WASHING PATROL CAR'S- PD	425.00
Vendor 1204 - S&L BODY AND FRAME Total:					425.00
Vendor: 1679 - SAFEUILT, LLC					
PIN-191031	92658	11/29/2019	212-462-42101	PROJECT # PN19-0002/ 0005/ 0004	23,938.25
Vendor 1679 - SAFEUILT, LLC Total:					23,938.25
Vendor: SQU00 - SQUARE DEAL GARAGE					
29769	92659	11/29/2019	100-221-42107	VEHICLE MAINTENANCE- PD	44.13
Vendor SQU00 - SQUARE DEAL GARAGE Total:					44.13
Vendor: STA56 - STAILING S&S RV REPAIRS					
6249-805	92609	11/22/2019	100-221-42107	REPAIRS- PD	383.37
Vendor STA56 - STAILING S&S RV REPAIRS Total:					383.37
Vendor: SWR01 - SWRCB					
SW-0179438	92660	11/29/2019	207-344-42514	PERMIT FEE ID: 2 07M1000039 10/01/19-9/30/20	8,539.00
WD-0162727	92660	11/29/2019	500-642-44304	PERMIT FEE ID: 2SSO10112 7/01/19-6/30/20	2,625.00

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
WD-0167197	92660	11/29/2019	500-641-44304	PERMIT FEE ID: 2 071032001 7/01/19- 6/30/19	21,037.00
Vendor SWR01 - SWRCB Total:					32,201.00
Vendor: 1733 - THE BREAST CANCER RESEARCH FOUNDATION					
111819	92610	11/22/2019	100-222-42514	FUNDRAISING- PD	140.00
Vendor 1733 - THE BREAST CANCER RESEARCH FOUNDATION Total:					140.00
Vendor: 1028 - TRI-CITY POWER, INC.					
3114	92661	11/29/2019	100-223-42107	FULL SERVICE MAINTENANCE AGREEMENT- PD	1,890.00
Vendor 1028 - TRI-CITY POWER, INC. Total:					1,890.00
Vendor: UNI38 - UNIVAR USA INC					
5J972232	92662	11/29/2019	500-641-44303	CHEMICALS- TP	3,316.48
Vendor UNI38 - UNIVAR USA INC Total:					3,316.48
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
251435	92663	11/29/2019	100-343-42108	SANITARY SUPPLIES FOR CORP YARD 11 TENNENT AVE	156.97
469423	92663	11/29/2019	500-641-42108	OCT 2019 JANITORIAL SERVICES- TP 11 TENNENT AVE	493.00
Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:					649.97
Vendor: WES01 - WESTERN EXTERMINATOR CO.					
OC 31 19- 601 TENNENT AVE	92664	11/29/2019	209-558-42108	PEST CTRL SVCS FOR 601 TENNENT-MEMORIAL HALL	108.50
OCT 31 19- 11 TENNENT AVE	92664	11/29/2019	500-641-42108	PEST CTRL SVCS FOR 11 TENNENT--CORP YARD	69.00
OCT 31 19- FIRE	92664	11/29/2019	100-222-42108	PEST CTRL SVCS FOR 880 TENNENT-PUB SFTY FAC	46.46
OCT 31 19- FIRE	92664	11/29/2019	100-223-42108	PEST CTRL SVCS FOR 880 TENNENT-PUB SFTY FAC	15.49
OCT 31 19- FIRE	92664	11/29/2019	100-231-42108	PEST CTRL SVCS FOR 880 TENNENT-PUB SFTY FAC	41.30
OCT 31 19- FS	92664	11/29/2019	100-231-42108	PEST CTRL SVCS FOR 3700 PIN VLLY RD--FS #74	71.00
OCT 31 19- SC	92664	11/29/2019	209-552-42108	PEST CTRL SVCS FOR 2500 CHARLES ST-SNR CTR	71.00
OCT 31 19- YC	92664	11/29/2019	209-554-42108	PEST CTRL SVCS FOR 635 TENNENT-PYC	54.50
OCT 31 19- YC	92664	11/29/2019	505-119-42108	PEST CTRL SVCS FOR 635 TENNENT-PYC	54.50
OCT 31 19-FD	92664	11/29/2019	100-343-42108	PEST CTRL SVCS FOR 2131 PEAR ST--CITY HALL	100.00
OCT 31 19-TT	92664	11/29/2019	209-553-42108	PEST CTRL SVCS FOR 2454 SIMAS AVE-TINY TOTS	97.00
Vendor WES01 - WESTERN EXTERMINATOR CO. Total:					728.75
Vendor: 1520 - WEX BANK					
62208945	92611	11/22/2019	100-221-44301	FUEL PURCHASES- PD	125.56
Vendor 1520 - WEX BANK Total:					125.56
Vendor: 1731 - WOMEN UNDER THE INFLUENCE OF THE 12 STEPS					
111419	92612	11/22/2019	209-20308	PSC HALL RENTAL(Jonay Brownlee)11/09/19 DEP REFUND	250.00
Vendor 1731 - WOMEN UNDER THE INFLUENCE OF THE 12 STEPS Total:					250.00
Vendor: XER01 - XEROX CORPORATION					
098280535	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- CITY HALL FL 2	1,481.48
098280536	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- CORP YARD	234.21
098280539	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- WPCP	242.84
098330385	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- FD STATION 73	100.27

WARRANT LISTING

Payment Dates: 11/16/2019 - 11/29/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
098330386	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- 880 TENNENT AVE	388.28
098389164	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- PD RECORDS	456.49
098584504	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- CITY HALL 1ST FL	469.32
098584505	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- SC	468.40
098584508	92613	11/22/2019	525-118-42107	EQUIPMENT/MAINTENANCE/SU PPLY- YC	228.74
Vendor XER01 - XEROX CORPORATION Total:					4,070.03
Grand Total:					562,975.48

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	113,103.46
105 - Measure S-2006	1,019.56
106 - MEASURE S-2014	145,593.78
200 - Gas Tax Fund	20,499.58
201 - Restricted Real Estate Maintenance Fund	480.88
204 - Police Grants	468.88
207 - NPDES Storm Water Fund	10,801.13
209 - Recreation Fund	12,867.34
212 - Building & Planning	120,553.01
215 - Measure C and J Fund	284.96
285 - Housing Land Held for Resale	4,102.06
310 - Lighting & Landscape Districts	118.70
377 - Arterial Streets Rehabilitation Fund	71,574.58
500 - Sewer Enterprise Fund	34,110.60
505 - Cable Access TV	308.92
525 - Information Systems	26,347.44
722 - Community Assistance Program	241.21
750 - Recognized Obligation Retirement Fund	61.15
998 - Payroll Clearing	438.24
Grand Total:	562,975.48

Account Summary

Account Number	Account Name	Payment Amount
100-10601	Gas Tanks/Corp Yard	1,755.59
100-110-41002	Emp Benefits/Dental	581.32
100-110-42303	Travel & Training/Meal Al...	55.00
100-110-43103	Utilities/Electricity & Pow...	88.13
100-111-41002	Emp Benefits/Dental	133.72
100-111-43103	Utilities/Electricity & Pow...	115.96
100-112-41002	Emp Benefits/Dental	156.94
100-112-43103	Utilities/Electricity & Pow...	127.54
100-113-41002	Emp Benefits/Dental	-62.18
100-114-42102	Prof Svcs/Attorney Servic...	41,836.51
100-115-41002	Emp Benefits/Dental	470.82
100-115-42101	Prof Svcs/Professional Ser...	184.98
100-115-43103	Utilities/Electricity & Pow...	317.72
100-116-41002	Emp Benefits/Dental	219.12
100-116-42101	Prof Svcs/Professional Ser...	666.00
100-116-42510	Admin Exp/Software Purch	4,361.11
100-116-43103	Utilities/Electricity & Pow...	92.77
100-117-41002	Emp Benefits/Dental	156.94
100-117-41101	Retiree Benefits/Medical...	3,987.73
100-117-42203	Office Exp/Shipping & Mal...	1,694.85
100-117-42511	Admin Exp/Equipment Re...	137.70
100-117-43103	Utilities/Electricity & Pow...	1,032.02
100-117-43105	Utilities/Cable	29.89
100-221-41002	Emp Benefits/Dental	2,115.16
100-221-42101	Prof Svcs/Professional Ser...	1,500.00
100-221-42107	Prof Svcs/Equipment Mai...	852.50
100-221-42302	Travel & Training/Mileage...	3,702.50
100-221-42303	Travel & Training/Meal Al...	1,350.00
100-221-42514	Admin Exp/Special Depart	393.32
100-221-44301	Other Materials Supp/Fuel	125.56
100-222-41002	Emp Benefits/Dental	352.84
100-222-42108	Prof Svcs/Building Structu...	46.46
100-222-42201	Office Expense	11.58
100-222-42514	Admin Exp/Special Depart	316.35

Account Summary

Account Number	Account Name	Payment Amount
100-222-43103	Utilities/Electricity & Pow...	1,141.36
100-222-44410	Safety Clothing	75.68
100-223-41002	Emp Benefits/Dental	1,757.82
100-223-42107	Prof Svcs/Equipment Mai...	1,890.00
100-223-42108	Prof Svcs/Building-Structu...	15.49
100-223-43103	Utilities/Electricity & Pow...	225.32
100-231-41002	Emp Benefits/Dental	1,388.98
100-231-42101	Prof Svcs/Professional Ser...	2,000.00
100-231-42107	Prof Svcs/Equipment Mai...	446.53
100-231-42108	Prof Svcs/Building-Structu...	112.30
100-231-43103	Utilities/Electricity & Pow...	1,088.29
100-231-43105	Utilities/Cable	7.85
100-341-41002	Emp Benefits/Dental	447.60
100-342-42514	Admin Exp/Special Depart	1,304.35
100-343-41002	Emp Benefits/Dental	1,075.36
100-343-42108	Prof Svcs/Building-Structu...	717.12
100-343-42514	Admin Exp/Special Depart	539.02
100-343-43103	Utilities/Electricity & Pow...	2,014.14
100-345-42108	Prof Svcs/Building-Structu...	1,612.50
100-345-43103	Utilities/Electricity & Pow...	625.30
100-465-42101	Prof Svcs/Professional Ser...	25,712.00
105-221-41002	Emp Benefits/Dental	823.66
105-231-41002	Emp Benefits/Dental	195.90
106-114-42102	Prof Svcs/Attorney Servic...	4,428.00
106-222-41002	Emp Benefits/Dental	133.72
106-231-41002	Emp Benefits/Dental	156.94
106-345-47203	Improvements/Parks	134,411.37
106-461-42101	Prof Svcs/Professional Ser...	6,463.75
200-342-43103	Utilities/Electricity & Pow...	1,479.58
200-342-47205	Improvements/Streets	19,020.00
201-343-42513	Admin Exp/Rent	100.00
201-343-43103	Utilities/Electricity & Pow...	380.88
204-227-41002	Emp Benefits/Dental	313.88
204-227-42514	Admin Exp/Special Depart	155.00
207-344-42101	Prof Svcs/Professional Ser...	2,262.13
207-344-42514	Admin Exp/Special Depart	8,539.00
209-20308	Deposits Payable/Recreat...	1,750.00
209-20309	Deposits Payable/Recreat...	750.00
209-551-41002	Emp Benefits/Dental	156.94
209-551-42514	Admin Exp/Special Depart	235.10
209-551-42515	Admin Exp/Special Events	1,094.82
209-552-41002	Emp Benefits/Dental	124.36
209-552-42108	Prof Svcs/Building-Structu...	908.25
209-552-43103	Utilities/Electricity & Pow...	355.98
209-552-43804	Program Cost/Food Progr...	4,795.86
209-553-42108	Prof Svcs/Building-Structu...	97.00
209-553-43103	Utilities/Electricity & Pow...	64.56
209-554-36402	Recreation Chg/Members...	200.00
209-554-41002	Emp Benefits/Dental	156.94
209-554-42108	Prof Svcs/Building-Structu...	54.50
209-554-42201	Office Expense	38.19
209-554-43103	Utilities/Electricity & Pow...	64.99
209-557-42108	Prof Svcs/Building-Structu...	1,584.87
209-557-43103	Utilities/Electricity & Pow...	96.40
209-558-42108	Prof Svcs/Building-Structu...	108.50
209-558-43103	Utilities/Electricity & Pow...	8.66
209-559-43103	Utilities/Electricity & Pow...	221.42
212-20330	Developer Deposit/Miscel...	4,607.14

Account Summary

Account Number	Account Name	Payment Amount
212-20339	Developer Deposit/Appian..	3,030.00
212-20340	Developer Deposit/Appian..	13,218.00
212-461-42101	Prof Svcs/Professional Ser...	31,601.88
212-461-42504	Admin Exp/Recruitment C...	7,386.15
212-461-43103	Utilities/Electricity & Pow...	139.15
212-462-42101	Prof Svcs/Professional Ser...	60,157.50
212-462-42502	Admin Exp/Cash Over-Sho...	63.00
212-462-43103	Utilities/Electricity & Pow...	350.19
215-341-43101	Utilities/Telephone	240.99
215-341-43103	Utilities/Electricity & Pow...	43.97
285-464-42101	Prof Svcs/Professional Ser...	3,986.10
285-464-43103	Utilities/Electricity & Pow...	115.96
310-347-43103	Utilities/Electricity & Pow...	107.33
310-348-43103	Utilities/Electricity & Pow...	11.37
377-342-47205	Improvements/Streets	71,574.58
500-641-41002	Emp Benefits/Dental	1,130.06
500-641-42107	Prof Svcs/Equipment Mai...	1,599.59
500-641-42108	Prof Svcs/Building-Structu...	562.00
500-641-42201	Office Expense	209.29
500-641-43103	Utilities/Electricity & Pow...	2,628.08
500-641-44303	Other Materials Supp/Ch...	3,316.48
500-641-44304	Other Materials Supp/Pe...	21,037.00
500-642-41002	Emp Benefits/Dental	281.30
500-642-43102	Utilities/Water	615.35
500-642-43103	Utilities/Electricity & Pow...	106.45
500-642-44304	Other Materials Supp/Pe...	2,625.00
505-119-41002	Emp Benefits/Dental	156.94
505-119-42108	Prof Svcs/Building-Structu...	54.50
505-119-43103	Utilities/Electricity & Pow...	97.48
525-118-42101	Prof Svcs/Professional Ser...	21,960.00
525-118-42107	Prof Svcs/Equipment Mai...	4,070.03
525-118-43101	Utilities/Telephone	317.41
722-20431	Deferred Rev/CAP Donati...	241.21
750-463-42101	Prof Svcs/Professional Ser...	61.15
998-20105	Sal & Ben Payable/Dental ...	438.24
	Grand Total:	562,975.48

Project Account Summary

Project Account Key	Payment Amount
None	562,975.48
Grand Total:	562,975.48

Approved By: _____



Date: _____





CITY COUNCIL REPORT

8C

DATE: DECEMBER 3, 2019
TO: MAYOR AND COUNCIL MEMBERS
FROM: HEATHER IOPU, CITY CLERK
SUBJECT: SELECTION OF MAYOR AND MAYOR PRO TEM

RECOMMENDATION

Nominate the Mayor and Mayor Pro Tem and Appoint by Resolution

BACKGROUND

The City Council has a long standing tradition, approved by resolution, to select a Mayor and Mayor Pro Tem on a rotation basis, prioritized by receipt of the highest votes in the prior election.

On October 19, 2010, the most recent Rotation Schedule was adopted by Council in Resolution 2010-87, approving the current succession procedures. The rotation procedure is based on the number of votes received by each member in the prior election.

Resolution 2010-87 requires the City Clerk to prepare and maintain a current rotation schedule, recording the Mayoral ascension, following each Municipal election. The current approved rotation schedule is contained as Attachment C.

It is the Council's discretion to make a nomination of the Mayor and Mayor Pro Tem pursuant to the current Rotation Schedule.

FISCAL IMPACT

There are no fiscal impacts associated with this action.

ATTACHMENTS:

Attachment A: Draft Resolution of Appointment of Mayor & Mayor ProTem
Attachment B: Resolution 2010-87
Attachment C: 2018 Mayoral Rotation matrix

RESOLUTION NO. 2019-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE
APPROVING THE APPOINTMENT OF THE MAYOR AND MAYOR PRO TEM**

WHEREAS, Council Member **Martinez-Rubin** was nominated to the office of Mayor Pro Tem; and

WHEREAS, Council Member **Swearingen** was nominated to the office of Mayor of the City of Pinole; and

BE IT RESOLVED that the City Council of the City of Pinole voted as documented below, and does hereby appoint the officers aforementioned above to the offices of Mayor and Mayor Pro Tem.

BE IT FURTHER RESOLVED that the Mayor and Mayor Pro Tem also serve as the Chair and Vice Chair of the Pinole Successor Agency to the Former Redevelopment Agency of the City of Pinole; and

BE IT FURTHER RESOLVED that the City Clerk is directed to administer the Oath of Office to the new officers.

PASSED AND ADOPTED this **3rd** day of **December 2019**, by the following vote:

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

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 3rd day of December, 2019.

Heather Iopu
City Clerk

**RESOLUTION 2010-87
PROCEDURES FOR SELECTING MAYOR & MAYOR PRO TEM
REAFFIRMATION OF THE MAYORAL ROTATION SCHEDULE APPROVED IN 2003**

WHEREAS, the City Council of the City of Pinole adopted Resolution 3211 on February 6, 1996 concerning the procedure for selecting the Mayor and the Mayor Pro Tempore; and:

WHEREAS, the City Council of the City of Pinole adopted Resolution 3285 on December 17, 1996, concerning the procedure for selecting the Mayor and the Mayor Pro Tempore; and

WHEREAS, the City Council of the City of Pinole adopted Resolution 109-2000 on February 15, 2000, concerning the procedure for selecting the Mayor and the Mayor Pro Tempore; and

WHEREAS, the City Council of the City of Pinole adopted Resolution 179-2003, amending the procedure for selecting the Mayor and the Mayor Pro Tempore; and

WHEREAS, the City Council of the City of Pinole adopted a minute order action on January 19, 2009 concerning the procedure for selecting the Mayor and the Mayor Pro Tempore; and

WHEREAS, the City Council of the City of Pinole intends to adopt a single resolution to ratify the actions and reaffirm the former procedure (Resolution 109-2000) for selection of the Mayor and Mayor Pro Tempore;

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

It is in the best interest of the City of Pinole that the councilmembers that shall serve as Mayor and Mayor Pro Tempore are selected by the City Council annually according to a system of succession that permits the Mayor and Mayor Pro Tempore to gain sufficient experience prior to assuming their respective offices. It is appropriate to base such succession on rotation, seniority and election results in accordance with the following:

1. Mayoral List. The City Clerk shall maintain a Mayoral List in accordance with this Resolution. The City Clerk shall update the Mayoral List for Council affirmation, following each council election and council vacancy that occurs. The Mayoral List in effect as of the adoption date of this Resolution is attached as Exhibit A to this Resolution.
2. Succession Generally. When a position on the Mayoral List is vacated for any reason, except as otherwise provided in this Resolution, the next councilmember listed on the Mayoral List shall succeed to the vacant position in accordance with the Mayoral List and this Resolution.
3. Succession to Mayor. When the office of Mayor is vacated for any reason, the Mayor Pro Tempore listed on the then-current Mayoral List shall succeed to the office of Mayor.
4. Succession to the Office of Mayor Pro Tempore. When the office of Mayor Pro-tempore is vacated for any reason, the next councilmember listed on the then-current Mayoral List shall succeed to the office of Mayor Pro Tempore.

5. Placement of the Outgoing Mayor on the Mayoral List. The name of the outgoing Mayor shall be placed at the end of the Mayoral List, unless the outgoing Mayor is re-elected (in that election year), in which case, Section 6 shall apply.

6. Placement of Newly Elected Councilmembers on the Mayoral List. The names of the highest vote getters among newly elected councilmembers (incumbent or non-incumbent) shall be placed on the Mayoral List after incumbent councilmembers in order of most votes received, but before the outgoing Mayor unless the outgoing mayor is re-elected at the same election, in which case the outgoing Mayor shall also be placed on the list in order of votes received.

7. Placement on the Mayoral List of Non-Incumbent Councilmembers Newly Elected or Appointed to Fill Vacancies. Non-incumbent councilmembers newly elected or appointed to fill vacancies on the City Council shall be placed last on the Mayoral List, ~~but above the outgoing Mayor, if any,~~ at the time the vacancy is filled.

8. Councilmembers' Right to Decline the Offices of Mayor and Mayor Pro Tempore. Councilmembers may decline to succeed to the office of Mayor or Mayor Pro Tempore pursuant to the Mayoral List and this Resolution. When a councilmember so declines to succeed to such office, such office shall pass to the next councilmember listed on the Mayoral List that is eligible pursuant to this Resolution to succeed to such office. The names of councilmembers that so decline to succeed to the office of Mayor or Mayor Pro Tempore shall be placed on the Mayoral List immediately following the name of the councilmember that succeeds to such office, notwithstanding any other provision of this Resolution.

9. Removal of Mayor by Council Vote. Councilmembers that have succeeded to the office of Mayor in accordance with the Mayoral List and this Resolution may be removed from that office by a majority vote of the full Council. Such removed Mayor shall be treated the same as an outgoing Mayor for purposes of the Mayoral List and this Resolution.

This resolution supercedes Resolutions 3211 and 3285, 109-2000, and 179-2003, and any prior minute order actions, which are hereby repealed and of no further force or effect.

THE FOREGOING RESOLUTION WAS ADOPTED this 19th day of **October 2010**, by the following vote:

AYES:	COUNCILMEMBERS:	Banuelos, Fujita, Long, Murray, Swearingen
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None



Patricia Athenour, MMC
City Clerk

2018 MAYORAL ROTATION LIST
 Procedure Approved by Resolution 2010-87;
 Pursuant to the 2016 and 2018 Election results
 Received Accepted by the City Council: 12/4/18

ATTACHMENT C

APPROVED 2018 MAYORAL ROTATION					
MURRAY	SWEARINGEN	3 NEWLY ELECTED MEMBERS FROM NOVEMBER 2018 ELECTION ADDED TO CHART FOR ROTATION BEGINNING DECEMBER 2020	MARTINEZ- RUBIN	SALIMI	FUTURE ROTATION DETERMINED
Established by highest # of votes in 11/6/2012 Election	Established by 2nd highest # of votes in 11/6/2012 Election		Established by highest # of votes in 11/6/2018 Election	Established by 2nd highest # of votes in 11/6/2018 Election	By the highest votes received in the November 2020 Election
Office Term:	Office Term:		Office Term:	Office Term:	Office Term:
12/2016 – 12/2020	12/2016 – 12/2020		12/2018 – 12/2022	12/2018 – 12/2022	12/2020- 12/2024
Mayor Term:	Mayor Term:		Mayor Term:	Mayor Term:	Mayor Term:
December	December		December	December	December
2018-2019	2019-2020		2020-2021	2021-2022	2022-2023



CITY COUNCIL REPORT

9A

DATE: DECEMBER 3, 2019

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER

BY: TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: PUBLIC HEARING AND ADOPTION OF AN ORDINANCE TO ADOPT, WITH LOCAL MODIFICATIONS, THE 2019 CALIFORNIA BUILDING STANDARDS CODE.

RECOMMENDATION

Staff recommends that the City Council take the following action:

1. Hold a public hearing to consider the proposed ordinance; and
2. Waive second reading of an Ordinance which adopts the 2019 California Green Code, Building, Fire, Plumbing, Mechanical, Electrical, Energy, and related Construction Codes, and Property Maintenance Regulations as codes applicable to all construction within the City of Pinole, with local modification.

BACKGROUND

This is the second of two meetings at which items related to updating the City's Building and Fire Code will be considered. On November 19, 2019, the City Council introduced the attached ordinance and adopted a related resolution regarding a need to update the City's construction codes including the Building and Fire Codes.

The California Building Standards Commission reviews and updates the various construction codes that apply in California. The 2019 California Building Standards Codes (CBSC), which includes the Fire Code, becomes effective in California cities on January 1, 2020. Typically every three years, the California Building Standards Commission reviews and revises the California Building, Fire, Plumbing, Mechanical, Electrical and Residential Codes. The California Health and Safety Code requires local agencies to adopt the building standards contained in the uniform statewide codes, but allows cities to modify the codes to reflect local conditions. Pinole previously adopted its current codes, incorporating and modifying the 2016 CBSC.

The purpose of the proposed ordinance is to establish local amendments to the CBSC, which will otherwise go into effect in Pinole on January 1, 2020 regardless of whether or not the City takes any action. Adoption of the proposed ordinance is necessary so that existing local amendments to the CSBC remain in effect.

DISCUSSION

A city may establish more restrictive building and construction standards in their Building Codes because of local climatic, geological, or topographical conditions. At the November 19, 2019 meeting, the City Council adopted a resolution making findings regarding specific local environmental conditions to justify the proposed local amendments.

The draft Ordinance represents a continuation of existing City practice with regard to local modifications. The proposed changes from the state-adopted 2019 California Building Standards Codes would replace the 2016 California Building Standards Codes previously codified in Title 15 of the City of Pinole Municipal Code. The Ordinance as written revalidates and readopts many of the City's current local amendments. More information regarding the ordinance is included in the November 19 staff report, which is attached for reference. The version of the ordinance presented on November 19 referenced "2016" rather than "2019" in a few locations, but those typographic errors have been corrected.

Because the draft ordinance adopts the construction codes by reference, State law requires that a public hearing to consider the ordinance occur at the same meeting as the second reading of the ordinance. Accordingly, the City Council should conduct a public hearing prior to adoption of the ordinance.

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 Resolution and Ordinances will have a significant effect on the environment.

FISCAL IMPACT

There is no direct fiscal impact of adopting the 2019 CBSC. City's costs related to implementation of the 2019 CBSC are recovered through building permit fees.

ATTACHMENTS

- A. Staff report from November 19 meeting
- B. Draft Ordinance relating to the adoption of the 2019 CBSC

**CITY COUNCIL
REPORT****10B**

DATE: NOVEMBER 19, 2019

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER

BY: TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: APPROVAL OF FINDINGS TO SUPPORT LOCAL MODIFICATIONS TO THE 2019 CALIFORNIA GREEN CODE, BUILDING CODE, FIRE CODE, AND RELATED CONSTRUCTION CODES; INTRODUCTION OF AN ORDINANCE TO ADOPT, WITH LOCAL MODIFICATIONS, THE 2019 CALIFORNIA BUILDING STANDARDS CODE.

RECOMMENDATION

Staff recommends that the City Council take the following action:

1. Adopt a Resolution which makes findings justifying changes or modifications due to local climatic, geologic and topographic conditions, in the 2019 California Building Standards Code, which includes the California Green Code, Building Code, and Fire Code, and related Construction Codes.
2. Introduce by title, and waive first reading of an Ordinance which adopts the 2019 California Green Code, Building, Fire, Plumbing, Mechanical, Electrical, Energy, and related Construction Codes, and Property Maintenance Regulations as codes applicable to all construction within the City of Pinole, with local modification.

BACKGROUND

This is the first of two meetings at which items related to updating the City's Building and Fire Code will be considered. If the attached resolution is approved this evening, a public hearing will be scheduled for December 3, 2019 at which time the Council will consider adoption of the first ordinance needed to update the City's construction codes including the Building and Fire Codes.

The California Building Standards Commission reviews and updates the various construction codes that apply in California. The 2019 California Building Standards Codes (CBSC), which includes the Fire Code, becomes effective in California cities on January 1, 2020. Typically every three years, the California Building Standards

Commission reviews and revises the California Building, Fire, Plumbing, Mechanical, Electrical and Residential Codes. The California Health and Safety Code requires local agencies to adopt the building standards contained in the uniform statewide codes, but allows cities to modify the codes to reflect local conditions. Pinole previously adopted its current codes, incorporating and modifying the 2016 CBSC.

The 2019 California Building Standards Codes (CBSC), Title 24, Parts 1- 6 and 8 - 12 are as follows:

- Part 1: California Administrative Code (CAC).
- Part 2: California Building Code (CBC).
- Part 2.5: California Residential Code (CRC).
- Part 3: California Electrical Code (CEC).
- Part 4: California Mechanical Code (CMC).
- Part 5: California Plumbing Code (CPC).
- Part 6: California Energy Code (CEnC).
- Part 8: California Historical Building Code (CHBC).
- Part 9: California Fire Code (CFC).
- Part 10: California Existing Building Code (CEBC).
- Part 11: California Green Building Standards Code (CALGreen)
- Part 12: California Reference Standards Code

While reviewing the first draft Ordinance, please keep in mind that the CBSC is not included verbatim in the Ordinance as this would make it unwieldy. Instead, the Ordinance refers readers to the relevant section of the CBSC and provides any additions or amendments adopted by the City. These amendments use the numbering system put forward by the adopted State code. To read the full text of the final law, please refer to the State code stated in the Ordinance (on file in City Hall) and insert the amendments listed in the Ordinance.

The 2019 CBSC will go into effect in Pinole on January 1, 2020 regardless of whether or not the City takes any action. Adoption of the proposed ordinance is necessary so that existing local amendments to the CSBC remain in effect.

DISCUSSION

A city may establish more restrictive building and construction standards in their Building Codes because of local climatic, geological, or topographical conditions. The local modifications included in the draft Ordinance for Pinole are noted in the first attached Ordinance chapters as additions or amendments to the CBSC and the local environmental conditions to justify these modifications are described in the attached draft Resolution. For example, based on the location of portions of Pinole in the Very High Fire Hazard Severity Zone and existing climate conditions in the City, the draft Ordinance amends Sections 15.04.090 and 15.04.100 of the CBSC to provide that no wood shake or shingle roofing or siding is allowed in these specific areas of the City. Additionally, Section 15.04.080 of the City's Municipal Code

includes more stringent requirements requiring automatic sprinkler systems which conform to the requirements of the California Fire Code. This requirement is added to the City's Building Code in response to the high threat of fire confronting the City. The presence of an approved fire extinguishing system in high occupancy structures could save lives in the event of a fire.

Other conditions considered include Pinole's close proximity to the Hayward Fault Line, creating higher structural stresses and risk of building failure during an earthquake. Pinole's steep hillside topography is considered as well because it can make fire-fighting difficult and can allow Pinole Creek to be inundated during severe winter storms, causing flooding in certain portions of the City.

The draft Ordinance represents a continuation of existing City practice with regard to local modifications. The proposed changes from the state-adopted 2019 California Building Standards Codes would replace the 2016 California Building Standards Codes previously codified in Title 15 of the City of Pinole Municipal Code. The Ordinance as written revalidates and readopts many of the City's current local amendments.

There are considerable non-substantive changes to the reference numbering in the new California Codes, and the Ordinance reflects these new reference numbers in order to ensure that the Municipal Code relates accurately to the 2019 CBSC. A strike-out version of the ordinance is not provided because the proposed ordinance repeals and replaces the previous Title 15 Chapters that will be superseded by the 2019 CBSC on January 1, 2020.

Additionally, the 2020 CBSC includes the latest California Green Building Standards, or "CALGreen", which applies to all new construction. CALGreen's intent is to continue to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

Because the first draft ordinance adopts the construction codes by reference, State law requires that the City Council schedule a second public hearing on the Ordinance after the first reading, which is the converse of the usual process, to allow the public more time to review the proposed changes and local modifications. The public hearing will be scheduled for December 3, 2019 in conjunction with the second reading of the Ordinance if acceptable to the City Council.

Environmental Review

Adoption of the attached Ordinance and Resolution are 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 Resolution and Ordinances will have a significant effect on the environment.

FISCAL IMPACT

There is no direct fiscal impact of adopting the 2019 CBSC. City's costs related to implementation of the 2019 CBSC are recovered through building permit fees.

ATTACHMENTS

- A. Draft Resolution including findings to justify local modifications to the 2019 CBSC
- B. Draft Ordinance relating to the adoption of the 2019 CBSC

3421357.1

ATTACHMENT A

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS TO THE STANDARDS CONTAINED IN THE 2019 CALIFORNIA BUILDING STANDARDS CODE

WHEREAS, Section 17922 of the California Health and Safety Code requires that local agencies adopt the building standards contained in the California Building Code, the California Fire Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, as such codes are approved by the State Building Standards Commission (collectively, the “California Building Standards Code”); and

WHEREAS, Section 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards provided that such modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Section 17958.7 of the California Health and Safety Code further provides that a local agency which enacts modifications to those building standards must adopt findings which tie those modifications to such local climatic, geological or topographical conditions; and

WHEREAS, the Pinole City Council has considered whether certain modifications to the building standards contained in the California Building Standards Code are necessary in Pinole due to local climatic, geological, or topographical conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole does hereby adopt the following findings in conformance with its obligations under Section 17958.7 of the California Health and Safety Code:

I. The City of Pinole is subject to the following climatic, geological and topographical conditions:

A. Climatic Conditions

General Conditions

The seasonal climatic conditions during late summer, fall and early winter create serious difficulties regarding the control of and protection against fires in Pinole. The hot, dry weather typical of this area in the summer and fall, and the extreme

dryness of fuel stands in the early winter, coupled with wind, temperature and precipitation conditions outlined below frequently cause fire events which threaten the City.

1. Precipitation and Relative Humidity

(a) Conditions

Precipitation ranges from 15 to 24 inches per year with an average of 18 inches per year. Ninety-five percent of all rainfall occurs during the seven months of October through April and only five percent occurs from May through September. The dry season is considered to last at least six months in this area, where typically 0.8 percent of the annual rainfall occurs in any given month during this period. In addition, the Northern California area is subject to recurrent periods of drought lasting for several years. Relative humidity remains in the middle range most of the year with 45 to 65 percent occurring during the spring, summer and fall, and a wider range of 60 to 90 percent in the winter. Occasionally, the relative humidity falls as low as 12 percent during temporary changes in climate and wind direction. Such low humidity periods can occur any time of year. Coastal fog, on the other hand, can raise humidity especially during night hours.

(b) Impact

During the dry season generally and during occasional periods of low humidity, burning conditions are worse than normal. Such weather conditions cause extreme dryness in combustible material including untreated wood shakes and shingles on buildings, wood siding, and combustible building materials. Non-irrigated grass, brush, and weeds, which are often near buildings, are also subject to extreme drying. Extremely dry, combustible materials are vulnerable to rapidly spreading exterior fires which can quickly transfer to other buildings by means of radiation or flying brands, sparks, or embers. Under such conditions, a small fire can rapidly grow in magnitude beyond the capabilities of the City's Fire Department to control. Such fires produce excessive fire loss that has a negative impact on the quality of life in the community.

2. Temperature

(a) Conditions

Temperatures have been recorded as high as 107° F. Seasonal highs over 90° can be sustained for several days in a row.

(b) Impact

High temperatures cause rapid fatigue and heat exhaustion of firefighters, reducing their effectiveness and ability to control large building and wildland fires. High temperatures will preheat combustible building materials and non-irrigated

weeds, grass and brush causing their materials to ignite readily and burn more rapidly and intensely. In addition, a series of local ridges and valleys produce differences in solar heating of fuels which increase the probability of erratic fire behavior, including area-wide ignition and "blow-up" conditions. Higher air and fuel temperatures increase the rate of fire spread and reduce the effectiveness of water applied to extinguish fires. Additional fire department resources and water will be required for timely and effective suppression of fires. Temperature has a direct relationship to the intensity and size of fires.

3. Winds

(a) Conditions

Prevailing winds in the area occur from the west or southwest. Off shore winds from the northeast and east, known locally as Diablo winds, frequently occur during the summer and fall and are prevalent during periods of hot, dry weather. Virtually any time during the year a climatic pattern of strong, steady, dry winds can occur for several days in succession, creating extremely dry conditions. Hillside elevation differences are ideal for the creation of localized up slope or down slope winds, which follow ridgelines or canyon valleys. Because of these topographic variables, winds can be experienced from virtually every direction depending on location and surrounding climatic conditions. Wind velocities range generally from 15 to 25 mph, with typical gusting to 35 mph. Severe storm gusts have been recorded as high as 80 mph. Westerly afternoon winds are common. Forty (40) mph winds are experienced occasionally during extreme fire weather conditions. In rare circumstances, both on shore and off shore breezes up to 55 mph have been registered locally during non-storm conditions.

(b) Impact

Local winds can cause water intrusion and structural deterioration to building components, this deterioration may facilitate a premature structural building collapse. These local winds cause interior and exterior fires to burn intensely and spread rapidly. Wind driven fires involving non-irrigated weeds, grass and brush can grow to a magnitude and intensity beyond the capabilities of the fire department to control. Even relatively moderate winds can cause extreme and erratic fire behavior. Prevailing winds generally align with local topographical features creating ideal avenues for uphill fire spread. Wind driven fires can move uphill or downhill with great speed. When wind driven fires are not controlled they can spread from property to property and threaten the entire community.

Summary

The local climatic conditions created by precipitation patterns, temperature and wind conditions combine to affect the rate of acceleration, intensity,

and magnitude of fire in the community. Periods with little or no rainfall, low humidity and high temperatures create extreme fire hazard conditions. Temperature extremes can create intense and erratic fire behavior. Local winds can have a tremendous impact on fire intensity, growth, and spread. Winds can carry sparks and burning brands to other areas up to one-mile away thus spreading fire and causing conflagrations. In building fires and fires at the bottom of canyons, winds can literally create a "blow torch" effect, which concentrates heat and resists control efforts.

B. Geologic Conditions

General Conditions

The geologic features of the local area create conditions that leave the area vulnerable to local flooding, earthquakes, land sliding, restricted access and conflagration. These events create serious difficulty regarding the control of and protection against fires in Pinole. Local flooding conditions can impede the ability of the fire department to aid or assist in fire control, evacuations, rescues and other emergency tasks. Among the potential effects of earthquake activity are isolation of neighborhoods or the entire community, loss of water sources and conflagration. Seismic events and landslides may isolate Pinole from surrounding communities and restrict or eliminate internal circulation by rendering surface travel difficult or impossible. Topographic features present multiple problems in the delivery of emergency services including fire protection.

1. Seismic

(a) Conditions

Pinole is located in a High Risk Seismic Zone, the worst risk rating in the United States. Buildings and other structures in High Risk Zones can experience major damage as the result of a seismic event. Pinole is in close proximity (1.5 – 3.0 miles northeast) to the Hayward Fault and Rodgers Creek/ Healdsburg fault zone underneath San Pablo Bay. The City's Planning Area is also located about 18 to 20 miles northeast of the San Andreas fault zone. The Green Valley-Concord fault trend is located approximately 12 miles east of Pinole. The Hayward fault has been identified as a likely site for a major seismic event in the 7 + Richter scale range within the next 25 years. Minor seismic events have been localized in the El Cerrito-Berkeley area nearby Pinole. Most recently, the South Napa earthquake measuring 6.0 on the Richter Scale occurred on August 24, 2104 northwest of American Canyon.

Much of the transportation infrastructure in Pinole is built upon soils classified as subject to liquefaction or landslide. Interstate 80 which bisects Pinole is subject to liquefaction. San Pablo Avenue, a major north-south route through the city, is subject to liquefaction. Pinole Valley Road a major north-south route within Pinole, is subject to liquefaction and landslides. Simas Avenue which provides access to several

neighborhoods in southern Pinole is subject to landslide. Damage to these roadbeds would have a significant, negative impact on response times.

Earthquakes of the magnitude experienced locally can cause major damage to electrical transmission facilities which in turn, cause power failures while at the same time starting fires throughout the city. The simultaneous occurrence of multiple fires will quickly disperse available fire department resources, thereby reducing and delaying an emergency response to any additional fires. An electrical power outage would incapacitate elevators, building smoke management systems, lighting systems, alarm systems and other electrical equipment. Since these are urgently needed to assist evacuation and fire control in large buildings there is increased expectation of life loss and major fire losses in such larger buildings.

A seismic event powerful enough to damage roadways would also damage other utility systems such as water mains, natural gas pipelines and telephone lines. The East Bay Municipal Utilities District anticipates seismic disruption of water service. Damage to these systems would have a negative impact on the service delivery capabilities of local emergency services.

(b) Impact

The above listed local geologic conditions increase accessibility problems and fire hazards in the City of Pinole. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. Hazardous materials, particularly toxic gases, could pose the greatest threat to a larger number of citizens should a leak occur during a significant seismic event. Public safety resources would have to be prioritized to meet the greatest threat and may be unavailable for smaller structure fires in dwellings or other structures. Smaller fires may grow to conflagration proportions. Other factors can intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge or freeway overpass collapse;
- 3) The extent of roadway damage or amount of debris blocking the roadway;
- 4) Climatic conditions (hot, dry weather with high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- 6) The availability of timely mutual aid or military assistance;
- 7) Dwellings with wood shingle roof coverings could burn and result in conflagrations.

Summary

The local geologic conditions leave the City vulnerable to emergency conditions created by local flooding, earthquakes, landslide, and conflagration. Local flooding from the drainages and slopes within the City could result in conditions rendering the roads impassable. Earthquakes can occur at any time. Earthquakes can isolate the community or significant portions of the community, cause loss of water sources used to provide fire protection and cause injury or rescue situations, which could then overtax the available resources to respond to new fires. Land movement can impair, restrict or deny emergency access to significant portions of the city. Geologic features and conditions can make firefighting strategy and tactics difficult at best. When coupled with prevailing climatic and topographic conditions, the City is at risk to conflagration at any time and is extremely vulnerable during or after a triggering event such as earthquake, floods, landslide or fire.

C. Topographic

General Conditions

The topographic features of the city increase the difficulty of fighting fires. Steep hillsides, ridges and deep, well-defined canyons are subject to fires that, in those areas, are easily influenced by wind and weather. Steep canyons are subject to rapid-fire spread, spot fires and area ignition. Fire growth controlled by topographic features (topography-driven fires) is subject to erratic fire behavior including blowups, fire whirls, and sudden changes in fire front direction. On the other hand, certain topographic features such as moist or sparse vegetation conditions, surface features, and man-made improvements such as roads have a dampening influence on erratic fire behavior.

1. Soils

(a) Conditions

The area is replete with various soils, which are unstable: clay loam, unconsolidated fills, and alluvial fans are predominant. These soil conditions are moderately to severely prone to swelling and shrinking, and are plastic and tend to liquefy. Large hillside portions of the City are subject to landslide, slumping and collapse.

(b) Impact

Throughout Pinole the topography and the pattern of growth and development have created a network of aging, narrow roads which limit access to some neighborhoods even in the best conditions. These roads are subject to damage and closure from mud and rock slides caused by earthquakes, storms or erosion. Unstable soils can slip causing trees, power poles and lines, or other obstructions to close roadways. Any significant seismic or weather event can close roadways isolating residential subdivisions.

2. Vegetation

(a) Conditions

Highly combustible dry grass, weeds and brush are common six to eight months of each year in the hilly and open space areas adjacent to built-up locations. Many of these areas have experienced wildland fires, which have threatened nearby buildings; particularly those with wood roofs or siding. The California Department of Forestry and Fire Protection has designated areas within the southwest portion of the city as Very High Fire Hazard Severity Zones (VHFHSZ) and where vegetation management is especially important. Many residential areas border parklands, which contain vegetation fire hazards.

(b) Impact

Combustible dry grass, weeds and brush contribute to a recognized conflagration hazard. City efforts to provide for vegetation management and strict fire code enforcement have reduced but not eliminated the threat of conflagration due to rapid fire spread in vegetation stands. Should active fire become established in vegetation stands, this growing fire could rapidly overcome fire department control efforts.

3. Surface Features

(a) Conditions

The arrangement and location of natural and man-made surface features, including hills, valleys, creeks, roadways, housing density, commercial areas, and fire stations combine to limit feasible emergency response routes to certain areas.

(b) Impact

The arrangement and location of natural surface features produce an area very similar to those conditions found in the Oakland-Berkeley hills prior to their conflagration of October 1991. Surface features can easily produce fires of great magnitude or with erratic fire behavior that could threaten the entire community.

4. Buildings and Landscaping

(a) Conditions

Many commercial buildings and apartment complexes have building and landscape features, which preclude or greatly limit the operational access of fire department vehicles. There are houses and other buildings with untreated wood shake or shingle roofs or siding in the City which are within 10 feet of each other. There

are many such buildings to which access to all but one side is virtually impossible due to landscaping, fences, electrical transmission lines, slopes or other buildings.

(b) Impact

When Fire Department vehicles cannot gain access to buildings on fire, there is a high potential for complete loss. Difficult access to a fire site often requires that personnel must carry equipment for long distances. Such operations quickly exhaust fire personnel and reduce the effective number of personnel available for suppression. Access problems often result in severe delays, the misdirection of fire and smoke control efforts, or the failure to make a timely fire attack.

Summary

The above listed local topographical conditions increase accessibility problems and fire hazards in the City of Pinole. Should a significant emergency occur, such as an area wide conflagration, public safety resources would be prioritized to mitigate the greatest threat and may likely remain unavailable for smaller single dwelling or structure fires. Other variables may intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge and/or freeway overpass collapse;
- 3) The extent of roadway damage and/or amount of debris blocking the roadways;
- 4) Climatic conditions (hot, dry weather with high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business and commute hours;
- 6) The availability of timely mutual aid or military assistance;
- 7) The large proportion of dwellings with wood single roof coverings could result in conflagrations.

D. Conclusion

Based on the local climatic, geologic, and topographic conditions outlined above, there is a real risk of damage to the community from a disaster. A seismic event can cause structural damage to buildings and utility infrastructure; storm flooding and high winds may increase the damages. Any of these conditions may negatively affect fire prevention efforts by increasing the frequency, spread, acceleration, intensity, and size of fires involving buildings in this community. Further, these conditions will increase the potential damage to all structures occurring from any earthquake and subsequent fire. It is found, therefore, to be reasonably necessary that the California Fire Code and the State Building Standards Code are changed or modified to mitigate the effects of the above conditions.

II. Pursuant to Sections 17958.5 and 17958.7 of the State of California Health and Safety Code, the City Council of the City of Pinole makes the finding that changes, modifications, and amendments to the 2019 Edition of the California Building Standards Codes are needed and are reasonably necessary because of certain local climatic, geologic and topographic features and conditions as described in Section I above, and that those features and conditions, under certain circumstances, affect delivery of emergency services. The amendments to the California Building Standards Codes are enacted to mitigate the impact of those local features and conditions by (i) preventing the chance of accident or injury by requiring standards more stringent than required by the current codes; and (ii) requiring additional built-in automatic fire protection systems which will provide for early detection and initial fire control.

III The following changes and/or modifications to the 2019 California Building Standards Code are found to be necessary to mitigate the impacts caused by the local climatic, geologic and topographic conditions. The City of Pinole has adopted substantive changes and modifications to the California Building Standards Code as follows:

Pinole Municipal Code Section	California Code Section	Findings
15.04.030	CBC 105.2, 105.3.2, 105.5, 105.8, 105.8.1, 105.8.2, 105.8.3, 107.2.1, 107.6, 107.6.1, 110.1, 114.5, 202, 501.2, 903.2, 903.2.1.3, 903.2.1.4, 1406.5, 1505.1.5, 1507.1.1, 1907.1.2, 2111.14, 2304.11.2.6, and 2509.3	1A, 1B, and 1C
15.06.030	CRC R202, R902.1.5, and R506.1,	1A, 1B, and 1C
15.08.030	CGBSC 101.3.2,	1A, 1B, and 1C
15.12.030	CPC 604, 604.15, 710, 710.1	1A, 1B, and 1C
15.16.030, 15.16.040, and 15.16.050	2009 IPMC 102.3, 304.14, 307.3.1, 602.4	1A, 1B, and 1C
15.20.030	CFC 101.1, 102.1, 105.6, 105.6.5, 105.6.31, 105.6.50, 105.6.51, 105.6.57, 105.6.58, 105.6.59, 105.6.60, 105.7, 105.7.17, 105.7.18, 105.7.19, 105.7.20, 105.7.21, 105.7.22, 105.8, 108.1, 109.4, 111.4, 202, 304.1.2, 304.1.4, 320, 321 401.5.1, 503.1, 503.2.1, 505, 507.2, 603.6, 806, 901.6.2., 902, 903.2,	1A, 1B, and 1C

	903.3.1.1.3, 903.3.1.3, 903.3.5.3, 903.3.9, 903.4.2, 903.6, 907.4.4, 907.5.2.3.1, 907.6.5, 907.8.6, 907.8.7, 1028.5, Chapter 33 adding 3301.3, 3318, 5001.5.3, 5003.9.1, 5601.1.3, 5601.2.2, 5601.2.4, 5601.9, 5704.2.9.6.1, 5706.2.4.4, 5806.2, 6103.2.1.7, 6104.2, Chapter 80, 7.7.1, 8.3.5.1.2, Appendix B 105.2, Appendix C Table 102.1, Appendix D 102.1, Appendix D 103.2, D 103.3, Table D103.4, Figure D 103.1, D 103.5, D 103.6.1, D 103.6.2, D 106.1,	
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The aforementioned amendments have been incorporated in detail in Ordinance 2019-XX.

I certify that at a regular meeting on November 5, 2019, the City Council of the City of Pinole passed this Resolution by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Heather Iopu
City Clerk

3421429.1

ATTACHMENT B

CITY OF PINOLE

ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE REPEALING AND REPLACING CHAPTERS 15.02 THROUGH 15.22 OF TITLE 15 “BUILDINGS AND CONSTRUCTION” OF THE PINOLE MUNICIPAL CODE IN ORDER TO ADOPT BY REFERENCE, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2019 EDITIONS OF THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE CALIFORNIA ELECTRIC CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA ADMINISTRATIVE CODE, THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE 1997 EDITION OF INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS ABATEMENT OF DANGEROUS BUILDING CODE .

WHEREAS, the California Building Standards Commission has adopted a new Title 24 of the California Code of Regulations, also referred to as the 2019 California Building Standards Code, that will become effective statewide on January 1, 2020; and

WHEREAS, currently Title 15 “Buildings and Construction, I. Adoption of Uniform Code” of the City of Pinole Municipal Code adopted the building standards contained in the 2013 versions of the California Building Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, California Administrative Code, as such Codes are approved by the State Building Standards Commission (collectively, the “California Building Standards Code”); and

WHEREAS, the updated California Building Standards Code becomes effective within the City on January 1, 2020, and Title 15 is updated by default to incorporate the California Building Standards Code without local amendments; and

WHEREAS, Section 17922 of the California Health and Safety Code requires local agencies to adopt the building standards contained in the California Building Standards Code; and

WHEREAS, Section 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards provided that such modifications are reasonably necessary because of local climatic, geological or topographical conditions so long as a local agency adopts such findings; and

WHEREAS, the City adopted findings, by resolution, justifying local modifications

based on local climatic, geologic, and topographic conditions on November 5, 2019; and

WHEREAS, a duly noticed public hearing was advertised in the West County Times as required by Government Code sections 6066 and 65090; and

WHEREAS, the City Council held a public hearing related to this Ordinance on November 19, 2019 and considered the staff report and public testimony received; and

WHEREAS, the City Council finds that no additional environmental review is necessary because this Ordinance is not a project that has the potential to cause substantial or potentially substantial, adverse change in the environment and qualifies for an exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b) (3), and further, the Ordinance establishes standards for the approval of ministerial projects that are not themselves subject to CEQA review; and

WHEREAS, the City Council finds that the adoption of 2019 Edition of the California Building, Residential, Green Building Standards, Plumbing, Mechanical, Electrical, Fire and related construction Codes help protect public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PINOLE DOES ORDAIN as follows:

SECTION 1. The forgoing Recitals are true and correct and incorporated herein by this reference.

SECTION 2. Those certain documents, copies of which are on file and are open for inspection by the public at the Building Division of the City of Pinole, being marked and designated as the California Code of Regulations Title 24, Part 1, Part 2 Volume 1, Part 2 Volume 2 Part 8 and Part 10, Part 2.5, Part 3, Part 4, Part 5, Part 6, Part 9, Part 11, and Part 12 together with all appendices thereto; the 2015 International Property Maintenance Code; and the 1997 Uniform Code for the Abatement of Dangerous Buildings are hereby adopted, with certain modifications to reflect unique local conditions, as contained in the Municipal Code of the City of Pinole for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City. Each and all of the regulations, provisions, conditions, and terms of such California Building Standards Code, International Property Maintenance Code, Abatement of Dangerous Buildings all of which are on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 3.

Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.20, and 15.22 of Title 15, Buildings and Construction, of the Pinole Municipal Code are hereby repealed and replaced in its entirety by the following:

Title 15
BUILDINGS AND CONSTRUCTION

Chapters:

I. ADOPTION OF UNIFORM BUILDING CODES

15.02	General Provisions
15.04	California Building Code
15.06	California Residential Code
15.08	California Green Building Standards Code
15.10	California Electrical Code
15.12	California Plumbing Code
15.14	California Mechanical Code
15.16	Housing and Property Maintenance Code
15.18	Abatement of Dangerous Buildings
15.20	California Fire Code
15.22	Administrative Code

Chapter 15.02 GENERAL PROVISIONS

Sections:

- 15.02.010 Title.
- 15.02.020 Organization.
- 15.02.030 Codes adopted by reference.
- 15.02.040 Expiration of permits.
- 15.02.050 Premises identification numbering.
- 15.02.060 Construction permit fees – set by City Council.
- 15.02.070 Permitted hours and condition of construction, penalties.
- 15.02.080 Misrepresentations in permit application.
- 15.02.090 Disconnection of utility service.

15.02.010 TITLE.

Chapters 15.02 through 15.24 shall be known as the “City of Pinole Building Codes” and shall be cited as such.

15.02.020 ORGANIZATION.

A building division is established in accordance with the provisions of California Building Code, 2016 Edition, adopted in Chapter 15.04. This division shall be a part of and shall operate under the direction of the Community Development Director. The building division is authorized to direct and enforce all of the provisions of this Title and any of the Codes adopted in this Title.

15.02.030 CODES ADOPTED BY REFERENCE.

For the purpose of establishing proper regulations for building construction, maintenance of housing standards, installation of electrical, plumbing and mechanical systems and swimming pool construction, the codes specifically listed in Chapters 15.02 through 15.22, except as modified in this Title, are adopted and made a part of this Title by reference, without publishing or posting thereof, and copies of each of these Codes as listed in this Title are now on file for use and examination by the public in the office of the City Clerk.

15.02.040 EXPIRATION OF PERMITS.

All permits issued by the building division shall expire one hundred eighty (180) calendar days from date of issuance if the work is not commenced within this time period. A maximum time allowable for the completion of all work is established as follows:

MAXIMUM TIME ALLOWED	
Applicable to Construction, Alteration and Repair Work	
Total Estimated Cost	Total Time Allowed
\$1,000 or less	3 months
Over \$1,000 to and including \$10,000	6 months
Over \$10,000 to and including \$100,000	12 months
Over \$100,000 to and including \$1,000,000	18 months
Over \$1,000,000 to and including \$2,000,000	24 months
Over \$2,000,000 to and including \$10,000,000	30 months
Over \$10,000,000	36 months

15.02.050 PREMISES IDENTIFICATION NUMBERING.

A. Every main structure or building constructed, altered, repaired or moved into the City shall be assigned a street address identification number by the Building Official and approved by the Fire Code Official (as defined in 15.04.030 of this Code).

B. Identification numbers shall be placed on the street side of the building or structure in such a manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of 6" in height and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

C. The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official and Fire Code Official.

D. The owner or his or her designated agent shall be responsible for the maintenance of identification numbers.

E. Any changes to the assigned street identification numbers must be approved by the Building Official and Fire Code Official.

F. The fee for assigning or modifying a street address shall be set by resolution of the City Council.

15.02.060 CONSTRUCTION PERMIT FEES – SET BY COUNCIL.

All construction permit fees including building, plumbing, mechanical, electrical, swimming pools and solar shall be set by resolution of the City Council and reflected in the City's Master Fee Schedule.

15.02.070 PERMITTED HOURS AND CONDITION OF CONSTRUCTION; PENALTIES.

A. Work is allowed from seven a.m. (7:00 a.m.) to five p.m. (5:00 p.m.) on non-federal holidays. Work is allowed on holidays recognized by the City of Pinole, but not acknowledged federally which include Cesar Chavez's Birthday and the Day After Thanksgiving, but no inspections will be performed.

B. Saturday work is allowed in commercial zones only, from nine a.m. (9:00 a.m.) to six p.m. (6:00 p.m.), as long as it is interior work and does not generate significant noise.

C. Exceptions for residential property owners.

1. Homeowners performing additions, repairs, or remodeling are allowed to work on their residences on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.).

2. By written authorization of the Building Official, a residential property owner with a valid permit to construct a single-family residence for personal occupancy shall be allowed to work on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.). This authorization shall be granted to applicants who have not built a residence in the City in the previous five (5) year period and who affirm in writing their intention to reside at the subject property.

D. Exceptions for commercial construction. The City Council designates the City Manager (or his/her designee) to further modify on a case-by-case basis the hours of construction in commercial zones. Additionally, the City Manager (or his/her designee) has the ability to modify the construction hours on a case-by-case basis based on inclement weather conditions or certain construction procedures (such as setting up from a concrete pour) and construction project characteristics that may require working beyond five p.m. (5:00 p.m.) on weekdays or six p.m. (6:00 p.m.) on Saturday.

E. The minimum fine for a citation or penalty for violating construction hours is one thousand dollars (\$1,000.00), and escalates in one thousand dollars (\$1,000.00) increments.

F. Work must be controlled to prevent causing a public nuisance due to dust, noise, vibrations, etc.

15.02.080 MISREPRESENTATIONS IN PERMIT APPLICATION.

No person shall make false statement or misrepresentation in or in connection with an application for a permit under this Title. Any permit issued under this Title may be revoked or suspended at any time by the Building Official or designee for fraud, misrepresentation or false statement contained in an application for a permit, or for violations of this Title in connection with work done under the permit.

15.02.090 DISCONNECTION OF UTILITY SERVICE.

The Building Official (or designee) may shut off or disconnect any or all utility service to any structure or facility or to any electrical conductor or apparatus which he/she finds to be in violation of any state or county law or regulation relating thereto or to the public health, safety or welfare, or he may order this done. If he/she finds that the violation involves an immediate danger to person(s) or to other properties or to the public health, safety or welfare, he/she may have the action taken as quickly as he/she deems necessitated by the danger; otherwise he/she shall give ten (10) days advance notice thereof by mail to the utility and the owner of the property as shown on the last assessment roll and by conspicuously posting notice of his orders and the action taken, which no person shall remove, tamper with or disobey. He/she shall rescind or modify such action when it becomes proper to do so in view of the danger or violation.

Chapter 15.04 BUILDING CODE

Sections:

- [15.04.010](#) Adoption by reference.
- [15.04.020](#) Copies on file.
- [15.04.030](#) Amendments made in the California Building Code.

15.04.010 Adoption By Reference.

The 2016 California Building Code, California Code of Regulations Title 24, Part 2, Volume 1 of 2 and Part 2, Volume 2 of 2, including the 2016 California Historic Building Code, Title 24, Part 8 and the 2016 California Existing Building Code, Title 24, Part Chapter 10, and all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.04.020 Copies On file.

One copy of the California Building Code and Appendices as adopted by Pinole Municipal Code 15.04.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.04.030 Amendments Made In The California Building Code.

The California Building Code is amended and changed in the following respects:

- A. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1 subsection 1 is amended to read as follows:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet, nor seven feet in height, and for which written approval has been given by the Planning Division.

- B. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1, is hereby amended adding subsection 14 to read as follows:

14. Detached decks under 100 square feet and under 30 inches in height, for which written approval has been given by the Planning Division and Building Division.

- C. Section 105.3.2 of Chapter 1, Division II is amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing unless such application has been pursued in good faith, or a permit has been issued; except that the building official is authorized to grant one or more extensions of up to (6) months. The extensions shall be requested in writing and justified cause demonstrated. Whatever the case, a permit application is valid for a maximum one (1) year after which time the application expires and a new plan review fee must be paid. The code in effect at the time the newest application is made shall be the code that is enforced.

- D. Section 105.5 (Expiration) of Chapter 1 Division II is amended to read as follows:

Building Permit. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within six (6) months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. The permit will remain valid for up to a total of three (3) years from the date of the permit issuance. If the work

becomes invalid, a new permit must be issued and the permit fees paid as per the city fee schedule for the amount of work required to finish the job.

E. Chapter 1 Subsection 105.8 is added to the CBC, to read as follows:

105.8 Permit Issuance.

105.8.1 Except as otherwise provided in this Chapter, a permit shall be issued only to person holding a valid, unexpired, or unrevoked California building contractor's license.

105.8.2 A permit may be issued for work in a single-family dwelling used exclusively for living purposes, including any accessory buildings, if the permittee is the bona fide owner of the structure occupied by or designed to be occupied by the owner, in which case the owner himself fulfills the role of contractor for all work under the permit.

105.8.3 Any permit issued pursuant to this Chapter shall not be transferable to any person, business, or corporation.

F. Section 107.2 .1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

107.2.1 Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distance to all property lines and of every existing building on the property. Instead of detailed specifications, the City building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

G. Chapter 1 Division II Subsection 107.6 (Standard plans) is added to read as follows:

107.6.1 – Standard plans. The building official may approve a set of plans for a building or structure as a “standard plan,” provided the applicant has made proper application, submitted complete sets of plans, and paid the plan checking fee as required by the City of Pinole. When it is desired to use an approved “standard plan” for an identical structure, three plot plans shall be submitted, and a plan-checking fee equal to one-half of the full plan-checking fee required by the City of Pinole shall be paid at the time application is made for such identical structure. Such duplicate plans shall be compared, stamped, and kept on the job as required by California Building Code section [A] 107.3.1. In case of any deviation whatsoever from this standard plan, complete plans, together with a full plan-checking fee, shall be submitted for the proposed work, as required by California Building Code section [A] 107. Standard plans shall be valid for a period of one year from the date of approval. This period may be extended by the building official when there is evidence that the plan may be used again. The code in effect when the plan review application is submitted and the plan review fee paid shall be the governing code.

- H. Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the City building official, a licensed Land Surveyor or Civil Engineer may be required to certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- I. Chapter 1, Section [A] 114 (Unlawful act). Chapter 1, Division II Section 114.5 Violation a Public Nuisance is added to read as follows:

It is declared that any violation of this code, the CPC, CMC, CEC or other state building codes constitutes a public nuisance. In addition to any other remedies this code provides for enforcement, the city may bring civil suit to enjoin violation of its provisions.

- J. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Accessory Living Unit: is a second dwelling unit on the same lot as a single-family dwelling with or without a separate entrance from the exterior.

- K. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Fire Hazard: is any building device, appliance, apparatus, equipment, tank, vehicle, combustible material or waste, fence or vegetation which, in the opinion of the City Building Official or the Fire Chief, is in such condition as to cause a fire or explosion or to augment the spread and intensity of a fire or explosion arising from any cause.

- L. Section 202 of Chapter 2 (Definitions) is amended to add the following definition:

Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.

- M. Section 202 of Chapter 2 (Definitions) is amended to add the following definition:

SUBSTANTIAL REMODEL means any remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent (50%) of the existing fire area shall be deemed a "substantial remodel."

- N. Section 501.2 of Chapter 5 (General building heights and areas) is amended to read as follows:

1. Address numbers. Apartment, Condominium and Townhouse Complexes – An illuminated, diagrammatic representation of the complex shall be installed at the primary vehicular and walkway entrance to each complex. This diagram shall be of sufficient size to be easily visible from said vehicular and walkway entrance.

a. An apartment, condominium, or townhouse complex shall be defined as a group of three or more separate, non-connecting buildings, all located on common ground where each building contains two or more living units.

b. Each building shall be marked at a location clearly visible from the nearest vehicular access with the street address, building number/letter and numbers of units located in that building.

Example: 2237 Address

Bldg. "B" Building designation

Units 1 – 8 Units in building

Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background.

2. Commercial – Individual units shall be addressed front and back. Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

3. Industrial – Individual units within a building shall be addressed front and back. Individual buildings shall be marked at a point clearly visible from the street. Minimum numeral size shall be 12" high with a 3" wide stroke and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

4. Lighting of building addresses – The building address for all new buildings constructed after the date of this ordinance shall be automatically lighted at night.

O. Section 903.2 (Where required) is amended to read as follows:

Approved automatic sprinkler systems shall be required in all new commercial facilities, commercial buildings, and commercial structures. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

Subsections of 903.2 are adopted in their entirety except as amended below:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.

2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.2.1 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 10,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group M occupancy is used for the display and sale of upholstered furniture.
5. The structure exceeds 10,000 square feet, contains more than one fire area containing Group M occupancy, and is separated into two or more buildings by firewalls of less than four-hour fire-resistance rating.

903.2.8.1 Group R-3 Substantial Remodel. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs and the total fire area of the structure exceeds 3,600 square feet.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 5,000 square feet; or
2. Where the enclosed parking garage is located beneath other occupancy groups.

- P. Section 1405.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

1406.5 Wood shakes or shingles. Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes and shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

- Q. Subsection 1505.1.5 (Shingles and shakes) is added to Chapter 15 (Roofing) of the California Building Code to read as follows:

Shingles and shakes. All new roof coverings shall be a class B or better roof covering assembly as defined by CBC 1505.

- R. Section 1507.1.1 is added to the CBC to read as follows:

Roof Coverings: Roof coverings for Group R, Division 1 and 3, and Group U Occupancies shall be fire-retardant, Class B or better, complying with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingles shall be permitted regardless of class designation. See Section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

- S. Subsection 1907.1.2 (Minimum slab thickness) is added to Chapter 19 (Concrete) of the California Building Code to read as follows:

Minimum slab thickness. A minimum of four inches (4") of gravel and 4" of concrete shall be required under all non-engineered concrete floor slabs supported directly on the ground in all occupancies except "M" occupancies that are not attached to another structure. Non-engineered concrete floor slabs on grade shall be reinforced with deform reinforcing bars not less than three-eighths inch (3/8") at twenty-four inches (24") each way.

All Portland cement concrete garage and driveway slabs shall be a minimum of five inches thickness and reinforced with no less than ten gauge, six inch square wire mesh reinforcing placed at the center of the total thickness.

- T. Subsection 2111.15(Wood burning stove appliances) is added to Chapter 21 (Masonry) of the California Building Code to read as follows:

Wood burning stove appliances. Any new wood-burning appliance must be one of the following:

1. A pellet-fueled wood device;
2. A U. S. EPA Phase II certified device; or
3. A low mass fireplace, masonry heater or other wood burning device of a make and model that meets EPA emission targets and has been approved in writing by the air pollution control officer of the Bay Area Air Quality Management District or the designee thereof.

- U. Subsection 2304.12.1.6 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

V. Subsection 2509.3 (Showers and water closets) of Chapter 25 (Gypsum board and plaster) is amended by adding the following:

3. Gypsum board in showers and water closets. Paper-backed gypsum board products shall not be used as a backer for tile in showers and bathtub areas.

Chapter 15.06 RESIDENTIAL CODE

Sections:

- 15.06.010 Adoption by reference.
- 15.06.020 Copies on file.
- 15.06.030 Amendments made in the California Residential Code.

15.06.010 Adoption by reference.

The 2016 California Residential Building Code, California Code of Regulations Title 24, Part 2.5, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.06.020 Copies on file.

One copy of the California Residential Code and Appendices as adopted by Pinole Municipal Code 15.02.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.06.030 Amendments made in the California Residential Code.

The California Residential Code is amended and changed in the following respects:

- A. Section R202 of Chapter 2 (Definitions) is amended to add the following definition to read as follows:
Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.

B. Subsection R902.1.5 is added to Chapter 9 (Roof Assemblies) of the California Residential Code to read as follows:

All new roof coverings shall be a class B or better roof covering assembly as defined by CBC 1505.

C. Subsection R506.1 (General) is amended to read as follows:

R506.1 General. Concrete slab-on-ground floors shall be designed and constructed in accordance with the provisions of this section or ACI 332. Floors shall be a minimum of 4 inches thick (for expansive soils, see Section R403.1.8). The specified compressive strength of concrete shall be as set forth in Section R402.2.

Chapter 15.08

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

- 15.08.010 Adoption by reference.
- 15.08.020 Copies on file.
- 15.08.030 Amendments made in the California Green Building Standards Code

15.08.010 Adoption by reference.

The 2016 California Green Building Standards Code, California Code of Regulations Title 24, Part 11 including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.08.020 Copies on file.

One copy of the California Green Building Standards Code and Appendices as adopted by Pinole Municipal Code 15.08.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.08.030 Amendments made in the California Green Building Standards Code.

The California Green Building Standards Code is amended and changed in the following respects:

- A. Section 101.3.2 is added to California Green Building Standards Code to read as follows:

Section 101.3.2 The provisions of this code, except 4.504.2 through and including 4.504.5.1, shall be encouraged for residential room additions of 600 square feet or more.

Chapter 15.10 CALIFORNIA ELECTRICAL CODE

Sections:

15.10.010 Adoption by reference.

15.10.020 Copy on file.

15.10.010 Adoption by reference.

The 2016 California Electrical Code, California Code of Regulations Title 24, Part 3, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.10.020 Copy on file.

One copy of the California Electrical Code and Appendices as adopted by Pinole Municipal Code 15.10.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.12 CALIFORNIA PLUMBING CODE

Sections:

15.12.010 Adoption by reference.

15.12.020 Copy on file.

15.12.010 Adoption by reference.

The 2016 California Plumbing Code, California Code of Regulations, Title 24, Part 5, including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.12.020 Copies on file.

One copy of the 2016 California Plumbing Code and Appendices as adopted by Pinole Municipal Code 15.12.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.12.030 Amendments made in the California Plumbing Code.

The California Plumbing Code is amended and changed in the following respects:

A. Chapter 604 (Materials) is amended by adding Section 604.14 (Metal water piping). Section 604.14 (Metal water piping) is added to read as follows:

Section 604.14 - Metal water piping. Metal water piping, including any repair of any metal water piping, is not to be permitted buried under any structure except as permitted in individual circumstances and approved by the building official.

B. Chapter 710 (Drainage of Fixture Located Below the Next Upstream manhole or Below the Main Sewer Level) is amended by adding Section 710.1 - (Sewage backwater). Section 710.1 (Backflow Protection) is added to read as follows:

Section 710.1 - Sewage backwater. Where a fixture is installed on a floor level that is lower than the next upstream manhole cover of the public or private sewer, serving such drainage piping, such fixtures shall be protected from backflow of sewage by installing an approved type of backwater valve or mushroom type device or other fixtures approved by the Building Official. Fixtures on floor levels above such level elevation shall not be discharged through the backwater valve. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating "Backwater Valve Downstream."

Chapter 15.14 CALIFORNIA MECHANICAL CODE

Sections:

15.14.010 Adoption by reference.

15.14.020 Copies on file.

15.14.010 Adoption by reference.

The 2016 California Mechanical Code, California Code of Regulations Title 24, Part 4, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.14.020 Copies on file.

One copy of the California Mechanical Code and Appendices as adopted by Pinole Municipal Code 15.14.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.16

CALIFORNIA HOUSING AND PROPERTY MAINTENANCE CODE

Sections:

- 15.16.010 Housing and Property Maintenance Code – Adoption.
- 15.16.020 IPMC 102.3 Amended – Application of other codes.
- 15.16.030 IPMC 304.14 Amended – Insect screens.
- 15.16.040 IPMC 307.3.1 Amended – Disposal of garbage.
- 15.16.050 IPMC 602.4 Amended – Occupied work spaces.
- 15.16.060 House moving
- 15.16.070 Compliance with construction requirements

15.16.010 HOUSING AND PROPERTY MAINTENANCE CODE – ADOPTION.

The housing and property maintenance code for the City is the California Housing Law Regulations as set forth in Division 13, Part 1.5, commencing with Section 17910, in the Health and Safety Code (as amended) combined with the 2015 International Property Maintenance Code (IPMC) except as amended by the changes, additions and deletions set forth in this Chapter.

15.16.020 IPMC 102.3 AMENDED – APPLICATION OF OTHER CODES.

Section 102.3 of the IPMC is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the City Municipal Code and the California Building Codes.

15.16.030 IPMC 304.14 AMENDED – INSECT SCREENS.

Section 304.14 of the IPMC is amended as follows:

During the entire year, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

15.16.040 IPMC 307.3.1 AMENDED – DISPOSAL OF GARBAGE.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading “an approved incinerator unit in the structure available to the occupants in each dwelling unit” shall be deleted in its entirety.

15.16.050 IPMC 602.4 AMENDED – OCCUPIED WORK SPACES.

Section 602.4 of the IPMC is amended as follows:

Indoor occupiable work spaces shall be supplied with heat during the entire year to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

15.16.060 HOUSE MOVING

A. Any person, firm, or corporation wishing to move any house or structure on any public street or way in the city shall first obtain a permit as provided in this section.

B. House moving, as permitted in this section, is allowed only on the day and hours as stated on the permit and on the routes as approved by the director of public works and the chief of police.

C. The building department may issue a permit for house moving when the person, firm or corporation has applied for such permit and has complied with the following:

1. A special pre-moving inspection of the building has been made and approved;

2. Posted a performance bond in the amount of two thousand dollars payable to the city;

3. Provided a certificate of insurance for public and auto liability of not less than one hundred thousand dollars; three hundred thousand dollars bodily injury and twenty-five thousand dollars property damage;

4. Payment of a permit fee of fifty dollars for each day or part thereof in which the moving operation will take place;

5. Agree to furnish adequate traffic control. Method and number of persons directing traffic must be approved by the chief of police;

6. Agree to pay the cost of any police and fire protection which may be required. A deposit of fifty dollars is required;

7. Provide a copy of signed agreement with the public utilities as to date, time and route;

8. Post a time schedule with the public services department, building department and police department at least twenty-four hours in advance of any actual move.

15.16.070 COMPLIANCE WITH CONSTRUCTION REQUIREMENTS

Buildings moved into or relocated within the city shall be made to comply with the requirements for new construction in the codes adopted in this Title.

Chapter 15.18

ABATEMENT OF DANGEROUS BUILDINGS

Sections:

- 15.18.010 Abatement of dangerous buildings – Adoption
- 15.18.020 Section 801.3 Amended – Costs
- 15.18.030 Section 912 Amended – Cost Recovery

15.18.010 ABATEMENT OF DANGEROUS BUILDINGS

The abatement of dangerous buildings code for the City is the 1997 Uniform Code For The Abatement of Dangerous Buildings as adopted and printed by the International Conference of Building Officials.

15.18.020 SECTION 801.3 AMENDED – COSTS

Section 801 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

801.2 Costs. The cost of such work shall be paid from the General Fund, and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner.

15.18.030 SECTION 912 AMENDED – COST RECOVERY

Section 912 of the Uniform Code for the Abatement of Dangerous Buildings Code is hereby amended to read as follows:

912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the Finance Director of the City, who shall credit the same to the General Fund.

Chapter 15.20

FIRE CODE

Sections:

- 15.20.010 Fire Code – Adoption.
- 15.20.020 Establishment and duties of bureau of fire prevention.
- 15.20.030 Amendments to the California Fire Code.
- 15.20.040 Appeals.
- 15.20.050 New materials, processes or occupancy which may require permits.
- 15.20.060 Violation – Penalty.

15.20.010 FIRE CODE – ADOPTION.

The City of Pinole hereby adopts, in its entirety, the 2016 California Fire Code, California Code of Regulations, Title 24, Part 9 (based on the 2015 International Fire Code published by the International Code Council), including Chapters 1 – Chapter 10 and Chapter 12 – Chapter 80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, Appendix K as amended by the changes, additions and deletions set forth in this Chapter.

15.20.020 ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

The 2016 California Fire Code as adopted and amended in this Chapter shall be enforced by the bureau of fire prevention of the Pinole Fire Department which is established and which shall be operated under the Chief of the Fire Department.

15.20.030 AMENDMENTS TO THE CALIFORNIA FIRE CODE.

Chapter 1. Administration.

Chapter 1 is adopted in its entirety except as amended below.

101.1 Title. These regulations shall be known as the fire code of the City of Pinole hereinafter referred to as “this code”.

Section 102.1 is amended to add item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, boats, and other mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 105.6 is amended to read:

105.6 Required operational permits. The Fire Code Official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.60.

Section 105.6.4 is amended to read:

105.6.4 Carnivals, Fairs, Festivals and Exhibitions. A permit is required to operate a carnival, fair, festival, or exhibition.

Section 105.6.31 is amended to read:

105.6.31 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, as well as for sites that allow mobile fueling from a service provider to the general public.

Section 105.6 is amended by adding subsections 105.6.51 through 105.6.60, to read:

105.6.51 Asbestos removal. A permit is required to conduct asbestos removal operations regulated by Section 3318.

105.6.52 Automobile Wrecking or Dismantling Yard. An operation permit is required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

105.6.53 Battery systems. A permit is required to operate stationary lead acid battery systems having a liquid capacity of more than 50 gallons (189 L) pursuant to Section 608.

105.6.54 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.

105.6.55 Emergency Responder Radio Coverage. A permit is required for facilities with Emergency Responder Radio Coverage Systems.

105.6.55 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code.

105.6.56 Model rockets. A permit is required to sell model rocket motors or launch model ockets (in excess of 3 launches per event) pursuant to California Code of Regulations, Title 19, Division 1, Article 17. Permits issued in accordance with this section are for the site, and are effective as long as site conditions have not changed.

105.6.57 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3312.1.

105.6.58 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 34.

105.6.59 Oil Extraction Process. A permit is required to operate a process that uses a volatile solvent or Liquid Carbon Dioxide to extract oil from organic material.

105.6.60 Indoor Growing Operation. A permit is required to operate a commercial indoor growing operation.

Exception: Agricultural Greenhouses in an agricultural zone.

Section 105.7 is amended to read:

105.7 Required construction permits. The Fire Code Official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.7.1 through 105.7.21.

Section 105.7 is amended by adding sections 105.7.26 through 105.7.31 as follows:

105.7.26 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire Department access is required by the Fire Code. A permit is required to install a gate across a fire apparatus access road pursuant to Section 503.

105.7.27 Construction, alteration, or renovation of a building for which a building permit is required. Plans shall be submitted to the fire code official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or expansion.

105.7.28 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

105.7.29 Refrigeration equipment. A permit is required to install a mechanical refrigeration unit or system regulated by Chapter 6 and/or the California Mechanical Code.

105.7.30 Land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.7.31 Water supply for fire protection. Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 105.8 is added, to read:

105.8 Responsibility of permittee. Construction permits shall be presumed by the City to incorporate all of the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable

thereto. No City approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 109.1 is amended to read:

109.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a board of appeals. The board of appeals is comprised of the City Council. The applicant may appeal the decision of the Fire Code Official to the City Council with thirty (30) days from the date of the Fire Code Official's decision. The Fire Code Official shall be an ex officio member of said board but shall have no vote on any manner before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 108.3 is deleted.

Section 109.4 is amended to read:

109.4 Violation penalties. Every person who violates any provision of this fire code is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions. This section is a declaration of Health and Safety Code section 13871 and is not intended to create a different or separate penalty.

Section 111.4 is amended to read:

111.4 Failure to comply. Any person who continues any work after having been served with a stop work order is subject to citation, except any work that a person is directed by the Fire Code Official to perform to remove a violation or unsafe condition.

Chapter 2. Definitions.

Chapter 2 is adopted in its entirety except as amended below.

Section 202 is amended by adding the following definitions to read:

Administrator. Fire Chief.

All-weather driving surface. A roadway with a minimum surface finish of one layer of asphalt or concrete that is designed to carry the imposed weight loads of fire apparatus.

Cost of Abatement. Includes all expenses incurred by the jurisdiction in its work of abatement and administrative costs pursuant to Section 320.5 of this code.

Driveway. A private roadway that provides access to no more than two single-family dwellings.

Fire Code Official. The Fire Code Official is the Fire Chief or his/her designee.

Firebreak. A continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Fire trail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire Department and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Person. Includes individuals, firms, partnerships, and corporations.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

Reduced Fuel Zone. The area that extends from thirty (30) feet to one hundred (100) feet away from the structure, or to the property line, whichever is closer to the structure.

Response time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction which is, or when dry may become, a fire hazard.

Rural area. An area generally designated for agricultural or open space uses with parcels more than 10 acres in size.

Rural residential area. An area generally designated for single-family residential use with parcels between three and 10 acres in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sprinkler Alarm & Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Substantial Addition or Expansion. Addition, expansion, remodel, or renovation of any structure where the addition of new fire area exceeds fifty percent (50%) of the existing fire area. For the purposes of this definition, areas of a building in which construction elements including walls and roof assemblies were demolished and rebuilt are considered new fire area.

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary fire department access road for construction of one residential (R3) unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary water supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:

1. Weeds that bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds that are otherwise noxious or dangerous.
4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.
5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Chapter 3. General Precautions Against Fire.

Chapter 3 is adopted in its entirety except as amended below:

Section 304.1.2 is amended in its entirety to read:

304.1.2 Vegetation. Hazards created by the growth of weeds, grass, vines, trees or other growth capable of being ignited and endangering property shall be mitigated in accordance with Section 319.

Section 304.1.4 is added as follows:

304.1.4 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct and associated equipment free from accumulations of lint and combustible materials.

Section 304.1.4 Exception 1 is amended to read:

Exception 1. Residential Occupancies.

Section 320 is added to Chapter 3 to read as follows:

320 Exterior Fire Hazard Control.

320.1 General.

320.1.1 Jurisdictional Authority. The City Council of the City of Pinole, as the supervising, legislative and executive authority of the jurisdiction, has the authority to act pursuant to Part 5 (commencing with Section 14875), Division 12, of the Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with provisions of said Part 5 and/or this Ordinance.

320.1.2 Contract for Services. The City Council of Pinole delegates the power to award a contract for fire hazard abatement work where the employees of this City are not used to perform the abatement work, to the Fire Chief.

320.2 Definitions. The following terms are defined in Chapter 2

Cost of Abatement

Defensible Space.

Person

Priority Hazard Zone

Reduced Fuel Zone

Rubbish

Streets

Weeds

320.3 Weeds and Rubbish a Public Nuisance. The City Council hereby declares that all weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

320.4 Abatement of Hazard.

320.4.1 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish, weeds, trees, or other vegetation that constitutes a fire hazard. Destruction by burning within this jurisdiction is unlawful unless the written permission of the Fire Chief is first obtained, and all other applicable permits are obtained from appropriate governing agencies or jurisdictions.

320.4.2 Specific Requirements. The Fire Department shall develop minimum abatement standards for land in residential, rural and/or rural residential, business, industrial areas, or land which is unused or vacant. Such standards may be modified periodically as circumstances dictate.

320.4.2.1 Clearance of Weeds from Streets. The Fire Code Official is authorized to cause areas within 10 feet on each side of portions of streets that are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Code Official is authorized to enter upon private property to do so.

320.5 Abatement Procedures.

320.5.1 Abatement Order. The Fire Code Official may order the abatement of the weeds and rubbish described in Sections 304.1.2 and 320, above. On making the order, the Fire Code Official will mail a copy of a notice to the owners of the affected property as their names and addresses appear upon the last county equalized assessment roll, or as their names and addresses are known to the Fire Code Official. As an alternative to mailing, the notice may be posted upon the affected property and published in the jurisdiction, not less than fifteen (15) days prior to the date of the abatement hearing. Copies of the notice will be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice will be in substantially the following form:

NOTICE TO ABATE WEEDS AND RUBBISH

Notice is hereby given on ____[date]____ that, in accordance with the Section 15.20.030 of the City of Pinole Municipal Code, weeds and rubbish constitute a fire hazard and a public nuisance on the following described property owned by you:

[Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map]

You must remove the weeds and rubbish within fifteen (15) days from the date of this notice. If you fail to do so, the Pinole Fire Department will remove the weeds which constitute a nuisance on your property, and the cost of such removal (abatement), including administrative costs, will be collected as property taxes and will be a lien on your property until paid.

You are further notified that the Pinole City Council has declared that such weeds and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Pinole City Council on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced.

If you have any questions, please call (name of Fire Code Official) at (contact info).

(Signed): (Name of Fire Code Official of Pinole Fire Department)

320.5.2 Hearing Date. A date for hearing on the notice will be set at least fifteen (15) days after the date of the notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order should not be enforced. For good cause shown, the Pinole City Council may extend the time for compliance with the order or may rescind the order.

320.5.3 Contract Award. If the owner fails to comply with the order and fails to appear at the indicated hearing, the Fire Code Official may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it will be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. Concerning any contract previously awarded as provided in this subsection and that has been fully extended as provided in that contract, it may thereafter be extended on its same terms and conditions for a further period (not to exceed one (1) year) by agreement of the Fire Chief and the involved contractor.

320.5.4 Abatement Report of Costs. The Fire Code Official or his or her designee abating the nuisance will keep an account of the cost of abatement in front of or on each separate parcel of land and will render an itemized report in writing to the City Council showing the cost of removing the weeds and rubbish on or in front of each separate lot or parcel of land, or both.

320.5.5 Notice and Hearing on Costs of Abatement. Before the cost report regarding the cost of abatement is submitted to the City Council, a copy of the

report will be posted for at least three (3) days on or near the door of the City Council Chambers with a notice of the time and when the report will be submitted to the City Council for confirmation or the City Council may direct staff to mail a Notice of Potential Lien to each property owner at issue in the cost report at least three (3) days prior to the City Council hearing on the report. Such Notice of Potential Lien shall include the cost of abatement for that property, warning that such costs will become a lien on the property, and the time and date of the City Council hearing on such costs. At the time fixed for receiving and considering the report, the City Council will hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, by motion or resolution the City Council may make such modifications in the report as it deems necessary, after which the report will be confirmed. The amount of the cost, including administrative costs, of abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed will constitute special assessment against the respective parcel(s) of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation, in the office of the County Recorder, of a certified copy of the Resolution of Confirmation.

320.5.6 Cost Assessments. Upon confirmation of the report of cost by the City Council and the recordation of the Resolution of Confirmation, a copy of the report of cost will be sent to the County Auditor, who will enter the amount of the assessments against the parcels. Thereafter the amount of the assessments will be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

320.6 Alternate Mitigation. In lieu of ordering abatement as provided in Section 320.5.1, the Fire Code Official may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the Fire Code Official will consider the height of the growth, weather condition, topography, and the accessibility to the property for fire protection equipment. The procedure set forth in Section 320.5.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

320.7 Subsurface Fires.

320.7.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

320.7.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or

combustion of peat, vegetable matter or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 321 is added to Chapter 3 to read:

321 Automobile Wrecking Yards.

321.1 General. The operation of automobile wrecking yards shall be in accordance with this Section.

321.2 Definitions.

The following terms are defined in Chapter 2:

Automobile Wrecking Yard.

Automobile Dismantling.

321.3 Requirements.

321.3.1 Permits. An operation fire code permit as in Section 105.6.51.

321.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

321.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires and all other debris.

321.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the Fire Code Official to be a fire hazard.

321.3.5 Fire Protection. Offices, storage buildings and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A: 40-B-C rating. When required by the Fire Code Official, additional fire extinguishers shall be provided.

321.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the Fire Code Official. 321.3.6.1 Distance from Water Supply. Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the Fire Code Official.

321.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

321.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.

321.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts. 321.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems and transmissions shall be kept available on site. Single-use plugs, dikeing and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state and local requirements.

321.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks. 321.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding or drilling of any kind, is prohibited.

321.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the Fire Code Official.

Chapter 4. Emergency Planning and Preparedness.

Chapter 4 is adopted in its entirety except as follows:

Section 401.5.1 is amended by adding a new subsection 401.5.1.1 to read:

401.5.1.1 Nuisance fire alarm fee. A fee may be charged for false and/or nuisance fire alarms in accordance with the City's Master Fee Schedule adopted by the City Council.

Chapter 5. Fire Service Features.

Chapter 5 is adopted in its entirety, except as amended below:

Section 503.1 is amended to add subsection 503.1.4 to read:

503.1.4 Access to Open Spaces. When existing access to open land or space, or to fire trail systems maintained for public or private use, is obstructed by new development of any kind, the developer shall provide an alternate means of access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the Fire Code Official.

Section 503.2.1 is amended by adding the following exception:

Exception: A minimum 16-foot wide driveway is acceptable for access to one or two single-family dwellings.

Section 505 is amended by adding Section 505.3, to read:

505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the Fire Code Official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

Section 507.2 is amended by adding subsection 507.2.3, to read:

507.2.3 Suburban and rural water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.1.

Chapter 6. Building Services and Systems.

Chapter 6 is adopted in its entirety, except as follows:

Section 603.6 is amended by adding subsection 603.6.6, to read:

603.6.6 Sparks from chimneys. A chimney that is used with either a fireplace or heating appliances in which solid or liquid fuel is used shall be maintained with spark arresters that are required for incinerators pursuant to the 2016 California Mechanical Code.

Chapter 8. Interior Finish, Decorative Materials and Furnishings.

Chapter 8 is adopted in its entirety, except as follows:

Section 806 is amended by adding subsections 806.1.4, 806.1.5 and 806.1.6, to read:

806.1.4 Flame retardants. Cut trees shall be treated by a California State Fire Marshal licensed fire retardant applicator. Trees shall be properly treated with an approved flame retardant.

806.1.5 Tags. Trees shall bear a tag stating date of placement in the public building, type of flame-retardant treatment used, name of the person who applied the

flame retardant, the name of the person affixing the tag, a permit expiration date and the name of the designated individual making daily tests.

806.1.6 Daily tests. A designated individual shall test trees daily. The test shall include a check for dryness in accordance with Section 806.1.3 and for adequate watering.

Chapter 9. Fire Protection Systems.

Chapter 9 is adopted in its entirety, except as amended below:

Section 901.6.3 is amended to read:

901.6.3. Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be maintained in paper form and/or by a third party electronic record keeping service as chosen by the Fire Department .

Section 902 is amended to add:

Substantial Addition or Expansion. Remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent (50%) of the existing fire area shall be deemed a “substantial remodel.”

Section 903.2 is amended to read as follows:

903.2 Where required. All occupancies, including Group A, B, C, E, F, H, I, L, M, R, S, and U with a floor area in excess of 120 square feet shall be equipped with automatic fire sprinklers in accordance with NFPA 13, 13R or 13D as determined by the fire code official. Approved automatic sprinkler systems shall be provided in all new commercial facilities, commercial buildings and commercial structures. Approved automatic sprinklers systems in new buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.2.12.

Exception: Private residential U occupancies accessory to non-sprinklered group R-3 occupancies.

Section 903.3.1.1.3 is added to read as follows:

903.3.1.1.3 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Hazard Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.1.3.1 is added to read:

903.3.1.3 Sprinkler Systems for One and Two family dwellings. Automatic sprinkler systems for one and two- family dwellings shall be permitted to be installed in accordance with sections 903.3.1.3.1 through 903.3.1.3.3. Sections 903.3.1.3.1, 903.3.1.3.2, and 903.3.1.3.3 are added, to read

Section 903.3.1.3. is amended to read:

903.3.1.3 NFPA 13D Sprinkler Systems. Automatic sprinkler systems installed in one and two family dwellings, Group R-3 buildings, and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as amended in Chapter 80.

903.3.1.3.2 California Residential Code Section R313. Automatic sprinkler systems shall be permitted to be installed in accordance with California Residential Code section R313.

903.3.1.3.3 Pipe limitations. Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added, to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5. Section 903.3.9 is amended to read:

Section 903.3.9 is added, to read:

903.3.9. Floor control valves. Individual floor control valves and waterflow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies.

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6 is amended by adding subsections 903.6.1 and 903.6.2 to read as follows:

903.6.1 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing buildings where a substantial addition or expansion occurs and the total fire area of the structure exceeds 5,000 square feet. Group R-3 substantial additions or expansions shall comply with Section 903.2.8.2.1

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1012.4 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard). Group R-3 occupancies shall be considered a relative hazard of 4 (lowest hazard).

Section 907.4.4 is added as follows:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.5.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms and locker rooms.
2. Corridors, hallways, aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.

8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.
14. Sales floor areas.
15. Break or lunch rooms
16. Copy or workrooms.
17. Computer server rooms exceeding 200 square feet.
18. File or Storage rooms exceeding 200 square feet.

Section 907.6.6 is amended to read:

907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the Pinole Building Code shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL listed central station is not required for:

1. Single and multiple station smoke alarms required by section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with section 907.2.6.3.4.
3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an occupant load of six or less.
6. Occupancies with a local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.8.6 is added to read as follows:

907.8.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be

provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.8.7 is added to read as follows:

907.8.7 **Posting of Certificate.** The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within forty-five (45) days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Chapter 10 is adopted in its entirety except as amended below.

Section 1028.5 is added to read as follows:

1028.5.1 **Exit discharge surface.** Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety During Construction and Demolition.

Chapter 33 is adopted in its entirety except as amended below.

Section 3301.3 is added to read as follows:

3301.3 Permits. Permits shall be obtained for asbestos removal operations, temporary fire department access roads for construction, and temporary water supplies as set forth in sections 105.6 and 105.7.

Section 3318 is added to read as follows:

Section 3318 Asbestos removal.

3318.1 General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3318.

Exception: Section 3318 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets and similar equipment.
2. Pipes, ducts, girders or beams that have a length less than 21 linear feet (6400 mm).
3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m²) or a dimension of less than 10 linear feet (3048 mm).
4. Floor tiles when their removal can be completed in less than four hours.
5. Group R-3 occupancies.

3318.2 Notification. The Fire Code Official shall be notified twenty-four (24) hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

3318.3 Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

3318.4 Signs. Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of two inches high.

Chapter 50. Hazardous Materials – General Provisions.

Chapter 50 is adopted in its entirety except as amended below:

Section 5001.5.3 is added to read as follows:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information may be required to be stored in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1 is amended by adding subsection 5003.9.1.2 as follows:

5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Chapter 56 is adopted in its entirety except as amended below:

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the City are prohibited.

Exceptions:

1. Fireworks may be temporarily stored only if they are aerial or theatrical piece fireworks stored in conjunction with an approved and permitted aerial or set display.
2. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read as follows:

5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the City of Pinole.

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended as follows:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of two million dollars (\$2,000,000) or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.

Section 5601.9 is added to read as follows:

5601.9 Prohibited and Limited Acts. The storage of explosive materials is prohibited in all zoning districts except districts zoned for industrial or agricultural uses. In zoning districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with California Fire Code sections 5601.8.

Chapter 57. Flammable and Combustible Liquids

Chapter 57 is adopted in its entirety except as amended below:

Section 5704.2.9.6.1 is amended to read:

5704.2.9.6.1 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural

uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 500 gallons (1892.706L) for Class I or II liquids, or 1,000 gallons (3785.412L) for Class III liquids.

Section 5706.2.4.4 is amended to read:

5706.2.4.4 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use.

Chapter 58. Flammable Gases and Flammable Cryogenic Fluids.

Chapter 58 is adopted in its entirety except as amended below.

Section 5806.2 is amended to read:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area that is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Chapter 61 is adopted in its entirety except as amended below.

Section 6103.2.1.7 is amended in its entirety to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A or Group B occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the Fire Code Official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The

aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons.

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2015): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 4 (2015): Standard for Integrated Fire Protection and Life Safety System Testing

NFPA 850 (2015): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations

Chapter 80 is further amended by amending the NFPA 13D (2016) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Appendix B is adopted in its entirety except as amended below.

Section B105.2, the exception is amended to read:

Exceptions:

1. Group B, S-2, and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

- 1.1. California State Parks buildings of an accessory nature (restrooms).
 - 1.2. Safety roadside rest areas, (SRRA), public restrooms.
 - 1.3. Truck inspection facilities, (TIF), CHP office space and vehicle inspection bays.
 - 1.4. Sand/salt storage buildings, storage of sand and salt.
2. A reduction in required fire-flow of 50 percent, as approved by the Fire Code Official, when the building is provided with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1. The resulting fire-flow shall be not less than 1,500 gallons per minute (5678L/min) for the prescribed duration as specified in Table B105.1.

Appendix C. Fire Hydrant Locations and Distribution.

Appendix C is adopted in its entirety except as amended below.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read:

TABLE C102.1ⁱ

The heading of the fourth column of Table C102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE
TO A HYDRANT^{d,f,g,h}

Footnotes “h” and “i” are added to Table C102.1, to read:

h. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

i. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

Appendix D. Fire Apparatus Access Roads.

Appendix D is adopted in its entirety except as amended below.

Section D102.1 is amended to read:

D102.1 **Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other approved *all-weather driving surface* capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds in accordance with Cal Trans Design Standard HS-20-44.

Exception: *Driveways* serving one or two single-family *dwelling*s may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed ten percent (10%).

Section D103.1 is deleted in its entirety.

Section D103.2 is amended to read as follows:

D103.2 Grade. Fire department access roadways having a grade of between sixteen percent (16%) and twenty percent (20%) shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound traction load. The grooves in the concrete surface shall be ½ inch wide by ½ inch deep and 1 ½ inch on center and set at a 30 to 45 degree angle across the width of the roadway surface. No grade shall exceed twenty percent (20%), nor shall the cross slope exceed eight percent (8%), unless authorized in writing by the Fire Code Official.

Section D103.2.1 is added to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed ten percent (10%) at 10 feet of the grade break.

Section D103.3 is amended to read as follows:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet inside and 45 feet outside.

Table D103.4 is amended to read:

Table D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0 – 150	20 ^a	None required
151 – 750	20 ^a	100-foot Hammerhead, 50-foot “Y”, 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1

Over 750	Special approval required ^b
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- a. A *driveway* with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.
- b. Any fire apparatus access roadway or *driveway* that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the Fire Code Official. Each outset or turnout shall be of the following dimensions: an eight foot wide turnout that extends at least 40 feet in length.

Figure D 103.1 is amended to read:

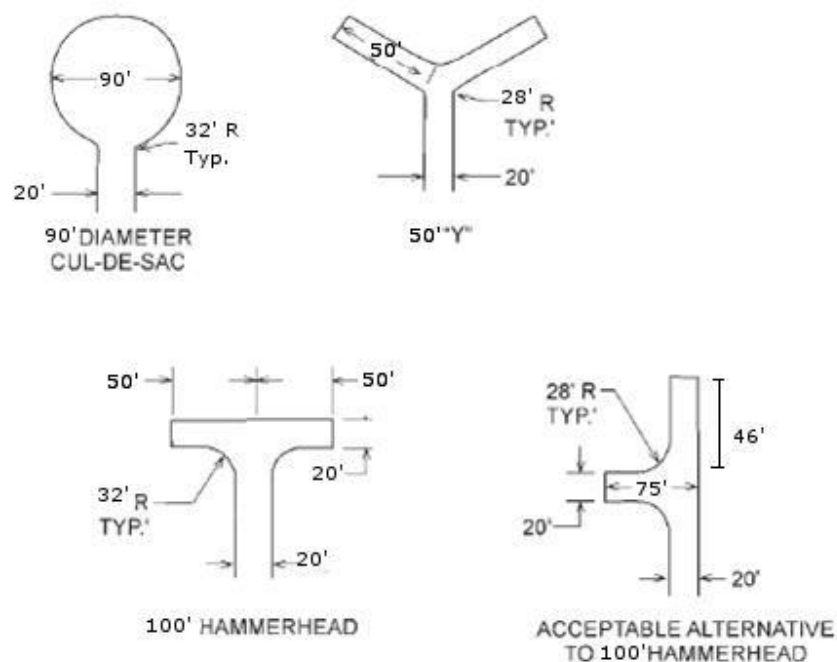


Figure D103.1

Dead-end Fire Apparatus Access Road Turnaround

Criteria 1 of Section D103.5 is amended to read:

1. The minimum clear width shall be 20 feet

Exception: For access to one or two single-family dwellings, 16 feet clear width is acceptable.

Criteria 9 is added to Section D103.5, to read:

9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D106.1 is amended by deleting the exception and to read:

Section D106.1 is amended by deleting the exception and to read:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Section D106.2 is deleted in its entirety.

15.20.040 APPEALS.

Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Council within fifteen (15) days from the date of the decision.

15.20.050 NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The City Council and Fire Chief shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in Fire Code. The Fire Chief or designee shall post such list in a conspicuous place at the offices of the fire prevention bureau and distribute copies thereof to interested persons.

15.20.060 VIOLATION – PENALTY.

A. Any person who violates any of the provisions of the California Fire Code as adopted and amended in this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any details statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than seventy-five dollars (\$75.00) nor more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a period of time not to exceed six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Chapter 15.22 ADMINISTRATIVE CODE

Sections:

- 15.22.010 California Administrative Code – Adoption.
- 15.22.020 Copying and imaging fee.

15.22.010 CALIFORNIA ADMINISTRATIVE CODE – ADOPTION

The California Administrative Code for the City, sometimes referred to as “the CAC,” is the California Administrative Code, 2016 Edition as approved by the California Building Standards Commission, and as published in Title 24, Part 1, of the California Code of Regulations.

15.22.020 COPYING AND IMAGING FEE.

Copying and imaging fees shall be set by resolution of the City Council and reflected in the City’s Master Fee Schedule.

SECTION 4. References To Prior Uniform Building and Construction Codes. Unless superseded and expressly repealed, references in City forms, documents, and regulations to chapters and sections of the prior adopted Uniform Building Codes shall be construed to apply to the corresponding provisions contained in the chapters and sections of Title 15 of the Pinole Municipal Code adopted by this Ordinance and all

other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. Adoption. This Ordinance shall take effect on the later of thirty (30) days after passage or on January 1, 2020, and shall within fifteen (15) days after passage, be posted in accordance with Section 36933 of the Government Code of the State of California with the names of these City Council members voting for and against it.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the Pinole City Council on the 19th day of November, 2019 and adopted on the 3rd day of December, 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Peter Murray , Mayor

ATTEST:

Heather Iopu
City Clerk

3421420.1

ATTACHMENT B

CITY OF PINOLE

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE REPEALING AND REPLACING CHAPTERS 15.02 THROUGH 15.22 OF TITLE 15 “BUILDINGS AND CONSTRUCTION” OF THE PINOLE MUNICIPAL CODE IN ORDER TO ADOPT BY REFERENCE, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2019 EDITIONS OF THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE CALIFORNIA ELECTRIC CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA ADMINISTRATIVE CODE, THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE 1997 EDITION OF INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS ABATEMENT OF DANGEROUS BUILDING CODE .

WHEREAS, the California Building Standards Commission has adopted a new Title 24 of the California Code of Regulations, also referred to as the 2019 California Building Standards Code, that will become effective statewide on January 1, 2020; and

WHEREAS, currently Title 15 “Buildings and Construction, I. Adoption of Uniform Code” of the City of Pinole Municipal Code adopted the building standards contained in the 2013 versions of the California Building Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Plumbing Code, the California Mechanical Code, and the California Electrical Code, California Administrative Code, as such Codes are approved by the State Building Standards Commission (collectively, the “California Building Standards Code”); and

WHEREAS, the updated California Building Standards Code becomes effective within the City on January 1, 2020, and Title 15 is updated by default to incorporate the California Building Standards Code without local amendments; and

WHEREAS, Section 17922 of the California Health and Safety Code requires local agencies to adopt the building standards contained in the California Building Standards Code; and

WHEREAS, Section 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards provided that such modifications are reasonably necessary because of local climatic, geological or topographical conditions so long as a local agency adopts such findings; and

WHEREAS, the City adopted findings, by resolution, justifying local modifications

based on local climatic, geologic, and topographic conditions on November 5, 2019; and

WHEREAS, a duly noticed public hearing was advertised in the West County Times as required by Government Code sections 6066 and 65090; and

WHEREAS, the City Council held a public hearing related to this Ordinance on November 19, 2019 and considered the staff report and public testimony received; and

WHEREAS, the City Council finds that no additional environmental review is necessary because this Ordinance is not a project that has the potential to cause substantial or potentially substantial, adverse change in the environment and qualifies for an exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b) (3), and further, the Ordinance establishes standards for the approval of ministerial projects that are not themselves subject to CEQA review; and

WHEREAS, the City Council finds that the adoption of 2019 Edition of the California Building, Residential, Green Building Standards, Plumbing, Mechanical, Electrical, Fire and related construction Codes help protect public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PINOLE DOES ORDAIN as follows:

SECTION 1. The forgoing Recitals are true and correct and incorporated herein by this reference.

SECTION 2. Those certain documents, copies of which are on file and are open for inspection by the public at the Building Division of the City of Pinole, being marked and designated as the California Code of Regulations Title 24, Part 1, Part 2 Volume 1, Part 2 Volume 2 Part 8 and Part 10, Part 2.5, Part 3, Part 4, Part 5, Part 6, Part 9, Part 11, and Part 12 together with all appendices thereto; the 2015 International Property Maintenance Code; and the 1997 Uniform Code for the Abatement of Dangerous Buildings are hereby adopted, with certain modifications to reflect unique local conditions, as contained in the Municipal Code of the City of Pinole for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City. Each and all of the regulations, provisions, conditions, and terms of such California Building Standards Code, International Property Maintenance Code, Abatement of Dangerous Buildings all of which are on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 3.

Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.20, and 15.22 of Title 15, Buildings and Construction, of the Pinole Municipal Code are hereby repealed and replaced in its entirety by the following:

Title 15
BUILDINGS AND CONSTRUCTION

Chapters:

I. ADOPTION OF UNIFORM BUILDING CODES

15.02	General Provisions
15.04	California Building Code
15.06	California Residential Code
15.08	California Green Building Standards Code
15.10	California Electrical Code
15.12	California Plumbing Code
15.14	California Mechanical Code
15.16	Housing and Property Maintenance Code
15.18	Abatement of Dangerous Buildings
15.20	California Fire Code
15.22	Administrative Code

Chapter 15.02 GENERAL PROVISIONS

Sections:

- 15.02.010 Title.
- 15.02.020 Organization.
- 15.02.030 Codes adopted by reference.
- 15.02.040 Expiration of permits.
- 15.02.050 Premises identification numbering.
- 15.02.060 Construction permit fees – set by City Council.
- 15.02.070 Permitted hours and condition of construction, penalties.
- 15.02.080 Misrepresentations in permit application.
- 15.02.090 Disconnection of utility service.

15.02.010 TITLE.

Chapters 15.02 through 15.24 shall be known as the “City of Pinole Building Codes” and shall be cited as such.

15.02.020 ORGANIZATION.

A building division is established in accordance with the provisions of California Building Code, 2019 Edition, adopted in Chapter 15.04. This division shall be a part of and shall operate under the direction of the Community Development Director. The building division is authorized to direct and enforce all of the provisions of this Title and any of the Codes adopted in this Title.

15.02.030 CODES ADOPTED BY REFERENCE.

For the purpose of establishing proper regulations for building construction, maintenance of housing standards, installation of electrical, plumbing and mechanical systems and swimming pool construction, the codes specifically listed in Chapters 15.02 through 15.22, except as modified in this Title, are adopted and made a part of this Title by reference, without publishing or posting thereof, and copies of each of these Codes as listed in this Title are now on file for use and examination by the public in the office of the City Clerk.

15.02.040 EXPIRATION OF PERMITS.

All permits issued by the building division shall expire one hundred eighty (180) calendar days from date of issuance if the work is not commenced within this time period. A maximum time allowable for the completion of all work is established as follows:

MAXIMUM TIME ALLOWED	
Applicable to Construction, Alteration and Repair Work	
Total Estimated Cost	Total Time Allowed
\$1,000 or less	3 months
Over \$1,000 to and including \$10,000	6 months
Over \$10,000 to and including \$100,000	12 months
Over \$100,000 to and including \$1,000,000	18 months
Over \$1,000,000 to and including \$2,000,000	24 months
Over \$2,000,000 to and including \$10,000,000	30 months
Over \$10,000,000	36 months

15.02.050 PREMISES IDENTIFICATION NUMBERING.

A. Every main structure or building constructed, altered, repaired or moved into the City shall be assigned a street address identification number by the Building Official and approved by the Fire Code Official (as defined in 15.04.030 of this Code).

B. Identification numbers shall be placed on the street side of the building or structure in such a manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of 6" in height and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

C. The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official and Fire Code Official.

D. The owner or his or her designated agent shall be responsible for the maintenance of identification numbers.

E. Any changes to the assigned street identification numbers must be approved by the Building Official and Fire Code Official.

F. The fee for assigning or modifying a street address shall be set by resolution of the City Council.

15.02.060 CONSTRUCTION PERMIT FEES – SET BY COUNCIL.

All construction permit fees including building, plumbing, mechanical, electrical, swimming pools and solar shall be set by resolution of the City Council and reflected in the City's Master Fee Schedule.

15.02.070 PERMITTED HOURS AND CONDITION OF CONSTRUCTION; PENALTIES.

A. Work is allowed from seven a.m. (7:00 a.m.) to five p.m. (5:00 p.m.) on non-federal holidays. Work is allowed on holidays recognized by the City of Pinole, but not acknowledged federally which include Cesar Chavez's Birthday and the Day After Thanksgiving, but no inspections will be performed.

B. Saturday work is allowed in commercial zones only, from nine a.m. (9:00 a.m.) to six p.m. (6:00 p.m.), as long as it is interior work and does not generate significant noise.

C. Exceptions for residential property owners.

1. Homeowners performing additions, repairs, or remodeling are allowed to work on their residences on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.).

2. By written authorization of the Building Official, a residential property owner with a valid permit to construct a single-family residence for personal occupancy shall be allowed to work on weekends and holidays between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.). This authorization shall be granted to applicants who have not built a residence in the City in the previous five (5) year period and who affirm in writing their intention to reside at the subject property.

D. Exceptions for commercial construction. The City Council designates the City Manager (or his/her designee) to further modify on a case-by-case basis the hours of construction in commercial zones. Additionally, the City Manager (or his/her designee) has the ability to modify the construction hours on a case-by-case basis based on inclement weather conditions or certain construction procedures (such as setting up from a concrete pour) and construction project characteristics that may require working beyond five p.m. (5:00 p.m.) on weekdays or six p.m. (6:00 p.m.) on Saturday.

E. The minimum fine for a citation or penalty for violating construction hours is one thousand dollars (\$1,000.00), and escalates in one thousand dollars (\$1,000.00) increments.

F. Work must be controlled to prevent causing a public nuisance due to dust, noise, vibrations, etc.

15.02.080 MISREPRESENTATIONS IN PERMIT APPLICATION.

No person shall make false statement or misrepresentation in or in connection with an application for a permit under this Title. Any permit issued under this Title may be revoked or suspended at any time by the Building Official or designee for fraud, misrepresentation or false statement contained in an application for a permit, or for violations of this Title in connection with work done under the permit.

15.02.090 DISCONNECTION OF UTILITY SERVICE.

The Building Official (or designee) may shut off or disconnect any or all utility service to any structure or facility or to any electrical conductor or apparatus which he/she finds to be in violation of any state or county law or regulation relating thereto or to the public health, safety or welfare, or he may order this done. If he/she finds that the violation involves an immediate danger to person(s) or to other properties or to the public health, safety or welfare, he/she may have the action taken as quickly as he/she deems necessitated by the danger; otherwise he/she shall give ten (10) days advance notice thereof by mail to the utility and the owner of the property as shown on the last assessment roll and by conspicuously posting notice of his orders and the action taken, which no person shall remove, tamper with or disobey. He/she shall rescind or modify such action when it becomes proper to do so in view of the danger or violation.

Chapter 15.04 BUILDING CODE

Sections:

- [15.04.010](#) Adoption by reference.
- [15.04.020](#) Copies on file.
- [15.04.030](#) Amendments made in the California Building Code.

15.04.010 Adoption By Reference.

The 2019 California Building Code, California Code of Regulations Title 24, Part 2, Volume 1 of 2 and Part 2, Volume 2 of 2, including the 2019 California Historic Building Code, Title 24, Part 8 and the 2019 California Existing Building Code, Title 24, Part Chapter 10, and all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.04.020 Copies On file.

One copy of the California Building Code and Appendices as adopted by Pinole Municipal Code 15.04.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.04.030 Amendments Made In The California Building Code.

The California Building Code is amended and changed in the following respects:

- A. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1 subsection 1 is amended to read as follows:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet, nor seven feet in height, and for which written approval has been given by the Planning Division.

- B. Section 105.2 (Work Exempt from Permit) of the CBC Chapter 1, is hereby amended adding subsection 14 to read as follows:

14. Detached decks under 100 square feet and under 30 inches in height, for which written approval has been given by the Planning Division and Building Division.

- C. Section 105.3.2 of Chapter 1, Division II is amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing unless such application has been pursued in good faith, or a permit has been issued; except that the building official is authorized to grant one or more extensions of up to (6) months. The extensions shall be requested in writing and justified cause demonstrated. Whatever the case, a permit application is valid for a maximum one (1) year after which time the application expires and a new plan review fee must be paid. The code in effect at the time the newest application is made shall be the code that is enforced.

- D. Section 105.5 (Expiration) of Chapter 1 Division II is amended to read as follows:

Building Permit. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within six (6) months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. The permit will remain valid for up to a total of three (3) years from the date of the permit issuance. If the work

becomes invalid, a new permit must be issued and the permit fees paid as per the city fee schedule for the amount of work required to finish the job.

E. Chapter 1 Subsection 105.8 is added to the CBC, to read as follows:

105.8 Permit Issuance.

105.8.1 Except as otherwise provided in this Chapter, a permit shall be issued only to person holding a valid, unexpired, or unrevoked California building contractor's license.

105.8.2 A permit may be issued for work in a single-family dwelling used exclusively for living purposes, including any accessory buildings, if the permittee is the bona fide owner of the structure occupied by or designed to be occupied by the owner, in which case the owner himself fulfills the role of contractor for all work under the permit.

105.8.3 Any permit issued pursuant to this Chapter shall not be transferable to any person, business, or corporation.

F. Section 107.2 .1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

107.2.1 Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distance to all property lines and of every existing building on the property. Instead of detailed specifications, the City building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

G. Chapter 1 Division II Subsection 107.6 (Standard plans) is added to read as follows:

107.6.1 – Standard plans. The building official may approve a set of plans for a building or structure as a “standard plan,” provided the applicant has made proper application, submitted complete sets of plans, and paid the plan checking fee as required by the City of Pinole. When it is desired to use an approved “standard plan” for an identical structure, three plot plans shall be submitted, and a plan-checking fee equal to one-half of the full plan-checking fee required by the City of Pinole shall be paid at the time application is made for such identical structure. Such duplicate plans shall be compared, stamped, and kept on the job as required by California Building Code section [A] 107.3.1. In case of any deviation whatsoever from this standard plan, complete plans, together with a full plan-checking fee, shall be submitted for the proposed work, as required by California Building Code section [A] 107. Standard plans shall be valid for a period of one year from the date of approval. This period may be extended by the building official when there is evidence that the plan may be used again. The code in effect when the plan review application is submitted and the plan review fee paid shall be the governing code.

- H. Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the City building official, a licensed Land Surveyor or Civil Engineer may be required to certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- I. Chapter 1, Section [A] 114 (Unlawful act). Chapter 1, Division II Section 114.5 Violation a Public Nuisance is added to read as follows:

It is declared that any violation of this code, the CPC, CMC, CEC or other state building codes constitutes a public nuisance. In addition to any other remedies this code provides for enforcement, the city may bring civil suit to enjoin violation of its provisions.

- J. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Accessory Living Unit: is a second dwelling unit on the same lot as a single-family dwelling with or without a separate entrance from the exterior.

- K. Section 202 of Chapter 2 (Definitions) of the CBC is amended to include the following definition:

Fire Hazard: is any building device, appliance, apparatus, equipment, tank, vehicle, combustible material or waste, fence or vegetation which, in the opinion of the City Building Official or the Fire Chief, is in such condition as to cause a fire or explosion or to augment the spread and intensity of a fire or explosion arising from any cause.

- L. Section 202 of Chapter 2 (Definitions) is amended to add the following definition:

Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.

- M. Section 202 of Chapter 2 (Definitions) is amended to add the following definition:

SUBSTANTIAL REMODEL means any remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent (50%) of the existing fire area shall be deemed a "substantial remodel."

- N. Section 501.2 of Chapter 5 (General building heights and areas) is amended to read as follows:

1. Address numbers. Apartment, Condominium and Townhouse Complexes – An illuminated, diagrammatic representation of the complex shall be installed at the primary vehicular and walkway entrance to each complex. This diagram shall be of sufficient size to be easily visible from said vehicular and walkway entrance.

a. An apartment, condominium, or townhouse complex shall be defined as a group of three or more separate, non-connecting buildings, all located on common ground where each building contains two or more living units.

b. Each building shall be marked at a location clearly visible from the nearest vehicular access with the street address, building number/letter and numbers of units located in that building.

Example: 2237 Address

Bldg. "B" Building designation

Units 1 – 8 Units in building

Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background.

2. Commercial – Individual units shall be addressed front and back. Minimum numeral size shall be 6" high with a stroke of 1" and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

3. Industrial – Individual units within a building shall be addressed front and back. Individual buildings shall be marked at a point clearly visible from the street. Minimum numeral size shall be 12" high with a 3" wide stroke and shall contrast with the background. Units with entrances on both the front and rear of the building shall have identical addresses at both locations.

4. Lighting of building addresses – The building address for all new buildings constructed after the date of this ordinance shall be automatically lighted at night.

O. Section 903.2 (Where required) is amended to read as follows:

Approved automatic sprinkler systems shall be required in all new commercial facilities, commercial buildings, and commercial structures. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

Subsections of 903.2 are adopted in their entirety except as amended below:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.

2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.2.1 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 10,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group M occupancy is used for the display and sale of upholstered furniture.
5. The structure exceeds 10,000 square feet, contains more than one fire area containing Group M occupancy, and is separated into two or more buildings by firewalls of less than four-hour fire-resistance rating.

903.2.8.1 Group R-3 Substantial Remodel. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs and the total fire area of the structure exceeds 3,600 square feet.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 5,000 square feet; or
2. Where the enclosed parking garage is located beneath other occupancy groups.

- P. Section 1405.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

1406.5 Wood shakes or shingles. Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes and shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

- Q. Subsection 1505.1.5 (Shingles and shakes) is added to Chapter 15 (Roofing) of the California Building Code to read as follows:

Shingles and shakes. All new roof coverings shall be a class B or better roof covering assembly as defined by CBC 1505.

- R. Section 1507.1.1 is added to the CBC to read as follows:

Roof Coverings: Roof coverings for Group R, Division 1 and 3, and Group U Occupancies shall be fire-retardant, Class B or better, complying with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingles shall be permitted regardless of class designation. See Section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

- S. Subsection 1907.1.2 (Minimum slab thickness) is added to Chapter 19 (Concrete) of the California Building Code to read as follows:

Minimum slab thickness. A minimum of four inches (4") of gravel and 4" of concrete shall be required under all non-engineered concrete floor slabs supported directly on the ground in all occupancies except "M" occupancies that are not attached to another structure. Non-engineered concrete floor slabs on grade shall be reinforced with deform reinforcing bars not less than three-eighths inch (3/8") at twenty-four inches (24") each way.

All Portland cement concrete garage and driveway slabs shall be a minimum of five inches thickness and reinforced with no less than ten gauge, six inch square wire mesh reinforcing placed at the center of the total thickness.

- T. Subsection 2111.15(Wood burning stove appliances) is added to Chapter 21 (Masonry) of the California Building Code to read as follows:

Wood burning stove appliances. Any new wood-burning appliance must be one of the following:

1. A pellet-fueled wood device;
2. A U. S. EPA Phase II certified device; or
3. A low mass fireplace, masonry heater or other wood burning device of a make and model that meets EPA emission targets and has been approved in writing by the air pollution control officer of the Bay Area Air Quality Management District or the designee thereof.

- U. Subsection 2304.12.1.6 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 1505.1.1 of the California Building Code for roofing standards in very high fire hazard severity zones.

V. Subsection 2509.3 (Showers and water closets) of Chapter 25 (Gypsum board and plaster) is amended by adding the following:

3. Gypsum board in showers and water closets. Paper-backed gypsum board products shall not be used as a backer for tile in showers and bathtub areas.

Chapter 15.06 RESIDENTIAL CODE

Sections:

- 15.06.010 Adoption by reference.
- 15.06.020 Copies on file.
- 15.06.030 Amendments made in the California Residential Code.

15.06.010 Adoption by reference.

The 2019 California Residential Building Code, California Code of Regulations Title 24, Part 2.5, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.06.020 Copies on file.

One copy of the California Residential Code and Appendices as adopted by Pinole Municipal Code 15.02.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.06.030 Amendments made in the California Residential Code.

The California Residential Code is amended and changed in the following respects:

- A. Section R202 of Chapter 2 (Definitions) is amended to add the following definition to read as follows:
Pool: Any outside body of water created by artificial means, any portion of which exceeds eighteen inches (18") in depth.

B. Subsection R902.1.5 is added to Chapter 9 (Roof Assemblies) of the California Residential Code to read as follows:

All new roof coverings shall be a class B or better roof covering assembly as defined by CBC 1505.

C. Subsection R506.1 (General) is amended to read as follows:

R506.1 General. Concrete slab-on-ground floors shall be designed and constructed in accordance with the provisions of this section or ACI 332. Floors shall be a minimum of 4 inches thick (for expansive soils, see Section R403.1.8). The specified compressive strength of concrete shall be as set forth in Section R402.2.

Chapter 15.08

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

- 15.08.010 Adoption by reference.
- 15.08.020 Copies on file.
- 15.08.030 Amendments made in the California Green Building Standards Code

15.08.010 Adoption by reference.

The 2019 California Green Building Standards Code, California Code of Regulations Title 24, Part 11 including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.08.020 Copies on file.

One copy of the California Green Building Standards Code and Appendices as adopted by Pinole Municipal Code 15.08.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.08.030 Amendments made in the California Green Building Standards Code.

The California Green Building Standards Code is amended and changed in the following respects:

- A. Section 101.3.2 is added to California Green Building Standards Code to read as follows:

Section 101.3.2 The provisions of this code, except 4.504.2 through and including 4.504.5.1, shall be encouraged for residential room additions of 600 square feet or more.

Chapter 15.10 CALIFORNIA ELECTRICAL CODE

Sections:

15.10.010 Adoption by reference.

15.10.020 Copy on file.

15.10.010 Adoption by reference.

The 2019 California Electrical Code, California Code of Regulations Title 24, Part 3, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.10.020 Copy on file.

One copy of the California Electrical Code and Appendices as adopted by Pinole Municipal Code 15.10.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.12 CALIFORNIA PLUMBING CODE

Sections:

15.12.010 Adoption by reference.

15.12.020 Copy on file.

15.12.010 Adoption by reference.

The 2019 California Plumbing Code, California Code of Regulations, Title 24, Part 5, including all Appendices, is adopted by reference the same as though fully set forth in this chapter.

15.12.020 Copies on file.

One copy of the 2019 California Plumbing Code and Appendices as adopted by Pinole Municipal Code 15.12.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

15.12.030 Amendments made in the California Plumbing Code.

The California Plumbing Code is amended and changed in the following respects:

A. Chapter 604 (Materials) is amended by adding Section 604.14 (Metal water piping). Section 604.14 (Metal water piping) is added to read as follows:

Section 604.14 - Metal water piping. Metal water piping, including any repair of any metal water piping, is not to be permitted buried under any structure except as permitted in individual circumstances and approved by the building official.

B. Chapter 710 (Drainage of Fixture Located Below the Next Upstream manhole or Below the Main Sewer Level) is amended by adding Section 710.1 - (Sewage backwater). Section 710.1 (Backflow Protection) is added to read as follows:

Section 710.1 - Sewage backwater. Where a fixture is installed on a floor level that is lower than the next upstream manhole cover of the public or private sewer, serving such drainage piping, such fixtures shall be protected from backflow of sewage by installing an approved type of backwater valve or mushroom type device or other fixtures approved by the Building Official. Fixtures on floor levels above such level elevation shall not be discharged through the backwater valve. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating "Backwater Valve Downstream."

Chapter 15.14 CALIFORNIA MECHANICAL CODE

Sections:

- 15.14.010 Adoption by reference.
- 15.14.020 Copies on file.

15.14.010 Adoption by reference.

The 2019 California Mechanical Code, California Code of Regulations Title 24, Part 4, including all Appendices is adopted by reference the same as though fully set forth in this chapter.

15.14.020 Copies on file.

One copy of the California Mechanical Code and Appendices as adopted by Pinole Municipal Code 15.14.010, and all amendments thereto, shall be kept on file in the Building Division for inspection by the public.

Chapter 15.16

CALIFORNIA HOUSING AND PROPERTY MAINTENANCE CODE

Sections:

- 15.16.010 Housing and Property Maintenance Code – Adoption.
- 15.16.020 IPMC 102.3 Amended – Application of other codes.
- 15.16.030 IPMC 304.14 Amended – Insect screens.
- 15.16.040 IPMC 307.3.1 Amended – Disposal of garbage.
- 15.16.050 IPMC 602.4 Amended – Occupied work spaces.
- 15.16.060 House moving
- 15.16.070 Compliance with construction requirements

15.16.010 HOUSING AND PROPERTY MAINTENANCE CODE – ADOPTION.

The housing and property maintenance code for the City is the California Housing Law Regulations as set forth in Division 13, Part 1.5, commencing with Section 17910, in the Health and Safety Code (as amended) combined with the 2015 International Property Maintenance Code (IPMC) except as amended by the changes, additions and deletions set forth in this Chapter.

15.16.020 IPMC 102.3 AMENDED – APPLICATION OF OTHER CODES.

Section 102.3 of the IPMC is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the City Municipal Code and the California Building Codes.

15.16.030 IPMC 304.14 AMENDED – INSECT SCREENS.

Section 304.14 of the IPMC is amended as follows:

During the entire year, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

15.16.040 IPMC 307.3.1 AMENDED – DISPOSAL OF GARBAGE.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading “an approved incinerator unit in the structure available to the occupants in each dwelling unit” shall be deleted in its entirety.

15.16.050 IPMC 602.4 AMENDED – OCCUPIED WORK SPACES.

Section 602.4 of the IPMC is amended as follows:

Indoor occupiable work spaces shall be supplied with heat during the entire year to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

15.16.060 HOUSE MOVING

A. Any person, firm, or corporation wishing to move any house or structure on any public street or way in the city shall first obtain a permit as provided in this section.

B. House moving, as permitted in this section, is allowed only on the day and hours as stated on the permit and on the routes as approved by the director of public works and the chief of police.

C. The building department may issue a permit for house moving when the person, firm or corporation has applied for such permit and has complied with the following:

1. A special pre-moving inspection of the building has been made and approved;

2. Posted a performance bond in the amount of two thousand dollars payable to the city;

3. Provided a certificate of insurance for public and auto liability of not less than one hundred thousand dollars; three hundred thousand dollars bodily injury and twenty-five thousand dollars property damage;

4. Payment of a permit fee of fifty dollars for each day or part thereof in which the moving operation will take place;

5. Agree to furnish adequate traffic control. Method and number of persons directing traffic must be approved by the chief of police;

6. Agree to pay the cost of any police and fire protection which may be required. A deposit of fifty dollars is required;

7. Provide a copy of signed agreement with the public utilities as to date, time and route;

8. Post a time schedule with the public services department, building department and police department at least twenty-four hours in advance of any actual move.

15.16.070 COMPLIANCE WITH CONSTRUCTION REQUIREMENTS

Buildings moved into or relocated within the city shall be made to comply with the requirements for new construction in the codes adopted in this Title.

Chapter 15.18

ABATEMENT OF DANGEROUS BUILDINGS

Sections:

- 15.18.010 Abatement of dangerous buildings – Adoption
- 15.18.020 Section 801.3 Amended – Costs
- 15.18.030 Section 912 Amended – Cost Recovery

15.18.010 ABATEMENT OF DANGEROUS BUILDINGS

The abatement of dangerous buildings code for the City is the 1997 Uniform Code For The Abatement of Dangerous Buildings as adopted and printed by the International Conference of Building Officials.

15.18.020 SECTION 801.3 AMENDED – COSTS

Section 801 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

801.2 Costs. The cost of such work shall be paid from the General Fund, and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner.

15.18.030 SECTION 912 AMENDED – COST RECOVERY

Section 912 of the Uniform Code for the Abatement of Dangerous Buildings Code is hereby amended to read as follows:

912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the Finance Director of the City, who shall credit the same to the General Fund.

Chapter 15.20

FIRE CODE

Sections:

- 15.20.010 Fire Code – Adoption.
- 15.20.020 Establishment and duties of bureau of fire prevention.
- 15.20.030 Amendments to the California Fire Code.
- 15.20.040 Appeals.
- 15.20.050 New materials, processes or occupancy which may require permits.
- 15.20.060 Violation – Penalty.

15.20.010 FIRE CODE – ADOPTION.

The City of Pinole hereby adopts, in its entirety, the 2019 California Fire Code, California Code of Regulations, Title 24, Part 9 (based on the 2015 International Fire Code published by the International Code Council), including Chapters 1 – Chapter 10 and Chapter 12 – Chapter 80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, Appendix K as amended by the changes, additions and deletions set forth in this Chapter.

15.20.020 ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

The 2019 California Fire Code as adopted and amended in this Chapter shall be enforced by the bureau of fire prevention of the Pinole Fire Department which is established and which shall be operated under the Chief of the Fire Department.

15.20.030 AMENDMENTS TO THE CALIFORNIA FIRE CODE.

Chapter 1. Administration.

Chapter 1 is adopted in its entirety except as amended below.

101.1 Title. These regulations shall be known as the fire code of the City of Pinole hereinafter referred to as “this code”.

Section 102.1 is amended to add item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, boats, and other mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 105.6 is amended to read:

105.6 Required operational permits. The Fire Code Official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.60.

Section 105.6.4 is amended to read:

105.6.4 Carnivals, Fairs, Festivals and Exhibitions. A permit is required to operate a carnival, fair, festival, or exhibition.

Section 105.6.31 is amended to read:

105.6.31 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, as well as for sites that allow mobile fueling from a service provider to the general public.

Section 105.6 is amended by adding subsections 105.6.51 through 105.6.60, to read:

105.6.51 Asbestos removal. A permit is required to conduct asbestos removal operations regulated by Section 3318.

105.6.52 Automobile Wrecking or Dismantling Yard. An operation permit is required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

105.6.53 Battery systems. A permit is required to operate stationary lead acid battery systems having a liquid capacity of more than 50 gallons (189 L) pursuant to Section 608.

105.6.54 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.

105.6.55 Emergency Responder Radio Coverage. A permit is required for facilities with Emergency Responder Radio Coverage Systems.

105.6.55 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code.

105.6.56 Model rockets. A permit is required to sell model rocket motors or launch model rockets (in excess of 3 launches per event) pursuant to California Code of Regulations, Title 19, Division 1, Article 17. Permits issued in accordance with this section are for the site, and are effective as long as site conditions have not changed.

105.6.57 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3312.1.

105.6.58 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 34.

105.6.59 Oil Extraction Process. A permit is required to operate a process that uses a volatile solvent or Liquid Carbon Dioxide to extract oil from organic material.

105.6.60 Indoor Growing Operation. A permit is required to operate a commercial indoor growing operation.

Exception: Agricultural Greenhouses in an agricultural zone.

Section 105.7 is amended to read:

105.7 Required construction permits. The Fire Code Official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.7.1 through 105.7.21.

Section 105.7 is amended by adding sections 105.7.26 through 105.7.31 as follows:

105.7.26 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire Department access is required by the Fire Code. A permit is required to install a gate across a fire apparatus access road pursuant to Section 503.

105.7.27 Construction, alteration, or renovation of a building for which a building permit is required. Plans shall be submitted to the fire code official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or expansion.

105.7.28 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

105.7.29 Refrigeration equipment. A permit is required to install a mechanical refrigeration unit or system regulated by Chapter 6 and/or the California Mechanical Code.

105.7.30 Land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.7.31 Water supply for fire protection. Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 105.8 is added, to read:

105.8 Responsibility of permittee. Construction permits shall be presumed by the City to incorporate all of the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable

thereto. No City approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 109.1 is amended to read:

109.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a board of appeals. The board of appeals is comprised of the City Council. The applicant may appeal the decision of the Fire Code Official to the City Council with thirty (30) days from the date of the Fire Code Official's decision. The Fire Code Official shall be an ex officio member of said board but shall have no vote on any manner before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 108.3 is deleted.

Section 109.4 is amended to read:

109.4 Violation penalties. Every person who violates any provision of this fire code is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions. This section is a declaration of Health and Safety Code section 13871 and is not intended to create a different or separate penalty.

Section 111.4 is amended to read:

111.4 Failure to comply. Any person who continues any work after having been served with a stop work order is subject to citation, except any work that a person is directed by the Fire Code Official to perform to remove a violation or unsafe condition.

Chapter 2. Definitions.

Chapter 2 is adopted in its entirety except as amended below.

Section 202 is amended by adding the following definitions to read:

Administrator. Fire Chief.

All-weather driving surface. A roadway with a minimum surface finish of one layer of asphalt or concrete that is designed to carry the imposed weight loads of fire apparatus.

Cost of Abatement. Includes all expenses incurred by the jurisdiction in its work of abatement and administrative costs pursuant to Section 320.5 of this code.

Driveway. A private roadway that provides access to no more than two single-family dwellings.

Fire Code Official. The Fire Code Official is the Fire Chief or his/her designee.

Firebreak. A continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Fire trail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire Department and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Person. Includes individuals, firms, partnerships, and corporations.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

Reduced Fuel Zone. The area that extends from thirty (30) feet to one hundred (100) feet away from the structure, or to the property line, whichever is closer to the structure.

Response time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction which is, or when dry may become, a fire hazard.

Rural area. An area generally designated for agricultural or open space uses with parcels more than 10 acres in size.

Rural residential area. An area generally designated for single-family residential use with parcels between three and 10 acres in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sprinkler Alarm & Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Substantial Addition or Expansion. Addition, expansion, remodel, or renovation of any structure where the addition of new fire area exceeds fifty percent (50%) of the existing fire area. For the purposes of this definition, areas of a building in which construction elements including walls and roof assemblies were demolished and rebuilt are considered new fire area.

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary fire department access road for construction of one residential (R3) unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary water supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:

1. Weeds that bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds that are otherwise noxious or dangerous.
4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.
5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Chapter 3. General Precautions Against Fire.

Chapter 3 is adopted in its entirety except as amended below:

Section 304.1.2 is amended in its entirety to read:

304.1.2 Vegetation. Hazards created by the growth of weeds, grass, vines, trees or other growth capable of being ignited and endangering property shall be mitigated in accordance with Section 319.

Section 304.1.4 is added as follows:

304.1.4 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct and associated equipment free from accumulations of lint and combustible materials.

Section 304.1.4 Exception 1 is amended to read:

Exception 1. Residential Occupancies.

Section 320 is added to Chapter 3 to read as follows:

320 Exterior Fire Hazard Control.

320.1 General.

320.1.1 Jurisdictional Authority. The City Council of the City of Pinole, as the supervising, legislative and executive authority of the jurisdiction, has the authority to act pursuant to Part 5 (commencing with Section 14875), Division 12, of the Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with provisions of said Part 5 and/or this Ordinance.

320.1.2 Contract for Services. The City Council of Pinole delegates the power to award a contract for fire hazard abatement work where the employees of this City are not used to perform the abatement work, to the Fire Chief.

320.2 Definitions. The following terms are defined in Chapter 2

Cost of Abatement

Defensible Space.

Person

Priority Hazard Zone

Reduced Fuel Zone

Rubbish

Streets

Weeds

320.3 Weeds and Rubbish a Public Nuisance. The City Council hereby declares that all weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

320.4 Abatement of Hazard.

320.4.1 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish, weeds, trees, or other vegetation that constitutes a fire hazard. Destruction by burning within this jurisdiction is unlawful unless the written permission of the Fire Chief is first obtained, and all other applicable permits are obtained from appropriate governing agencies or jurisdictions.

320.4.2 Specific Requirements. The Fire Department shall develop minimum abatement standards for land in residential, rural and/or rural residential, business, industrial areas, or land which is unused or vacant. Such standards may be modified periodically as circumstances dictate.

320.4.2.1 Clearance of Weeds from Streets. The Fire Code Official is authorized to cause areas within 10 feet on each side of portions of streets that are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Code Official is authorized to enter upon private property to do so.

320.5 Abatement Procedures.

320.5.1 Abatement Order. The Fire Code Official may order the abatement of the weeds and rubbish described in Sections 304.1.2 and 320, above. On making the order, the Fire Code Official will mail a copy of a notice to the owners of the affected property as their names and addresses appear upon the last county equalized assessment roll, or as their names and addresses are known to the Fire Code Official. As an alternative to mailing, the notice may be posted upon the affected property and published in the jurisdiction, not less than fifteen (15) days prior to the date of the abatement hearing. Copies of the notice will be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice will be in substantially the following form:

NOTICE TO ABATE WEEDS AND RUBBISH

Notice is hereby given on ____[date]____ that, in accordance with the Section 15.20.030 of the City of Pinole Municipal Code, weeds and rubbish constitute a fire hazard and a public nuisance on the following described property owned by you:

[Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map]

You must remove the weeds and rubbish within fifteen (15) days from the date of this notice. If you fail to do so, the Pinole Fire Department will remove the weeds which constitute a nuisance on your property, and the cost of such removal (abatement), including administrative costs, will be collected as property taxes and will be a lien on your property until paid.

You are further notified that the Pinole City Council has declared that such weeds and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Pinole City Council on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced.

If you have any questions, please call (name of Fire Code Official) at (contact info).

(Signed): (Name of Fire Code Official of Pinole Fire Department)

320.5.2 Hearing Date. A date for hearing on the notice will be set at least fifteen (15) days after the date of the notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order should not be enforced. For good cause shown, the Pinole City Council may extend the time for compliance with the order or may rescind the order.

320.5.3 Contract Award. If the owner fails to comply with the order and fails to appear at the indicated hearing, the Fire Code Official may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it will be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. Concerning any contract previously awarded as provided in this subsection and that has been fully extended as provided in that contract, it may thereafter be extended on its same terms and conditions for a further period (not to exceed one (1) year) by agreement of the Fire Chief and the involved contractor.

320.5.4 Abatement Report of Costs. The Fire Code Official or his or her designee abating the nuisance will keep an account of the cost of abatement in front of or on each separate parcel of land and will render an itemized report in writing to the City Council showing the cost of removing the weeds and rubbish on or in front of each separate lot or parcel of land, or both.

320.5.5 Notice and Hearing on Costs of Abatement. Before the cost report regarding the cost of abatement is submitted to the City Council, a copy of the

report will be posted for at least three (3) days on or near the door of the City Council Chambers with a notice of the time and when the report will be submitted to the City Council for confirmation *or* the City Council may direct staff to mail a Notice of Potential Lien to each property owner at issue in the cost report at least three (3) days prior to the City Council hearing on the report. Such Notice of Potential Lien shall include the cost of abatement for that property, warning that such costs will become a lien on the property, and the time and date of the City Council hearing on such costs. At the time fixed for receiving and considering the report, the City Council will hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, by motion or resolution the City Council may make such modifications in the report as it deems necessary, after which the report will be confirmed. The amount of the cost, including administrative costs, of abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed will constitute special assessment against the respective parcel(s) of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation, in the office of the County Recorder, of a certified copy of the Resolution of Confirmation.

320.5.6 Cost Assessments. Upon confirmation of the report of cost by the City Council and the recordation of the Resolution of Confirmation, a copy of the report of cost will be sent to the County Auditor, who will enter the amount of the assessments against the parcels. Thereafter the amount of the assessments will be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

320.6 Alternate Mitigation. In lieu of ordering abatement as provided in Section 320.5.1, the Fire Code Official may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the Fire Code Official will consider the height of the growth, weather condition, topography, and the accessibility to the property for fire protection equipment. The procedure set forth in Section 320.5.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

320.7 Subsurface Fires.

320.7.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

320.7.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or

combustion of peat, vegetable matter or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 321 is added to Chapter 3 to read:

321 Automobile Wrecking Yards.

321.1 General. The operation of automobile wrecking yards shall be in accordance with this Section.

321.2 Definitions.

The following terms are defined in Chapter 2:

Automobile Wrecking Yard.

Automobile Dismantling.

321.3 Requirements.

321.3.1 Permits. An operation fire code permit as in Section 105.6.51.

321.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

321.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires and all other debris.

321.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the Fire Code Official to be a fire hazard.

321.3.5 Fire Protection. Offices, storage buildings and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A: 40-B-C rating. When required by the Fire Code Official, additional fire extinguishers shall be provided.

321.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the Fire Code Official. 321.3.6.1 Distance from Water Supply. Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the Fire Code Official.

321.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

321.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.

321.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts. 321.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems and transmissions shall be kept available on site. Single-use plugs, dikeing and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state and local requirements.

321.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks. 321.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding or drilling of any kind, is prohibited.

321.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the Fire Code Official.

Chapter 4. Emergency Planning and Preparedness.

Chapter 4 is adopted in its entirety except as follows:

Section 401.5.1 is amended by adding a new subsection 401.5.1.1 to read:

401.5.1.1 Nuisance fire alarm fee. A fee may be charged for false and/or nuisance fire alarms in accordance with the City's Master Fee Schedule adopted by the City Council.

Chapter 5. Fire Service Features.

Chapter 5 is adopted in its entirety, except as amended below:

Section 503.1 is amended to add subsection 503.1.4 to read:

503.1.4 Access to Open Spaces. When existing access to open land or space, or to fire trail systems maintained for public or private use, is obstructed by new development of any kind, the developer shall provide an alternate means of access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the Fire Code Official.

Section 503.2.1 is amended by adding the following exception:

Exception: A minimum 16-foot wide driveway is acceptable for access to one or two single-family dwellings.

Section 505 is amended by adding Section 505.3, to read:

505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the Fire Code Official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

Section 507.2 is amended by adding subsection 507.2.3, to read:

507.2.3 Suburban and rural water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.1.

Chapter 6. Building Services and Systems.

Chapter 6 is adopted in its entirety, except as follows:

Section 603.6 is amended by adding subsection 603.6.6, to read:

603.6.6 Sparks from chimneys. A chimney that is used with either a fireplace or heating appliances in which solid or liquid fuel is used shall be maintained with spark arresters that are required for incinerators pursuant to the 2019 California Mechanical Code.

Chapter 8. Interior Finish, Decorative Materials and Furnishings.

Chapter 8 is adopted in its entirety, except as follows:

Section 806 is amended by adding subsections 806.1.4, 806.1.5 and 806.1.6, to read:

806.1.4 Flame retardants. Cut trees shall be treated by a California State Fire Marshal licensed fire retardant applicator. Trees shall be properly treated with an approved flame retardant.

806.1.5 Tags. Trees shall bear a tag stating date of placement in the public building, type of flame-retardant treatment used, name of the person who applied the

flame retardant, the name of the person affixing the tag, a permit expiration date and the name of the designated individual making daily tests.

806.1.6 Daily tests. A designated individual shall test trees daily. The test shall include a check for dryness in accordance with Section 806.1.3 and for adequate watering.

Chapter 9. Fire Protection Systems.

Chapter 9 is adopted in its entirety, except as amended below:

Section 901.6.3 is amended to read:

901.6.3. Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be maintained in paper form and/or by a third party electronic record keeping service as chosen by the Fire Department .

Section 902 is amended to add:

Substantial Addition or Expansion. Remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent (50%) of the existing fire area shall be deemed a “substantial remodel.”

Section 903.2 is amended to read as follows:

903.2 Where required. All occupancies, including Group A, B, C, E, F, H, I, L, M, R, S, and U with a floor area in excess of 120 square feet shall be equipped with automatic fire sprinklers in accordance with NFPA 13, 13R or 13D as determined by the fire code official. Approved automatic sprinkler systems shall be provided in all new commercial facilities, commercial buildings and commercial structures. Approved automatic sprinklers systems in new buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.2.12.

Exception: Private residential U occupancies accessory to non-sprinklered group R-3 occupancies.

Section 903.3.1.1.3 is added to read as follows:

903.3.1.1.3 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Hazard Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.1.3.1 is added to read:

903.3.1.3 Sprinkler Systems for One and Two family dwellings. Automatic sprinkler systems for one and two- family dwellings shall be permitted to be installed in accordance with sections 903.3.1.3.1 through 903.3.1.3.3.

Sections 903.3.1.3.1, 903.3.1.3.2, and 903.3.1.3.3 are added, to read

Section 903.3.1.3. is amended to read:

903.3.1.3 NFPA 13D Sprinkler Systems. Automatic sprinkler systems installed in one and two family dwellings, Group R-3 buildings, and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as amended in Chapter 80.

903.3.1.3.2 California Residential Code Section R313. Automatic sprinkler systems shall be permitted to be installed in accordance with California Residential Code section R313.

903.3.1.3.3 Pipe limitations. Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added, to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.3.9 is amended to read:

Section 903.3.9 is added, to read:

903.3.9. Floor control valves. Individual floor control valves and waterflow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies.

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6 is amended by adding subsections 903.6.1 and 903.6.2 to read as follows:

903.6.1 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing buildings where a substantial addition or expansion occurs and the total fire area of the structure exceeds 5,000 square feet. Group R-3 substantial additions or expansions shall comply with Section 903.2.8.2.1

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1012.4 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard). Group R-3 occupancies shall be considered a relative hazard of 4 (lowest hazard).

Section 907.4.4 is added as follows:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.5.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms and locker rooms.
2. Corridors, hallways, aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.

8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.
14. Sales floor areas.
15. Break or lunch rooms
16. Copy or workrooms.
17. Computer server rooms exceeding 200 square feet.
18. File or Storage rooms exceeding 200 square feet.

Section 907.6.6 is amended to read:

907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the Pinole Building Code shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL listed central station is not required for:

1. Single and multiple station smoke alarms required by section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with section 907.2.6.3.4.
3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an occupant load of six or less.
6. Occupancies with a local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.8.6 is added to read as follows:

907.8.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be

provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.8.7 is added to read as follows:

907.8.7 **Posting of Certificate.** The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within forty-five (45) days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Chapter 10 is adopted in its entirety except as amended below.

Section 1028.5 is added to read as follows:

1028.5.1 **Exit discharge surface.** Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety During Construction and Demolition.

Chapter 33 is adopted in its entirety except as amended below.

Section 3301.3 is added to read as follows:

3301.3 Permits. Permits shall be obtained for asbestos removal operations, temporary fire department access roads for construction, and temporary water supplies as set forth in sections 105.6 and 105.7.

Section 3318 is added to read as follows:

Section 3318 Asbestos removal.

3318.1 General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3318.

Exception: Section 3318 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets and similar equipment.
2. Pipes, ducts, girders or beams that have a length less than 21 linear feet (6400 mm).
3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m²) or a dimension of less than 10 linear feet (3048 mm).
4. Floor tiles when their removal can be completed in less than four hours.
5. Group R-3 occupancies.

3318.2 Notification. The Fire Code Official shall be notified twenty-four (24) hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

3318.3 Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

3318.4 Signs. Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of two inches high.

Chapter 50. Hazardous Materials – General Provisions.

Chapter 50 is adopted in its entirety except as amended below:

Section 5001.5.3 is added to read as follows:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information may be required to be stored in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1 is amended by adding subsection 5003.9.1.2 as follows:

5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Chapter 56 is adopted in its entirety except as amended below:

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the City are prohibited.

Exceptions:

1. Fireworks may be temporarily stored only if they are aerial or theatrical piece fireworks stored in conjunction with an approved and permitted aerial or set display.
2. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read as follows:

5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the City of Pinole.

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended as follows:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of two million dollars (\$2,000,000) or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.

Section 5601.9 is added to read as follows:

5601.9 Prohibited and Limited Acts. The storage of explosive materials is prohibited in all zoning districts except districts zoned for industrial or agricultural uses. In zoning districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with California Fire Code sections 5601.8.

Chapter 57. Flammable and Combustible Liquids

Chapter 57 is adopted in its entirety except as amended below:

Section 5704.2.9.6.1 is amended to read:

5704.2.9.6.1 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural

uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 500 gallons (1892.706L) for Class I or II liquids, or 1,000 gallons (3785.412L) for Class III liquids.

Section 5706.2.4.4 is amended to read:

5706.2.4.4 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use.

Chapter 58. Flammable Gases and Flammable Cryogenic Fluids.

Chapter 58 is adopted in its entirety except as amended below.

Section 5806.2 is amended to read:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area that is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Chapter 61 is adopted in its entirety except as amended below.

Section 6103.2.1.7 is amended in its entirety to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A or Group B occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the Fire Code Official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The

aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons.

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2015): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 4 (2015): Standard for Integrated Fire Protection and Life Safety System Testing

NFPA 850 (2015): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations
Chapter 80 is further amended by amending the NFPA 13D (2016) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Appendix B is adopted in its entirety except as amended below.

Section B105.2, the exception is amended to read:

Exceptions:

1. Group B, S-2, and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

- 1.1. California State Parks buildings of an accessory nature (restrooms).
 - 1.2. Safety roadside rest areas, (SRRA), public restrooms.
 - 1.3. Truck inspection facilities, (TIF), CHP office space and vehicle inspection bays.
 - 1.4. Sand/salt storage buildings, storage of sand and salt.
2. A reduction in required fire-flow of 50 percent, as approved by the Fire Code Official, when the building is provided with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1. The resulting fire-flow shall be not less than 1,500 gallons per minute (5678L/min) for the prescribed duration as specified in Table B105.1.

Appendix C. Fire Hydrant Locations and Distribution.

Appendix C is adopted in its entirety except as amended below.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read:

TABLE C102.1ⁱ

The heading of the fourth column of Table C102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE
TO A HYDRANT^{d,f,g,h}

Footnotes “h” and “i” are added to Table C102.1, to read:

h. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

i. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

Appendix D. Fire Apparatus Access Roads.

Appendix D is adopted in its entirety except as amended below.

Section D102.1 is amended to read:

D102.1 **Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other approved *all-weather driving surface* capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds in accordance with Cal Trans Design Standard HS-20-44.

Exception: *Driveways* serving one or two single-family *dwelling*s may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed ten percent (10%).

Section D103.1 is deleted in its entirety.

Section D103.2 is amended to read as follows:

D103.2 Grade. Fire department access roadways having a grade of between sixteen percent (16%) and twenty percent (20%) shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound traction load. The grooves in the concrete surface shall be ½ inch wide by ½ inch deep and 1 ½ inch on center and set at a 30 to 45 degree angle across the width of the roadway surface. No grade shall exceed twenty percent (20%), nor shall the cross slope exceed eight percent (8%), unless authorized in writing by the Fire Code Official.

Section D103.2.1 is added to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed ten percent (10%) at 10 feet of the grade break.

Section D103.3 is amended to read as follows:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet inside and 45 feet outside.

Table D103.4 is amended to read:

Table D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0 – 150	20 ^a	None required
151 – 750	20 ^a	100-foot Hammerhead, 50-foot “Y”, 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1

Over 750	Special approval required ^b
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- a. A *driveway* with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.
- b. Any fire apparatus access roadway or *driveway* that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the Fire Code Official. Each outset or turnout shall be of the following dimensions: an eight foot wide turnout that extends at least 40 feet in length.

Figure D 103.1 is amended to read:

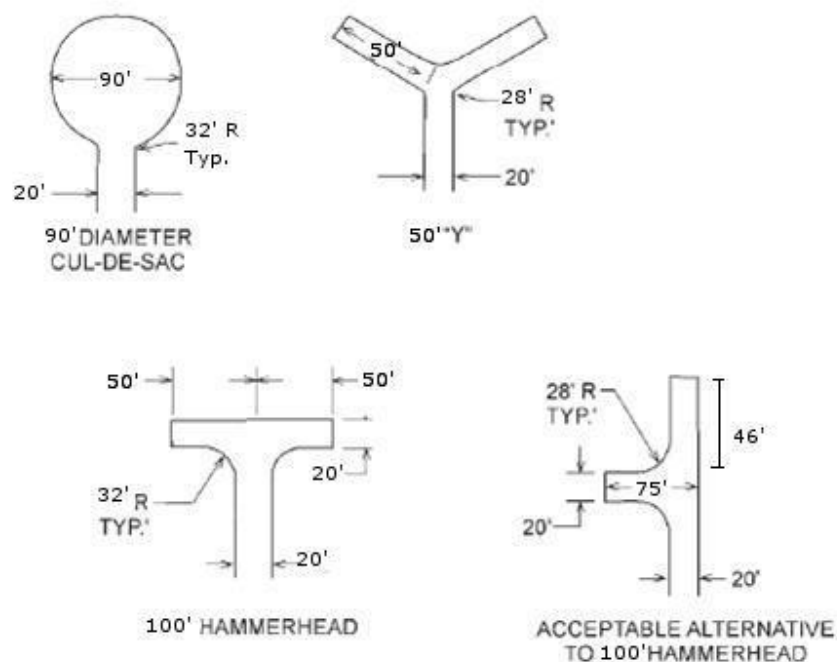


Figure D103.1

Dead-end Fire Apparatus Access Road Turnaround

Criteria 1 of Section D103.5 is amended to read:

1. The minimum clear width shall be 20 feet

Exception: For access to one or two single-family dwellings, 16 feet clear width is acceptable.

Criteria 9 is added to Section D103.5, to read:

9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D106.1 is amended by deleting the exception and to read:

Section D106.1 is amended by deleting the exception and to read:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Section D106.2 is deleted in its entirety.

15.20.040 APPEALS.

Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Council within fifteen (15) days from the date of the decision.

15.20.050 NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The City Council and Fire Chief shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in Fire Code. The Fire Chief or designee shall post such list in a conspicuous place at the offices of the fire prevention bureau and distribute copies thereof to interested persons.

15.20.060 VIOLATION – PENALTY.

A. Any person who violates any of the provisions of the California Fire Code as adopted and amended in this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any details statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than seventy-five dollars (\$75.00) nor more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a period of time not to exceed six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Chapter 15.22 ADMINISTRATIVE CODE

Sections:

- 15.22.010 California Administrative Code – Adoption.
- 15.22.020 Copying and imaging fee.

15.22.010 CALIFORNIA ADMINISTRATIVE CODE – ADOPTION

The California Administrative Code for the City, sometimes referred to as “the CAC,” is the California Administrative Code, 2019 Edition as approved by the California Building Standards Commission, and as published in Title 24, Part 1, of the California Code of Regulations.

15.22.020 COPYING AND IMAGING FEE.

Copying and imaging fees shall be set by resolution of the City Council and reflected in the City’s Master Fee Schedule.

SECTION 4. References To Prior Uniform Building and Construction Codes. Unless superseded and expressly repealed, references in City forms, documents, and regulations to chapters and sections of the prior adopted Uniform Building Codes shall be construed to apply to the corresponding provisions contained in the chapters and sections of Title 15 of the Pinole Municipal Code adopted by this Ordinance and all

other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. Adoption. This Ordinance shall take effect on the later of thirty (30) days after passage or on January 1, 2020, and shall within fifteen (15) days after passage, be posted in accordance with Section 36933 of the Government Code of the State of California with the names of these City Council members voting for and against it.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the Pinole City Council on the 19th day of November, 2019 and adopted on the 3rd day of December, 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Peter Murray , Mayor

ATTEST:

Heather Iopu
City Clerk

3421420.2



CITY COUNCIL REPORT

10A

DATE: DECEMBER 3, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER

SUBJECT: RECEIVE A REPORT ON THE FIRE BALLOT POLLING RESULTS

RECOMMENDATION

It is recommended that the City Council receive a report on the Fire Ballot Polling results, by EMC Research.

BACKGROUND

On March 19, 2019 the Council approved a consulting services agreement with ESCI for a Fire Service Delivery Study. During Council's discussion at the special workshop on January 22, 2019, there was a consensus that part of the Study would be consideration of various service delivery options, most of which would require additional funding to the Fire Department, or for Fire services.

On May 21, 2019 the Council approved a contract with EMC Research to conduct a poll of the community to see what service delivery model(s) were of interest, and what people were willing to pay for enhanced Fire services. When the Council moved the potential parcel tax question from the March 2020 ballot to the November 2020 ballot, it was decided that the polling would be conducted after the initial draft Fire Study was presented to the Council on October 8, 2019.

REVIEW AND ANALYSIS

The City Manager, the Assistant City Manager, the Fire Chief and IAFF Local 1230 President Vince Wells worked with EMC staff to develop the survey questionnaire. The City Council reviewed the draft questionnaire.

EMC targeted to outreach to all of the registered voters in Pinole, with the expectation that approximately 250 responses would be received. The survey was conducted November 4 – 12, 2019. Actually 426 surveys were completed, including telephone and online access.

EMC staff will present the entire report, attached hereto as Attachment A, but a few of the highlights are:

- Voters in Pinole are feeling optimistic about the direction of the City, and rate City services very favorably.
- A potential \$698 parcel tax to fund enhanced fire services, including re-opening Station 74 (the Con Fire option), falls short of the two-thirds threshold needed for passage, but scored very well with a 57% approval rating.
- An alternate option of \$498 for Pinole Fire to enhance services, including re-opening Station 74, also falls short of the required two-thirds threshold and did not poll as well, scoring 49%. EMC will speak to reasons why this option may not have polled as well.

After receiving the report the Council can discuss preferred next steps. Most likely Council will want to await the addendum to the Fire Services Delivery Study, based on questions received during the October 8th workshop, before making any final determinations. ESCI is working on that document, which is scheduled to be received by February 2020.

FISCAL IMPACT

There is no fiscal impact to receive the report. There may be a fiscal impact of future actions the Council takes based on the report's findings.

ATTACHMENTS

A Presentation of Survey/Polling Results



ATTACHMENT A



Likely Voter Survey

City of Pinole

November 2019

- ▶ Survey of likely November 2020 voters in Pinole, California
- ▶ Hybrid phone and email-to-web methodology
- ▶ Survey conducted November 4 – 12, 2019
- ▶ 426 interviews; overall margin of error ± 4.75 percentage points
- ▶ Surveys conducted by phone were done by trained, professional interviewers; landlines and mobile phones included
- ▶ Respondents were sent an email invitation with a link to take the survey online
- ▶ Offered in English and Spanish

Please note that due to rounding, some percentages may not add up to exactly 100%.

Key Findings

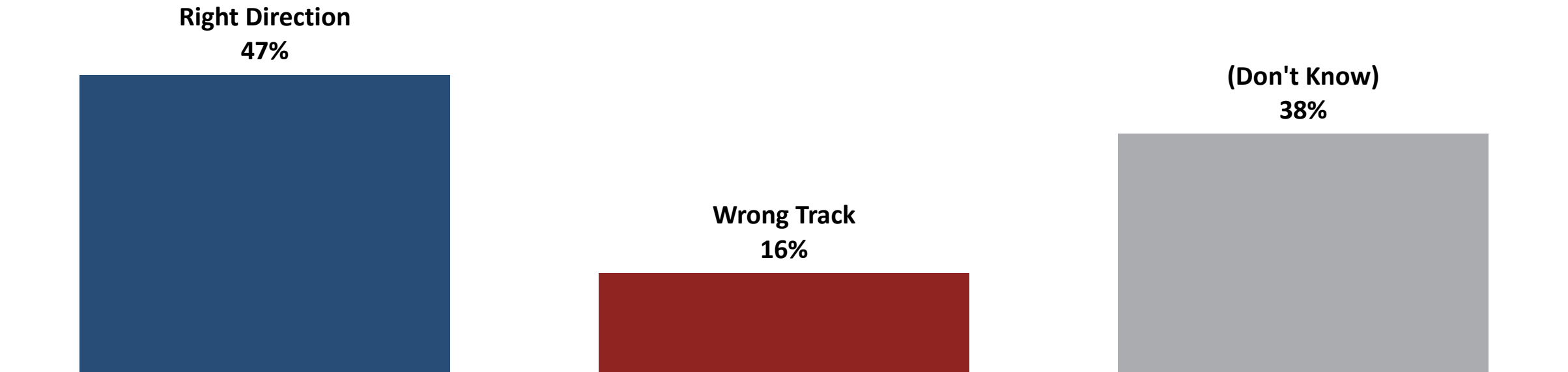
- ▶ Voters in Pinole are feeling optimistic about the direction of the City and rate City services very favorably.
- ▶ A potential \$698 parcel tax to fund enhanced fire services falls short of the two-thirds threshold needed for passage.
- ▶ An alternate option of \$498 to re-open Fire Station 74 and continue providing services independently also falls short of two-thirds.
- ▶ Additional information does not move the needle in terms of support for the measure, but modest opposition messaging does negatively impact support.



Issue Environment

Right Direction/Wrong Track

Voters are feeling optimistic about the direction of the City.

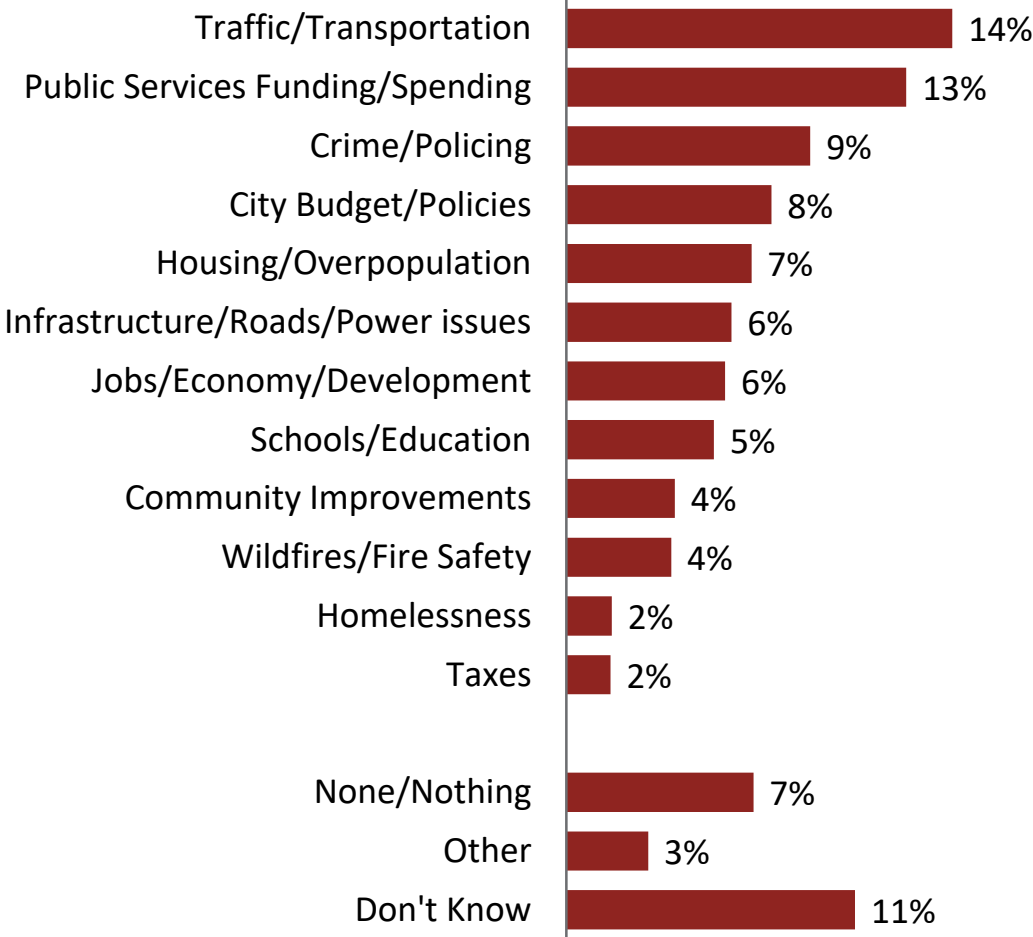


Q4. Do you feel that things in the City of Pinole are generally going in the right direction or do you feel things have gotten pretty seriously off on the wrong track?

172 of 207

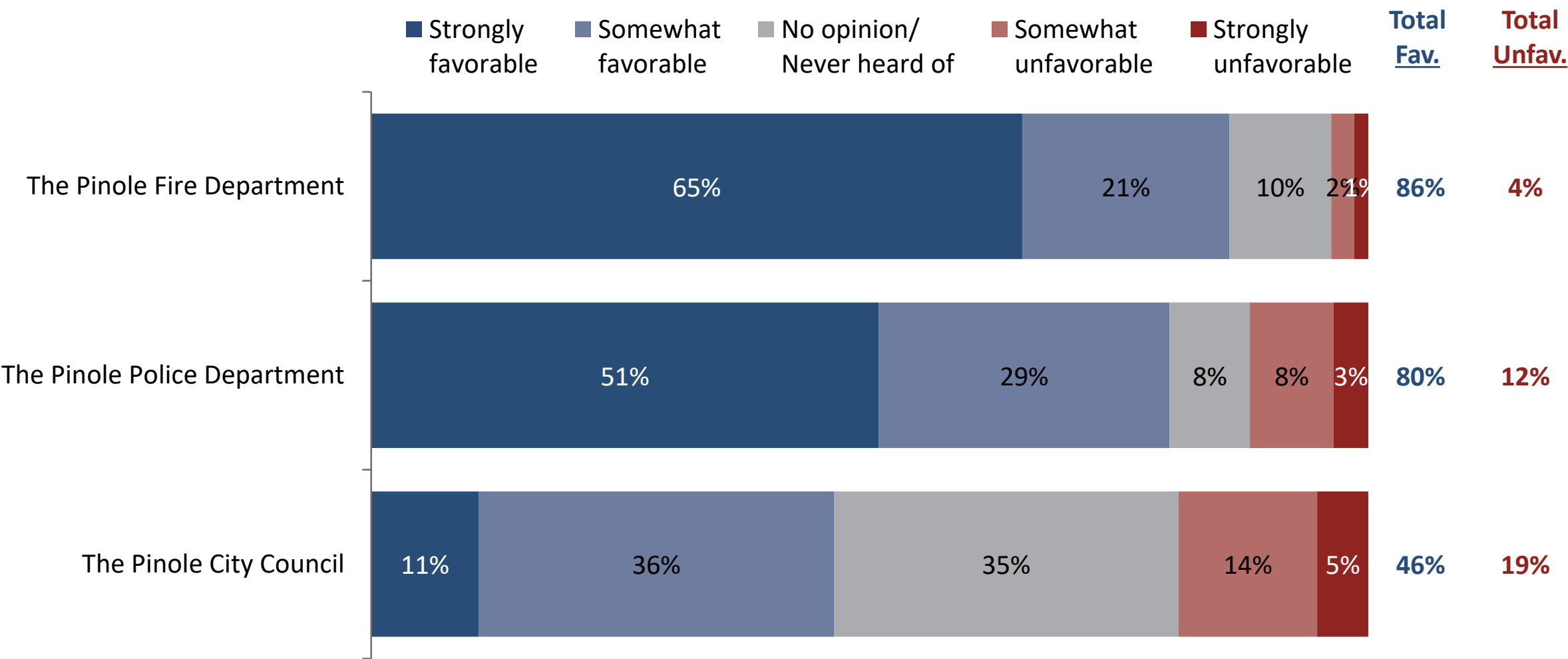
Most Important Problem

There is not one single top of mind issue for voters, but transportation and public services spending rise to the top.



Pinole Favorable Ratings

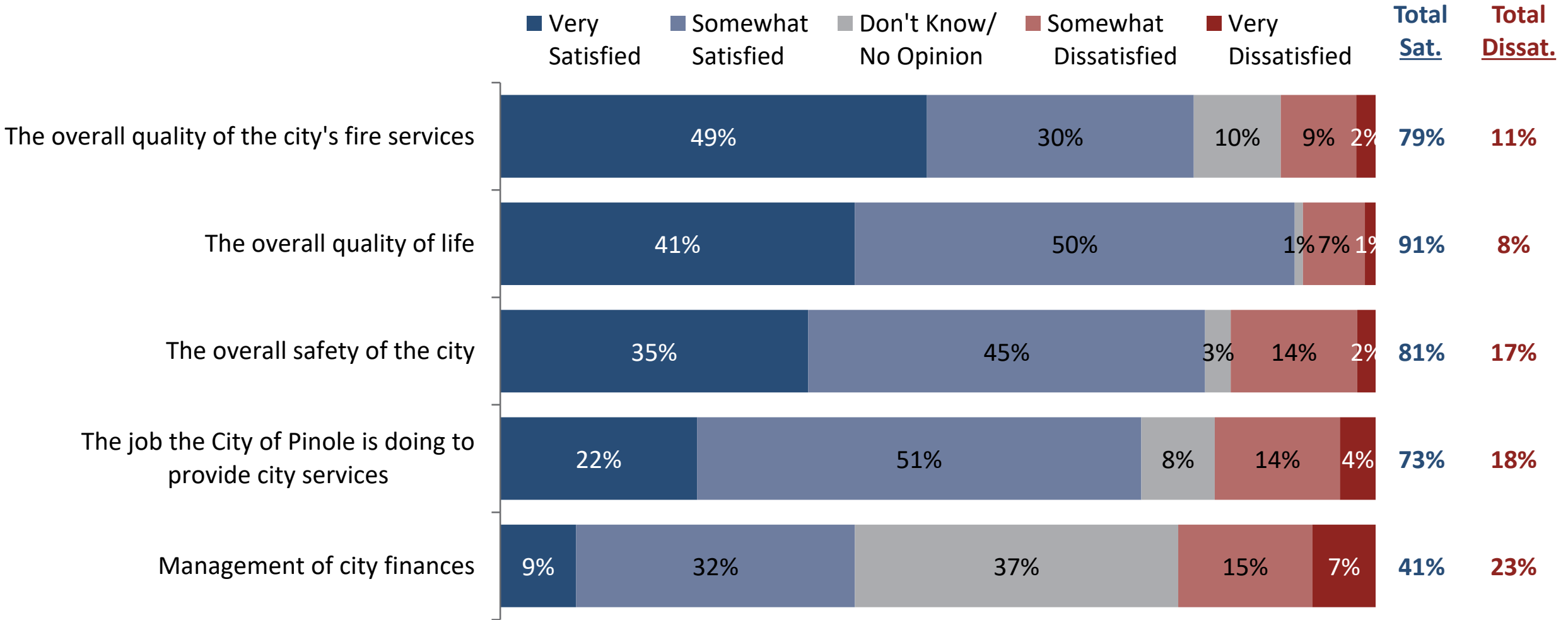
Voters have a very favorable opinion of the Pinole Fire Department. The Pinole Police Department is also viewed favorably, albeit with less intensity. One-third of Pinole voters cannot rate the City Council, but it is generally viewed favorably by those with an opinion.



Q6-8. I'm going to read you a list of several people and organizations. Please tell me if you have a strongly favorable, somewhat favorable, somewhat unfavorable or strongly unfavorable opinion of each one. If you have never heard of one, please just say so.

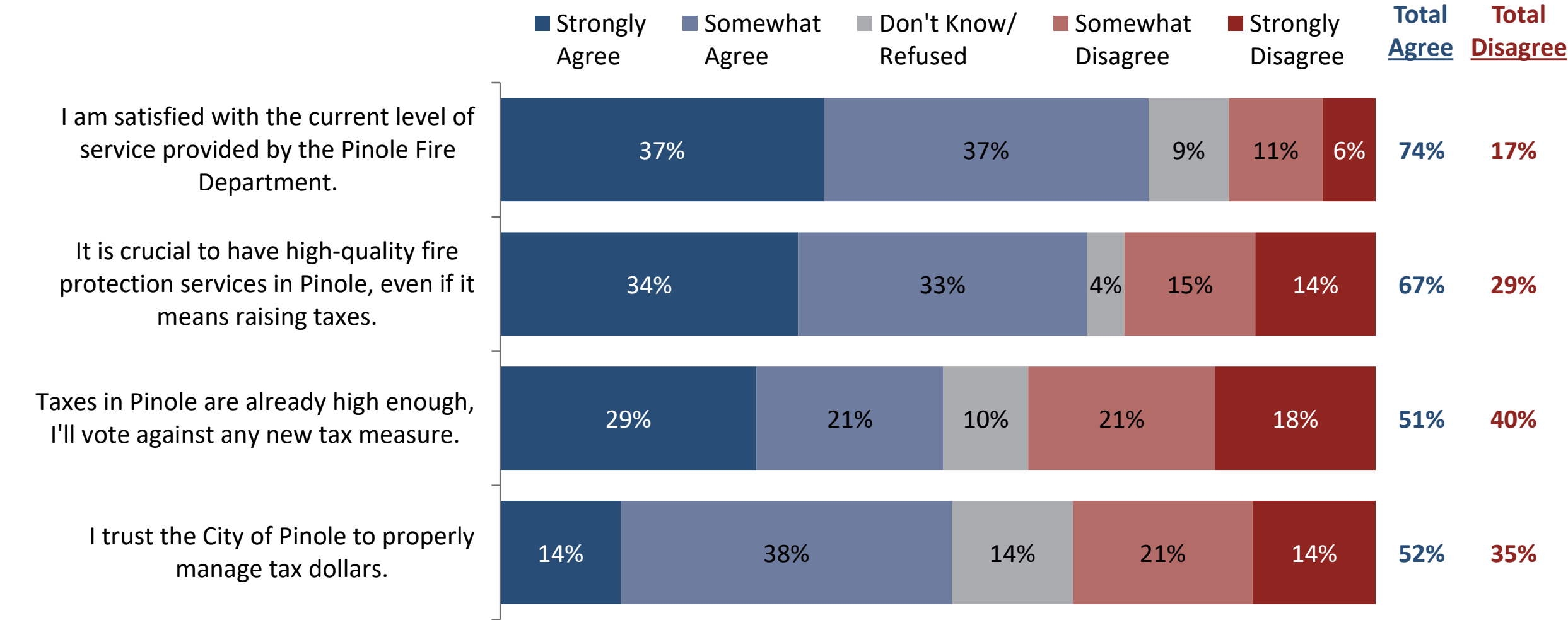
Satisfaction with City Services

Voters are satisfied with the overall quality of life in Pinole, and the City’s fire services receive a strong satisfaction rating.



Agree/Disagree Statements

There is satisfaction with the current level of service provided by the PFD. While a majority agree it is crucial to have high quality fire services, even if it means raising taxes, a majority also indicate they will vote against any new tax measures.



Q27-30. Please tell me whether you strongly agree, somewhat agree, somewhat disagree or strongly disagree with each of the following statements.



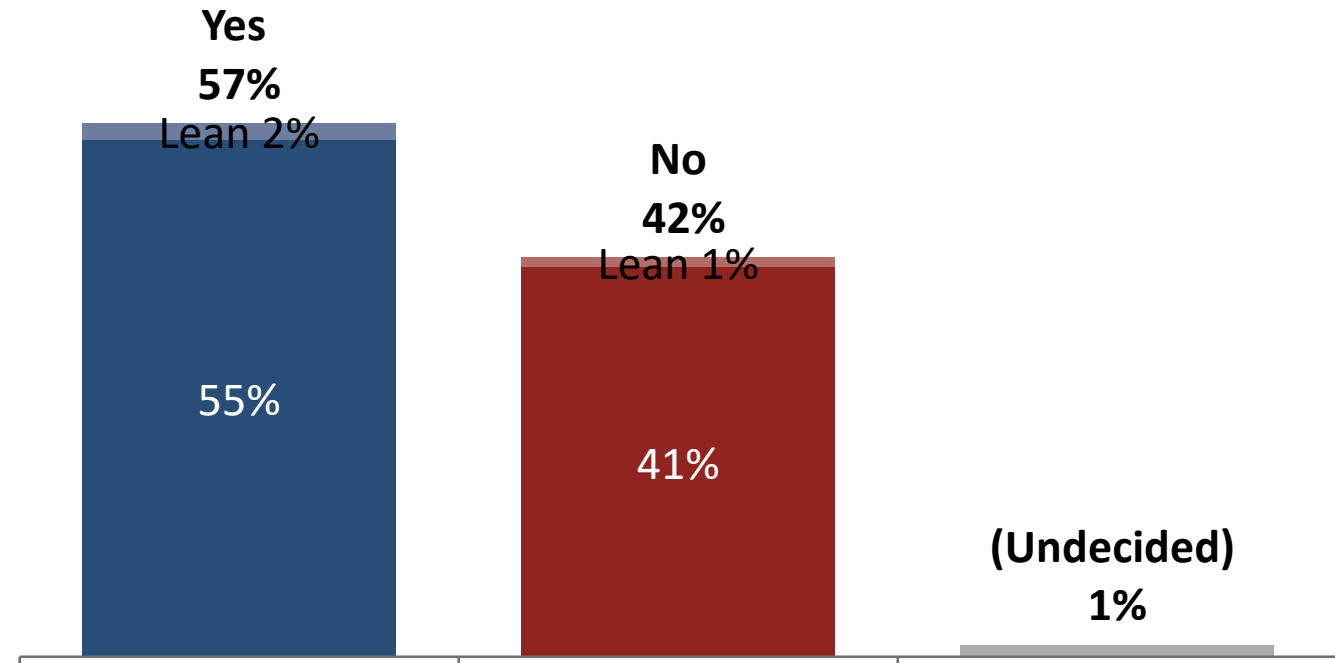
Support for a Potential Parcel Tax

Initial Vote – \$698 Parcel Tax

A majority of residents initially support a \$698 Parcel Tax, but the initial support falls well-short of the two-thirds threshold required for passage.

To re-open Fire Station 74 on Pinole Valley Road to improve 911 response times, increase disaster response capabilities, and enhance fire protection services by contracting with Contra Costa Fire Protection District, shall the City of Pinole adopt a measure to levy \$698 per single family parcel, other parcel types at specified rates, until ended by voters, raising \$4,500,000 annually, with exemptions for low-income seniors, with all money spent on fire protection services in Pinole?

If the election were held today, would you vote yes to approve or no to reject this measure?

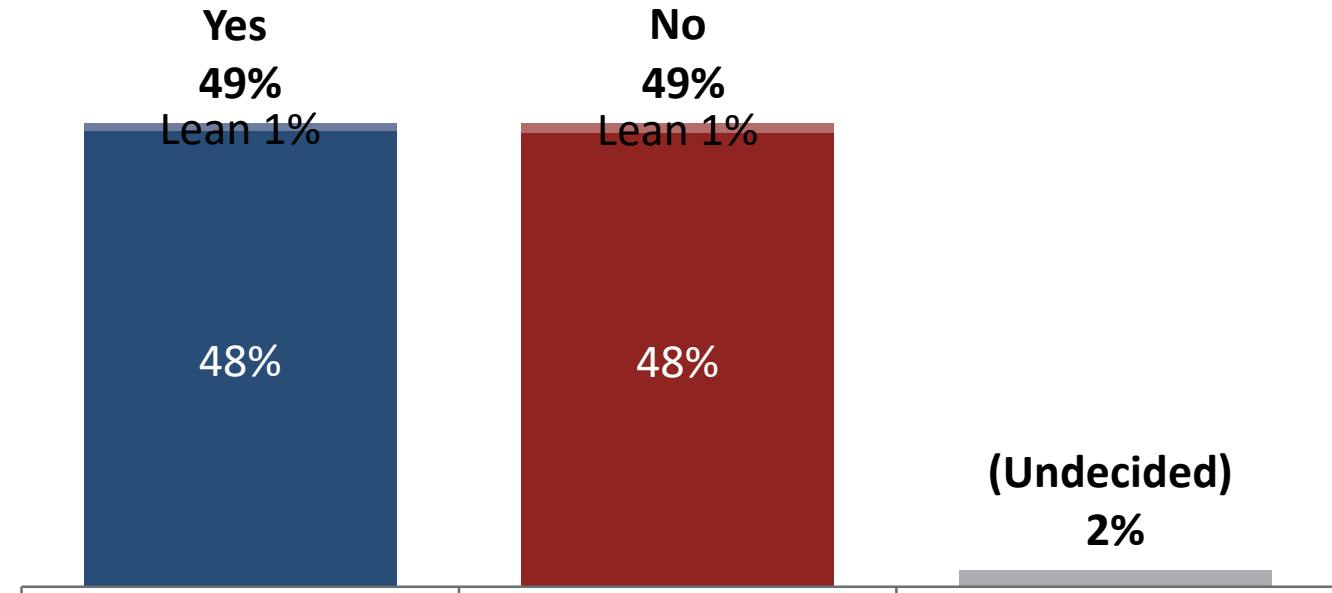


Initial Vote – Alternative Option

Opinion is evenly split on the \$498 alternative parcel tax option.

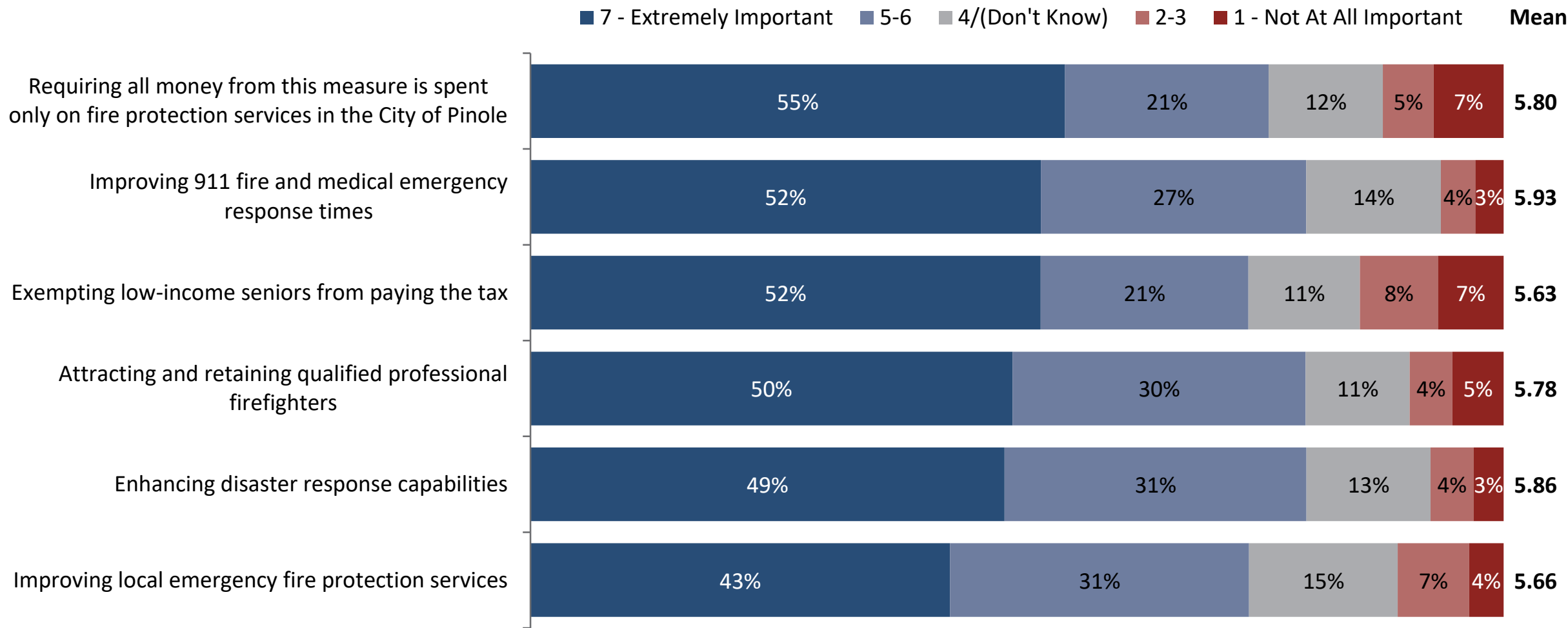
Based on what you heard, would you vote yes to approve or no to reject this option?

*The City of Pinole could consider an alternate option to the measure you just heard. This option would result in the City reopening Fire Station 74 and continuing to provide fire protection services independently. This option would **NOT** include additional service capacity with Contra Costa Fire Protection District, and the annual levy would be \$498 per parcel per year, raising approximately \$3,000,000 annually.*



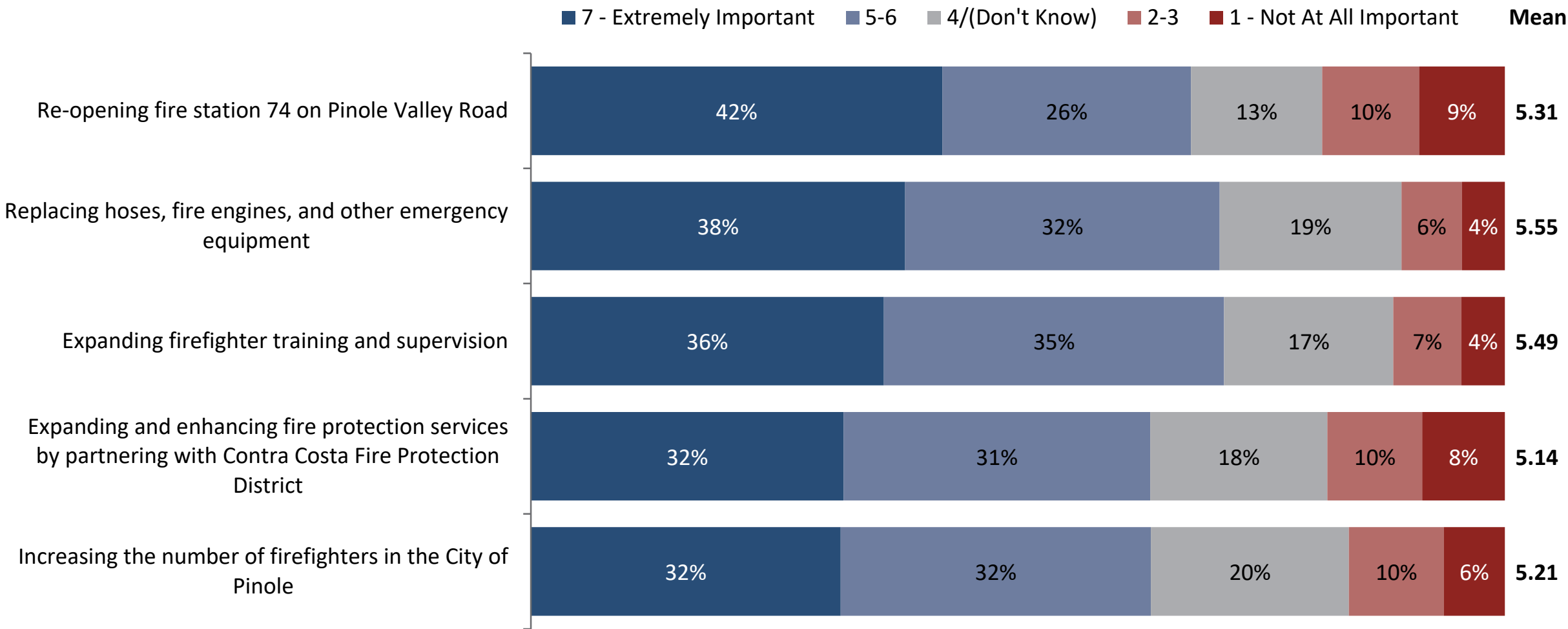
Measure Components Importance

Top measure components include the requirement that all funds be spent in Pinole on fire protection, and improving 911 response times. Retaining quality firefighters, and enhancing disaster response are also very important.



Measure Components Importance (Cont.)

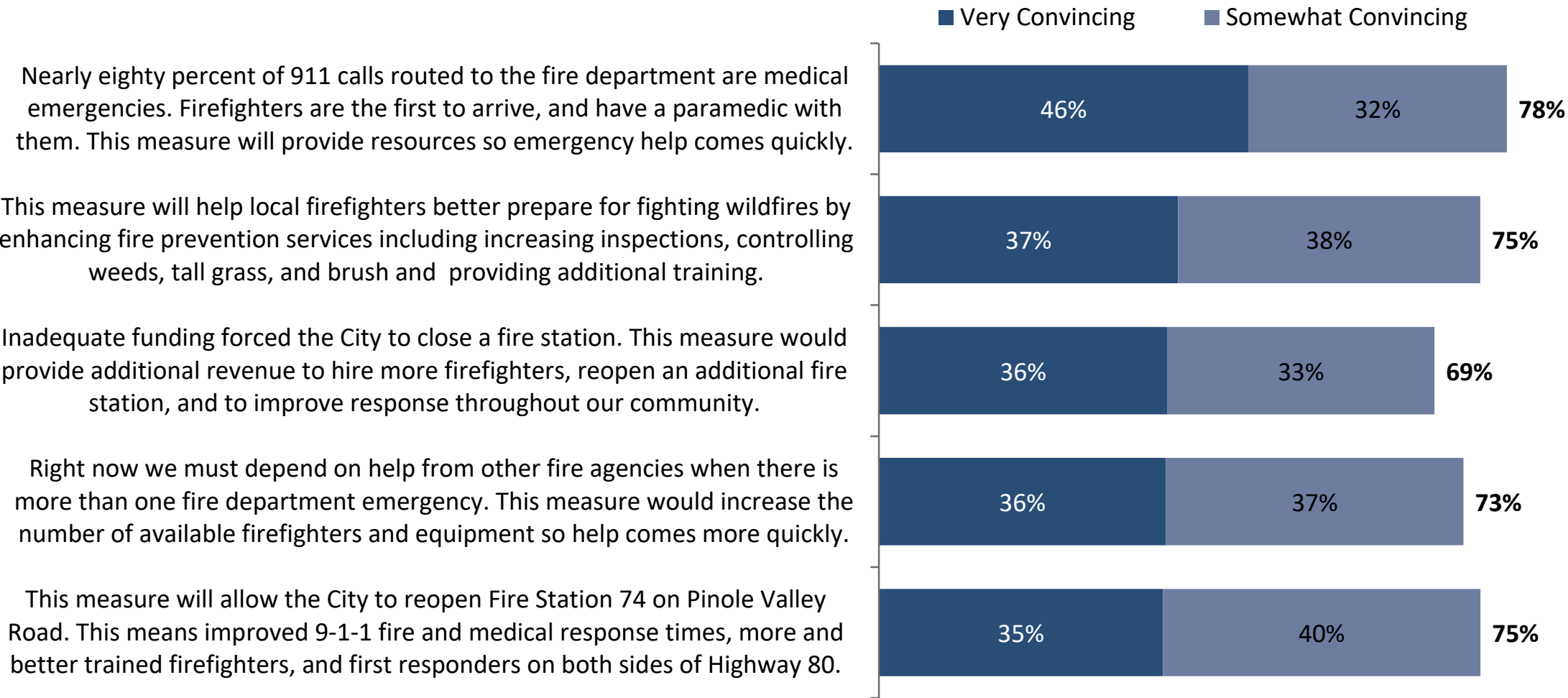
Less important to voters (but still important overall) are the expansion of the Contra Costa Fire Protection District partnership, and increasing the number of firefighters in Pinole. Re-opening Station 74 is rated as unimportant to 1-in-5 voters.



Q16-26. I'm going to read you a list of items that this measure could help pay for. After each one, please rate how important that item is to you, using a scale of 1 to 7, where 1 means not at all important, and 7 means extremely important.

Parcel Tax Support Statements

That the great majority of calls routed to the PFD are medical emergencies is the most convincing reason to support a measure that increases fire protection services in the City. Medical response improvements are a compelling theme.



Parcel Tax Support Statements

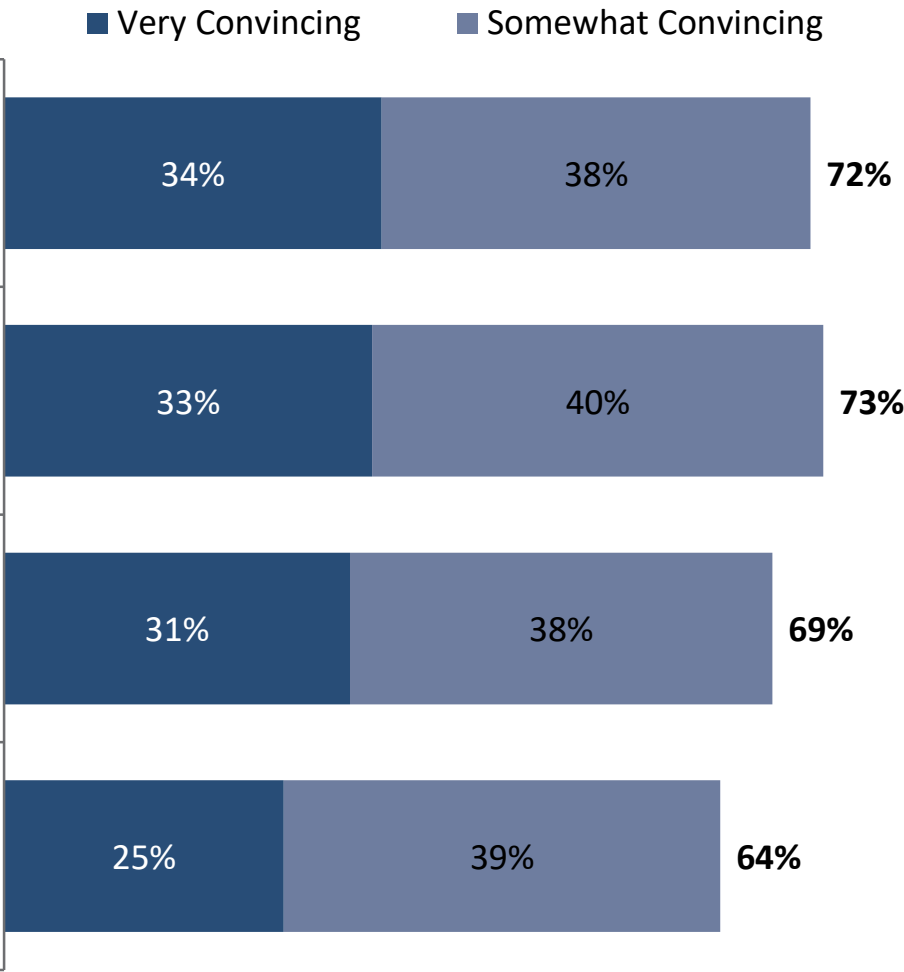
Voters are less convinced by information focused on population growth and hiring and training of firefighters.

This measure guarantees that the money raised by this measure will be spent on fire protection and emergency response services. Strict financial accountability provisions will ensure that money is spent properly and not used for any other purpose.

This measure offers the best protection for our community, by re-opening Fire Station 74 and entering the City into a partnership with the Contra Costa Fire Protection District, so our firefighters have access to the best training.

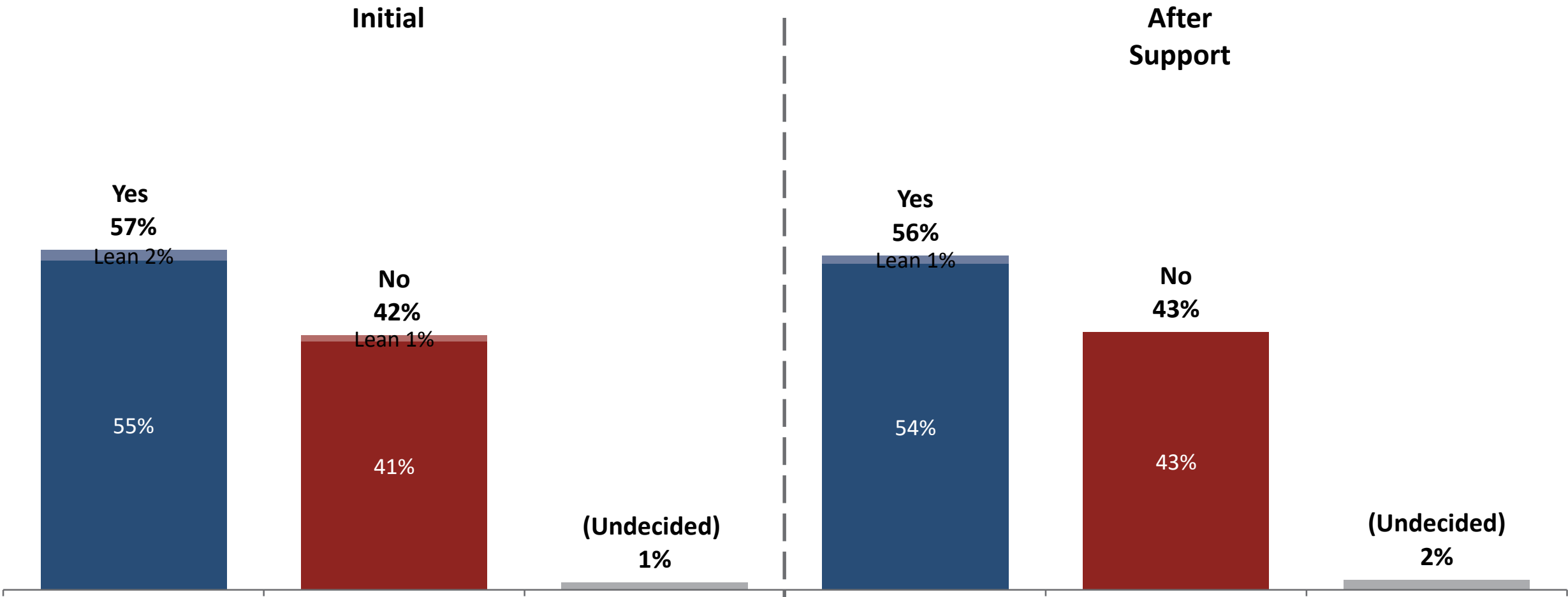
Fire and medical emergency call volume has increased in the past several years, and with the population in our region growing we need this measure now so we can protect fire services in Pinole from being overwhelmed in the future.

This measure will provide our local firefighters with additional training, resources, and flexibility so that they can better serve our community.



Vote After Support – \$698 Parcel Tax

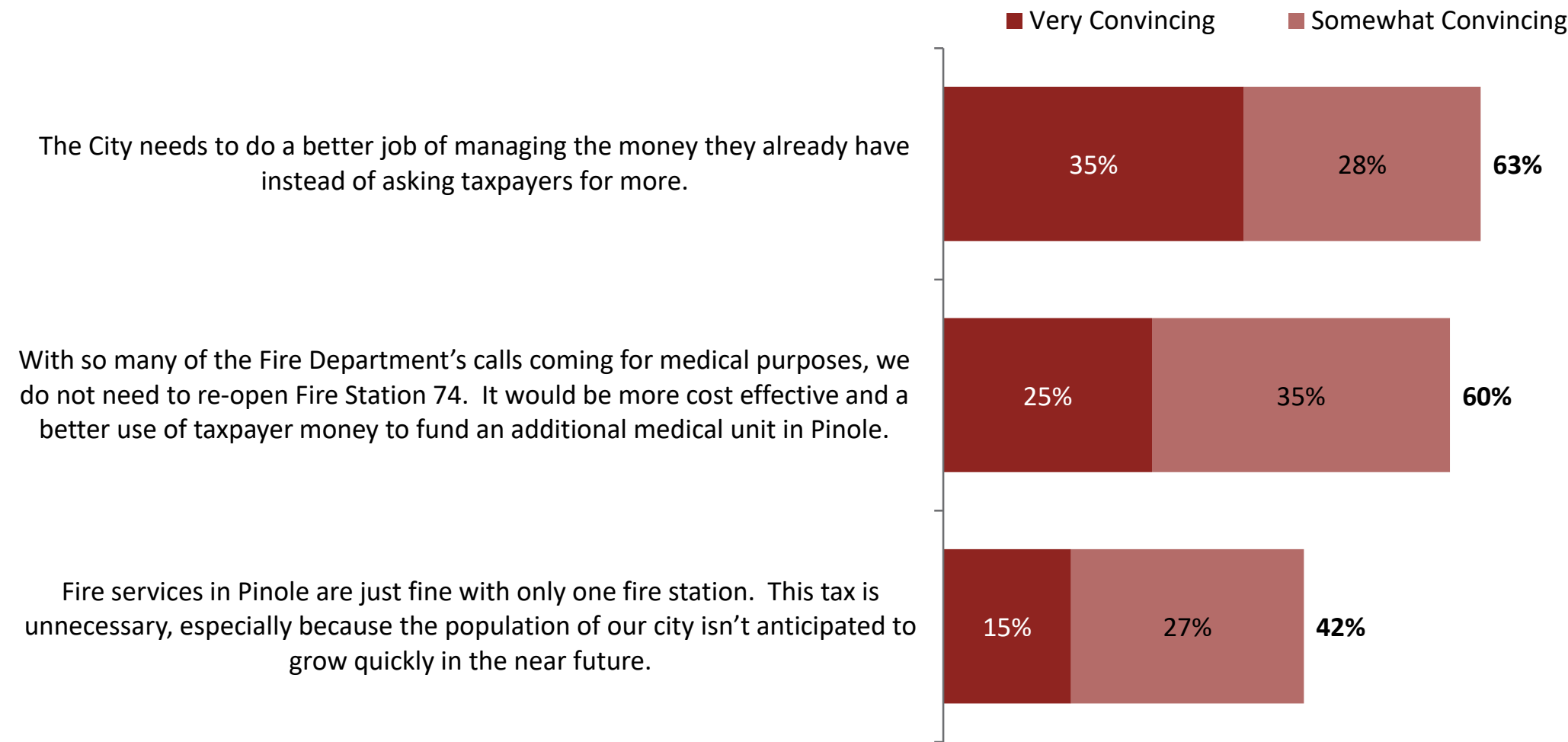
After additional information, there is not a significant change in voters' approval of the measure.



Q40. Given what you've heard, I'd like to ask you about the measure again... If the election were held today, would you vote yes to approve or no to reject this measure?

Parcel Tax Opposition Statements

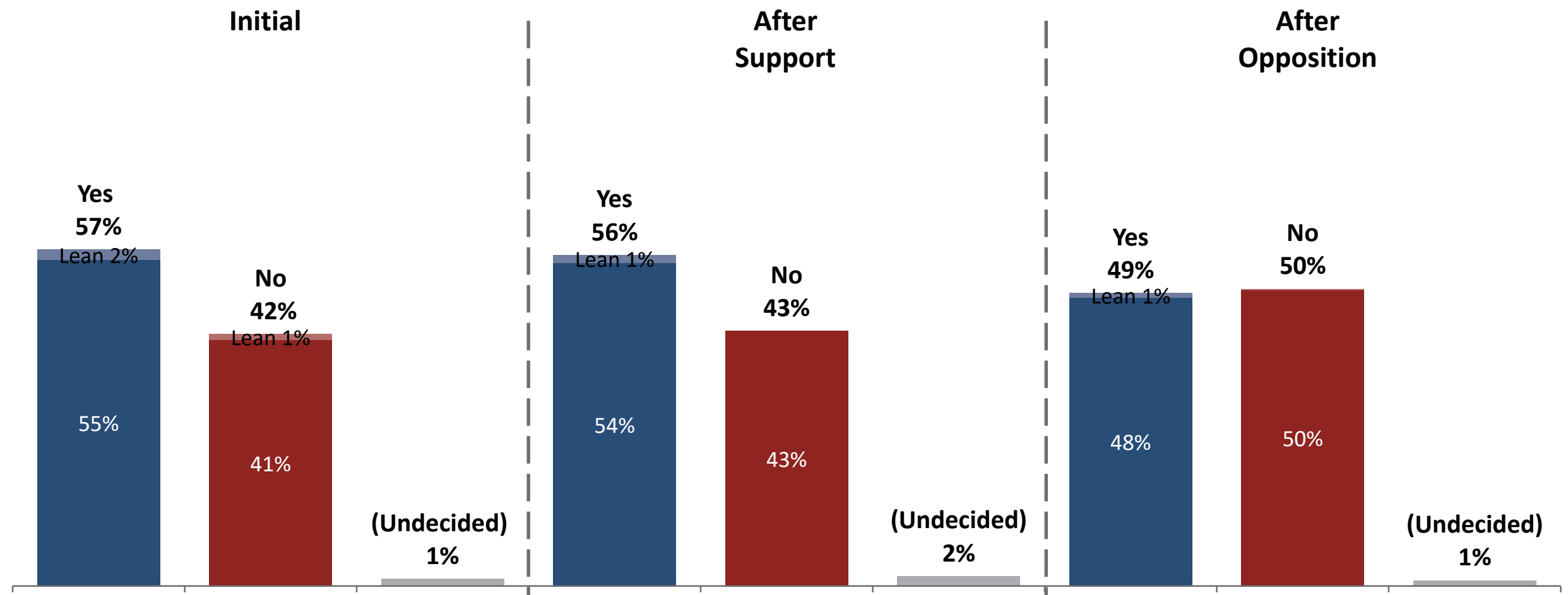
Potential opposition arguments are compelling to voters.



Q41-43. Next, I'd like to read you statements that people who oppose the proposed measure for Pinole might say. After each one, please tell me how convincing that statement is as a reason to vote against the measure.

Vote After Potential Opposition

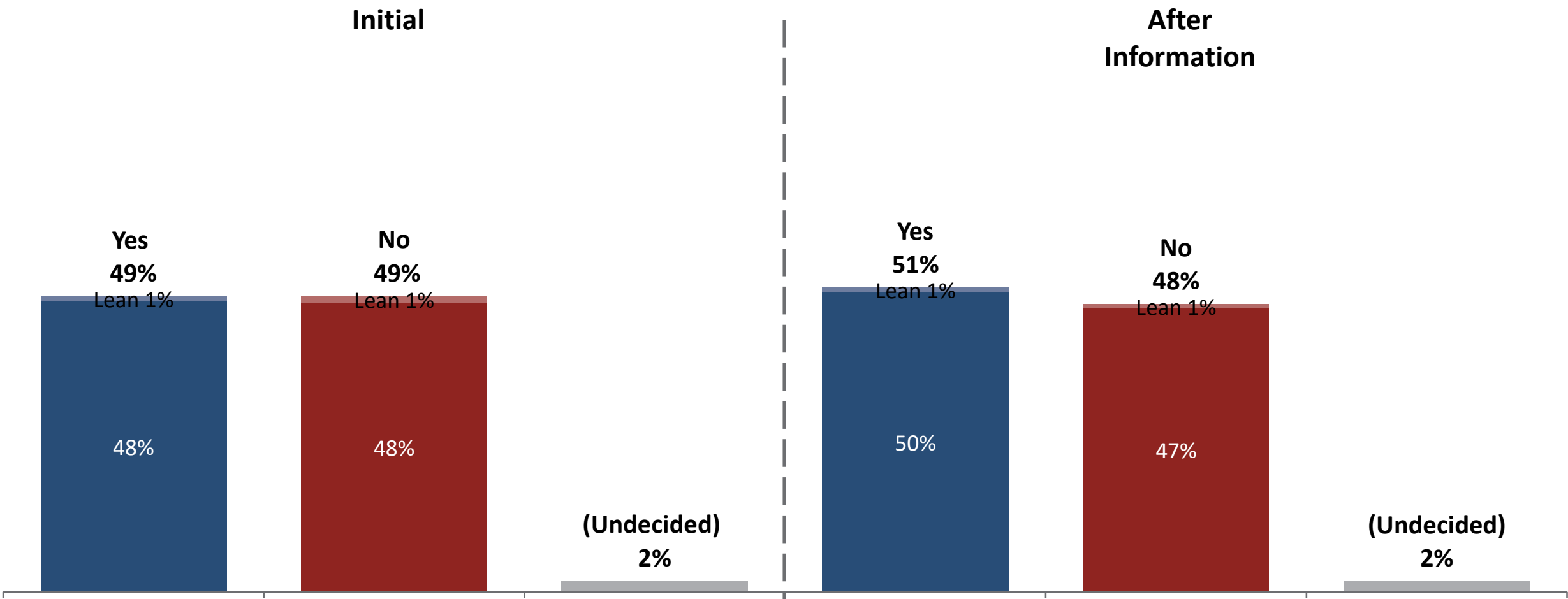
Even modest opposition messaging erodes support for a potential measure.



Q44. Now given everything you've heard, if the election were held today would you vote yes to approve or no to reject the proposed \$698 per parcel tax in the City of Pinole to fund fire services?

Vote After Information – Alternative Option

After messaging, the alternative option that sees a lesser per-parcel levy on residents is not viewed more favorably by a significant margin.



- ▶ Voters are satisfied with current service levels and indicate a potential willingness to invest in fire services.
- ▶ A potential parcel tax to fund maintained or enhanced fire services in Pinole does may be challenging at this time at the tax amount tested.
- ▶ This research could provide opportunities to refine the ballot language, based on known interests of the community, in the event re-testing language next year is of interest to the City.
- ▶ Should the City place a measure on a future ballot, a privately funded campaign effort is recommended.



Emily Goodman
Emily@EMCresearch.com
510.550.8932

Brendan Kara
Brendan@EMCresearch.com
202-686-5902



CITY COUNCIL REPORT

11A

DATE: DECEMBER 3, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER

**SUBJECT: APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE THE
EMPLOYMENT AGREEMENT FOR ANDREW MURRAY TO
BECOME THE CITY MANAGER**

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving and authorizing the Mayor to execute an employment agreement with Andrew Murray to become the City Manager.

BACKGROUND

Current City Manager Michelle Fitzer announced her retirement on July 2, 2019, with an effective date of December 29, 2019. An open competitive recruitment was initiated by Avery Associates. The recruitment produced five (5) candidates that the City Council chose to interview. The Council conducted two rounds of interviews, and included a meet and greet for the Executive Team and the top three (3) candidates. Following these processes Andrew Murray was selected as the new City Manager and the attached employment agreement was negotiated.

REVIEW AND ANALYSIS

Mr. Murray comes to Pinole from the City of Pleasant Hill, where he has served as the Assistant City Manager since October 2013. In this role Mr. Murray has:

- Served as the City Manager in her absence
- Collaborated with the City Manager and City Council on strategic governance and leadership initiatives
- Lead high-priority community development initiatives and capital projects
- Overseen the Finance Division and lead strategic finance initiatives
- Overseen the Human Resources Division
- Lead the Administrative Services Department

Prior to joining Pleasant Hill Mr. Murray worked for the City of Oakland, the City and County of San Francisco, UC Berkeley, University of Michigan – Ann Arbor, and the Local Government Commission in Sacramento.

Mr. Murray holds a Bachelor of Science degree in Environmental Policy Analysis and Planning, a Master of Science degree in Agricultural and Resource Economics, and a Master of Business Administration degree.

Approval of the contract and authorization for the Mayor to execute it is now required. Once everything is executed, Mr. Murray will be set to join Pinole as the City Manager effective Monday, January 6, 2020.

FISCAL IMPACT

The fiscal impact, if any, should be minimal. Mr. Murray's salary will be less than Ms. Fitzer's, but there may be an increase in the benefit costs. The City Manager's Department budget for salary and benefits for FY 2019/20 is \$385,494, which should be sufficient to cover costs.

ATTACHMENTS

- A Resolution
- B Andrew Murray Employment Agreement
- C Andrew Murray Resume

RESOLUTION NO. 2019 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE APPROVING
AND AUTHORIZING THE MAYOR TO EXECUTE THE EMPLOYMENT AGREEMENT
FOR ANDREW MURRAY TO BECOME THE CITY MANAGER**

WHEREAS, current City Manager Michelle Fitzer announced her retirement on July 2, 2019, with an effective date of December 29, 2019; and

WHEREAS, an open competitive recruitment was initiated by Avery Associates; and

WHEREAS, the recruitment produced five (5) candidates that the City Council chose to interview; and

WHEREAS, the Council conducted two rounds of interviews, and included a meet and greet for the Executive Team and the top three (3) candidates; and

WHEREAS, following these processes Andrew Murray was selected as the new City Manager and the employment agreement was negotiated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINOLE that the City Council does hereby approve and authorize the Mayor to execute the employment agreement for Andrew Murray to become the City Manager.

PASSED AND ADOPTED this 3rd day December, 2019, 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 3rd day of December, 2019.

Heather Iopu, CMC
City Clerk

**AGREEMENT FOR EMPLOYMENT OF
ANDREW MURRAY**

This Agreement is made and entered into by and between the City of Pinole ("the City"), a general law city, and Andrew Murray ("MURRAY" or "Employee"). This Agreement ("Agreement") will become effective as specified herein.

1. Appointment of MURRAY as City Manager

The City Council of the City of Pinole is authorized to negotiate the terms of an agreement with MURRAY for his services through its duly appointed labor negotiator. The City Council and MURRAY have engaged in such negotiations, and MURRAY and the City now desire to agree in writing to the terms and conditions of MURRAY'S employment as City Manager.

2. Term of Agreement

This Agreement will become effective on the date this Agreement is approved by the City Council and executed by the Mayor, or in the Mayor's absence, the Mayor Pro-Tem and MURRAY. This Agreement and MURRAY's employment shall remain in effect for three (3) years from the date of such execution unless terminated in accordance with paragraph 5 herein. If no successor Agreement is entered into to extend MURRAY's employment beyond the three (3) year term, his employment with the City shall end with no payment of severance. The City shall notify MURRAY at least three (3) months in advance of agreement expiration of intent to extend or not extend agreement.

3. At-Will Employment

MURRAY is an "at will" employee who shall serve at the pleasure of the City Council. Accordingly, the City Council may terminate MURRAY'S employment at any time, with or without cause. This provision may not be altered except by a written instrument executed by MURRAY and the City Council, which specifically references this Agreement and section.

4. Duties and Responsibilities

a. MURRAY shall commence his duties as City Manager on January 6, 2020, and will continue for a term of three (3) years through January 5, 2023.

b. MURRAY shall serve as the City Manager for the City subject to the terms and conditions set forth herein. MURRAY shall also perform the functions and duties specified under the laws of the State of California, the Municipal Code of the City; the Ordinances and Resolutions of the City, the job description for the City Manager position, and such other duties and functions as the City Council may from time-to-time assign.

c. MURRAY agrees to devote his productive time, ability and attention to the City's business. For the duration of this Agreement, MURRAY shall not hold secondary employment, and shall be employed exclusively by the City, subject to any

exceptions approved in writing by the City Council. As an exempt employee, MURRAY shall not receive overtime or extra compensation for work performed outside normal business hours.

5. Termination of Employment and Severance

a. MURRAY may terminate this Agreement with or without cause, by giving the City Council sixty (60) days written notice in advance of termination. During the notice period, all the rights and obligations of the parties under this Agreement shall remain in full force and effect.

b. The City Council may terminate this Agreement with or without cause, giving MURRAY thirty (30) days written notice in advance of termination.

c. In the event the City Council terminates MURRAY'S employment without cause, the City shall pay MURRAY severance in a lump sum equal to six (6) months base salary, auto allowance, cell phone allowance, as well as the City's share of all health/benefit premium contributions, minus all applicable deductions. Any severance payment pursuant to this Agreement is contingent upon MURRAY signing and delivering a general release of all claims against the City (including without limitation its former and current elected officials, employees, officers and agents) in a form acceptable to the City Attorney. Any severance amount paid pursuant to this Agreement shall be subject to the restrictions set forth in California Government Code § 53260. MURRAY shall not receive any severance if he resigns, is terminated for cause, if the term of this Agreement lapses, or if a waiver and release agreement is not executed by the parties. If the City elects to terminate this Agreement and MURRAY's employment without good cause as defined in this Agreement, a Notice of Termination Without Cause shall be provided in writing.

d. If MURRAY is terminated for "cause," the City shall not owe any severance under this Agreement. This provision does not confer any property rights on MURRAY, as he remains an at-will employee. The phrase "termination for cause" only pertains to MURRAY's eligibility for severance as described in this Section. A "termination for cause" for purposes of severance may include, but shall not be limited to, the following:

- i. Dishonesty;
- ii. Embezzlement;
- iii. Conviction of a felony or misdemeanor relating to MURRAY's fitness to perform assigned duties;
- iv. Any act involving moral turpitude;
- v. Taking a position adverse to the interests of the City without the City's prior written consent;
- vi. Violation of any fiduciary duty owed to the City;
- vii. Failure to abide by the terms of this Agreement; or
- viii. Failure to observe or perform any of his duties and obligations under this Agreement, if that failure continues for a period of thirty (30) days after MURRAY receives written notice from City Council or its designee specifying the acts or omissions that constitute the failure.

If the City elects to terminate this Agreement and MURRAY's employment for cause as defined in this Agreement, a Notice of Termination For Cause shall be provided in writing outlining the reason(s) for termination.

e. Pursuant to Government Code section 53243.2, any cash settlement related to the termination of this Agreement received by MURRAY from the City shall be fully reimbursed to City if MURRAY is convicted of a crime involving an abuse of his office or position as defined in California Government Code section 53243.4.

6. Compensation:

a. Effective January 6, 2020, MURRAY shall be paid an annual base salary of TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00), less all applicable federal, state and local withholding.

b. MURRAY shall receive cost of living salary increases equal to that provided to the AFSCME bargaining unit during the term of this Agreement. A three percent (3%) COLA will be provided to MURRAY in July 2020, in the same manner as provided to the AFSCME unit.

c. MURRAY shall receive the benefits identified in Exhibit A to this Agreement.

7. Hours of Work

MURRAY shall work a minimum of forty (40) hours per week on City and Successor Agency business. MURRAY may work a 9/80 or other flexible work schedule, following consultation with the City Council.

8. Indemnification

The City shall provide for the defense of MURRAY in any action or proceeding alleging an act or omission within the scope of MURRAY's employment in accordance with California Government Code sections 825, 995 et seq., and other applicable law. Notwithstanding anything to the contrary in this Agreement, in accordance with California Government Code section 825, subdivision (a), the City reserves the right to not pay any judgment, compromise or settlement subject to that section until it is established that the injury arose out of an act or omission occurring within the scope of MURRAY's employment pursuant to this Agreement. Further, notwithstanding anything to the contrary in this Agreement, the City reserves the right to refuse to provide for the defense of MURRAY for the reasons set forth in California Government Code section 995.2 or other applicable provisions of law. Any City funds provided for the legal criminal defense of MURRAY shall be fully reimbursed in accordance with California Government Code section 53243.1 if MURRAY is convicted of a crime involving an abuse of his office or position as defined in California Government Code section 53243.4.

9. Notices

Notices pursuant to this Agreement shall be in writing given by deposit in the custody of the United States Postal Service, first class postage prepaid, addressed as follows:

a. The City:

Mayor of the City of Pinole
2131 Pear Street
Pinole, CA 94564

With a Copy to the

City Attorney
2131 Pear Street
Pinole, CA 94564

b. Andrew Murray:

To the address shown as current in the payroll system

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial process. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice, postage prepaid, with the United States Postal Service.

10. Abuse of Office

Government Code sections 53243, 53243.1, 53243.2, and 53243.3 are incorporated by this reference as if fully set forth herein.

11. Performance Evaluations

The City Council shall review and evaluate the performance of MURRAY at least once every twelve (12) months. At the time of each evaluation, performance goals shall be discussed that will be used to assist in the evaluation of MURRAY'S performance in the future. The City Council may, at its option, adjust MURRAY'S compensation as a result of the performance evaluation. The City agrees to evaluate MURRAY's performance after the initial six (6) months of employment, at which time a merit increase shall also be considered.

12. Dues and Subscriptions

The City shall pay for the professional dues and subscriptions of MURRAY necessary for his continuation and full participation in appropriate professional organizations.

13. Professional Development

At the time of the execution of this Agreement, the parties acknowledge that MURRAY is, or will be, a member of various professional and service organizations. In addition, other organizations sponsor and offer short courses, institutes, seminars, and the like, which would be beneficial to MURRAY'S professional development.

MURRAY is permitted, encouraged, and in some instances, required by the City, to attend such meetings, activities, seminars, courses, institutes, and the like, as deemed appropriate by the City Council. MURRAY'S registration, travel, subsistence, and other related expenses shall be paid in advance directly to the vendor or reimbursed to MURRAY consistent with applicable City policy.

14. Miscellaneous

a. The text herein shall constitute the entire agreement between the parties. This Agreement may not be modified, except by written agreement executed by both parties.

b. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

c. This Agreement shall be governed by the laws of the State of California.

d. This Agreement may be executed in counterparts containing original signatures.

Andrew Murray

DATE

Roy Swearingen
Mayor

DATE

ATTEST:

APPROVED AS TO FORM:

Heather Iopu, CMC
City Clerk

Eric Casher
City Attorney

EXHIBIT A

- **Health, Vision, Dental, Life Insurance, STD/LTD Benefits**

MURRAY shall receive health, vision, dental, life insurance and long/short-term disability benefits under the same terms those benefits are provided to the City's unrepresented managers.

- **Retiree Medical**

MURRAY and his spouse at the time of retirement shall be eligible to enroll on the City's retiree medical plan, in accordance with the provisions of the CalPERS Health Plans and the CalPERS Health Vesting Schedule.

The City shall make contributions toward MURRAY's retiree health insurance premium in accordance with the CalPERS Health Vesting Schedule (Government Code 22893).

Upon MURRAY's death, his spouse shall continue to be eligible for enrollment on the City's plan and premium contribution, or reimbursement of his health insurance premium for alternate coverage, in accordance with the provisions of the CalPERS Health Plans and the CalPERS Health Vesting Schedule.

- **Retirement Plan**

The City currently participates in a retirement system through a contract with the California Public Employees Retirement System (CALPERS). For the Miscellaneous Employees, including MURRAY, the CALPERS contract offers the following options:

- 2.5% @ 55 Retirement Plan
- Military Buy Back
- Third Level Survivors Benefit
- Single Highest Year Compensation Formula
- Service for Unused Sick Leave

The City and MURRAY shall make the Employer and Employee contributions to CalPERS benefits under the same terms provided to unrepresented managers.

- **Auto and Cell Phone Allowances**

MURRAY shall receive the amount of \$450 monthly as a car allowance and \$65 monthly as a cell phone allowance, less all applicable federal, state and local withholdings.

- **Deferred Compensation - 457 Plan**

The City makes a 457 plan available for MURRAY to contribute to through payroll deduction. The City shall make no contributions to this plan on behalf of MURRAY.

- **Vacation**

MURRAY shall accrue vacation leave at a rate of 120 hours per year, accrued incrementally each pay period. Upon separation from the City, MURRAY shall be paid for all unused accrued vacation leave based upon his base salary on the date of separation. At the beginning of MURRAY'S fifth (5th) year of employment as City Manager, his accrual rate will increase to 144 hours per year.

MURRAY may cash out accrued vacation in a manner consistent with unrepresented managers. MURRAY cannot take any paid vacation during the first six (6) months of this Agreement. Any vacation time off during those six (6) month will be unpaid.

- **Administrative Leave**

The City shall grant MURRAY ninety-six (96) hours of administrative leave at the beginning of each calendar year. MURRAY may cash out administrative leave in a manner consistent with unrepresented managers.

- **Sick Leave**

MURRAY shall accrue eight (8) hours per month, ninety-six (96) hours of sick leave per year, accrued incrementally each pay period.

- **Other Leaves**

MURRAY shall receive all other leaves (Bereavement, Family and Medical, Jury Duty, Military, etc.) that are provided to unrepresented managers.

- **Holidays**

MURRAY shall receive the same holidays and floating holidays as the City's unrepresented managers.

2537052.5

Andrew J. Murray

Experience

Assistant City Manager

City of Pleasant Hill, California

October 2013 to present

- Serve as the Acting City Manager in the City Manager's absence
- Collaborate with the City Manager and City Council on strategic governance and leadership initiatives
 - o Facilitate City Council goal setting and achievement reporting
 - o Oversee organizational assessments of City divisions and update the organizational structure
 - o Represent the City with numerous stakeholders, including on multi-agency collaborations addressing issues such as alternative transportation, affordable housing, clean energy, and leadership development
 - o Support City Council on numerous policy issues
- Lead high-priority community development initiatives and capital projects
 - o Participate in all major land use planning, public works, and economic development initiatives
 - o Lead the City's most significant community development effort, a multi-agency master development of a new library, sports fields, residences, and school and creek improvements
 - o Serve on the General Plan update working group
 - o Serve as the Executive Director of the Pleasant Hill Redevelopment Successor Agency and the Housing Successor Agency
 - o Oversee the City's affordable housing and environmental programs
 - o Lead the City's long-term capital needs assessment and long-term plan
 - o Oversee development and disposition of City properties
- Oversee the Finance Division and lead strategic finance initiatives
 - o Function as the Chief Financial Officer
 - o Co-led City involvement in transactions and use tax ballot measure passed in November 2016
 - o Developed the City's first Long-Term Financial Plan
 - o Developed the balanced biennial budget and implemented improved forms of public engagement
 - o Evaluated the City's fiscal resiliency and updated the General Fund reserve policy and debt management policy
- Oversee the Human Resources Division
 - o Serve as the City's Chief Negotiator for labor relations
 - o Revised staff's approach to labor negotiations, making it more strategic, objective, and efficient
 - o Negotiated fair, prudent contracts with multiple bargaining units
 - o Oversaw a restructuring of the City's medical benefits and compensation plan
- Lead the Administrative Services Department
 - o In addition to Finance and Human Resources, oversee the Information Technology and Risk Management divisions
 - o Hire, manage, and develop Executive Team employees
 - o Co-led update to City's Emergency Operations Plan
 - o Oversaw the development of the City's first Information Technology Plan
 - o Updated the City's Public Records Act response process, Americans with Disabilities Act plan, contracting process, Injury and Illness Prevention Plan, and various other plans and processes

Assistant to the City Administrator

City of Oakland, California

June 2012 to September 2013

- Led efforts to re-engineer City policies and programs
- Conducted policy analysis and evaluations of City departments on behalf of the City Administrator, Mayor, and City Council
- Led strategic finance initiatives
 - o Functioned as the City's Assistant Budget Director
 - o Wrote the City's five-year financial plan, revenue and expenditure reports, and financial guidelines
 - o Helped design and implement the biennial budget process and develop the budget proposal
- Interfaced with the City Council, labor unions, community groups, and other stakeholders on policy, budget, and management issues

City Performance Deputy Director

Controller's Office, City and County of San Francisco, San Francisco, California

November 2007 to June 2012

- Served as the Deputy Director of the County's in-house management consulting organization, working with department heads, the Mayor, Board of Supervisors, citizen oversight boards, and community leaders to improve municipal services
 - o Measured residents' rating of public services, analyzed efficiency and effectiveness of City operations, conducted fee studies, and re-engineered and streamlined processes
 - o Emphasis on performance management, process improvement, customer service, public works, parks and recreation, utilities, capital planning, land use, education, and budget and finance
- Helped lead the City Performance Division, including strategic planning, organizational development, budget, recruitment, and training

Chief Legislative Analyst

Board of Supervisors, City and County of San Francisco, San Francisco, California

October 2004 to November 2007

- Directed the Office of the Legislative Analyst
- Served as the primary policy researcher for the Board of Supervisors
- Oversaw nearly 200 projects analyzing all facets of city and county operations
 - o Emphasis on budget and finance, public works, information technology, economic development, education, land use, health and human services, public safety, housing, and other topics

Principal Economist

University of California, Office of the President, Berkeley, California

February 2001 to May 2004

- Directed a multi-disciplinary research team
- Conducted research on the drivers of local economic growth, particularly regarding biotechnology, digital media, semiconductor, and telecommunications industries

Project Manager, Senior Research Associate

Institute for Social Research, University of Michigan - Ann Arbor, Ann Arbor, Michigan

March 1999 to September 2000

- Managed a large, multi-disciplinary team undertaking a nationally-prominent economic and sociological research project
- Developed funding and oversaw the \$18 million project budget

Program Director

Local Government Commission, Sacramento, California

January 1995 to January 1997

- Provided training and technical assistance to local government officials on sustainable development, economic development, and regulatory reinvention
- Performed research and directed the implementation of new regional, statewide, and national programs
- Secured grant and contract funding from government agencies, major corporations, and foundations, and managed grants given to local government agencies
- Previously served as Project Coordinator and Project Manager beginning in June 1992

Other Experience

- Commissioner, City of Berkeley Housing Advisory Commission and Community Development Block Grant Subcommittee
- Program Representative, California Communities Program, University of California Cooperative Extension
- Program Director and Publicity Director, KDVS 90.3 FM, University of California, Davis

Education

Master of Business Administration

Master of Science, Agricultural and Resource Economics

Bachelor of Science, Environmental Policy Analysis and Planning

University of California, Davis

Professional Affiliations

- California Association for Local Economic Development (CALED)
- California City Management Foundation (CCMF)
- California Public Employers Labor Relations Association (CalPELRA)
- Government Finance Officers Association (GFOA)
- International City/County Management Association (ICMA)



CITY COUNCIL REPORT

11B

DATE: DECEMBER 3, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: HEATHER IOPU, CITY CLERK

**SUBJECT: REVIEW, DISCUSS AND APPOINT TO THE 2020 COUNCIL
COMMITTEE ASSIGNMENTS LIST**

RECOMMENDATION

It is recommended that the City Council review, discuss and appoint Councilmembers to the 2020 Council Committee Assignments List.

BACKGROUND

Annually the Council reviews the committee delegate appointments and assignments. The list was last updated on December 18, 2018 following the last Council Reorganization.

The Mayor will lead the Council in a discussion to reaffirm or reappoint members to the remaining committees.

REVIEW AND ANALYSIS

Attached is the draft 2020 Council Assignments list which includes proposed changes to items 13, 14, 16, 19, and 20. Those Ad-hoc committees, which are listed in red, will be removed from the list as they have concluded their purpose and are no longer active.

Other changes to the list include the addition of two committees following approval of the 2019 assignments;

- Item 20: Strategic Plan Ad-hoc Subcommittee (2019 Addition)
- Item 21: Ad-hoc Committee for Recycling/Beautification Projects (2019 Addition)

All amendments to this list are subject to Council discretion, including appointments of Ad-hoc committees that have been approved during the year.

Staff will make any changes as provided at the meeting and disseminate a new list with a Resolution for approval by the City Council at the next City Council meeting.

Following approval of the list, a copy will be provided to the Council and to the respective Boards and outside agencies, regarding any changes affecting their Board composition. Council assignments are also uploaded on the City Council webpage.

FISCAL IMPACT

There are no fiscal impacts associated with this action.

ATTACHMENT

Attachment A: Draft 2020 Council Committee Assignment List

**FOR REVIEW****2019 COUNCIL ASSIGNMENTS**

Revised & Approved: 12-18-2018

1. **WEST CONTRA COSTA INTEGRATED WASTE MGMT. AUTHORITY (WCCIWMA)**
Meetings: Meets monthly – 2nd Thursday at 7:00 p.m.
Location: San Pablo City Hall Council Chambers, One Alvarado Square, San Pablo
Contact: 510-215-3125 Executive Director: Stan Hakes
Delegate: Murray Alternate: Salimi
2. **WEST COUNTY TRANSPORTATION ADVISORY COMMITTEE (WCCTAC)**
Meetings: Meets monthly - Last Friday of every month from 8 a.m. to 10 a.m.
Location: El Cerrito City Hall
Contact: Staff Person: 510-210-5933, 510-210-5931
Delegate: Swearingen Alternate: Salimi
3. **WEST CONTRA COSTA MAYORS & SUPERVISORS CONFERENCE**
Meetings: 4th Thursday, monthly at 8:30 a.m.
Location: Rotational: Jan – June @ El Cerrito July – December Location - TBA
Delegate: (Mayor) Murray Alternate: (Mayor Pro Tem) Swearingen
4. **CONTRA COSTA MAYORS' CONFERENCE**
Meetings: First Thursday of each month at 6:30 p.m.
Location: Rotational locations
Delegate: (Mayor) Murray Alternate: (Mayor Pro Tem) Swearingen
5. **EAST BAY DIVISION, LEAGUE OF CALIFORNIA CITIES**
Meetings: 4th Thursday of every other month, except August & December
Board Meeting 6:30 p.m. / General Membership: 7:00 p.m.
Location: Rotational locations
Contact: Dawn Abrahamson, (925) 989-5674
Delegate: Swearingen Alternate: Martinez-Rubin
6. **WESTCAT**
Meetings: 2nd Thursday monthly at 6:30 p.m. (*amended 5/6/09*)
Location: Pinole Council Chambers, 2131 Pear Street
Contact: Staff: Mica McFadden - 724-3331 ex. 113
Delegate: Tave/Martinez-Rubin Alternate: None
7. **ABAG**
Meetings: Spring General Assembly, / Fall General Assembly Dates TBD
Delegate Attendance Mandatory at the 2 Annual Assembly Meetings
Ex. Board meets 3rd Thursdays @ 7 p.m. in Jan., Mar., July, Sept. & Nov.
Contact: Clerk of the Board: Fred Castro (415) 820-7913
Delegate: Martinez-Rubin Alternate: Tave
NOTE: Membership Reinstated in FY 2015- Approved September 2015
8. **MCE Clean Energy Board**
Meetings: 3rd Thursday of every month at 7:00 p.m.
Location: Rotational locations
Contact: Darlene Jackson, Board Clerk and Executive Assistant (415) 464-6032
Delegate: Salimi Alternate: Tave

9. **PINOLE / HERCULES WASTEWATER TREATMENT PLANT SUBCOMMITTEE**
Meetings: Quarterly meetings required by the original agreement - currently conduct monthly meetings on 1st Thursday at 8:30 a.m.
Location: Location alternates between cities
Delegates: Murray/Swearingen Alternate: None
10. **PINOLE ASSISTED LIVING BOARD (PALC)**
Meetings: 4th Wednesday, monthly at 5 p.m.
Location: Pinole Senior Village
Delegate: Murray (appointee of the former Pinole Redevelopment Agency)
Salimi (Council appointee)
11. **2019 FINANCE AD-HOC SUBCOMMITTEE:**
Meetings: Meet Quarterly/As Needed
Delegates: Mayor Murray, Mayor Pro Tem Swearingen & City Treasurer Rosales
Contact: City Manager, Assistant City Manager, Finance Director, & City Clerk
Created: (Res. 2005-15)
12. **2019 FOWLER HOUSE RE-USE COMMITTEE**
(limited duration / specific focus)
Meetings: TBD
Attendees: Swearingen/Murray
13. **2019 WCCUSD PINOLE VALLEY HIGH AD-HOC RECONSTRUCTION COMMITTEE**
(limited duration / specific focus)
Meetings: TBD
Delegates: Martinez-Rubin/Murray
14. **2019 RECREATION AD-HOC PROGRAMMING REVIEW COMMITTEE**
(limited duration / specific focus)
Meetings: TBD
Attendees: Murray, Salimi, City Manager, Assistant City Manager & Recreation Manager
Created: November 3, 2015
15. **2018 HONORING/PLAQUES NAMING AD-HOC COMMITTEE**
(limited duration / specific focus)
Meetings: TBD
Attendees: Swearingen/Tave
Created: November 1, 2016
16. **2019 PCTV AD-HOC COMMITTEE**
(limited duration / specific focus)
Meetings: TBD
Attendees: Murray/Swearingen
Created: December 6, 2016
17. **2019 MUNICIPAL CODE AD-HOC COMMITTEE**
(limited duration / specific focus)
Meetings: TBD
Attendees: Murray/Martinez-Rubin
18. **201 PLANNING COMMISSION INTERVIEW AD-HOC SUBCOMMITTEE**
(limited duration / specific focus)
Attendees: Martinez-Rubin / Tave

19. **AD HOC COMMITTEE TO SELECT A STRATEGIC PLAN CONSULTANT**
(limited duration / specific focus)
Attendees: Murray / Tave
Created: March 5, 2019
20. **STRATEGIC PLAN AD HOC SUBCOMMITTEE**
(limited duration / specific focus)
Attendees: Murray / Tave
Created: August 20, 2019
21. **AD HOC COMMITTEE FOR RECYCLING/BEAUTIFICATION PROJECTS**
Attendees: Martinez-Rubin/Salimi
Created: October 1, 2019