

DOS PALOS CITY COUNCIL

REGULAR MEETING AGENDA

City-County Building, 1554 Golden Gate Avenue
Dos Palos, California, USA

6:00 pm, Tuesday, September 19, 2023

A. CALL TO ORDER:

by Mayor April Hogue

1. Flag Salute:

by Councilmember Debbie Orlando

2. Invocation:

by Councilmember Thomas Pigg

3. Roll Call:

by City Clerk Ysidro Garcia

4. Urgency Additions or Deletions:

Requires urgency and four affirmative votes

5. Public Comment:

At this time, anyone present may comment upon any city-related business item, which is not on this agenda. Please state your name and address for the record. Please be concise and avoid repetition. The mayor may limit you to one presentation not to exceed two minutes in length. State law now requires at least twice as much time be allotted to a member of the public who utilizes a non-English translator. Action, if necessary, is limited to staff referral, or with special conditions, placement on a future agenda.

B. COMMENDATIONS, PRESENTATIONS, and PROCLAMATIONS.

1. Proclamation Proclaiming September as National Library Card Sign-Up Month.
2. Update on the City of Dos Palos Pension Funding.
Dan Matusiewicz, Sr. Public Finance Consultant, GovInvest.
3. Update on the City of Dos Palos 60% Solar Project Development.
Heather Roeme, Syserco Energy Solutions.

C. CONSENT CALENDAR:

Action

1. Approval of the Minutes of the August 15, 2023 Regular Meeting.
2. Approval of the Minutes of the August 29, 2023 Special Meeting.
3. Approval of the Treasurer's Report for February 2023.
4. Approval of the Pre-Paid for August 2023.
5. Approval of the Warrants for September 2023.

D. BUSINESS:

- | | |
|--|--------------------------------|
| 1. Ordinance 438, Amending Chapter 3 of the Dos Palos Municipal Code to add Purchasing Guidelines. | Report
Discussion
Action |
| 2. Establish a Date for our First Annual Town Hall Meeting. | Report
Discussion
Action |

E. CORRESPONDENCE, EVENTS, COUNCIL & STAFF REPORTS:

- | | |
|---|---|
| F. ADJOURNMENT <i>in memory of local departed:</i> | John Russell 87
Andrea Selement 78
Robert Ingram 75
Rosie Mayes 75 |
|---|---|

Disclosures and Information:

The 97th City Council consists of Mayor April Hogue, Mayor pro Tempore Armando Bravo, Councilmember Thomas Pigg, Councilmember Debbie Orlando, and Councilmember Marcus Porter. The 45th Council Session is now in session and ends on November 15, 2024. The next available numbers of record are Ordinance #439 and Resolution 2023-14. Per 54954.2(a)(1), the City's website cityofdospalos.org may be down intermittently or temporarily for maintenance or repairs.

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Dos Palos CA 93620, (209) 392-2174, email: cityofdp@cityofdp.com

Dos Palos City Council Minutes

August 15th, 2023

A. CALL TO ORDER: Mayor April Hogue called a Regular Meeting of the Dos Palos City Council to order at 6:00 pm in the City-County Building at 1546-1554 Golden Gate Avenue in Dos Palos, California on Tuesday, August 15th, 2023.

1. The Pledge of Allegiance was led by Councilmember Debbie Orlando.
2. An Invocation was led by Councilmember Thomas Pigg.
3. Roll Call: City Clerk Ysidro Garcia called the Roll finding all City Councilmembers present: Mayor Hogue, Mayor Pro Tem Bravo, Councilmember Pigg, Councilmember Orlando and Councilmember Porter.

Others present included: City Manager Dewayne Jones, Assistant City Manager /Director of Finance & Personnel Manuela Sousa, Director of Public Works Gordon Bonds, Director of Utilities Craig Hackett and Various Others.

4. Urgency Additions or Deletions: None.
5. Public Forum: Representatives from Martha's Kitchen reached out to the City for help in keeping the Food Program in Dos Palos to help the community. They have served Dos Palos for 10 years and hope to continue serving the community. Christopher Santos spoke about the groundbreaking of the Obanion Park project. Amanda Williams spoke about Mercedfoundations.org, help for non profits and creating networks in Merced County. Martin Tapia stressed the importance of feeding the homeless and the community in need. Claudia Bautista spoke about the National Night Out and the Cotton Festival. Both having good turnouts and good food at the Cotton festival. Also stressing the importance of keeping Martha's Kitchen in Dos Palos.

B. COMMENDATIONS, PRESENTATIONS, & PROCLAMATIONS:

1. Anthony Gonzalez from Price Paige & Company presented the Audit for July 1, 2021 to Jun 30th, 2022.
2. Brian Guerrero presented the Merced County Multi-Jurisdictional Housing Element. Projecting 261 housing units in next 8 years.

C. CONSENT CALENDAR:

1. It was Moved by Councilmember Porter and Seconded by Councilmember Orlando to approve the **Minutes** for the July 18th, 2023 Meeting. The motion passed 5-0 as follows: AYES: Hogue, Bravo, Pigg, Orlando, Porter. NOES: None. ABSENT: None. ABSTENTIONS: None.

2. It was Moved by Councilmember Porter and Seconded by Councilmember Orlando to approve the **Pre-Paids** for July 2023. The motion passed 5-0 as follows: AYES: Hogue, Bravo, Pigg, Orlando, Porter. NOES: None. ABSENT: None. ABSTENTIONS: None.
3. It was Moved by Councilmember Porter and Seconded by Councilmember Orlando to approve the **Warrants** for August 2023. The motion passed 5-0 as follows: AYES: Hogue, Bravo, Pigg, Orlando, Porter. NOES: None. ABSENT: None. ABSTENTIONS: None.
4. It was Moved by Councilmember Porter and Seconded by Councilmember Orlando to accept the **Audit 2021-2022 as presented**. The motion passed 5-0 as follows: AYES: Hogue, Bravo, Pigg, Orlando, Porter. NOES: None. ABSENT: None. ABSTENTIONS: None.

D. BUSINESS:

1. Staff Report Regarding Resolution 2023-13, Amending certain fees to be Charged in FY 23/24 for Various Licenses, Permits, and Applications. Following Staff Report it was Moved by Mayor Pro Tem Bravo and Seconded by Councilmember Orlando to Approve Resolution 2023-13, Amending certain fees to be Charged in FY 23/24 for Various Licenses, Permits, and Applications. The motion passed 5-0 as follows: AYES: Hogue, Bravo, Pigg, Orlando, Porter. NOES: None. ABSENT: None. ABSTENTIONS: None.
2. Following a Staff Report, It was Moved by Councilmember Pigg and Seconded by Councilmember Porter to Consider Adopting the FY 23/24 Sidewalk Repair List. The motion passed 5-0 as follows: AYES: Hogue, Bravo, Pigg, Orlando, Porter. NOES: None. ABSENT: None. ABSTENTIONS: None.

E. CORRESPONDENCE, EVENTS, & REPORTS:

Various Reports were Given.

F. ADJOURNMENT: The Meeting was Adjourned at 8:05pm in Memory of:

Elsie Gamboni 93
James "Buddy" McRae 83
Nihla Maron 88
Gabriel Sanchez 83
Michael Garrett 67
David Robbins 18

Respectfully Submitted,

Ysidro Garcia, City Clerk

Dos Palos City Council Special Meeting Minutes August 29th, 2023

A. CALL TO ORDER: Mayor April Hogue called a Special Meeting of the Dos Palos City Council to order at 6:00 pm in the City-County Building at 1546-1554 Golden Gate Avenue in Dos Palos, California on Tuesday, August 29th, 2023.

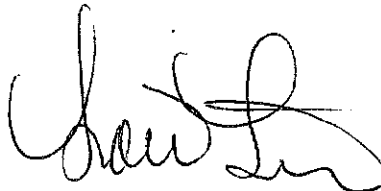
1. The Pledge of Allegiance was led by Councilmember Debbie Orlando.
2. An Invocation was led by Councilmember Thomas Pigg.
3. Roll Call: City Clerk Ysidro Garcia called the Roll finding 4 out of 5 City Councilmembers present: Mayor Hogue, Councilmember Pigg, Councilmember Orlando and Councilmember Porter. Absent: Mayor Pro Tem Bravo.

Others present included: City Manager Dewayne Jones, Assistant City Manager /Director of Finance & Personnel Manuela Sousa, Director of Utilities Craig Hackett and Various Others.

4. Public Comment: None.
5. Following a Staff Report it was Moved By Councilmember Orlando and Seconded By Councilmember Porter to Award Bid to lowest possible and responsive bidder for the construction of the Water Treatment Plant to W.M Lyles Co. In the amount of \$35,444,090; and Authorize the City Manager or their designee, to negotiate the Contract on behalf of the city. The motion passed 4-0-1. AYES: Hogue, Pigg, Orlando, Porter. NOES: None. ABSENT: Bravo.
6. Meeting was Adjourned at 6:14pm.

**CITY OF DOS PALOS
CASH FLOW REPORT
FEBRUARY, 2023**

BEGINNING BALANCE:		1,048,998.76
REVENUES RECEIVED:		
	GENERAL FUND	141,893.45
	WATER DEPOSIT	450.00
	UTILITIES	249,455.01
TOTAL REVENUES RECEIVED:		391,798.46
EXPENDITURES:		
	PAYROLL	842.90
	DIRECT DEPOSIT	114,046.41
	WARRANTS	591,708.29
TOTAL EXPENDITURES:		706,597.60
BEGINNING BALANCE:		1,048,998.76
TOTAL REVENUES:		391,798.46
TOTAL EXPENDITURES:		-706,597.60
CREDIT CARD CHARGE		-2,545.48
ANALYSIS CHARGE:		-282.86
BLUEFIN		-9.95
CASH SHORT		-15.00
CASH OVER		106.00
LEXIS NEXIS		25.00
VOID CK (22120)		9616.00
TRANSFER TO LAIF		-27,000.00
TOTAL CASH FLOW BALANCE:		714,093.33



CITY TREASURER

CITY OF DOS PALOS
WESTAMERICA BANK RECONCILIATION
FEBRUARY, 2023

STATEMENT ENDING BALANCE:

970,990.52

COMPUTER WARRANTS OUTSTANDING:

17311 ANICETO VALDEZ	25.00
17891 TORIBIO MARTINEZ	143.53
18120 JUAN RODRIGUEZ	8.00
18153 EMPLOYEE CHECK	17.40
18211 BOBBY MARTINEZ	104.39
18345 FREDDY SINGH	10.61
19371 NORMA SHEPPARD	82.80
18639 ALMA INFANTE	48.02
18641 LAMEXICANA	16.80
18868 SANDRA GONZALEZ	16.80
18963 JANEEN COLEMAN	35.40
19099 MERCED COUNTY PUBLIC WORKS	850.34
19172 BROWNELLS.INC	179.31
19273 FORREST ATKINS	33.00
19305 JG HARDWARE STORE	18.16
19394 BANKCARD CENTER	543.94
19497 RICARDO AGUILAR	4.49
19498 GIOVONNI CASTANEDA	150.00
19575 JOSE PENA	1.97
19581 LUIS ROMO	49.77
20030 INOCENCIA SANTOS	17.39
20108 ANA DELARROCHA VALDEZ	44.59
20258 STACY & DEAN PECK	31.32
20339 HERIBERTO ESRADA	6.79
20471 JG HARDWARE STORE	5.35
20559 BANKCARD CENTER	1266.60
20827 LAURA'S FUNKY CITZ& NAILS	85.60
20831 DAYMAN MARRINEZ	24.20
20909 SANTIAGO BANUELOS	5.60
21297 N. DOS PALOS WATER DIST	1290.80
21385 ADAM GARIBAY	3.00
21680 BULMARO VASQUEZ	30.99
21959 INGRAHAM TROPHIES	1388.86
22050 DEPT OF CONSERVATION	3.99
22068 MERCED COUNTY ASSN OF GOVERN	9739.00
22075 N. DOS PALOS WATER DIST	1320.68
22131 ACADEMY WEST INS SVCS	15.00

22132 ARAMARK	498.38
22134 AT&T	381.65
22136 AUTOZONE,INC	854.50
22143 BONDS & SN SEPTIC TANK	250.00
22145 BUREAU OF RECLAMATION	1458.00
22146 CALIFORNIA ASSOC. OF MUTUAL WATER	250.00
22151 CANTAS	633.82
22154 COMCAST	1009.75
22156 DEPT OF TRANSPORTATION	159.04
22157 DOS PALOS FIRE	225.00
22160 FAR WEST LAB. INC	2234.00
22162 FRESNO MOBILE RADIO INC	350.00
22163 FRONTIER COMMUNICATIONS	60.24
22165 ERNESTINA GARCIA	45.00
22166 GOVINVEST, INC	5000.00
22167 GREAT AMERICA FINANCIAL SERVICES	471.49
22169 HCL MACHINE WORKS	174.98
22170 HOME DEPOT CREDIT SERVICES	3341.36
22171 INGRAHAM TROPHIES	98.44
22176 LIEBERT CASSIDY WHITMORE	3698.00
22177 STEVEN MALDONADO-GODINEZ	61.14
22179 MCCROMETOR INC	1722.94
22182 MID VALLEY IT	11893.32
22191 PACIFIC GAS & ELECTRIC	28197.41
22194 QUAD KNOFF	17524.15
22195 QUANTUM FSD	124.95
22197 REDSTONE CONSTRUCTION	119866.50
22201 BROOKE SILVA	55.49
22204 SORENSENS TRUE VALUE HARDWARE	57.60
22205 S. DOS PALOS WATER DISTRICT	4362.77
22206 SPARKLETTS	118.91
22208 STATE FOODS SUPERMARKET	51.54
22209 SUNRUN INSTALLATIONS SERVICES	1500.00
22210 SWRCB	65.00
22213 THE WESTSIDE EXPRESS	110.00
22216 USA BLUE BOOK	7333.03
22217 USDA SERVICE CENTER RURAL	4251.23
22219 VERIZON WIRELESS	1051.87
22226 EMPLOYEE CHECK	138.52
22228 EMPLOYEE CHECK	138.52
22229 EMPLOYEE CHECK	138.52
22234 COLONIAL LIFE & ACCIDENT	92.50
22236 KEENAN & ASSOCIATES	22125.66
22237 LAW OFFICES OF BENNETT & SHARPE	96.00

22238 OPERATING ENGINEERS LOCAL #3	522.50
22239 WASHINGTON NATIONAL INS COMP	163.10
11/20/1960 CINDY BERMUDEZ	250.00

TOTAL COMPUTER WARRANTS:	260826.31
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BEGINNING BALANCE:	970,990.52
TOTAL COMPUTER WARRANTS:	-260,826.31
OUTSTANDING DEPOSITS:	3,929.12
TOTAL CASH FLOW BALANCE:	714,093.33

Pre-Paid Listing August 2023

22799	Ashton Llanez	08/02/2023	\$	77.43
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Report Total (1 checks):			\$	77.43
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AP Checks by Date - Summary by Check Date (9/14/2023 2:33 PM)

Warrant Listing - September 2023

22916	AAA Business Supplies & Interiors	09/14/2023	\$	408.29
22917	Agile Occupational Medicine, PC	09/14/2023	\$	240.00
22918	All Phase Electric	09/14/2023	\$	472.34
22919	Aqua-Metric	09/14/2023	\$	3,026.02
22920	Aramark	09/14/2023	\$	395.45
22921	AT&T	09/14/2023	\$	399.33
22922	Lozano Smith Attorneys at Law	09/14/2023	\$	638.44
22923	AutoZone, Inc.	09/14/2023	\$	226.63
22924	Baker Supplies and Repairs	09/14/2023	\$	138.80
22925	Bankcard Center	09/14/2023	\$	811.99
22926	Bankcard Center	09/14/2023	\$	1,047.24
22927	Bankcard Center	09/14/2023	\$	606.32
22928	Clifton Battles	09/14/2023	\$	103.30
22929	Bonds & Son Septic Tank Servic	09/14/2023	\$	250.00
22930	Bureau of Reclamation	09/14/2023	\$	2,468.88
22931	Casey Moving Systems	09/14/2023	\$	90.00
22932	Central California Irrigation	09/14/2023	\$	11,357.27
22933	Central Concrete	09/14/2023	\$	2,529.43
22934	Cintas	09/14/2023	\$	900.08
22935	Comcast	09/14/2023	\$	1,104.64
22936	CSG Consultants, Inc.	09/14/2023	\$	7,055.70
22937	Department of Justice	09/14/2023	\$	258.00
22938	Dos Palos Fire Dept.	09/14/2023	\$	225.00
22939	Dos Palos Lions Club	09/14/2023	\$	1,595.54
22940	Electric Drives, Inc.	09/14/2023	\$	3,652.15
22941	Far West Laboratories, Inc.	09/14/2023	\$	12,441.00
22942	Ford Motor Credit Company	09/14/2023	\$	635.77
22943	Frasier Irrigation	09/14/2023	\$	545.54
22944	Fresno Mobile Radio Inc.	09/14/2023	\$	350.00
22945	Frontier Communications	09/14/2023	\$	62.27
22946	Veronica Gamino	09/14/2023	\$	105.32
22947	Gopher	09/14/2023	\$	1,252.67
22948	Great America Financial Services	09/14/2023	\$	362.89
22949	Hawks & Associates CPAs, Inc	09/14/2023	\$	1,890.00
22950	HCL Machine Works, Inc	09/14/2023	\$	61.94
22951	Home Depot Credit Services	09/14/2023	\$	4,264.06
22952	JG Hardware Store	09/14/2023	\$	134.20

22953	Justin's Tire and Auto	09/14/2023	\$	689.43
22954	Katen Pest Solutions	09/14/2023	\$	335.00
22955	Kellogg's Supply	09/14/2023	\$	136.97
22956	Liebert Cassidy Whitmore A Pro	09/14/2023	\$	211.50
22957	Los Banos Veterinary Clinic	09/14/2023	\$	175.00
22958	Roy Lundy	09/14/2023	\$	71.57
22959	Melin Enterprises, INC	09/14/2023	\$	701.00
22960	Merced County Assn of Governm	09/14/2023	\$	3,913.00
22961	Merced County Public Works	09/14/2023	\$	1,193.16
22962	Mid Valley Disposal	09/14/2023	\$	54,219.80
22963	Mid Valley IT	09/14/2023	\$	10,624.28
22964	Midway Community Water Distric	09/14/2023	\$	9,746.69
22965	N & S Tractor Co.	09/14/2023	\$	130.37
22966	North Dos Palos Water District	09/14/2023	\$	172.12
22967	Northstar Chemical	09/14/2023	\$	6,042.64
22968	NTU Technologies, Inc.	09/14/2023	\$	11,444.80
22969	Orozco Yard Maintenance	09/14/2023	\$	2,750.00
22970	Owen Equipment Sales	09/14/2023	\$	1,953.90
22971	Pace Supply Corp	09/14/2023	\$	1,108.07
22972	Pacific Gas & Electric	09/14/2023	\$	35,831.19
22973	Pegboard	09/14/2023	\$	6,879.17
22974	Pitney Bowes	09/14/2023	\$	170.17
22975	Price Paige & Company CPA's, LLP	09/14/2023	\$	3,780.00
22976	ProForce Marketing, INC	09/14/2023	\$	1,386.75
22977	Quad Knopf	09/14/2023	\$	35,544.36
22978	Quantum FSD, Inc.	09/14/2023	\$	124.95
22979	Safe T Lite	09/14/2023	\$	4,951.38
22980	San Luis & Delta Mendota Water	09/14/2023	\$	2,919.91
22981	Ramon Saucedo	09/14/2023	\$	94.00
22982	Simplot Grower Solutions Firebaugh	09/14/2023	\$	2,688.70
22983	SJVAPCD	09/14/2023	\$	580.00
22984	Smile Business Products, Inc	09/14/2023	\$	121.06
22985	Sorensen's True Value Hardware	09/14/2023	\$	130.46
22986	South Dos Palos Water District	09/14/2023	\$	4,621.90
22987	Sparkletts	09/14/2023	\$	108.28
22988	Springbrook Holding Company, LLC	09/14/2023	\$	767.00
22989	T&T Pavement Markings & Products	09/14/2023	\$	678.56
22990	Tesco Technologies	09/14/2023	\$	525.00
22991	The Phone Connection Inc.	09/14/2023	\$	827.86

22992	The Westside Express	09/14/2023	\$	40.00
22993	Toro Petroleum	09/14/2023	\$	6,610.88
22994	Trans-Rock Trucking	09/14/2023	\$	5,444.00
22995	Utility Service Co., Inc	09/14/2023	\$	11,043.54
22996	Verizon Wireless	09/14/2023	\$	1,127.52
22997	Westamerica Bank	09/14/2023	\$	741.92
22998	Westamerica Bank	09/14/2023	\$	1,503.84
22999	Young's Air Conditioning	09/14/2023	\$	253.00
Report Total (84 checks):			\$	297,221.20

AP Checks by Date - Summary by Check Date (9/14/2023 2:20 PM)

ORDINANCE NO. 438

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DOS PALOS ADDING CHAPTER 20 TO TITLE 3 OF THE CITY OF DOS PALOS MUNICIPAL CODE ESTABLISHING A PURCHASING SYSTEM

RECITALS

WHEREAS, Title 3 of the City of Dos Palos Municipal Code governs revenue and finance within the City; and

WHEREAS, Title 3 of the Municipal Code does not currently contain a purchasing system for the City; and

WHEREAS, the City Council desires through the passage of this Ordinance to add Chapter 20 to Title 3 of the Municipal Code so as to establish a purchasing system for the City.

NOW, THEREFORE, the City Council of the City of Dos Palos does ordain as follows:

SECTION 1. FINDINGS

The City Council has duly considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. PURPOSE

The purpose of this Ordinance is to add Chapter 20 to Title 3 of the Municipal Code in order to establish a purchasing system for the City for the efficient and cost-effective purchase of supplies, equipment and certain services.

SECTION 3. ADDITION TO MUNICIPAL CODE

Chapter 20 of Title 3 is hereby added to the City of Dos Palos Municipal Code to read as follows:

"CHAPTER 3.20

PURCHASING SYSTEM

Sections:

- 3.20.010 Adoption: purpose.**
- 3.20.020 Purchasing department.**
- 3.20.030 Purchasing agent.**
- 3.20.040 Authority.**
- 3.20.050 Exemptions from centralized purchasing.**
- 3.20.060 Requisitions and purchase orders.**
- 3.20.070 Encumbrance of funds.**
- 3.20.080 Bidding and proposals.**
- 3.20.090 Supplies, equipment, and general services.**
- 3.20.100 Inspection and testing.**
- 3.20.110 Contracting for professional services.**
- 3.20.120 Surplus supplies and equipment.**

3.20.010 Adoption: purposes.

In order to establish efficient procedures for the purchase of supplies, equipment, and services, to secure for the City supplies and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function and to assure the quality of purchases, a purchasing system is hereby adopted.

3.20.020 Purchasing department.

The Finance Department is designated as the Purchasing Department of the City. Wherever the term "Purchasing Department" is used in this chapter, it shall refer to and be interchangeable with the term "Finance Department."

3.20.030 Purchasing Agent.

The City Manager shall be and is designated as the Purchasing Agent for the City. Wherever the term "Purchasing Agent" is used in this Code, it shall refer to and be interchangeable with the term "City Manager." The City Manager may authorize the Finance Director, or any other designated employee, to be the City Manager's authorized designee to perform the duties of the City's Purchasing Agent.

3.20.040 Authority.

- (a) The duties and authority of the Purchasing Agent shall be as follows:
 - (1) To purchase or contract for supplies and equipment required by any City department in accordance with purchasing procedures prescribed by this chapter, such administrative regulations as the Purchasing Agent shall adopt and such other rules and regulations as shall be prescribed by the Council.
 - (2) To negotiate and recommend execution of contracts for the purchase of supplies and equipment.
 - (3) To act to procure for the City the needed quality in supplies and equipment at the least expense to the City.
 - (4) To discourage uniform bidding and endeavor to obtain full and open competition, to the greatest extent possible, on all purchases.
 - (5) To prepare and recommend to the Council rules governing the purchase of supplies and equipment for the City.
 - (6) To prepare and recommend to the Council revisions and amendments to the purchasing rules.
 - (7) To keep informed of current developments in the field of purchasing, prices, market conditions and new products.
 - (8) To prescribe and maintain such forms as are reasonably necessary to the operation of this chapter and other rules and regulations.
 - (9) To supervise the inspection of all supplies and equipment purchased to ensure conformance with specifications.
 - (10) To recommend the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any department or which have become unsuitable for City use.
 - (11) To maintain a bidders and/or vendors list, vendors catalog file and records needed for the efficient operation of the Purchasing Department.
- (b) The following approval levels shall apply to purchases:

- (1) A department head may purchase equipment or supplies up to five thousand dollars (\$5,000.00) in the open market; provided such expenditures are within the budget limitations.
- (2) Any purchase of more than five thousand dollars (\$5,000.00) up to twenty-five thousand dollars (\$25,000.00) may be authorized by a department head and the Purchasing Agent. Unless there are fewer than three (3) available vendors, the department head shall first obtain three (3) informal quotations.
- (3) Any purchase of more than twenty-five thousand dollars (\$25,000.00) shall be presented to the Council for authorization and the formal bidding process, or a request for proposals process as applicable, shall be followed.
- (4) Separate purchases of components or equipment, or phasing of projects, solely to avoid the provisions of this section shall not be permitted.

3.20.050 Exemptions from centralized purchasing.

- (a) The Purchasing Agent with approval of the Council may authorize, in writing, any department to purchase or contract for specified supplies and equipment independently of the Purchasing Department; but the Purchasing Agent shall require that such purchases or contracts shall be made in conformity with the procedures established by this chapter and shall further require periodic reports from the department on the purchases and contracts made under such written authorization.
- (b) Cooperative purchases with the state are hereby authorized.

3.20.060 Requisitions and purchase orders.

Purchases of supplies, services, and equipment shall be made by purchase orders duly issued in accordance with the established rules and regulations provided by the Purchasing Agent and/or Purchasing Department.

3.20.70 Encumbrance of funds.

- (a) Except in cases of emergency, the Purchasing Agent or department head, as so authorized within this chapter, shall not issue any purchase order for supplies or equipment unless there exists an unencumbered appropriation in the fund account against which the purchase is to be charged.
- (b) The normal purchasing procedures as provided for under this chapter may be dispensed with only for the purchase of supplies, equipment or

services necessary to provide an essential City-supplied service affecting the public health, safety or welfare. Waiver of said procedures may only occur when the normal purchasing procedure would cause an undue delay in the procurement of the items to ensure emergency services are provided.

3.20.080 Bidding and proposals.

- (a) Notices inviting bids or proposals. Notices inviting bids or proposals shall include a general description of the articles to be purchased or sold and shall state where the forms and specifications may be secured and the time and place for opening bids or proposals. The notices shall be signed by the City Manager.
 - (1) Published notices. Unless otherwise provided, each notice inviting bids or proposals shall be published once at least ten (10) days before the date set for opening bids or proposals. Such publication shall be in a newspaper of general circulation in the City or as may be required by State laws.
 - (2) Vendor list. Bids or proposals from responsible prospective suppliers whose names are on a vendor's list, if so applicable, shall also be solicited.
 - (3) Conditions. The bid or proposal form shall state any qualifications for acceptable vendors and shall state the manner in which bids or proposals will be evaluated.
- (b) Procedures for opening bids or proposals. Sealed bids and proposals shall be carefully safe-guarded until the hour established for opening such bids or proposals. Sealed bids shall be submitted to the City Clerk, or other individual as identified in the respective notice, and shall be identified as bids on the envelopes. The bids shall be opened in public at the time and place stated in the public notice. The City Clerk shall read the name of each bidder and the total price. Unit prices, if applicable, will be read upon request. A tabulation of all bids received shall be open for public inspection during regular business hours. Proposals shall be submitted to the requesting department. Results of the proposals shall not be divulged until after the time has passed for submittal.
- (c) Procedures for opening electronic bids or proposals. Electronic bids and electronic proposals shall be carefully safeguarded until the hour established for opening such bids or proposals. Electronic bids shall be submitted to the City Clerk through the City's online procurement system, or to the email address identified in the respective notice, and shall be identified as bids in the submissions. The bids shall be opened pursuant to

the procedure(s) stated in the public notice. A tabulation of all bids received shall be made available for public inspection through the City's online procurement system, subject to the City Clerk's review and verification. Electronic proposals shall be submitted to the requesting department. Results of the electronic proposals shall not be divulged until after the time has passed for submittal.

- (d) Rejection of bids or proposals. The Council, in its discretion, may reject any and all bids presented under the formal bidding procedure. Proposals may be rejected by the appropriate department head or the City Manager.
- (e) Award of contracts. Contracts shall be awarded to the vendor whose bid or proposal is determined to be to the best advantage of the City, except as otherwise provided in this chapter.
- (f) Tie bids. If two (2) or more bids are for the same total amount or unit price, quality and service being equal, the Council or the City Manager may choose and accept one of the bids.
- (g) Lowest responsible bidders or proposal. All valid responsible bids or proposals shall be considered in determining which is the best. Late or incomplete bids and proposals and void bids shall be disregarded. The designated official shall take into consideration the delivery terms, conditions, and conformity with the specifications and other factors identified in the notice and/or instructions to bidders or the request for proposals. If the lowest vendor is unknown or if their responsibility is in question, proof of such vendor's responsibility may be required.
- (h) Performance bonds. Before entering into a contract, the Council may require a performance bond in such amount as the Council shall find reasonably necessary to protect the best interests of the City. If such bond is required, the form and amount of the bond shall be described in the specifications.

3.20.090 Supplies, equipment and general services.

- (a) Purchases of supplies, equipment and services not subject to section 3.20.110 may be made by the Purchasing Agent or Council as set forth in this section.
 - (1) Minimum number of bids. Purchases shall, wherever advisable, be based on at least three (3) bids and shall be awarded to the lowest responsive and responsible bidder. If bids are not solicited, the department head shall document his or her rationale for not seeking bids.

- (2) Notice inviting bids. The department head shall solicit bids by written requests to prospective vendors, by telephone, and by public notice posted on a public bulletin board in the City Hall, on the City Website or other appropriate website.
- (3) Written bids. Sealed written bids shall be submitted to the person designated in the notice or request for proposals, and such individual shall keep a record of all open market orders and bids for a period of one (1) year after the submission of bids or the placing of orders. This record while so kept shall be open to public inspection.
- (4) Award. Purchases of supplies, equipment and services shall be made to the lowest responsive and responsible bidder unless the City determines that a different vendor provides greater value. In such case, the award shall include findings explaining the rationale for this determination. The City Manager may award contracts of \$25,000.00 or less. The Council shall approve all other awards.

3.20.100 Inspection and testing.

The department head responsible for the order or contract shall inspect supplies and equipment delivered to determine their conformance with the specifications set forth in the order or contract. The department head shall have authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with specifications.

3.20.110 Contracting for professional services.

- (a) Procurement of certain professional services. The services of certain professions that involve extended analysis, the exercise of discretion and independent judgment in their performance, and an advanced, specialized type of knowledge, expertise, or training customarily acquired either by a prolonged course of study or equivalent experience in the field, shall be procured in accordance with the selection procedures specified in this section.
- (b) Selection procedure.
 - (1) Conditions for use. Services provided under emergency procurements are exempt from the requirements of this section.
 - (2) Statement of qualifications. Persons engaged in providing professional services as described in subsection (a), may submit statements of qualifications and expressions of interest in providing such professional services.

- (3) Public announcement and form of request for proposals. The City Manager, or designee, through a request for proposals, shall give adequate notice of the need for such services.
- (4) Discussions. The City Manager, or designee, may conduct discussions with any offeror who has submitted an interest to determine such offeror's qualifications for further consideration. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion.
- (5) Award. Award shall be made to the offeror determined in writing to be best qualified based on the evaluation factors set forth in the request for proposals, and negotiation of compensation determined to be fair and reasonable.
- (6) Alternative procedure. The Council may award professional services agreements without seeking proposals when determined to be necessary or advisable.

30.20.120 Contracting for Public Works Projects.

- (a) For purposes of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:
 - (1) "Public project" is defined as in Section 20161 of the Public Contract Code, and means any of the following:
 - a. A project for the erection, improvement, painting, or repair of public buildings and works.
 - b. Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow.
 - c. Street or sewer work except maintenance or repair.
 - d. Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.
 - (2) "Emergency," is defined as in Section 1102 of the Public Contract Code, and means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.
 - (3) "Responsible bidder," is defined as in Section 1103 of the Public Contract Code, and means a bidder who has demonstrated the

attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract.

- (b) Public projects shall be procured in accordance with Sections 20160 *et seq.* of the Public Contract Code.
- (c) When the expenditure required for a public project exceeds five thousand dollars (\$5,000), it shall be contracted for and let to the lowest responsible bidder after notice.
- (d) It shall be unlawful to split or separate into smaller work orders or projects any public work project for the purpose of evading the requirements of this section or the Public Contract Code, requiring public work to be done by contract after competitive bidding.
- (e) The notice inviting bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least 10 days before the date of opening the bids. Notice shall be published at least twice, not less than five (5) days apart, in a newspaper of general circulation, printed and published in the City, or if there is none, it shall be posted in at least three (3) public places in the City that have been designated by ordinance as the places for posting public notices. The notice shall distinctly state the project to be done.
- (f) In its discretion, the Council may reject any bids presented and readvertise. If two or more bids are the same and the lowest, the Council may accept the one it chooses. If no bids are received, the Council may have the project done without further complying with this section. After rejecting bids, the Council may pass a resolution by a four-fifths vote of its members declaring that the project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market. Upon adoption of the resolution, it may have the project done in the manner stated without further complying with this section.
- (g) In case of an emergency, the Council may pass a resolution by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property. Upon adoption of the resolution, it may expend any sum required in the emergency without complying with this chapter. If notice for bids to let contracts will not be given, the Council shall comply with Chapter 2.5 of the Public Contract Code (commencing with Section 22050).
- (h) All bids shall be presented under sealed cover and accompanied by one of the following forms of bidder's security, which shall be in an amount equal to at least 10 percent of the amount of the bid:

- (1) Cash.
 - (2) Cashier's check made payable to the City.
 - (3) A certified check made payable to the City.
 - (4) A bidder's bond executed by an admitted surety insurer, made payable to the City.
- (i) If the successful bidder fails to execute the contract, the amount of the bidder's security shall be forfeited to the City except as hereinafter provided. The cash or proceeds shall be deposited in the fund out of which the expenses of preparation and printing of the plans and specifications, estimates of cost, and publication of notice are paid.
 - (j) The Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the Council awards the contract to the second lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder if cash or a check is used, or to the surety on the bidder's bond if a bond is used.

30.20.130 Surplus supplies and equipment.

All departments shall submit to the Purchasing Agent, at such times and in such form as prescribed, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The Purchasing Agent shall have the authority to sell all supplies and equipment which cannot be used by any department, or which have become unsuitable for City use, or to exchange the same for, or trade in the same on, new supplies and equipment."

SECTION 4. VALIDITY OF ORDINANCE

If any article, section, sub-section, sentence, clause, or phrase of this Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each article, section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that one or more articles, sections, subsections, sentences, clauses, and phrases be declared invalid.

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SECTION 5. SUMMARY OF ORDINANCE

The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the County at least five (5) days prior to adoption and again fifteen (15) days after its adoption. If a summary of the Ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed Ordinance to be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which the Ordinance is adopted, and again after the meeting at which the Ordinance is adopted. The summary shall be approved by the City Attorney.

SECTION 6. EFFECTIVE DATE

This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

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The foregoing Ordinance was introduced at a regular meeting of the City County held on September 19, 2023, and was adopted at a regular meeting of said City County held on this _____ day of _____, 2023, by the following vote.

Mayor Hogue voted: _____

Mayor Pro-Tem Pigg voted: _____

Councilmember Bravo voted: _____

Councilmember Orlando voted: _____

Councilmember Porter voted: _____

Mayor, City of Dos Palos

ATTEST:

City Clerk

Approved as to Legal form:
CITY ATTORNEY

By _____



MEMO

Date: September 15, 2023
To: Dwayne Jones, City Manager
From: Garth A. Pecchenino, PE, PLS
Subject: City Project Status

Project No.: 230013 /

The following will provide a brief report on the status of various projects and items being addressed by QK staff or working with City Staff to provide assistance for the last month.

Water Plant replacement project:

The contract has been provided to the Contractor for signature. Continue to maintain contact with State on progress of new agreement for funding and addressing comments or providing information.

Valeria Street Project – Caltrans approved the Right-of-way certification, which was the last item of their requests, so we have submitted the project for Construction Funding. **Recently we have responded and provided additional information on the funding request.**

Thomas Street Project – The Contractor has placed the additional curb and gutter and is working to finish out the pavement between the new curb and existing pavement.

Center Street – Warranty Work – The Contractor has been met with by Gordon and myself to review the project and is setting up a schedule with his sub-contractors to complete the work in the next couple of weeks.

Wastewater –

Dora Street Lift Station, have completed an application for additional funding to offset the cost increases, mainly to deal with the increased electrical costs on the project. **No Change**

Other items:

Have completed the filing for the Drought & Water Conservation data upload to the State Water Board Portal SAFER.

The Water Shortage Contingency Plan for submittal to the State Water Board has been completed with a draft report, to be put out for public review and then the final report can be adopted at the next Council Meeting.

Any changes or updates will be provided at the meeting.

GAP