

## RESOLUTION 2021-113

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) APPROVING AN AGREEMENT WITH CHANGING ENVIRONMENTS, INC., DBA SOOFA, IN THE AMOUNT OF \$44,000 FOR THE FIRST YEAR, AND \$18,000 ANNUAL COSTS FOR UP TO FIVE ADDITIONAL ONE-YEAR EXTENSIONS FOR A TOTAL NOT TO EXCEED OF \$134,000; (2) WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASE PURSUANT TO THE SAN PABLO MUNICIPAL CODE SECTION 3.16.110(V); (3) APPROPRIATING \$44,000 FROM THE GENERAL FUND DESIGNATED RESERVE TO FUND THE AGREEMENT; AND (4) AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT AND EXTENSIONS**

WHEREAS, staff was tasked with installing new informational kiosks at City facilities as part of *Enhance Community Resilience: Priority 207 Explore New Information Kiosks/Signage for all City Facilities to Expand City Information and Transparency in the City of San Pablo City Council Priority Work Plan FY 2021-23*, effective March 15, 2021 through Resolution 2021-026;

WHEREAS, these signs from Changing Environments, Inc. (dba Soofa) are solar-powered, wirelessly connected, electronic paper screen displays and will rotate controlled informational content of interest for City of San Pablo residents;

WHEREAS, Soofa provides an easy to operate platform to provide regular updates to the community, and content can differ between locations and can be posted in multiple languages;

WHEREAS, these signs will host advertising within the guidelines the City has specified and the City will receive 20% of the net revenues from any advertising or sponsorships secured;

WHEREAS, these signs are sole-source procurement because there are no alternative manufacturers of standalone solar powered, wirelesses connected electronic paper signs with 42" E Ink display suitable for outdoor use;

WHEREAS, the unique nature of this product allows the City to dispense with standard quotation or bidding process pursuant to the San Pablo Municipal Code Section 3.16.110 C.;

WHEREAS, these signs are considered to be Governmental Signs pursuant to the San Pablo Municipal Code Section 118.04.060.1 and are allowed without a permit and shall comply with the requirements for freestanding pylon-supported or monument signs;

WHEREAS, on August 24, 2021, staff presented this request to the Wireless/S.P.E.E.D. Projects Ad-Hoc Subcommittee and upon completion the Subcommittee recommended the request be forwarded to the City Council for review and approval; and

WHEREAS, the initial investment in these signs is \$44,000 and will be funded from the City's General Fund Designated Reserve and ongoing annual operation and maintenance costs are \$18,000 and will be funded by operating budgets.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo authorizes the City Manager to execute an agreement with Changing Environments, Inc., (dba Soofa) in the amount of \$44,000 for the first year, and \$18,000 annual costs for up to five additional years to install, operate, and maintain six (6) signs in San Pablo for a total not to exceed of \$134,000;

BE IT FURTHER RESOLVED that the City Council waives the competitive bidding requirements pursuant to San Pablo Municipal Code Section 3.16.110 C and authorizes the City Manager to sole source this equipment and services;

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to appropriate \$44,000 from the General Fund Designated Reserve to fund the first-year agreement;

BE IT FURTHER RESOLVED that these signs are deemed Governmental Signs pursuant to the San Pablo Municipal Code Section 118.04.060.1 as their primary purpose is to provide public announcements determined by the City despite any ancillary advertising signage used to offset the costs of the signs; and

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

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ADOPTED this 7<sup>th</sup> day of September, 2021, by the following votes:

AYES:	COUNCILMEMBERS:	Cruz, Ponce, Pineda, Xavier and Pabon-Alvarado
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Dorothy Gantt  
Dorothy Gantt, City Clerk

/s/ Elizabeth Pabon-Alvarado  
Elizabeth Pabon-Alvarado, Mayor