# CITY OF PITTSBURG
# AGENDA

**NOVEMBER 21, 2022**

**CITY HALL COUNCIL CHAMBER**
**65 CIVIC AVENUE, PITTSBURG, CA**

**PLANNING COMMISSION APPEAL**
**6:00 P.M.**

**REGULAR MEETINGS**
**7:00 P.M.**

## CITY COUNCIL
## PITTSBURG ARTS AND COMMUNITY FOUNDATION
## PITTSBURG POWER COMPANY
## SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II
## SUCCESSOR AGENCY

**PRESIDING**

**Holland Barrett White, Mayor/Chair**
**Shanelle Scales-Preston, Vice- Mayor/Chair**
**Juan Antonio Banales, Council Member/Board Member**
**Jelani Killings, Council Member/Board Member**
**Marilyn "Merl" Craft, Council Member/Board Member**

**FOR HOUSING AUTHORITY:**
**S.L. Floyd, Housing Authority Member**
**Annie Hill Herring, Housing Authority Member**

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Pittsburg City Council meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The Pittsburg City Council meets regularly in the Council Chamber at 65 Civic Avenue, unless otherwise noted above. The City Council also sits as the Board of Directors of several other City agencies. The stipends for all agency members conform to state statutes governing compensation amounts. All other Agencies meet on an as needed basis and will be listed above if applicable. Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except from noon to 1:00 p.m. and City holidays). The agenda and reports are also located on the City's website at www.pittsburgca.gov. Additionally, if any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports and documents will also be available for public inspection in the City Clerk's Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

6:00 P.M. - PLANNING COMMISSION APPEAL

1. Appeal of the Planning Commission's Decision to Deny Use Permit and Design Review for upgrade, remodel, and improvements to an existing Gas Station and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, AP-21-1572 (UP, DR).

   On June 14, 2022, the Planning Commission adopted Resolution No. 10206, recommending denial of an application filed by Shann Holdings, LLC (c/o Mel Higginbotham) for Use Permit and Design Review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy, remove two fuel pump dispensers (while maintaining the service station with four remaining fuel pump dispensers), and construct a new 1,600 square foot commercial convenience store, at 1005 Railroad Avenue. On June 23, 2022, Mel Higginbotham, pursuant to PMC 18.18.060, filed an appeal of the Commission's determination.

7:00 P.M. - CONVENE IN OPEN SESSION FOR REGULAR MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

2. Delta View Cats

3. Small Business Saturday

4. Homeless Awareness Month
   Honoring The Bay Church, New Destiny Church, St. Vincent dePaul Society and Loaves and Fishes

CITY MANAGER REPORTS/REMARKS

The City Manager may make brief announcements or informal comments at this time and brief the Council on items of interest. (No Action Required)

PUBLIC COMMENTS

Members of the audience who wish to address the City Council or Agency Boards on issues that are not scheduled for the agenda and on any items listed as part of the Consent Calendar should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. (No Action Required)

COMMITTEE REPORTS

Council Members may make a report on their committee assignments at this time. (see attached list of adhoc committees and other public agencies in which Council members particiapte). (No Action Required)

CITY COUNCIL MEETING

CONSIDERATION

5. Adoption of a City Council Resolution Authorizing the City Manager to Execute a Memorandum of Understanding for a Feasibility Study of Expanded Ferry Service in Contra Costa County

   The Cities of Antioch, Hercules, Martinez, and Pittsburg (collectively, Cities), Contra Costa County (County), Eastern Contra Costa Transit Authority (ECCTA), and the Contra Costa Transportation Authority (CCTA), individually referred to as the Party and collectively referred to as the "Parties," are interested in expansion of ferry service in the county. Building upon a 2015 financial feasibility study, the Parties propose to study the feasibility of expanded ferry service to East County. The Parties have developed a Memorandum of Understanding (MOU) to facilitate plans, studies, and reports to better understand how or whether expanded ferry service can be established.

6. Adoption of a City Council Resolution to Adopt a Pledge to Address Persistent Opportunity Gaps Experienced by Young Men and Women of Color

   The City Council will consider a Resolution approving the adoption of a pledge to address persistent opportunity gaps experienced by young men and women of color.

7. Adoption of a City Council Resolution for Consideration to Hire a CalPERS Retired Annuitant in Accordance with Government Code Sections 7522.56, 21221(h) and 21224

   The intent of this report is to provide City Council with sufficient information to approve the Resolution appointing Alice Evenson as a retired annuitant to provide transitional, extra-help support to the City Clerk's Office and waiving the 180-day waiting period.

8. Adoption of a City Council Resolution to Authorize the City Manager to Negotiate and Execute an Agreement with Local Edition Creative for Citywide Art Planning and Mural Installation Services

   The City of Pittsburg ("City") and Local Edition Creative ("Consultant") are proposing to enter into an agreement whereby Consultant shall coordinate the installation of five murals throughout the City, installation of a sculpture for a 6–8-month duration, project management services, and assist the City with the creation of a strategic art program.

CONFLICT OF INTEREST STATEMENT

City Council/Agency Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SUCCESSOR AGENCY AND SOUTHWEST PITTSBURG GHAD II CONSENT CALENDAR

9. Minutes of November 7, 2022

10. Adoption of a City Council Resolution Authorizing Division of Boating and Waterways Funding Requests and Agreements

    The State of California State Parks and Recreation, Division of Boating and Waterways (DBW) maintains administers several grant and loan programs designed to improve and safeguard the boating experience for all users. DBW funding applications require a City Council Resolution for the City to be eligible to apply for and receive funding.

11. Receive and File the Treasurer's Report for the Quarter Ending September 30, 2022

    Attached is the Treasurer's Report for the fiscal quarter ending September 30, 2022. The report includes the combined detailed information of the City and the Successor Agency's (Agency) investments, which are compliant with the City's and Agency's Investment Policies.

12. Adoption of a City Council Resolution to Temporarily Amend the Senior Executive Staffing Allocation

    The City Manager recommends temporarily amending the staffing allocation plan by adding one (1) Director of Special Projects.

13. Adoption of a City Council Resolution Making Findings in Support of Continuing to Hold Public Subcommittee Meetings by Teleconference Pursuant to California Government Code Section 54953(e)

    Assembly Bill 361 (AB 361) amended the Brown Act to allow local legislative bodies to continue to meet remotely during proclaimed states of emergency under specified conditions. Findings must be made every 30 days.

14. Adoption of a City Council Resolution to Authorize a Third Amendment to the Employment Agreement for the City Attorney

    On July 17, 2018, the City Council approved the appointment of Donna Mooney as City Attorney and authorized an employment agreement. On November 7, 2022, the City Council directed staff to bring to open session for consideration an amendment to the employment agreement to revise the agreement Terms, increase the salary by Five Percent (5%), effective July 10, 2022 and provide for salary increases based on the Consumer Price Index (CPI) and Council approval.

15. Adoption of a City Council Resolution to Authorize a Fourth Amendment to the Employment Agreement for the City Manager

    On February 4, 2019, the City Council approved the appointment of Garrett Evans

as City Manager and authorized an Employment Agreement. On November 7, 2022, the City Council directed staff to bring to open session for consideration an amendment to the Employment Agreement to increase the salary by Seven and a Half Percent (7.5%), effective July 10, 2022 and revise Annual Evaluation terms.

## COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Council Members may request items to be considered for future agendas. An item will only be brought forward with a majority vote and will appear on a future agenda with staff recommendations for further Council consideration.

## COUNCIL MEMBER REMARKS

Council Members may make brief announcements or informal comments at this time. (No Action Required)

## ADJOURNMENT to December 5, 2022

## NOTICE TO PUBLIC

### GENERAL INFORMATION

Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except City holidays). The full packets are also located on the City's website at www.pittsburgca.gov. If any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports or documents will be available for public inspection in the City Clerk's Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

### SPEAKER'S CARD

Members of the audience who wish to address the City Council on issues that are not scheduled for the agenda and on any items listed as part of the agenda should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given up to three minutes to address the Council unless additional time is allowed as provided for spokespersons. Speakers are not permitted to yield their time to another speaker. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. Pursuant to the Brown Act, no action may be taken by the City Council on items not already scheduled on the agenda; however, the City Council may refer your comments/concerns to staff or request that the item be placed on a future agenda.

### PUBLIC HEARINGS

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

### NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

### DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and electronic devices, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

### LIVE MEDIA BROADCASTING ADVISEMENT

City Council meetings are webcast live on the City's website at www.pittsburgca.gov on the Streaming Media page. Past meetings are also archived on that webpage. Watch the live meeting via the City's webcast (www.pittsburgca.gov), or on Delta TV Comcast Channel 32, or Delta TV AT&T U-Verse Channel 99. For more information, please contact the City Clerk's office at 252-4850.

**City Council Outside Agency / Liaison / Sub-Committees Assignments - 2022**

**Updated September 19, 2022**

| OUTSIDE AGENCY BOARDS | COUNCIL MEMBER(S) | TYPE | MEETS | STAFF |
|---|---|---|---|---|
| ABAG | Shanelle Scales-Preston / Holland White Alt. | Standing | Annual | G. Evans |
| Delta Diablo** | Juan Banales / Shanelle Scales-Preston Alt. | Standing | 2nd Wednesday | R. Abono |
| East Co. Co. County Habitat Conservancy | Juan Banales / Jelani Killings Alternate | Standing | Monthly | J. Davis |
| East County Water Management | Juan Banales / Jelani Killings Alternate | Standing | Annual | R. Abono |
| MCE Clean Energy Board | Shanelle Scales-Preston / Holland White Alt. | Standing | 4 Per Year | D. Buchanan |
| TRANSPLAN / ECCRFFA | Holland White / Juan Banales Alternate | Standing | 2nd Thursday | R. Abono |
| Tri-Delta Transit (2 reps)*** | S. Scales-Preston & Merl Craft / Jelani Killings Alt. | Standing | Last Wednesday | R. Abono |

| LIAISON TO | COUNCIL MEMBER(S) | TYPE | MEETS | STAFF |
|---|---|---|---|---|
| East Bay League of Calif. Cities | Shanelle Scales-Preston / Merl Craft Alt. | Standing | 3rd Thursday | *Rotational |
| Mayor's Conference | Holland White / Shanelle Scales-Preston Alt. | Standing | 1st Thursday | G. Evans |
| School Districts Committee (2x2) | Shanelle Scales-Preston & Merl Craft / Jelani Killings Alt. | Standing | 2nd Thursday even months | G. Evans |

| SUBCOMMITTEES | COUNCIL MEMBER(S) | TYPE | MEETS | STAFF |
|---|---|---|---|---|
| American Rescue Plan Act (ARPA) | Holland White / S. Scales-Preston / Juan Banales Alt. | Ad Hoc | As needed | G. Evans |
| CAC CDBG Subcommittee | S. Scales-Preston & Jelani Killings / Holland White Alt. | Standing | As needed | M. Aliotti |
| City Council Policy and Procedures Review | Juan Banales & Merl Craft | Ad Hoc | As needed | G. Evans |
| City Infrastructure and Transportation | S. Scales-Preston & Juan Banales / Holland White Alt. | Standing | As needed | R. Abono |
| Community Services Subcommittee | Merl Craft & Shanelle Scales-Preston / Juan Banales Alt. | Standing | As needed | M. Aliotti |
| Constituent Management Services | S. Scales-Preston & Juan Banales / Holland White Alt. | Ad Hoc | As needed | G. Evans |
| Economic Develop/Waterfront Subcommittee | Jelani Killings & Holland White / S. Scales-Preston Alt. | Standing | As needed | J. Davis |
| Finance Subcommittee | Juan Banales & Holland White / S. Scales-Preston Alt. | Standing | As needed | P. Rodrigues |
| Government Performance Subcommittee | Holland White & Jelani Killings | Ad Hoc | As needed | G. Evans |
| Hills Committee | Juan Banales & Jelani Killings / Merl Craft Alt. | Ad Hoc | As needed | G. Evans |
| Land Use Subcommittee | Juan Banales & Holland White / S. Scales-Preston Alt. | Standing | As needed | J. Davis |
| Los Medanos Health Advisory Committee | S. Scales-Preston & Jelani Killings | Ad Hoc | As needed | G. Evans |
| My Brothers Keeper Subcommittee | S. Scales-Preston & Jelani Killings | Ad Hoc | As needed | G. Evans |
| Pittsburg Arts & Community Foundation | Merl Craft & S. Scales-Preston / Jelani Killings Alt. | Standing | As needed | G. Evans |
| Pittsburg Police Activities League (PAL) | Holland White & S. Scales-Preston / Jelani Killings Alt. | Standing | Monthly | B. Addington |
| Pittsburg Recognition Committee | Holland White / Shanelle Scales-Preston Alt. | Standing | As needed | K. Simonton |
| Power Company Advisory | Holland White & S. Scales-Preston / Juan Banales Alt. | Standing | As needed | D. Buchanan |
| Public Safety Subcommittee | Holland White & Shanelle Scales-Preston | Standing | As needed | B. Addington |
| Sister City Committee | Jelani Killings & Holland White / Merl Craft Alt. | Standing | As needed | K. Simonton |
| Tobacco, Cannabis, Alcohol Policy Review | Shanelle Scales-Preston & Jelani Killings | Ad Hoc | As needed | G. Evans |

*Rotational Staff as assigned by City Manager
**Stipend of $170 per month
***Stipend of $100 per month

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Appeal of the Planning Commission's Decision to Deny Use Permit and Design Review for upgrade, remodel, and improvements to an existing Gas Station and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, AP-21-1572 (UP, DR).

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

On June 14, 2022, the Planning Commission adopted Resolution No. 10206, recommending denial of an application filed by Shann Holdings, LLC (c/o Mel Higginbotham) for Use Permit and Design Review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy, remove two fuel pump dispensers (while maintaining the service station with four remaining fuel pump dispensers), and construct a new 1,600 square foot commercial convenience store, at 1005 Railroad Avenue,

On June 23, 2022, Mel Higginbotham, pursuant to PMC 18.18.060, filed an appeal of the Planning Commission's determination.

## FISCAL IMPACT

There is no fiscal impact associated with the recommended action. All on-site project improvements and upgrades to the existing facilities will be borne by the project applicant.

## RECOMMENDATION

City Council receive a staff presentation; provide for an opportunity for the applicant to present the appeal; open the public hearing and take public comment; close the public hearing; and move to adopt the attached resolution upholding the appeal and granting Use Permit and Design Review for upgrade, remodel, and improvements to an existing Gas Station and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, AP-21-1572 (UP, DR).

## BACKGROUND

On June 15, 2021, Mel Higginbotham filed Planning Application No. 21-1572, requesting use permit and design review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy, remove two fuel pump dispensers, and construct a new 1,600 square foot commercial convenience store for Valero.

On May 19, 2022, City staff brought this item to the 2x2 subcommittee meeting with the School Board of the Pittsburg Unified School District to request feedback and comments on the item. The School Board did not raise any concerns over the proposed project.

On June 14, 2022, the Planning Commission held a duly noticed public meeting on the proposed project, considered testimony, and voted 3-2 to adopt Resolution No. 10206 denying, Shann Holdings, LLC (c/o Mel Higginbotham) Use Permit and Design Review approval.

## SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

## STAFF ANALYSIS

Proposed Project

This project consists of demolishing the existing 300 square foot kiosk building, reducing the length of the existing fuel island canopy from approximately 2,000 square feet to 1,400 square feet, removing two fuel pump dispensers, constructing a 1,600 square foot commercial convenience store and 201 square foot trash enclosure, sidewalks, parking lot, and landscaping improvements. The parking lot will include restriping for 5 parking spaces including one (1) loading zone, one (1) van accessible ADA space, electrical conduit capable of supporting one (1) electric vehicle charging station, two (2) uncovered parking spaces, and 8 fuel island canopy spaces. Landscaping upgrades to the project site include planting of climbing vines along the western façade of the building and a new landscape strip along the southern property line, along with maintaining the existing landscaping.

General Plan: The project site is in the ‘Downtown Subarea’ of the General Plan and has a land use designation of ‘Service Commercial.’ In this subarea, retail and commercial office uses line Railroad Avenue, north of East 10th Street. Service commercial uses are located along East 10th Street, and the old County highway.

Zoning: The project site is located within the CS-D (Downtown Service Commercial) District; where a grocery use is a conditionally permitted use with an approved use permit application. Pursuant to PMC section 18.52.100, all projects require design review. The schedule set out in PMC Table 18.52.115 prescribes development regulations for the CS-D District. As shown in Attachment 5 of this report, the proposed project meets or exceeds the CS-D District property development regulations, which include height, FAR, lot coverage, lot area, lot width, setbacks, landscape coverage, and parking for both cars and bicycles.

Neighborhood Opposition

Prior to the Planning Commission hearing staff received letters and emails from the adjacent neighbors and La Raza market in opposition to the project. Several concerns cited the close proximity of the convenience store to the adjacent La Raza Market, unfair economic competition, and safety and security concerns of the existing gas station.

Use Permit and Design Review

In order for the City Council to uphold the appeal by the applicant and approve the Use Permit and Design Review applications key findings must be made in the affirmative.

Design Review Findings: In accordance with PMC section 18.36.220(B), design review approval may be granted if the City Council can make a determination that the proposed project is consistent with the following standards:

A. the structures conform with good taste, good design and in general contribute to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

B. the structures will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;

C. the exterior design and appearance of the structures are not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

D. the structures are in harmony with proposed developments on land in the general area; and

E. the applications conform with the criteria set forth in any applicable city-adopted design guidelines.

Use Permit Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;

2. is not detrimental to the health, safety, and general welfare of the City;

3. will not adversely affect the orderly development of property within the City;

4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;

5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;

6. will not create a nuisance or enforcement problem within the neighborhood;

7. will not encourage marginal development within the neighborhood;

8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law;

9. is consistent with the City's approved funding priorities; and,

10. if located within the Pedestrian Commercial (CP) District, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

For reference, the adopted summary minutes of the Planning Commission meeting are included as an attachment to this staff report. In view of the 3-2 decision not to recommend approval of the project, the appeal request by the applicant to approve the project can be made and all findings for consistency can be made in the affirmative.

As described in the Background section of the attached staff report, the use of a service station with convenience store is consistent with the General Plan and zoning designations of the property. As such, the approval of the project would improve the project area by developing the lot with a well-designed building and updated parking lot and landscaping.

The applicant has indicated to staff that the applicant will implement a "no tolerance" policy toward loitering on the premises. The applicant will also be providing additional safety measures to the site, maintaining a surveillance camera system that will operate 24 hours a day and will provide Pittsburg Police Department access to video surveillance immediately upon request as related to criminal activity, monitoring a live feed of the camera system, post signage prohibiting loitering and the consumption of alcoholic beverages on site, installing height tape next to the exit, and will provide additional public safety measures if determined necessary by the Chief of Police.

Based on the analysis above and included in the attachments to this staff report, staff believes that the City Council can make all of the findings necessary to approve the project as it was presented to the Planning Commission.

ATTACHMENTS:

1. Proposed Resolution Approving Valero C-Store
2. Aerial Vicinity Valero C-Store
3. Existing Site Photos
4. Map of Surrounding Uses
5. Property Development
6. DRDG's Valero C-Store
7. Applicable GP Goals and Policies Valero C-Store
8. 1005 Railroad Ave. Design-Review-Set
9. 1005 Railroad Ave. Final Perspective
10. 1005 Railroad Ave. Valero Store Elevations
11. 1005 Railroad Ave. Valero Canopy Pump Elevations
12. 1005 Railroad Ave. Final Perspective Railroad and East 10th Street
13. Planning Commission Staff Report dated June 14, 2022
14. Planning Commission Resolution no. 10206
15. Planning Commission Minutes June 14, 2022
16. Appeal Application

Report Prepared By: John Funderburg, Assistant Director of Planning

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Upholding an Appeal and Approving Use | ) | |
| Permit and Design Review Approval to | ) | |
| Reduce the Size of an Existing Fuel | ) | |
| Canopy, Demolish an Existing Kiosk | ) | RESOLUTION NO. 22- |
| Building and Construct a 1,600 Square | ) | |
| Foot Commercial Convenience Store at | ) | |
| 1005 Railroad Avenue, for "Valero | ) | |
| C-Store, AP-21-1572 (UP, DR)." | ) | |

WHEREAS, on June 15, 2021, Mel Higginbotham filed Planning Application No. 21-1572, requesting a use permit to expand the existing convenience store use, and design review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy from approximately 2,000 square feet to 1,400 square feet, remove two fuel pump dispensers (while maintaining the service station with the remaining four fuel pump dispensers), and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, in the CS-D (Downtown Service Commercial) District. Assessor's Parcel No. 085-204-006; and

WHEREAS, On May 19, 2022, City Staff brought this item to the 2x2 meeting with the School Board of the Pittsburg Unified School District to request feedback on the item. The School Board did not have any concerns over the proposed project; and

WHEREAS, the proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 (Zoning), and the City of Pittsburg Development Review Design Guidelines (DRDG; Planning Commission Resolution No. 9864); and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, 'New Construction or Conversion of Small Structures' of the state CEQA Guidelines, section 15303(c). This section exempts commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The convenience store building that would be constructed is 1,600 square feet and the remaining fuel canopy would be 1,400 square feet; and

WHEREAS, on or prior to June 4, 2022, notice of the June 14, 2022, public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the "Harbor and School St", "Marina Vista", and "W8th" neighborhoods.

WHEREAS, on June 14, 2022, the Planning Commission held a public hearing on Planning Application No. 21-1572, at which time oral and/or written testimony was considered.

WHEREAS, on June 23, 2022, Mel Higginbotham, pursuant to PMC 18.18.060, filed an appeal of the Planning Commission's determination.

WHEREAS, on or prior to November 11, 2022, in accordance with Government Code Section 65091 and PMC section 18.14.020 notice of the November 21, 2022, public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the "Harbor and School St", "Marina Vista", and "W8th" neighborhoods.

WHEREAS, On November 21, 2022, the City Council held a public hearing on the appeal of the Planning Commission's Decision to Deny Use Permit and Design Review for upgrade, remodel, and improvements to an existing Gas Station and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, AP-21-1572 (UP, DR), at which time evidence from the prior Planning Commission public hearing was reviewed and additional oral and/or written testimony was considered.

NOW, THEREFORE, the City Council finds and determines as follows:

Section 1. Findings

Based on the City Council Staff Report, "Appeal of the Planning Commission's Decision to Deny Use Permit and Design Review for upgrade, remodel, and improvements to an existing Gas Station and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, AP-21-1572 (UP,

DR),," dated November 21, 2022, and based on all the information contained in the Planning Division files on the project adopted and incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and all written and oral testimony presented at the meeting, the City Council finds that:

1. All recitals above are true and correct and incorporated herein by reference.

2. The project was determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Design Review

3. The proposed project will:

    a. The project will conform with good taste, good design and in general contribute to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the proposed structure's materials and earth tone colors are in keeping with the character of the area.

    b. The structures will be protected against exterior and interior noise, vibrations and other factors which may tend to make the environment less desirable, in that the proposed structures will be required to comply with all applicable building and fire codes.

    c. The exterior design and appearance of the site will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, in that the project includes the addition landscaping, such as climbing vines along the western building façade which will appear more attractive than the existing parcel in its current state of underutilization.

    d. The structures will be in harmony with proposed developments on land in the general area, in that the proposed structure's materials and earth tone colors are in keeping with the character of the area and currently there are no proposed developments near the project's vicinity.

    e. The proposed projects will conform with the criteria set forth in the City's adopted Development Review Design Guidelines (DRDG, Planning Commission Resolution No. 9864), if

conditions of approval are adopted requiring the project to: a) screen all utility box transformers, backflow preventers, meters, and junction boxes from public view; b) install downspouts behind building walls; and c) incorporate a cool roof on the building and pre-wire the building roof for solar panels.

Conditional Use Permit

4. The proposed convenience store will:

   a. be in accordance with the objectives of the Zoning Ordinance, the purpose of the land use district in which it is located and is appropriate to the specific location, in that the use is a conditionally permitted use in CS-D (Downtown Service Commercial) District, and the proposed project will be in compliance with all development regulations for the CS-D District;

   b. not be detrimental to the health, safety, and general welfare of the City, in that it will be required to meet health and safety requirements of the Pittsburg Community Development Department and the Contra Costa County Fire Protection District, and if a condition of approval is adopted to limit the operation of the convenience store between the hours of 5:00 a.m. and 12:00 a.m. (midnight), and prohibit alcohol sales before 9:00 a.m. and after 10:00 p.m.;

   c. will not adversely affect the orderly development of property within the City, in that it will be located near similar commercial uses along 10th Street and Railroad Avenue;

   d. not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that it will reflect continued investment in the neighborhood and have a positive impact on the City tax base;

   e. will be consistent with site's 'Service Commercial' General Plan land use designation in that this designation is intended to provide sites for commercial business, including automobile sales and services, building materials, nurseries, equipment rentals, contractors, wholesaling, warehousing, storage, and similar uses. Offices, retail uses, restaurants, and convenience stores should be allowed as ancillary uses;

   f. will not create a nuisance or enforcement problem within the neighborhood, in that the use will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns;

g. will not encourage marginal development within the neighborhood, in that the new development will improve the appearance of the property and neighborhood, by removing a faded structure and replacing it with a new structure with a refreshed appearance;

h. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that it is located in an area of the City served by existing utilities; and

i. will not be inconsistent with the City's approved funding priorities, in that that there is no public money involved in this project.

A. The Staff Report entitled, "Consideration of a Resolution Approving Use Permit and Design Review of the Valero C-Store, AP-21-1572 (UP, DR)," dated June 14, 2022, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, the City Council hereby approves Use Permit and Design Review Application No. 21-1572, subject to the following conditions:

Planning Conditions:

*Use Permit:*

1. Conformity with Project Plans. The project shall be constructed in substantial conformity with the project plans date stamped April 7, 2022, and elevations date stamped May 3, 2022, except as hereinafter may be modified. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.

2. License and Permitting. At all times during operation of the business, the business operator shall maintain a city business license, permit approval from the Contra Costa Department of Environmental Health, permit approval from the Bay Area Air Quality Management District, and other permits as required for the sale of food and dispensing of gasoline on the site.

3. Outdoor Storage. No palettes, shipping or storage containers, drums, scrap materials, recyclable or otherwise, shall be stored outdoors on the premises, except as otherwise approved by the Planning Division.

*Design Review:*

4. Exterior Appearance. The exterior of the structure shall be maintained in a good state of repair and the exterior finish must be clean and well maintained.

5. Site Maintenance. The entire parcel shall be kept clean and free of all litter, debris, and refuse.

6. Landscape Maintenance. The applicant or subsequent business owner or operator shall be responsible for maintaining landscaping in accordance with the approved landscape plan. Amendments or modifications to the approved landscape plan shall be submitted to the city planner for approval.

7. Solar Readiness. The proposed building roof shall be pre-wired to create a solar ready surface.

8. Cool Roof. The entire roofing surface behind the building parapets shall be painted white to create a 'cool roof', consistent with Guideline VI.D.1 of the City of Pittsburg Development Review Design Guidelines (Planning Commission Resolution No. 9864).

9. Electric Vehicle Charging. The applicant shall provide electrical conduit capable of supporting electric vehicle supply charging for a minimum of one (1) vehicle.

10. Bicycle Parking. The applicant shall maintain a permanent, fixed secure bicycle locker with capacity for 2 standard bicycles. The final design and location of any new bicycle locker(s) shall be subject to review and approval by the Planning Division.

11. Utility Screening. All air conditioning units, utility boxes, transformers, backflow preventers, meters, and junction boxes shall be substantially screened from public view using a block or retaining wall screen, wood/architectural screen, or dense landscaping screen, consistent with Guideline IV.d of the City of Pittsburg Development Review Design Guidelines (Planning Commission Resolution No. 9864). Final utility screening methods shall be included on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit.

12. Gutters & Downspouts. All gutters and downspouts shall be placed behind exterior walls, consistent with Guideline IV.m of the City of Pittsburg Development Review Design Guidelines (Planning Commission Resolution No. 9864). Final gutter and/or downspout placement shall be identified on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit.

13. Site Maintenance. The site shall be kept clean and free of all litter, debris and refuse at all times. All landscaping on site shall be kept weed free and maintained in a healthy and thriving condition. Outdoor storage on-site shall be prohibited.

14. Signage. Signage for the use is not approved with this resolution. The applicant or their designee shall submit proposed signs as part of a separate sign permit application, which will be subject to review and approval by the Planning Division prior to installation.

Police Conditions:

15. Video Surveillance. Surveillance camera system shall operate 24 hours a day and be capable of being recorded for up to a minimum of 30 days. Assistant Managers and Managers shall be trained to operate, retrieve, and download information on a readable DVD format for law enforcement. Surveillance camera monitors shall be prominently displayed to the customer showing the interior entrance, cash register area and parking area. The business owner shall provide the Pittsburg Police Department access to video surveillance immediately upon request, as related to criminal activity.

16. Graffiti. Business operator shall clean/remove graffiti within 24 hours of discovery.

17. No Gambling. Gaming and gambling devices shall be prohibited at this site. There shall be no coin operated games or video machines maintained upon the premises at any time.

18. Hours of Operation. Hours of operation for the business shall be limited to the hours between 5:00 a.m. and 11:59 p.m.

19. Alcoholic Beverage Sales. The business operator shall obtain state Department of Alcoholic Beverage Control (ABC) approval of an alcohol off-sale license, prior to the sale of any alcoholic beverages from the convenience store or storage of any alcoholic beverages on-site.

20. No Loitering. The facility operator shall post signage advising customers that consumption of alcoholic beverages and loitering on-site are prohibited. The signage shall be placed in a prominent location near the main entrance of the building and shall be at least one square foot in size, or

larger as necessary to ensure that the text of the sign is legible at a minimum distance of five feet.

21. Payphones. Payphones shall be prohibited on property.

22. Height Tape. Height tape shall be installed next to the exit.

23. The office door will have a "Peep Hole" to allow viewing of the backroom area. The office will also have a live monitor of the activity of the stores' interior and exterior.

24. ABC License. Upon approval of a liquor license by the Department of Alcoholic Beverage Control (ABC), the following conditions shall be applicable:

    a. Signage advertising the availability of alcohol for purchase from the store, including display of corporate logos of alcohol vendors, shall not be posted so as to be visible to any individual positioned outside of the store.

    b. Sales of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 10:00 p.m. each day of the week. There shall be locking devices on doors where alcohol is stored in cold boxes. Locking devices will be activated at 10:00 p.m. each day and de-activated at 9:00 a.m. each day. Buzzers will be on the doors of the cold box, so that clerks will know when someone has removed alcohol from the cold box.

    c. The sale of single containers of beer or malt liquor shall be prohibited. Beer shall only be sold in manufacturer-assembled multi-packs consisting of three or more containers. At no time shall a single unit be sold individually or in conjunction with another brand/size container of beer and/or malt beverage to constitute a six pack or larger quantity.

    d. Fortified wine or 40-ounce alcoholic beverages shall not be sold from the store.

    e. Wine that is sold from the store shall be limited to manufacturer standard-sized containers holding 680 or more milliliters (mL) of product. Single-serving bottles of wine or wine coolers may be sold, provided that each single-serving bottle contains at least 187 mL of alcohol and provided that they are sold in manufacturer-assembled multi-packs of three or more bottles.

    f. Signs prohibiting the possession of alcoholic beverages in open containers and the consumption of alcoholic beverages shall be posted both in and around the premises.

    g. At no time shall there be more than 25 linear feet of shelving within the store that is devoted to the sale and/or display of alcoholic beverages.

25. Transfer of ABC License. In accordance with Business and Professions Code subsection 23800(E), and upon application for transfer of ownership of the ABC license, the Pittsburg Police Department shall reserve the right to amend the conditions of the ABC license.

26. Peace and Order. The business operator shall be responsible for maintaining the peace and order on the premises. All necessary steps shall be taken to ensure that the customers refrain from incidents of violence that adversely impact the safety of the community. Should the business operator fail to control loitering, noise, public disturbances or incidents of violence, and in the event that the business necessitates an increased police presence, the Chief of Police may require the business owner to provide additional public safety measures, including but not limited to, video cameras, additional exterior lighting, hiring licensed and bonded security guards approved by the Police Department, or such other measures as determined necessary by the Chief of Police. Any such required additional measures shall be at the business owner/operator's sole expense.

Engineering Conditions:

*Engineering Fees:*

27. Improvement and Grading Plan Review fees. The applicant shall provide an initial payment for review of the grading and improvement plans with the first submittal. These fees are based on the engineer's estimated costs for site improvements and grading, which shall be submitted with the plans. The improvement plan check fee is 7% of the cost of the improvements. The grading plan check fee is 2.5% of the cost for grading, or it may be based upon cubic yards of earth disturbance as set forth in the City's Master Fee Schedule. Fifty percent (50%) of these total fees are to be paid with the initial submittal of plans and engineer's cost estimate. These initial payments will be credited towards the final fees as determined at engineering permit. The remainder of the fees shall be due payable prior to issuance of an engineering permit.

28. Improvement and Grading Inspection fees. The applicant shall pay the improvement and/or grading inspection fee(s) to the Engineering Division prior to the issuance of a single parcel development permit. The current improvement inspection fee is 6.75% of the engineer's estimated cost for improvements. The grading inspection fee is 3% of the engineer's estimated cost of grading. The grading inspection fee may also be based upon an approved engineer's estimate of total cubic yards, according to the current schedule of grading fee charges as set forth in the City's Master Fee Schedule.

29. Facility Reserve Charge. Prior to the issuance of a building permit, the applicant shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Division for water and sewer service in the amounts in effect at the time of building permit issuance. The applicant understands that the current FRC on file, effective August 20, 2005,

shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City.

30. Local Traffic Mitigation Fee. Prior to issuance of a building permit, the applicant shall pay the Local Transportation Mitigation Fee (PMC Chapter 15.90) (the "LTMF") amount in effect at the time of building permit issuance. The applicant understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City.

31. Regional Traffic Mitigation Fee. Prior to issuance of a building permit, the applicant shall pay the Regional Transportation-Development Impact Mitigation Fee (PMC Chapter 15.103) (the "RTDIM") amount in effect at the time of building permit issuance. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News-Record Construction Costs Index – San Francisco Bay Area, between September 1 and September 1 of the preceding two calendar years.

32. GIS Update. Prior to the issuance of an engineering permit, the applicant shall pay the Geographic Information System (GIS) fee as set forth in the City's Master Fee Schedule. The current fee is $114.19 plus $0.06/sf of parcel improvements for non-residential uses.

33. Supplemental Studies. If additional engineering studies are deemed necessary by the City Engineer, i.e. geotechnical, structural, hydraulic, etc., or expedited reviews are requested by the applicant, the applicant shall pay for all costs related to the extra work. The costs shall be paid at the time of first plan check submittal, and they may include all costs associated with the preparation of special studies, additional staff time, and/or reviews of the special studies if studies are prepared by the applicant's engineer.

*Engineering Submittals:*

34. Improvement Plans. The applicant shall submit an electronic file of the Civil Plans to engfrontdesk@pittsburgca.gov. The plan set should include the following information:

    a. A Site Plan

b. A Grading and Drainage Plan

c. A Utilities Plan

d. A Landscaping and Irrigation Plan

e. An Erosion and Sedimentation Control Plan

f. Offsite Improvements due to Project Impacts

35. Geotechnical Report. The applicant shall submit a current geotechnical report that supports the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and/or the issuance of a site development permit.

*NPDES Requirements:*

36. Stormwater Pollutants. The applicant shall incorporate long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long term BMPs to limit pollutant generation, discharge, and runoff. Such source control design measures may include:

a. Incorporating landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices.

b. Providing covered trash, food waste, and compactor enclosures.

c. Using pavers for walkways and other appropriate hardscape surfaces to minimize impervious areas.

d. Minimizing the amount of directly connected impervious surface area.

e. Marking all storm drains with "No Dumping, Drains to Delta" messages.

f. Constructing concrete driveway weakened plane joins at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.

g. Plumbing of the following discharges to the sanitary sewer, subject to Delta Diablo's authority and standards:

- Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurant.

- Dumpster drips from covered trash and food compactor enclosures.
- Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
- Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.

37. Stormwater Pollution Protection During Construction. Prior to the issuance of a grading permit, the applicant shall submit an Erosion and Sedimentation Control Plan The Plan should include measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with California Stormwater Quality Association's (CASQA's) construction handbook.

*Engineering Design Conditions:*

38. ADA Compliance. The applicant shall remove and replace the two driveways along 10th Street with one 35-foot-wide ADA compliant commercial driveway, per City standard specifications.

39. Driveways. The applicant shall remove the existing 40-foot-wide driveway along Railroad Avenue and replace it with one 35-foot-wide ADA compliant driveway.

40. Sidewalk Improvements. The applicant shall remove the existing pavers fronting the property limits along Railroad Avenue and 10th Street, and replace the pavers with concrete sidewalk.

41. Curb Ramps. The applicant shall remove the existing curb ramp at the northwest corner of the project site at Railroad and 10th Street, and install a concrete, ADA compliant curb ramp.

<u>Standard Conditions:</u>

42. Other Agency Requirements. The applicant shall comply with all the requirements of the Community Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.

43. Sales Tax on Construction Materials. The applicant, subsequent developers, or their contractors, subcontractors, agents, or affiliates shall use best reasonable efforts to pay local sales tax in connection with the purchase, acquisition, and/or supply of goods and materials, as well as any new or replacement equipment and supplies purchased during the course of operation. Sales tax(es) shall be apportioned and paid at the applicable sales tax rate in effect for the City as administrated by the California Department of Tax and Fee Administration (CDTFA). At no point may Developer or its contractors, subcontractors,

agents or affiliates contractually agree to waive or share sales and use taxes from this Project with any other city, county or entity in the State of California, including another jurisdiction where they have offices or conduct business. The City of Pittsburg will be the sole jurisdiction of record to the transfer of title. Developer and its contractors, subcontractors, agents and affiliates shall comply with the Sales and Use Tax Requirements ("Requirements") set forth below and all CDTFA requirements.

44. Standard Conditions of Development. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is conflict between the Standard Conditions of Development and the conditions of approval specified in this resolution, the specific conditions of this resolution shall govern.

45. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

46. Expiration of Approval. This design review approval will expire on November 21, 2024, unless a building permit or grading permit has been issued for purposes of construction of this project, or a written request for an extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of permit issuance, unless work is commenced and diligently pursued prior to the expiration of the permit.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November, 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____

Holland Barrett White, Mayor

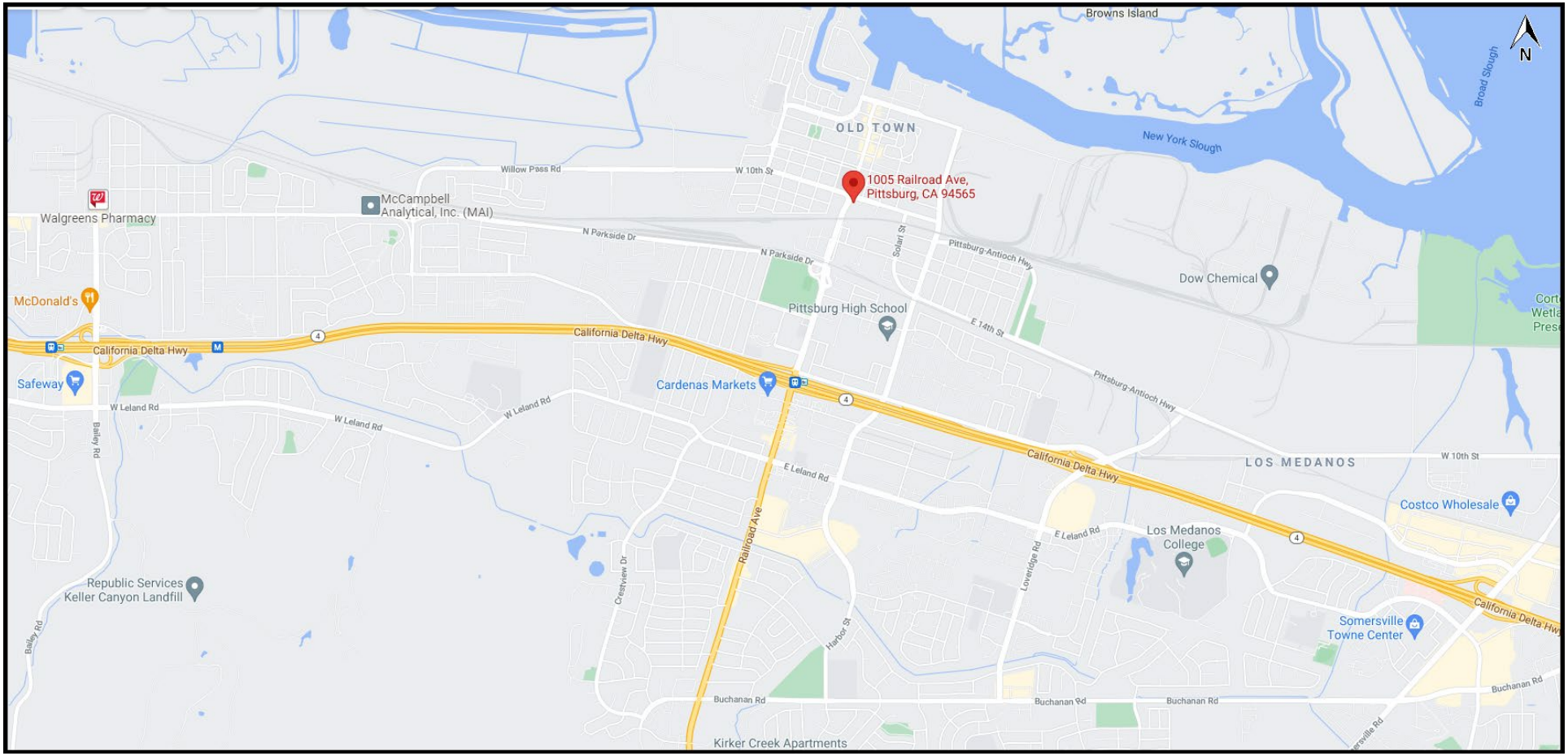
ATTEST:

_____

Alice E. Evenson, City Clerk

# Valero C-Store (UP, DR) – Vicinity Map

| | |
|---|---|
| AP-21-1572 | 1005 Railroad Avenue |
| Use Permit, Design Review | APN: 085-204-006 |



# Valero C-Store (UP, DR) – Aerial Map

| | |
|---|---|
| AP-21-1572 | 1005 Railroad Avenue |
| Use Permit, Design Review | APN: 085-204-006 |



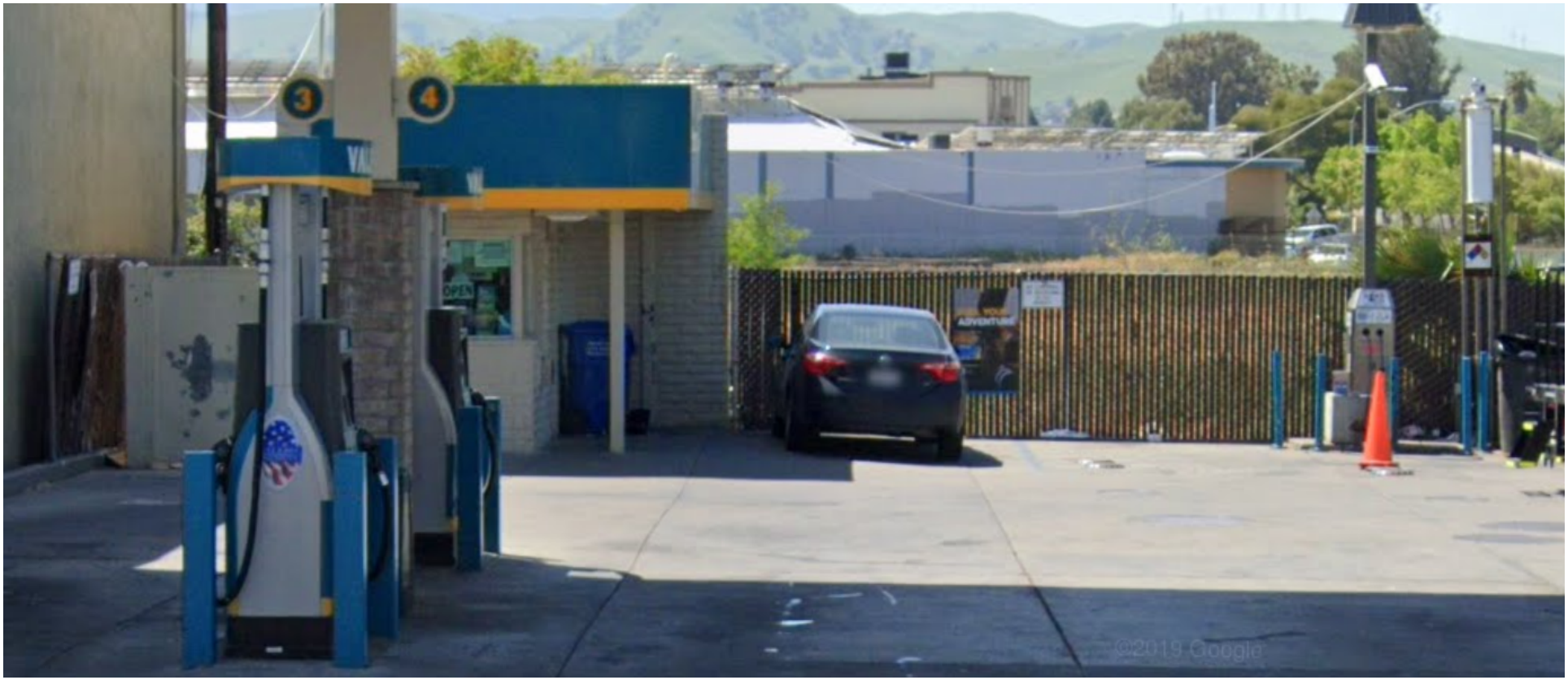
**Attachment 3**
**Existing Site Photos**

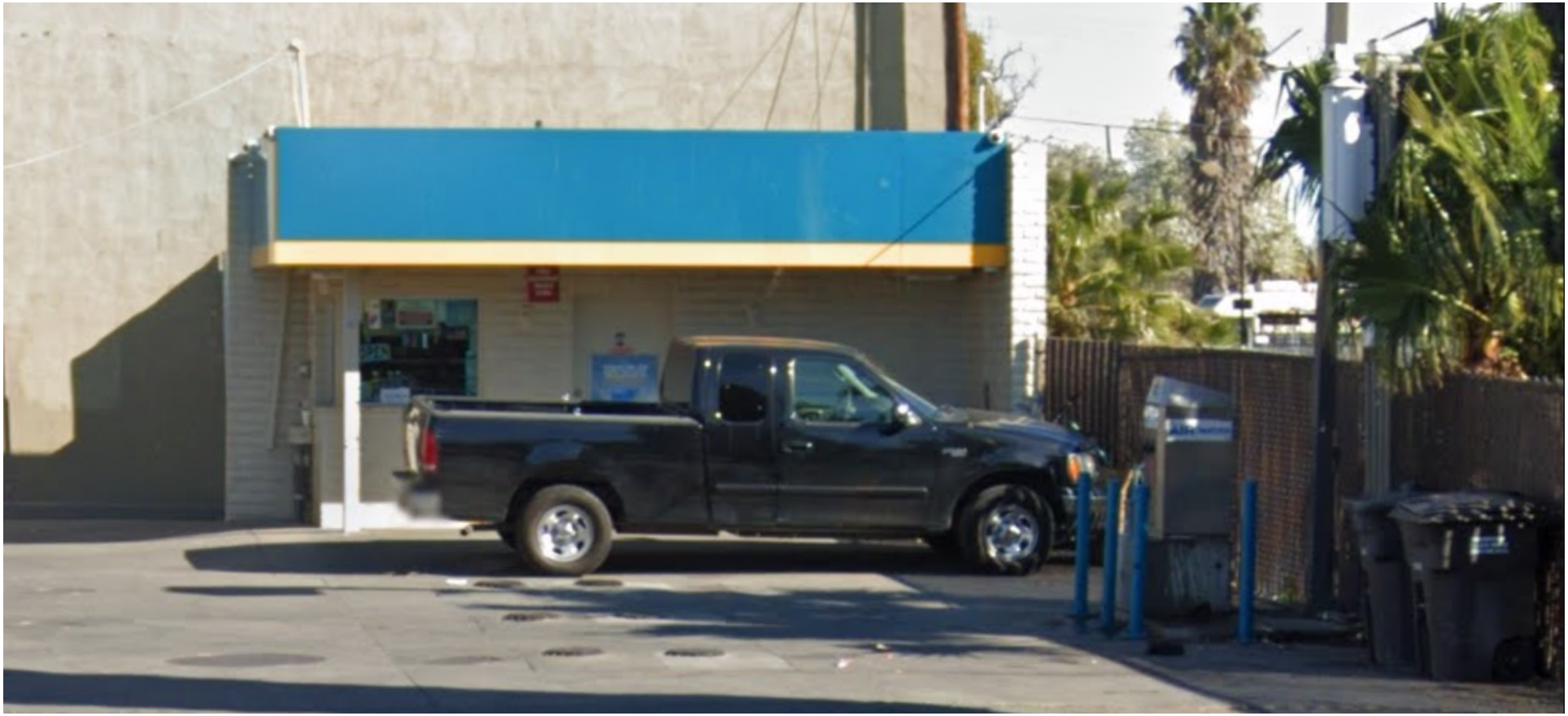
Valero C-Store, AP-21-1572 (UP, DR)




Railroad Ave
VALERO

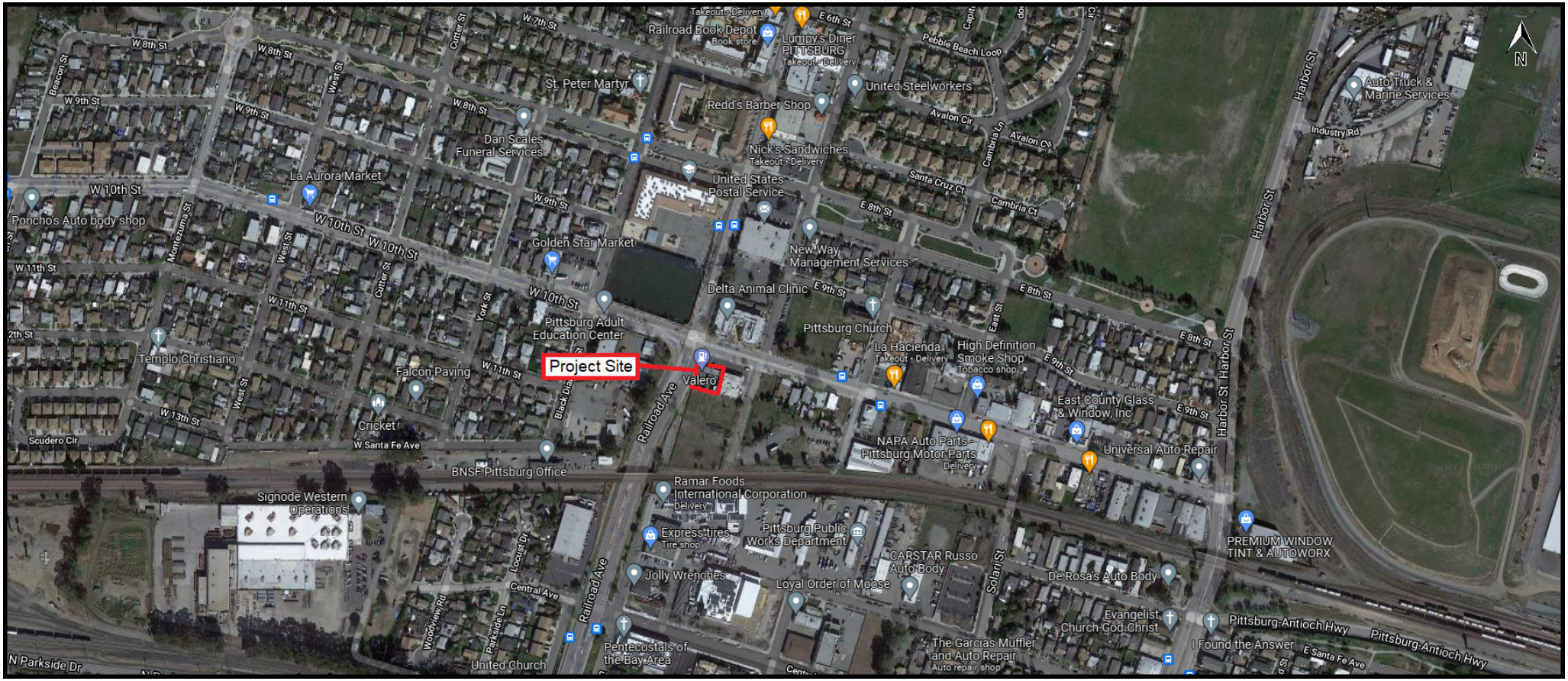

VALERO

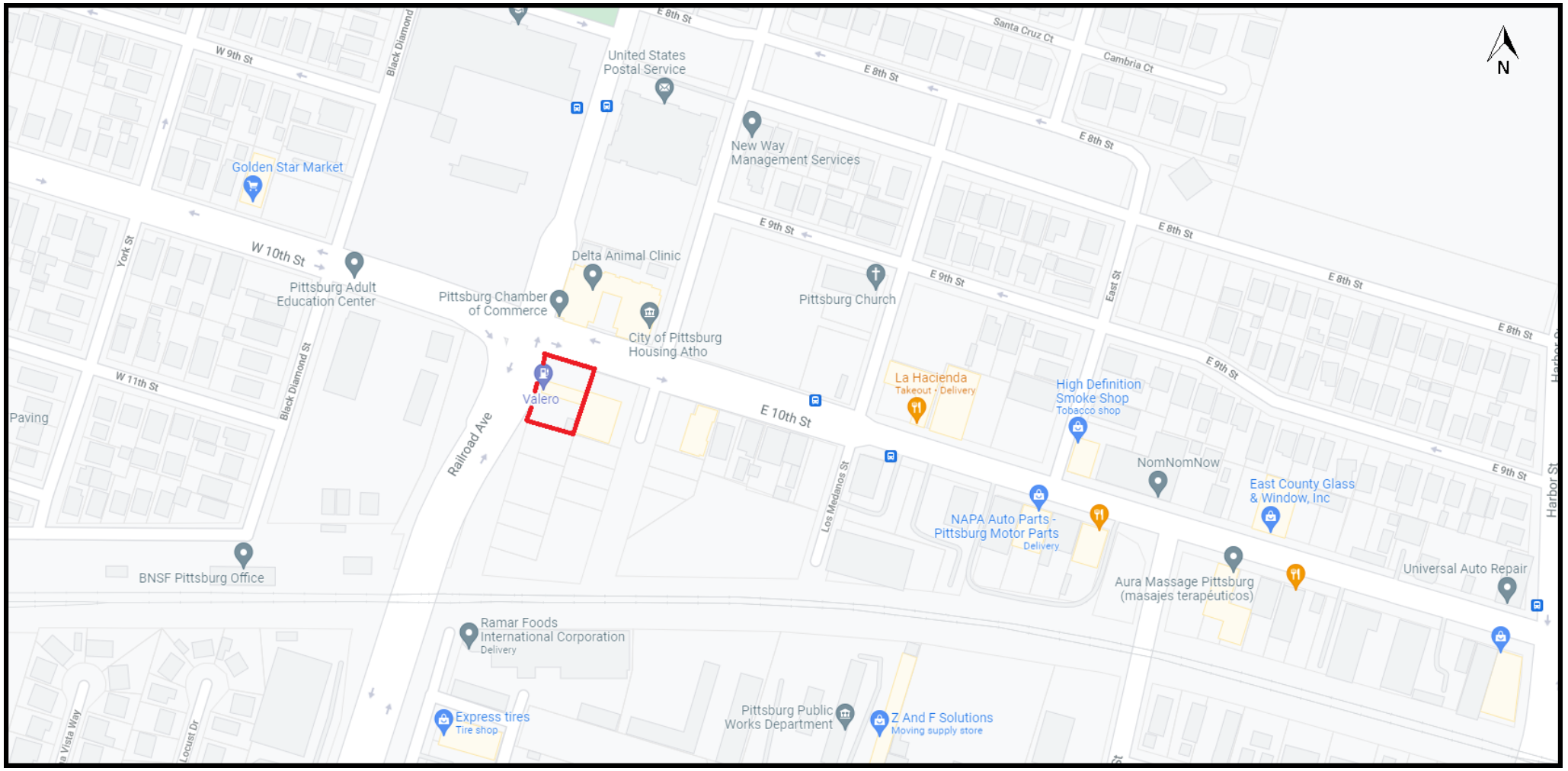

3
4
OPEN
©2019 Google



**Attachment 4**
**Map of Surrounding Land Uses**

Valero C-Store, AP-21-1572 (UP, DR)




N
United States Postal Service
New Way Management Services
Golden Star Market
W 9th St
Black Diamond
E 8th St
Santa Cruz Ct
Cambria Ct
E 9th St
W 10th St
York St
Pittsburg Adult Education Center
Delta Animal Clinic
Pittsburg Chamber of Commerce
City of Pittsburg Housing Atho
Pittsburg Church
East St
W 11th St
Black Diamond St
Paving
Valero
Railroad Ave
E 10th St
La Hacienda
Takeout · Delivery
High Definition Smoke Shop
Tobacco shop
NomNomNow
East County Glass & Window, Inc
Los Medanos St
NAPA Auto Parts - Pittsburg Motor Parts
Delivery
Harbor St
BNSF Pittsburg Office
Aura Massage Pittsburg (masajes terapéuticos)
Universal Auto Repair
Ramar Foods International Corporation
Delivery
Express tires
Tire shop
Pittsburg Public Works Department
Z And F Solutions
Moving supply store
Locust Dr

**Attachment 5**
**Property Development Regulations Table**
Valero C-Store, AP-21-1572 (UP, DR)

| **Development Regulations:** *CS-D (Downtown Service Commercial) District* | **Required:** | **Proposed:** |
|---|---|---|
| Minimum lot area (SF): | 5,000 SF | 10,350 SF |
| Minimum lot width (ft): | 50 ft | 90 ft |
| Minimum Yards: | - | - |
| Front: | - | 40.5 ft |
| Side: | - | 0 ft |
| Corner Side: | | 0 ft to trash enclosure<br>29 ft to fuel dispenser<br>80.417 ft to convenience store |
| Rear: | - | 0 ft |
| Maximum front yard: | 5 ft | 41.67 ft*<br>*maintaining existing setback |
| Maximum height of structures (ft): | 48 ft | 21 ft |
| Maximum lot coverage: | 60% | 30.9% |
| Maximum FAR: | 0.6 | 0.309 |
| Minimum site landscaping: | - | 1.5% |
| Parking Required for Service Station: | 8 spaces<br>( 4 + 1 per 500 sq. ft. of gross floor area) | 12 spaces<br>(including 8 fuel island spaces) |

**Attachment 6**
**Development Review Design Guidelines**
Valero C-Store, AP-21-1572 (UP, DR)

| Design Review Guideline | Meets Guideline? |
|---|---|
| **IV.a:** Parking areas should be screened from view from any public right-of-way (beaming or hedge-type plant material). Parking areas should be broken up (landscape islands, projections, etc.) to eliminate vast areas of parking especially along street frontages. | **Not Applicable.** This guideline is intended for vast areas of parking. 12 parking spaces are being provided in conjunction with this use, and 8 of those spaces are under the fuel canopy. |
| **IV.b:** Provisions should be made for permanent shopping cart corrals in retail shopping centers. | **Not applicable.** This guideline is intended to apply to retail shopping centers. |
| **IV.c:** Existing trees on site should be incorporated into the project side design, unless waived by the City Planner or Planning Commission. | **Yes.** Existing trees will remain on site. |
| **IV.d:** Developer should elect, at least, one of the schemes provided in Appendix #1 for screening all utility box transformers, backflow preventers, meters and junction boxes. | **Yes.** Rooftop equipment will be screened by the parapet. |
| **IV.e:** Projects with many buildings (greater than three) should have a variety of building sizes and masses. | **Not applicable.** There is only one structure proposed on site, in addition to the trash enclosure and fuel canopy. |
| **IV.f:** Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 (fifty) feet in length unless architecture or size dictate a greater expanse. | **Yes.** The parapet includes a raised area above the signage (signage under separate permit) to break up the roofline. |
| **IV.g:** Building entries should be designed as a focal point. They should be designed to set the theme or be the primary feature of the building or commercial center. | **Yes.** The building doors will be painted an accent color (dark bronze) to the building and will provide prefinished metal canopy above to create a focal point. |

| | |
|---|---|
| **IV.h:** Building elevations (example: rear of shopping centers) visible from public right-of-ways should be addressed in design review and treated appropriately. | **Yes.** The stone veneer accent will be continued around the entire building (except for the east side of the building which abuts the neighboring structure). |
| **IV.i:** A free-standing structure within an existing commercial or industrial center should be architecturally compatible with the center, including but not limited to materials, colors and architectural elements. | **Yes.** The proposed structure's materials and colors (earth tones) are in keeping with the character of the area. |
| **IV.j:** All roof mounted equipment should be screened completely from view from all public right-of-ways. A site-line study may be necessary to determine appropriate screening method. | **Yes.** Rooftop equipment will be screened by the parapet. |
| **IV.k:** All Structures, including, but not limited to, "tilt-up" type structures, should have structural reliefs and articulated entries (Encourage the creation of shadow lines). | **Yes.** The building has articulated entries through trim surrounding the doors and windows and canopies over entrances. |
| **IV.l:** Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade. | **Conditionally.** A condition of approval states, all gutters and downspouts shall be placed behind exterior walls. Final gutter and/or downspout placement shall be identified on the construction drawings and shall be subject to review and approval by the Planning Division prior to issuance of a building permit. |
| **IV.m:** Downspouts should be designed into the façade of the building unless architecturally treated. | |
| **IV.n:** Add murals, lattice or some other spaceframe type treatment to blank walls visible from public view. | **Yes.** Planters with climbing vines shall be added to the western elevation between the main building entrance and the service entrance. |
| **IV.o:** Prototype or "theme" architecture is discouraged. | **Not applicable.** No themed architecture is proposed. |
| **IV.p:** New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development. | **Yes.** The proposed structure's features are in keeping with the character of the area, in design, color, and materials. |

| | |
|---|---|
| **I IV.q:** The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation (i.e., no loading doors or large blank walls, absence of architectural features found on other elevations, and limited landscaping as typically found on interior property lines). | **Yes.** The brick veneer on the structure will be continued around the entire building (except for the east side of the building which abuts the neighboring structure). |
| **IV.r:** Trash enclosures should include area for collection of recyclables (example: space for two 90-gallon containers minimum, See Appendix #2 Trash Enclosure Design Standards). | **Yes.** The proposed project includes the construction of a trash enclosure on site. |
| **Green Building Design Guideline** | **Meets Guideline?** |
| **VI.D.1:** Roofs should be designed to integrate renewable energy generation systems and provide a cool urban environment. | **Yes.** The entire roofing surface behind the building parapets will be painted white to create a 'cool roof' and the building will be pre-wired for solar panels. Further, the building height will not cause obstructions in solar access for neighboring buildings. |
| **VI.D.2:** Parking lot impacts should be minimized. | **Not Applicable.** This site does not have a minimum landscaping requirement for trees to minimize parking lot impacts. |
| **VI.D.3:** Hardscapes should be constructed with permeable surfaces (e.g. pervious concrete, porous asphalt, unit pavers, and granular materials). Permeable paving consisting of porous above-ground materials, a 6- inch porous sub-base, and a base layer that is designed to ensure proper drainage away from the building and neighboring properties. Alternatively, impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature (e.g. vegetated swale, on-site rain garden, or rainwater cistern). | **Conditionally.** A proposed condition of approval requires the applicant to comply with all C3 regulations. |
| **VI.D.4:** Design choices should incorporate or prepare for electric vehicle charging or used vegetable oil fueling infrastructure. | **Yes.** Conduit will be run for an electric vehicle charging station. |

| | |
|---|---|
| **VI.D.5:** Fuel cell technology should be considered for application where (1) space or cost prohibits non-emitting on-site generation (such as solar, wind or geothermal), AND either (2) the heat resulting from fuel combustion is utilized for water or space heating, and/or (3) the fuel cells would be used primarily during peak utility hours. | **Yes.** The entire roofing surface behind the building parapets will be painted white to create a 'cool roof' and the building will be pre-wired for solar panels. Further, the building height will not cause obstructions in solar access for neighboring buildings. |
| **VI.D.6:** Reclaimed (purple pipeline) water should be used for as much non-potable water uses as feasible and practical. Landscaping water fixtures using reclaimed water should be purple, and purple and white signage should clearly mark areas that are irrigated with reclaimed water. | **Not Applicable.** Reclaimed water is not currently available at the site. |
| **VI.D.7:** Large commercial and institutional facilities that are anticipated to employ more than 50 employees, should consider providing on-site shops and services for those employees. | **Not applicable.** Less than 50 employees are expected. |
| **VI.D.8:** Street side building faces should encourage walking. | **Yes.** The proposed project includes sidewalk around building. |
| **VI.D.9:** Secure bicycle parking facilities should be provided for at least 10% of expected peak hour trips. Bicycle parking structures should complementary to the surrounding structures and may be partially obscured by vegetation or painted with a mural design that is consistent with surrounding aesthetics. Shade trees should be planted if the parking facility is located in an area not shaded by surrounding structures. They should be located in an accessible and visible space to discourage misuse. | **Yes.** The project provides a secure bicycle locker with capacity for 2 standard bicycles. |

**Attachment 7**
**Applicable General Plan Goals and Policies**
Valero C-Store, AP-21-1572 (UP, DR)

| General Plan Goal/Policy | Analysis |
|---|---|
| **Land Use Element:** | |
| **2-G-1:** Maintain a compact urban form within the City's projected municipal boundary. Ensure that hillside lands not environmentally suitable for development are maintained as open space. | **Consistent.** The proposed project would occur within city limits on a project site of less than 5 acres and is not located in an Open Space District. |
| **2-G-4:** Provide a range of development intensities, with the highest intensities in Downtown and in areas accessible to transit and services, and lower intensities in hillsides and at the City's southern edge. | **Consistent.** The proposed project is located in Downtown and is accessible to transit and services. |
| **2-G-6**: Maintain programs and provide incentives for use of vacant infill land and reuse and revitalization of underutilized sites. | **Consistent.** The proposed project would occur on an existing underutilized site. |
| **2-P-7:** During development review, consider project compatibility with existing surrounding land uses. Ensure that sensitive uses—such as residences, schools, and parks—are not subject to hazardous or unhealthy conditions. | **Consistent.** The project site is in the 'Downtown Subarea' of the General Plan and has a land use designation of 'Service Commercial'. Surrounding uses include commercial uses. The proposed project would be compatible with the surrounding uses in that the convenience store use is permitted in this district with a use permit and is compatible with the surrounding uses. |
| **Land Use Element – Downtown Subarea** | |
| **2-P-32:** Concentrate all Downtown Commercial activity—which includes specialty retail, professional offices, personal services, entertainment and other uses along the Railroad Avenue corridor. (Downtown: 5-P-2) | **Consistent.** The proposed project is a commercial use located along Railroad Avenue. |
| **Growth Management:** | |
| **3-G-1:** Manage the City's growth to balance development of housing options and job opportunities, protection of open space and habitat areas, construction of transportation improvements, and preservation of high quality public facilities. | **Consistent.** The proposed project would not be located in an open space zoning designation and the use is a conditionally permitted use in the Downtown Service Commercial zoning district in which it is located. |
| **3-G-4:** Maintain programs and provide incentives for use of vacant infill land and reuse and revitalization of underutilized sites. (Land Use Goal 2-G-6) | **Consistent.** The proposed project would occur on and revitalize an underutilized site. |
| **3-P-1:** Allow urban and suburban development only in areas where public facilities and infrastructure (police, fire, parks, water, sewer, storm drainage, and community facilities) are available or can be provided. | **Consistent.** The project site is in an area where public facilities and infrastructure exists. |

| | |
|---|---|
| **3-P-2:** Prior to project approval, ensure that the existing and planned transportation system will have adequate capacity to accommodate new urban development. | **Consistent.** The project site is within 1/4 mile of a bus stop for weekday routes 381 and 387, and weekend routes 392 and 394. |
| **Economic Development Element** | |
| **6-G-4:** Maintain and enhance an attractive climate for conducting business in Pittsburg. | **Consistent.** The proposed site improvements with this project would enhance the area and provide a more attractive climate for conducting business. |
| **Transportation Element** | |
| **7-P-30:** Work with Tri-Delta and planning area residents to plan for local bus routes that more effectively serve potential riders within local neighborhoods. | **Consistent.** The project site is within 1/4 mile of a bus stop for weekday routes 381 and 387, and weekend routes 392 and 394. |
| **Resource Conservation Element** | |
| **9-P-19:** As part of the City's Zoning Ordinance, establish regulations for the preservation of mature trees. Include measures for the replacement of all mature trees removed. | **Consistent.** There would be no trees removed in conjunction with this project. |
| **Health and Safety Element** | |
| **10-P-16:** Ensure compliance with the current Uniform Building Code during development review. Explore programs that would build incentives to retrofit unreinforced masonry buildings. | **Consistent.** The proposed project would be conditioned to comply with all the requirements of the Community Development Department, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state, and federal agencies. |
| **Public Facilities Element** | |
| **11-G-4:** Maintain environmentally appropriate wastewater management practices. | **Conditionally.** The proposed project is conditioned to incorporate long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. |
| **11-G-10:** Encourage buffer landscaping and multi-use of utility sites and rights-of-way to harmonize with adjoining uses. | **Consistent.** The proposed project will maintain the existing landscaping along the southern and western property lines. |
| **Noise Element** | |
| **12-G-3:** Continue efforts to incorporate noise considerations into land use planning decisions and guide the location and design of transportation facilities to minimize the effects of noise on adjacent land uses. | **No conflict.** The proposed project is an expansion of the existing use and would produce little noise to effect adjacent land uses. |

# GENERAL NOTES

1. IN THE EVENT OF DISCREPANCIES BETWEEN THE DRAWINGS OR SPECIFICATIONS, IN THIS PACKAGE, NOTIFY ARCHITECT IMMEDIATELY.
2. ARCHITECT SHALL NOT BE RESPONSIBLE OR HAVE CONTROL OR CHARGE OVER ACTS OR OMISSIONS, CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR THE SAFETY PRECAUTIONS & PROGRAMS OF THE CONTRACTOR, SUBCONTRACTOR, OR ANY OTHER PERSONS PERFORMING WORK ON THE PROJECT.
3. ARCHITECT HAS NOT BEEN RETAINED FOR REVIEW, SUPERVISION OR ADMINISTRATION OF THE CONTRACT, NOR CERTIFICATION OF PAYMENTS, CONSTRUCTION COORDINATOR SHALL BE OWNER'S REPRESENTATIVE DURING CONSTRUCTION & UNTIL FINAL PAYMENT IS MADE. THE OWNER'S REPRESENTATIVE WILL REVIEW THE PROJECT & RENDER NECESSARY DECISIONS FOR THE PROGRESS OF THE WORK.
4. CONTRACTOR IS RESPONSIBLE TO SEE THAT WORK IN THE FIELD IS DONE IN ACCORDANCE WITH ALL CURRENT APPLICABLE NATIONAL, STATE, AND LOCAL CODES, ORDINANCES, AND REQUIREMENTS BY THE GOVERNING AGENCIES, WHETHER OR NOT SAID CODES, ORDINANCES, REQUIREMENTS, ETC ARE SPECIFICALLY SHOWN ON THE DRAWINGS AND/OR CALLED FOR IN THE SPECIFICATIONS.
5. CONTRACTOR SHALL PROTECT ALL EXISTING ITEMS AND FACILITIES TO REMAIN THROUGHOUT CONSTRUCTION, CONTRACTOR SHALL REPAIR AND/OR REPLACE, AT CONTRACTOR'S EXPENSE, ANY EXISTING ITEMS AND FACILITIES TO REMAIN THAT ARE DAMAGED BY CONTRACTOR'S OPERATIONS TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.
6. GENERAL CONTRACTOR SHALL COORDINATE THE DELIVERY OF ALL OWNER SUPPLIED EQUIPMENT. THE CONTRACTOR IS RESPONSIBLE FOR INSPECTION OF EQUIPMENT AT THE TIME OF DELIVERY AND SHALL NOTIFY EQUIPMENT SUPPLIER OR ANY DEFICIENCIES OR DAMAGED EQUIPMENT AND ARRANGE FOR REPLACEMENT.
7. CONTRACTOR SHALL COMPLY WITH ALL PERTINENT LAWS, CODES, REGULATIONS, GOVERNING AGENCIES AND MANUFACTURE SPECIFICATION, UNLESS GREATER REQUIREMENTS ARE INDICATED, OR ARE NECESSARY FOR SAFE WORKING CONDITIONS.
8. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING JURISDICTIONS AS REQUIRED FOR INSPECTIONS AND SHALL PAY INSPECTION FEES ASSOCIATED WITH THE WORK.
9. ARCHITECT SHALL APPLY FOR ELECTRICAL, HVAC MECHANICAL, AND PLUMBING PERMITS.
10. ARCHITECT, SHALL APPLY FOR ALL PERMITS WHICH INVOLVE DRAWING SUBMITTAL AND PROCESSING, BUILDING, FIRE, AND ENVIRONMENTAL HEALTH.
11. THE GENERAL CONTRACTOR SHALL PROVIDE THE OWNER'S ENGINEER WITH A CONSTRUCTION SCHEDULE PRIOR TO STARTING THE WORK, SHALL PROVIDE A QUALIFIED JOB SUPERINTENDENT THROUGHOUT THE WORK, AND PROVIDE THE OWNER WITH PHOTOS SHOWING PIPING AND ELECTRICAL TRENCHES PRIOR TO BACK FILL, AND SHALL PROVIDE A SET OF "AS BUILT" MARKUPS AT COMPLETION.
12. THE GENERAL CONTRACTOR SHALL PROVIDE BARRICADES AND SAFETY SIGN PER OSHA REQUIREMENTS.
13. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR OVERALL CONSTRUCTION SITE CLEANLINESS, INCLUDING PROVISIONS OF A DEBRIS BOX WITH REGULAR SERVICING, REMOVAL OF ALL CONTRACTOR REFUSE AND DEBRIS, AND SWEEPING OF THE ENTIRE YARD AREA AT COMPLETION OF THE WORK.
14. ALL PROCEDURES, TESTING, MATERIALS, LABOR, AND EQUIPMENT SHOWN ON THE PLANS SHALL BE FURNISHED AND INSTALLED BY GENERAL CONTRACTOR, UNLESS NOTED OTHERWISE IN THESE PLANS, EQUIPMENT OR MATERIALS NOTED ONLY AS "FURNISHED BY OWNER" SHALL BE INSTALLED BY THE GENERAL CONTRACTOR.
15. CONTRACTORS SHALL NOT SCALE THESE DRAWINGS FOR CONSTRUCTION PURPOSES, IN THE EVENT OF OMISSION OF NECESSARY DIMENSIONS THE CONTRACTORS SHALL NOTIFY THE ARCHITECT.
16. ERRORS AND/OR OMISSIONS IN THE SCHEDULES DOES NOT RELIEVE THE CONTRACTOR FROM EXECUTING THE WORK SHOWN ON THE DRAWINGS OR DESCRIBED IN THE SPECIFICATIONS.
17. NO HAZARDOUS MATERIALS WILL BE STORED AND/OR USED WITHIN THE BUILDING WHICH WILL EXCEED THE QUANTITIES LISTED IN THE CBC TABLE 307.1 (1) AND 307.1(2).

# ABBREVIATIONS AND SYMBOLS

| | |
|---|---|
| & | AND |
| ∠ | ANGLE |
| @ | AT |
| ℄ | CENTERLINE |
| ø | DIAMETER |
| (E) | EXISTING |
| (N) | NEW |
| ± | PLUS OR MINUS |
| # | POUND OR NUMBER |
| ℗ | PROPERTY LINE |
| ○ | ROUND |
| ⏥ | SQUARE FEET/FOOT |
| A.B. | ANCHOR BOLT |
| ACOUS. | ACOUSTICAL |
| AGGR. | AGGREGATE |
| AL. | ALUMINUM |
| ASPH. | ASPHALT |
| A.C. | AIR CONDITIONING |
| A. & W. | AIR & WATER |
| BD./BRD. | BOARD |
| BLDG. | BUILDING |
| BLK. | BLOCK |
| BLK'G. | BLOCKING |
| BM. | BEAM |
| B.N. | BOUNDARY NAILING |
| BOT. | BOTTOM |
| B.R. | BULLET RESISTANT |
| BTWN. | BETWEEN |
| C. | CAMBER |
| CEM. | CEMENT |
| C.H.B. | CONCEALED HOSE BIBB |
| C.I. | CAST IRON |
| CLG. | CEILING |
| CLKG. | CAULKING |
| CLO. | CLOSET |
| CLR. | CLEAR |
| COL. | COLUMN |
| CONC. | CONCRETE |
| CONN. | CONNECTION |
| CONST. | CONSTRUCTION |
| CONT. | CONTINUOUS |
| C.T. | CERAMIC TILE |
| DBL. | DOUBLE |
| DET. | DETAIL |
| D.F. | DOUGLAS FIR |
| DIA. | DIAMETER |
| DISP. | DISPENSER |
| DN. | DOWN |
| D.O. | DOOR OPENING |
| D.S. | DOWN SPOUT |
| DWG. | DRAWING |
| EA. | EACH |
| E.D. | EQUIPMENT DRAIN |
| EL./ELEV. | ELEVATION |
| ELEC. | ELECTRICAL |
| E.N. | EDGE NAILING |
| ENCL. | ENCLOSURE |
| EQ. | EQUAL |
| E.W.M. | ELECTRIC WELDED MESH |
| EXT. | EXTERIOR |
| F.D. | FLOOR DRAIN |
| FDN. | FOUNDATION |
| FIN. | FINISH |
| FLR. | FLOOR |
| FLASH. | FLASHING |
| FLUOR. | FLUORESCENT |
| F.O.C. | FACE OF CONCRETE |
| F.O.F. | FACE OF FRAMING |
| F.O.M. | FACE OF MASONRY |
| F.O.S. | FACE OF STUD |
| FT. | FOOT OR FEET |
| FTG. | FOOTING |
| FURR. | FURRING |
| FUT. | FUTURE |
| GA. | GAUGE/GAGE |
| GALV. | GALVANIZED |
| G.I. | GALVANIZED IRON |
| GL. | GLASS/GLAZING |
| G.L.B. | GLUE LAMINATED BEAM |
| GND. | GROUND |
| GR. | GRADE |
| GWB. | GYPSUM WALL BOARD |
| GYP. | GYPSUM |
| H.B. | HOSE BIBB |
| H.C. | HOLLOW CORE |
| H.M. | HOLLOW METAL |
| HOR./HORIZ. | HORIZONTAL |
| HR. | HOUR |
| HGT. | HEIGHT |
| INSUL. | INSULATION |
| INT. | INTERIOR |
| JT. | JOINT |
| LAM. | LAMINATED |
| LAV. | LAVATORY |
| LT. | LIGHT |
| MAX. | MAXIMUM |
| M.B. | MACHINE BOLT |
| MECH. | MECHANICAL |
| MEMB. | MEMBRANE |
| MTL. | METAL |
| MFR. | MANUFACTURE |
| MIN. | MINIMUM |
| MISC. | MISCELLANEOUS |
| M.O. | MASONRY OPENING |
| MPD. | MULTI-PRODUCT DISPENSER |
| MTD. | MOUNTED |
| N.I.C. | NOT IN CONTRACT |
| NO. | NUMBER |
| NOM. | NOMINAL |
| N.T.S. | NOT TO SCALE |
| O.A. | OVERALL |
| O.C. | ON CENTER |
| O.D. | OUTSIDE DIM./DIA. |
| OPNG. | OPENING |
| OPP. | OPPOSITE |
| PERP. | PERPENDICULAR |
| PL. | PLATE |
| PLAS. | PLASTER |
| PLYWD. | PLYWOOD |
| PR. | PAIR |
| PRCST. | PRE CAST |
| P.T. | PRESSURE TREATED |
| R. | RISER |
| RAD. | RADIUS |
| REF. | REFERENCE |
| REQ. | REQUIRED |
| RES. | RESILIENT |
| RM. | ROOM |
| R.O. | ROUGH OPENING |
| R.S. | RESAWN |
| RWD. | REDWOOD |
| S.C. | SOLID CORE |
| SCHED. | SCHEDULE |
| S.P.D. | SINGLE-PRODUCT DISPENSER |
| SECT. | SECTION |
| SHTG. | SHEATHING |
| SIM. | SIMILAR |
| SPEC'S. | SPECIFICATION |
| SQ. | SQUARE |
| S.S.D. | SEE STRUCTURAL DRAWINGS |
| S.S. | STAINLESS STEEL |
| STD. | STANDARD |
| STL. | STEEL |
| STOR. | STORAGE |
| STRUCT. | STRUCTURAL |
| SUSP. | SUSPENDED |
| SYM. | SYMMETRICAL |
| T.O.C. | TOP OF CURB |
| T & G | TONGUE & GROOVE |
| THK. | THICK |
| T.J. | TRUST JOIST |
| T.O.P. | TOP OF PAVEMENT |
| TRD. | TREAD |
| T.O.S. | TOP OF SHEATHING |
| T.O.W. | TOP OF WALL |
| TYP. | TYPICAL |
| U.O.N. | UNLESS OTHERWISE NOTED |
| UNF. | UNFINISHED |
| VER./VERT. | VERTICAL |
| W.C. | WATER CLOSET |
| WD. | WOOD |
| W.P. | WATERPROOF |
| W.P.J. | WEAKENED PLANE JOINT |
| WT. | WEIGHT |
| W.W.F. | WELDED WIRE FABRIC |
| W.W.M. | WELDED WIRE MESH |
| W/ | WITH |
| W/O | WITHOUT |

# SEPERATE SUBMITTALS

1. –

# INSPECTION REQUIREMENTS

1. –

# SHEET INDEX



| | |
|---|---|
| T-1.0 | TITLE SHEET |
| SP-0.0 | EXISTING SITE/DEMO PLAN |
| SP-1.0 | SITE PLAN |
| SD-1.0 | SITE DETAILS/TRASH ENCLOSURE |
| L1 | PRELIMINARY LANDSCAPE PLAN |
| L1(A) | PRELIMINARY LANDSCAPE PLAN - RENDERED |
| A-1.0 | FLOOR PLAN - C-STORE |
| A-2.0 | ROOF PLAN - C-STORE |
| A-2.1 | ROOF PLAN - CANOPY |
| A3.0 | EXTERIOR ELEVATIONS - C-STORE |
| A3.0a | EXTERIOR ELEVATIONS - C-STORE - COLOR |
| A3.1 | EXTERIOR ELEVATIONS - FUEL CANOPY |
| A3.1a | EXTERIOR ELEVATIONS - FUEL CANOPY- COLOR |



# SHAAN HOLDINGS, LLC
# C-STORE

# PROJECT DATA

PROJECT ADDRESS: 1005 RAILROAD AVE, PITTSBURG, CA; APN: **85204006**

PROJECT DESCRIPTION: DEMOLITION OF EXISTING FUEL KIOSK, REMOVAL OF (2) EXISTING FUEL DISPENSERS, AND PARTIAL DEMOLITION OF EXSITNG FUEL CANOPY. PROPOSED NEW CONSTRUCTION OF A 1600 SQ. FT. SINGLE-STORY C-STORE BUILDING

ZONING: CS-D COMMERCIAL DOWNTOWN OVERLAY

SQUARE FOOTAGE:
C-STORE 1600 SQ. FT.

CONSTRUCTION TYPE: VB, NOT-SPRINKLERED

OCCUPANCY GROUP: M

FAR CALCULATION
LOT AREA: 10,350 SQUARE FEET

BUILDING SQUARE FOOTAGES:
PROPOSED C-STORE: 1,600 SQUARE FEET
MODIFIED FUEL CANOPY: 1,400 SQUARE FEET

BUILDING COVERAGE: 3,000/10,350= 29% COVERAGE

LANDSCAPE COVERAGE: 131/10,350= 1% COVERAGE

# PROJECT TEAM

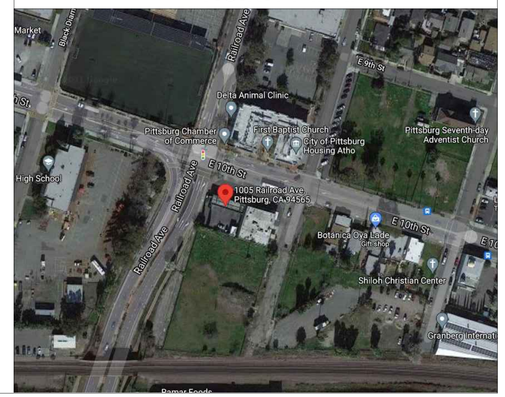
OWNER:
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11584 FRANCIS DRIVE
GRASS VALLEY, CA 95959
530.263.5899
MelH.Architect@gmail.com

# CODES

| | |
|---|---|
| BUILDING CODE | 2019 CALIFORNIA BUILDING CODE |
| ELECTRICAL CODE | 2019 CALIFORNIA BUILDING CODE |
| MECHANICAL CODE | 2019 CALIFORNIA MECHANICAL CODE |
| PLUMBING CODE | 2019 CALIFORNIA PLUMBING CODE |
| FIRE CODE | 2019 CALIFORNIA FIRE CODE |
| ACCESSIBILITY CODE | 2019 CALIFORNIA BUILDING CODE CHAPTER 11B |
| ENERGY CODE | 2019 CALIFORNIA ENERGY CODE |
| HEALTH DEPARTMENT | 2019 CALIFORNIA HEALTH CODE |

# VICINITY MAP




NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"


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LICENSED ARCHITECT
MELVIN R. HIGGINBOTHAM
C-36401
REN. 3/31/23
STATE OF CALIFORNIA

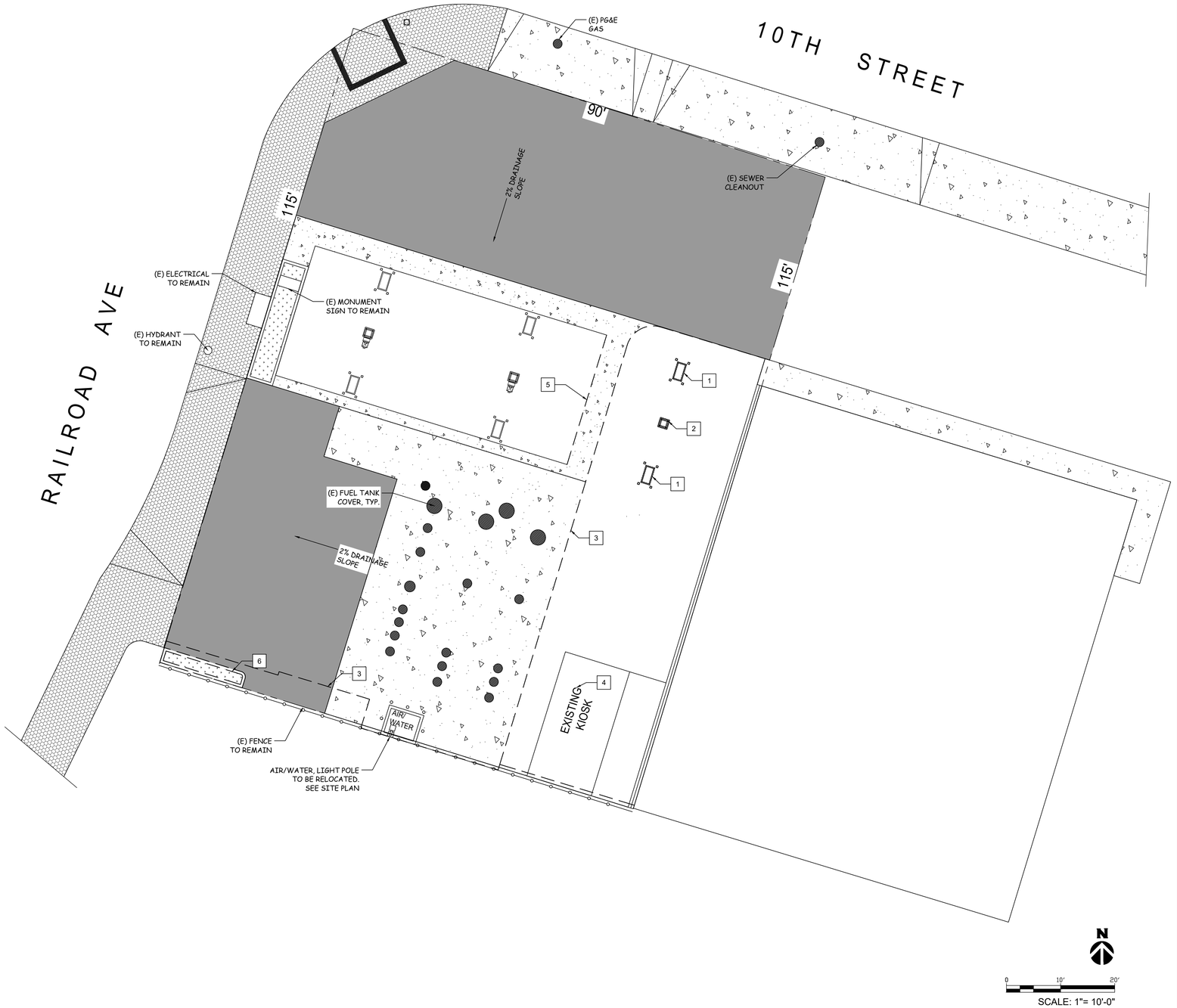
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|---|---|---|---|---|---|---|---|---|
| NO | DESCRIPTION | DATE | DATE | SCALE | DRAWN | CKD | APPD |
| 1 | DESIGN REVIEW PLAN SET | 4/6/22 | | | | | |

1005 RAILROAD AVE
PITTSBURG, CA

TITLE SHEET

T-1.0

C:\Users\MelH\ MB\ 2022\Dropbox\MHA - Central Project Folder\1005 Railroad Ave - Pittsburg\Current Drawings\T1 - Title Sheet.dwg, 4/6/2022 3:03:37 PM, Working.ctb




1 SITE PLAN

1"=10'-0" NOTE:

## # SITE PLAN KEYNOTES

1 REMOVE FUEL PUMP(S), CAP AND SEAL PIPING AS NECASSARY.
2 REMOVE COLUMN, SEE SITE PLAN FOR NEW COLUMN LOCATION..
3 SAW CUT LINE, VERIFY DIMENSIONS ON SITE PLAN.
4 DEMO EXISTING SERVICE KIOSK.
5 DEMO PORTION OF FUEL CANOPY, VERIFY DIMENSIONS ON SITE PLAN.
6 DEMO EXISTING LANDSCAPE PLANTER, TREES TO REMAIN.


M. HIGGINBOTHAM ARCHITECT
LICENSE NO. C-36401

MHA
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LICENSED ARCHITECT
MELVIN R. HIGGINBOTHAM
C-36401
REN. 3/31/23
STATE OF CALIFORNIA

| DATE | SCALE | DRAWN | CKD | APPD |
|---|---|---|---|---|

SET REVISIONS

| NO | DESCRIPTION | DATE |
|---|---|---|
| 1 | DESIGN REVIEW PLAN SET | |

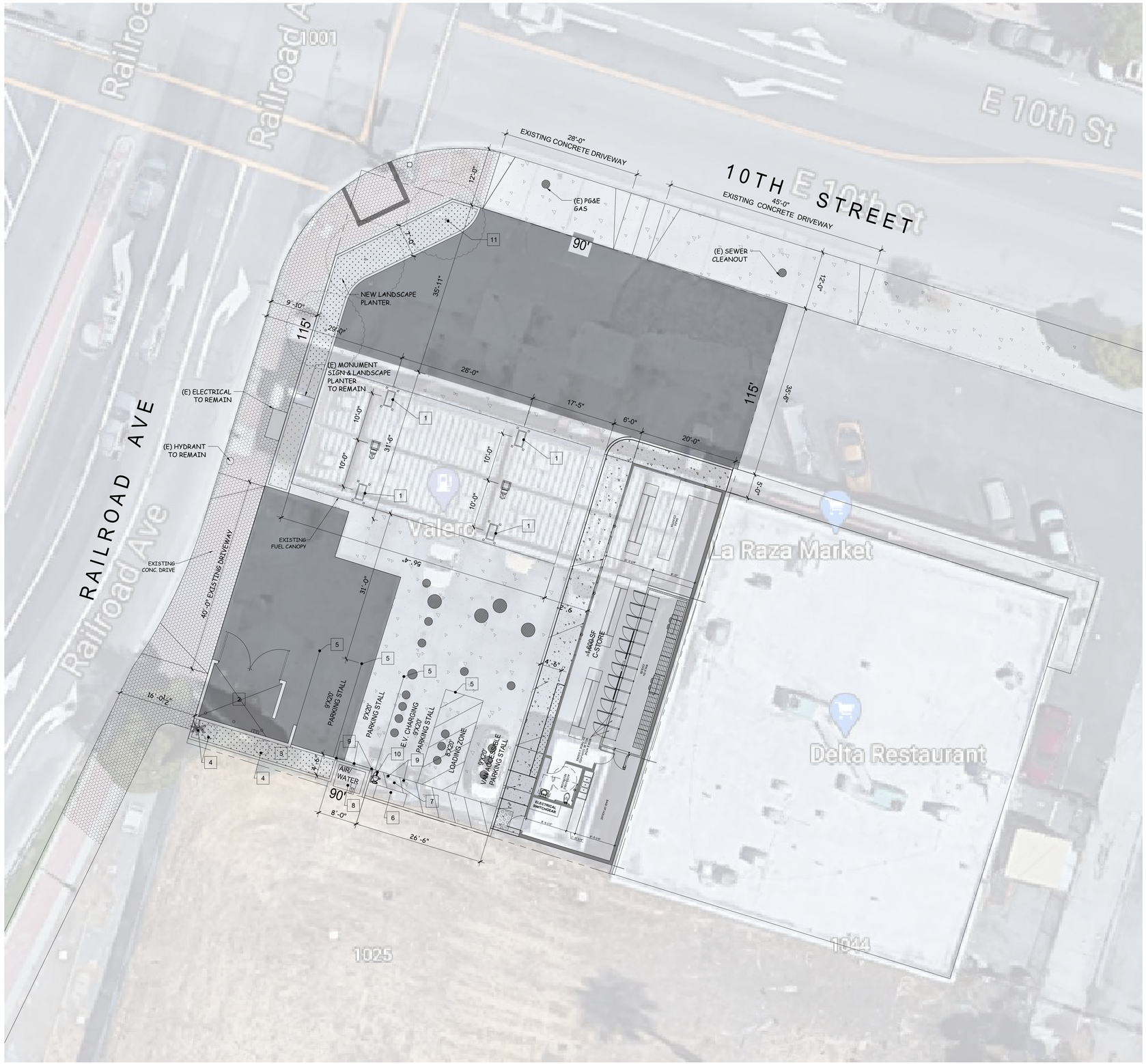
1005 RAILROAD AVE
PITTSBURG, CA

EXISTING SITE PLAN/
DEMO PLAN

SP-0.0

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

© Users\Eric\Dropbox\MHA - Central Project Folder\1005 Railroad Ave - Pittsburg\Current Drawings\SP-0.0 - SITE PLAN-DEMO.dwg, Monday, 3/...




1 SITE PLAN

1"=10'-0" NOTE:

## LEGEND

- EXISTING PAVING TO REMAIN.
- EXISTING CONCRETE TO REMAIN.
- EXISTING SIDEWALK PAVERS TO REMAIN.
- EXISTING LANDSCAPE TO REMAIN.
- NEW LANDSCAPE AREA
- NEW CONCRETE WALKWAY

## # SITE PLAN KEYNOTES

1 (E) FUEL DISPENSER TO REMAIN.
2 NEW TRASH ENCLOSURE, SEE 1/SD-1.0
3 NEW LANDSCAPE STRIP.
4 EXISTING TREE TO REMAIN.
5 NEW PARKING LOT STRIPING.
6 BICYCLE LOCKER, SEE 7/SD-1.0 FOR SPECIFICATIONS.
7 G.C. TO PROVIDE ELECTRICAL CONDUIT CAPABLE OF SUPPORTING E.V. CHARGING STATION.
8 RELOCATED AIR/WATER STATION
9 CONCRETE BOLLARD, SEE 6/SD-1.0 FOR DETAIL.
10 6' BOLLARD SINGLE ELECTRIC VEHICLE CHARGING STATION. PREPED FOR 2ND STATION
11 ADD THREE NEW TREES TO NEW LANDSCAPE PLANTER (SHOWN ON PLAN FOR REFERENCE ONLY.) EXACT TYPE, SIZE AND LOCATION SHALL BE DETERMINED BY LANDSCAPE ARCHITECT DURING CONSTRUCTION DOCUMENTS.

## PROJECT DATA

FAR CALCULATION
LOT AREA: 10,350 SQUARE FEET

BUILDING SQUARE FOOTAGES:
PROPOSED C-STORE: 1,600 SQUARE FEET
MODIFIED FUEL CANOPY: 1,400 SQUARE FEET

BUILDING COVERAGE: 3,000/10,350= 29% COVERAGE

LANDSCAPE COVERAGE: 147/10,350= 1.5% COVERAGE

PARKING CALCULATIONS
USE: SERVICE STATION/ 4 + 1 PER 500 SQ. FT.
1,600/500= 4 + 4 = 8 SPACES REQUIRED
12 SPACES PROVIDED INCLUDING 8 FUEL ISLAND SPACES

## SITE PLAN NOTES

1. GENERAL (E) SURFACE DRAINAGE PATTERN IS TO REMAIN AS IS.
2. ALL (E) ASPHALT SURFACES ON PARKING AREA NOT BEING REMOVED ARE TO BE GIVEN A SLURRY TOP-COAT PRIOR TO RE-STRIPING. DECAYED AREAS OR POTHOLES ARE TO BE FILLED WITH ASPHALT OR CONCRETE AS APPLICABLE PRIOR TO TOP-COAT.
3. ALL PARKING SPACES WHETHER ARE TO BE FRESHLY STRIPED IN DIMENSIONS CONFORMING TO CURRENT MUNICIPAL STANDARDS.
4. (N) SITE LIGHTING IS TO CONFORM TO MINIMUM MUNICIPAL COMMERCIAL ILLUMINATION STANDARDS.
5. ALL SITE AND BUILDING IMPROVEMENTS ARE TO CONFORM TO ACCESSIBILITY STANDARDS AS DEFINED IN THE CURRENT CALIFORNIA BUILDING CODE.
6. APPLICANT FOR THIS PERMIT, OR APPLIANT'S GENERAL CONTRACTOR IS RESPONSIBLE FOR PROVIDING EQUIPMENT AND MATERIALS FOR GENERAL ENVIRONMENTAL PROTECTION DURING CONSTRUCTION UNDER THIS PERMIT, INCLUDING STORM WATER POLLUTION PREVENTION AS MANDATED BY THE JURISDICTION IN WHICH WORK TAKES PLACE.
7. GENERAL CONTRACTOR IS TO VERIFY ALL PROPERTY BOUNDARIES INDICATED ON THIS DRAWING PRIOR TO START OF CONSTRUCTION.
8. ALL CONSTRUCTION MATERIALS, EQUIPMENT, AND TEMPORARY REFUSE ARE TO BE STORED WITHIN THE PROPERTY BOUNDARY AND SOUTHEAST OR NORTHWEST OF THE EXISTING BUILDING ( i.e. GENERALLY CONCEALED FROM LOCAL STREET TRAFFIC).
9. GENERAL CONTRACTOR IS TO FAMILIARIZE THEMSELVES WITH ALL UTILITY EASEMENTS ON THE PROPERTY AND HAVE (E) PIPELINES OR CONDUITS MAPPED BY DIG-ALERT PRIOR TO THE START OF ANY EXCAVATION.

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"


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REN. 3/31/23
STATE OF CALIFORNIA

| SET REVISIONS | | |
|---|---|---|
| NO | DESCRIPTION | DATE |
| 1 | DESIGN REVIEW PLAN SET | 3/15/22 |

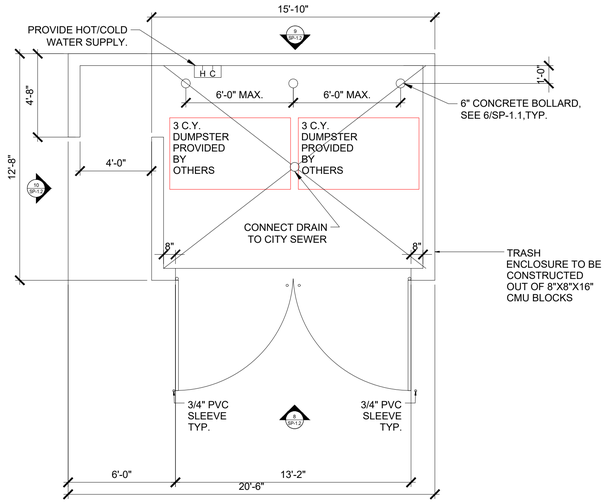
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1005 RAILROAD AVE
PITTSBURG, CA

SITE PLAN

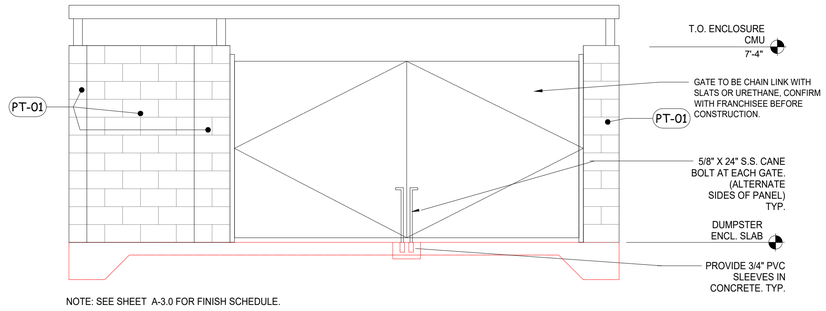
SP-1.0

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1 TRASH ENCLOSURE PLAN

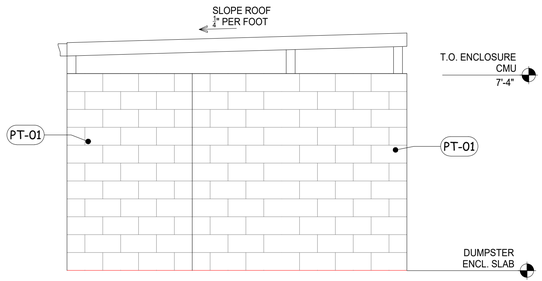
1/4"=1'-0" NOTE:




NOTE: SEE SHEET A-3.0 FOR FINISH SCHEDULE.

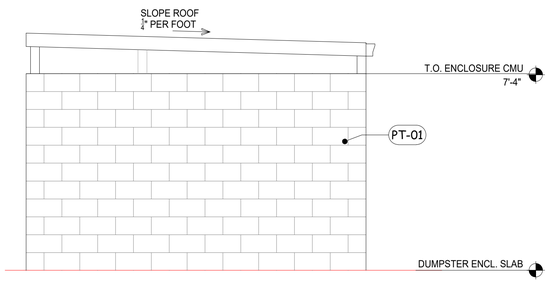
2 FRONT ENCLOSURE ELEVATION

3/8"=1'-0" NOTE:




3 LEFT ENCLOSURE ELEVATION

3/8"=1'-0" NOTE:

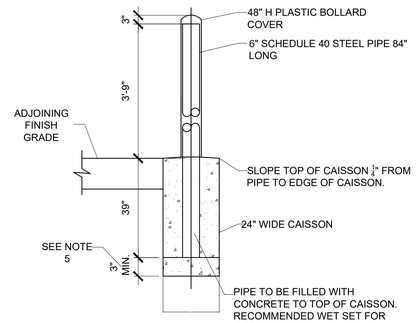



4 RIGHT ENCLOSURE ELEVATION

3/8"=1'-0" NOTE:

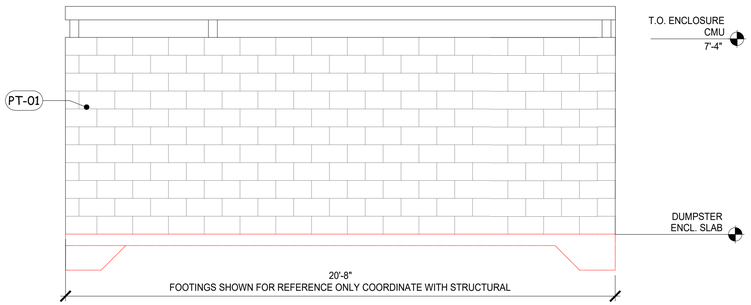
NOTE:

1. CONCRETE MUST BE A MINIMUM 4,000 PSI COMPRESSIVE STRENGTH WITH FIBER MESH.
2. PROVIDE PLASTIC BOLLARD COVER. COVER TO BE IDEALSHIELD (OR APPROVED EQUAL) 1/8" THICK, BROWN (PQ-44OC), 6" PIPE FIT, DOME TOP, 48" TALL.
3. DESIGN PARAMETERS:
   - 20 MPH
   - 5,000 LB VEHICLE
4. USE SONOTUBE IN SANDY OR OTHER SOILS THAT MIGHT CAVE IN.
5. INCREASE DEPTH OF CAISSON BELOW PIPE TO MEET LOCAL JURISDICTION MIN. FROST DEPTH REQUIREMENT. PIPE CAN STAY AT 39" BELOW PAVEMENT.
6. IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY NO UTILITY CONFLICTS EXIST WHERE BOLLARDS ARE TO BE INSTALLED, PRIOR TO INSTALLATION.
7. REMOVE EXISTING WHEEL STOPS (IF APPLICABLE) WHERE BOLLARDS ARE INSTALLED.



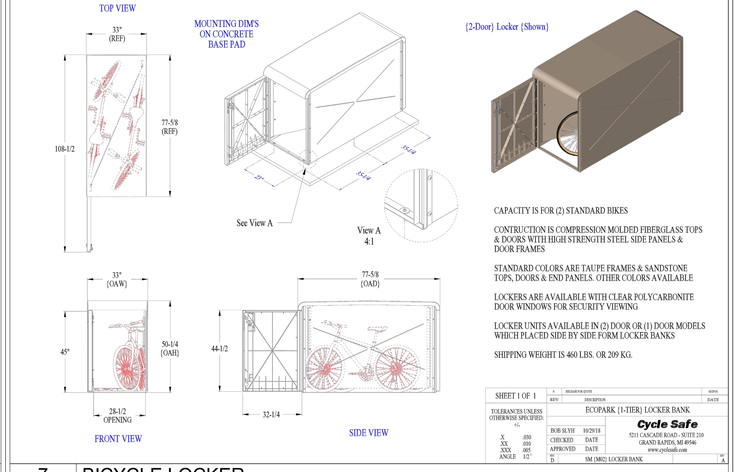

6 BOLLARD DETAIL

N.T.S. NOTE:




5 REAR ENCLOSURE ELEVATION

3/8"=1'-0" NOTE:




7 BICYCLE LOCKER

N.T.S. NOTE:

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| NO | DESCRIPTION | DATE |
|---|---|---|
| 1 | DESIGN REVIEW PLAN SET | 3/15/22 |

SET REVISIONS

DATE | SCALE | DRAWN | CKD | APPD

1005 RAILROAD AVE
PITTSBURG, CA

TRASH ENCLOSURE DETAILS

SD-1.0

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NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

## PLANT SCHEDULE

| TREES | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS |
|---|---|---|---|---|
| | 3 | Pyrus calleryana / Callery Pear | 15 gal. | Moderate |

| SHRUBS | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS |
|---|---|---|---|---|
| | 28 | Callistemon viminalis 'Better John' / Weeping Bottlebrush | 5 gal. | Low |
| | 8 | Dietes x `Lemon Drop` / Fortnight Lily | 1 gal | Low |
| | 3 | Distictis x 'Rivers' / Royal Trumpet Vine | 5 gal. | Moderate |
| | 7 | Lantana montevidensis / Purple Trailing Lantana | 1 gal. | Low |

## EXISTING PLANT LEGEND

TREE TO REMAIN

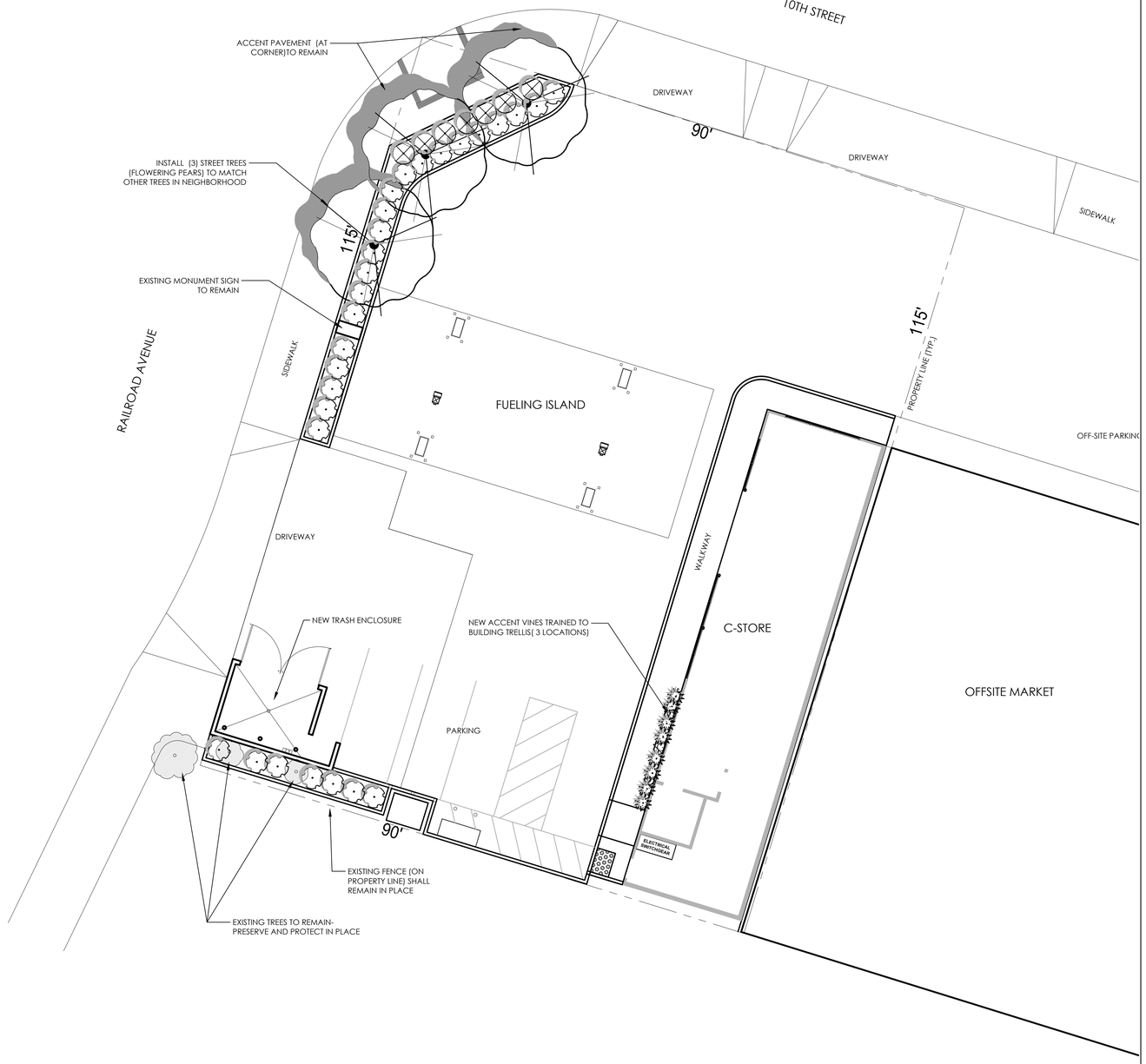
## LANDSCAPE/ PLANTING NOTES

1. All Landscape area is approximately 502 s.f. which is lower than the MWELO 2,500 s.f. threshold.
2. All new and existing landscape/planting areas shall receive a uniform 3-4" layer of organic mulch. Shredded bark (Guerilla hair) is not an acceptable mulch.
3. Preserve and protect all existing trees and plants (to remain) to the fullest extent possible.
4. All new plant material shall be irrigated with drip irrigation and a smart controller. Landscape Plans will comply with City of Pittsburg Water Conservation Standards.

0 10 20 30 feet

SCALE: 1" = 10'

NORTH




NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"


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OLIVE STREET
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rod@olivestreetlandscape.com


REGISTERED LANDSCAPE ARCHITECT
Rodney L. Scaccalosi
No. 4452
Exp. 05/31/22
STATE OF CALIFORNIA

| DATE | SCALE | DRAWN | CKD | APPD |
|---|---|---|---|---|
| | | | | |

SET REVISIONS

| NO | DESCRIPTION | DATE |
|---|---|---|
| 1 | DESIGN REVIEW PLAN SET | 3/15/22 |

1005 RAILROAD AVE
PITTSBURG, CA

LANDSCAPE PLAN L1

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## PLANT SCHEDULE

| TREES | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS |
|---|---|---|---|---|
|  | | Pyrus calleryana / Callery Pear | 15 gal. | Moderate |

| SHRUBS | QTY | BOTANICAL / COMMON NAME | CONT | WUCOLS |
|---|---|---|---|---|
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| | 8 | Dietes x `Lemon Drop` / Fortnight Lily | 1 gal | Low |
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| | 7 | Lantana montevidensis / Purple Trailing Lantana | 1 gal. | Low |

## EXISTING PLANT LEGEND

TREE TO REMAIN

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0 10 20 30 feet

SCALE: 1" = 10'

NORTH




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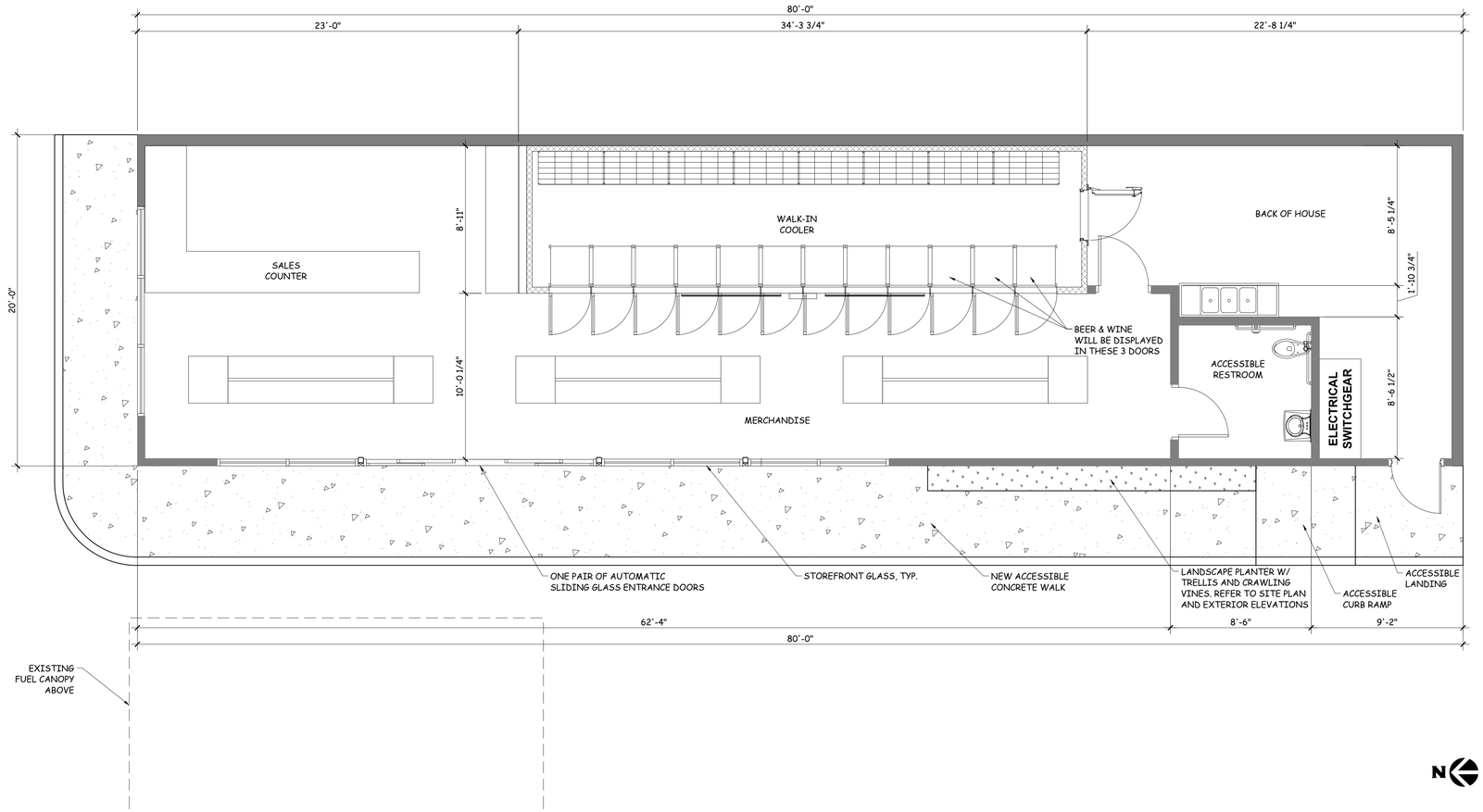
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| 1 | DESIGN REVIEW PLAN SET | 3/15/22 |

1005 RAILROAD AVE
PITTSBURG, CA

LANDSCAPE PLAN L1

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1 FLOOR PLAN

1/4"=1'-0" NOTE:

## FLOOR PLAN NOTES

1. MERCHANDISE TO CONSIST OF PRE-PACKAGED READY TO EAT FOOD, CHIPS, CANDY, ETC., INCIDENTAL CONVENIENCE ITEMS AND TOBACCO PRODUCTS
2. WALK-IN COOLER TO PROVIDE PRE-PACKAGED FOOD, BEER, WINE AND NON-ALCOHOLIC BEVERAGES INCLUDING WATER, SODAS, ENERGY DRINKS, MILK, ETC.
3. WALK-IN BOX WILL PROVIDE REACH-IN ONLY ACCESS TO CUSTOMERS AT REACH-IN DOORS. THE WALK-IN AREA WILL BE ACCESSED BY EMPLOYEES ONLY THROUGH DOOR OFF THE BACK OF HOUSE.

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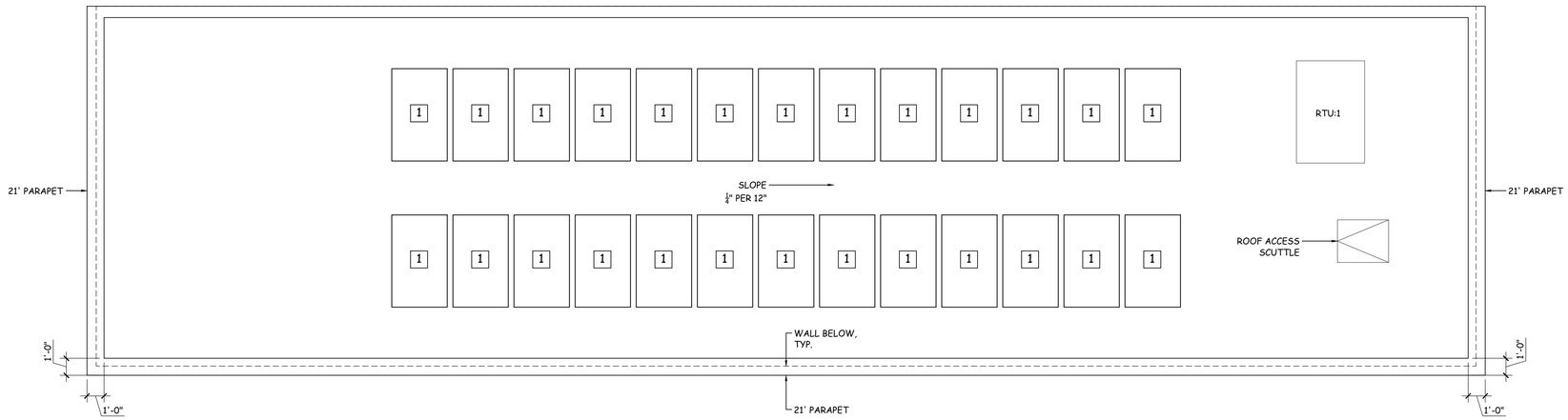
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1005 RAILROAD AVE
PITTSBURG, CA

FLOOR PLAN

A-1.0

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1 ROOF PLAN

1/4"=1'-0" NOTE:

## KEYNOTES

1. SOLAR PHOTOVOLTAIC PANEL. SOLAR SYSTEM TO BE DESIGNED BY OTHERS.

## ROOF PLAN NOTES

1. ENTIRE ROOF SURFACE AREA BEHIND PARAPETS TO BE PAINTED OR COATED WHITE TO CREATE A "COOL ROOF".
2. G.C. TO PROVIDE WIRING TO ROOF FOR SOLAR ARRAY.

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

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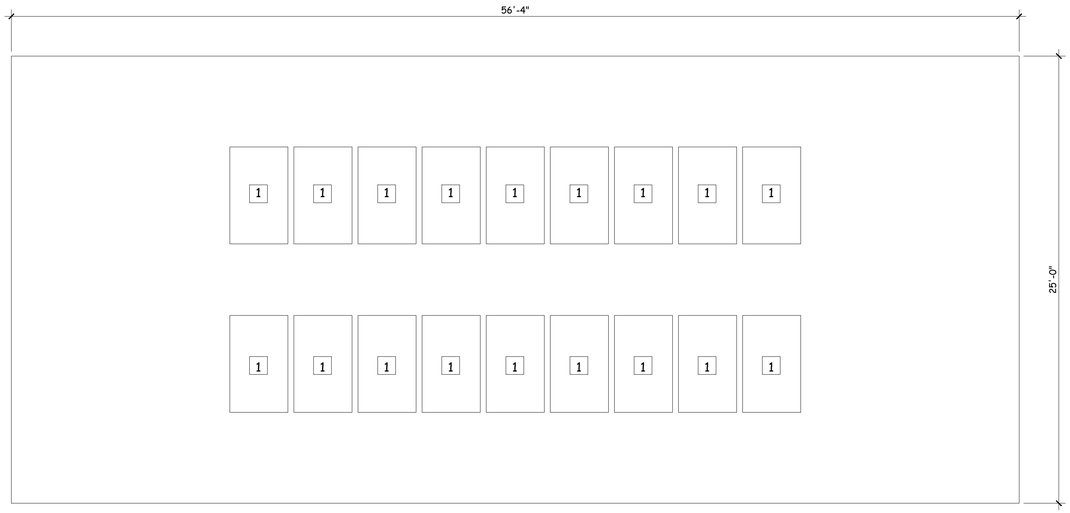
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| 1 | DESIGN REVIEW PLAN SET | 3/15/22 |

1005 RAILROAD AVE
PITTSBURG, CA

ROOF PLAN

A-2.0

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1 FUEL CANOPY ROOF PLAN

1/4"=1'-0" NOTE:

## KEYNOTES

1. SOLAR PHOTOVOLTAIC PANEL. SOLAR SYSTEM TO BE DESIGNED BY OTHERS.

## ROOF PLAN NOTES

1. G.C. TO PROVIDE WIRING TO ROOF FOR SOLAR ARRAY.

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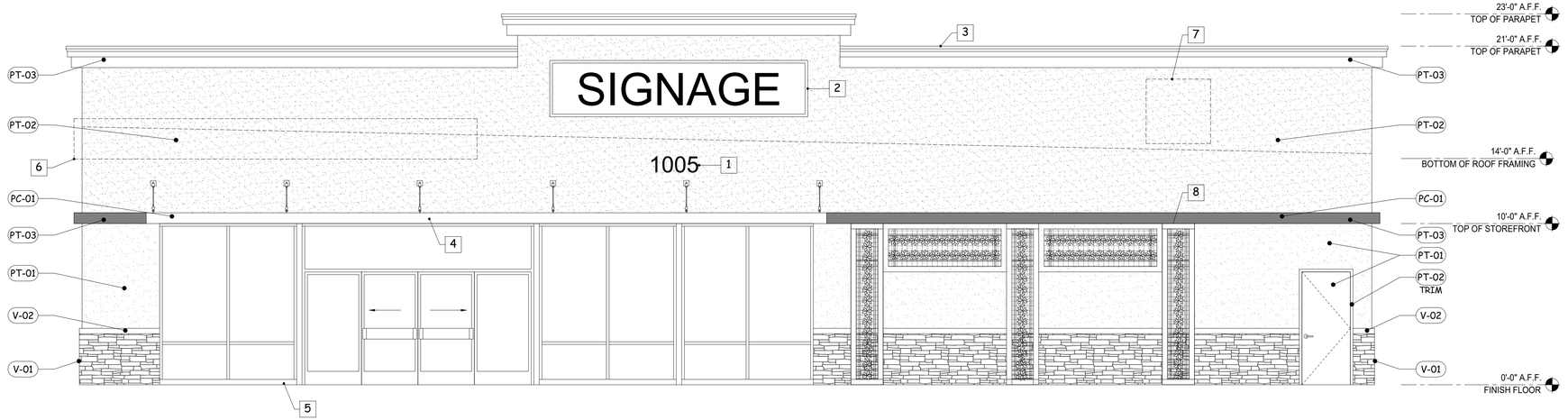
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| 1 | DESIGN REVIEW PLAN SET | 3/15/22 |

1005 RAILROAD AVE
PITTSBURG, CA

FUEL CANOPY
ROOF PLAN

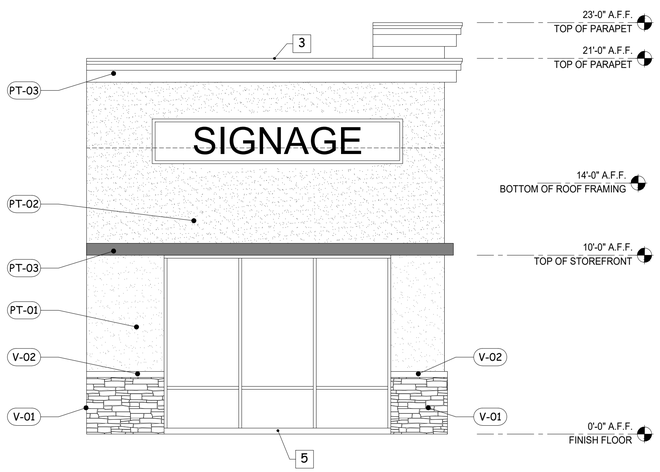
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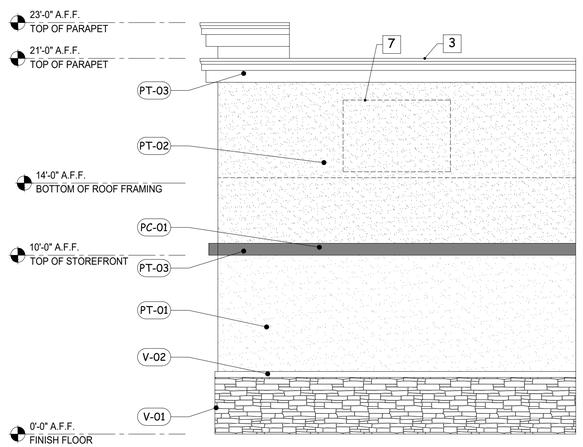

1 EAST ELEVATION

1/4"=1'-0" NOTE:




2 NORTH ELEVATION

1/4"=1'-0" NOTE:




2 NORTH ELEVATION

1/4"=1'-0" NOTE:

## # FINISH SCHEDULE

| | |
|---|---|
| PT-01 | PAINTED STUCCO, KELLY MOORE, 216 "MALIBU BEIGE". |
| PT-02 | PAINTED STUCCO, KELLY MOORE, KM5782 "ON THE AVENUE" |
| PT-03 | PAINTED STUCCO, KELLY MOORE, KM4603 "GRAND AVENUE". |
| PC-01 | PAINTED COATING TO MATCH, KELLY MOORE, 216 "MALIBU BEIGE" |
| V-01 | STONE VENEER, EL DORADO, MOUNTAIN LEDGE "SIERRA" . |
| V-02 | CAST STONE CAP, TO MATCH EL DORADO "SIERRA" |
| R-01 | METAL ROOF, TAYLOR METAL, EASY-LOCK "CHARCOAL GRAY" |




PT-01
KELLY MOORE:
216 "MALIBU BEIGE"




PT-02
KELLY MOORE:
KM5782 "ON THE AVENUE"




PT-03
KELLY MOORE:
KM4603 "GRAND AVENUE"



V-01
EL DORADO STONE
MOUNTAIN LEDGE "SIERRA"



V-02
EL DORADO STONE
SPLIT EDGE SILL, "COASTAL SAND"




PC-01
PAINTED COATING
TO MATCH
KELLY MOORE:
KM4603 "GRAND AVENUE"

## # KEYNOTES

1. 12" WHITE VINYL STREET ADDRESS
2. SIGN SHOWN FOR REFERENCE, UNDER SEPARATE PERMIT.
3. CORNICE, STUCCO, SEE FINISH SCHEDULE FOR COLOR.
4. PRE-FINISHED METAL CANOPY.
5. ALL WINDOW AND STOREFRONT TO HAVE DARK BRONZE FRAMES.
6. OUTLINE OF FUEL CANOPY
7. PROPOSED ROOF TOP EQUIPMENT
8. LANDSCAPE TRELLIS, PLANTED WITH "CRAWLING VINES"


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1005 RAILROAD AVE
PITTSBURG, CA

EXTERIOR ELEVATIONS

A-3.0

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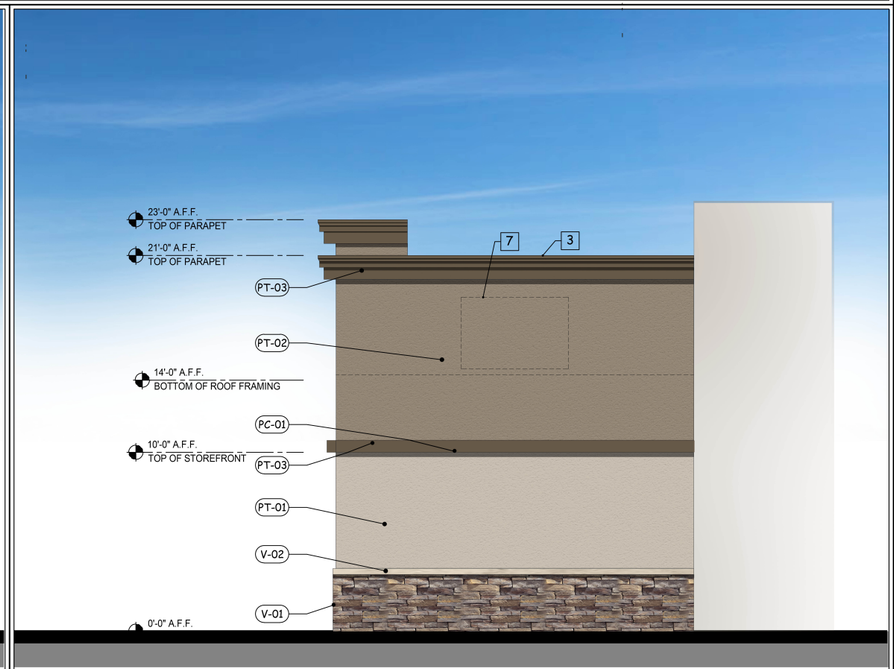
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1 EAST ELEVATION
1/4"=1'-0" NOTE:



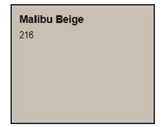

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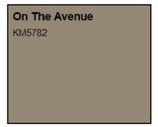

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| PT-02 | PAINTED STUCCO, KELLY MOORE, KM5782 "ON THE AVENUE" |
| PT-03 | PAINTED STUCCO, KELLY MOORE, KM4603 "GRAND AVENUE". |
| PC-01 | PAINTED COATING TO MATCH, KELLY MOORE, 216 "MALIBU BEIGE" |
| V-01 | STONE VENEER, EL DORADO, MOUNTAIN LEDGE "SIERRA" . |
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PT-01
KELLY MOORE:
216 "MALIBU BEIGE"




PT-02
KELLY MOORE:
KM5782 "ON THE AVENUE"




PT-03
KELLY MOORE:
KM4603 "GRAND AVENUE"



V-01
EL DORADO STONE
MOUNTAIN LEDGE "SIERRA"



V-02
EL DORADO STONE
SPLIT EDGE SILL, "COASTAL SAND"




PC-01
PAINTED COATING
TO MATCH
KELLY MOORE:
KM4603 "GRAND AVENUE"

## # KEYNOTES

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2. SIGN SHOWN FOR REFERENCE, UNDER SEPARATE PERMIT.
3. CORNICE, STUCCO, SEE FINISH SCHEDULE FOR COLOR.
4. PRE-FINISHED METAL CANOPY.
5. ALL WINDOW AND STOREFRONT TO HAVE DARK BRONZE FRAMES.
6. OUTLINE OF FUEL CANOPY
7. PROPOSED ROOF TOP EQUIPMENT
8. LANDSCAPE TRELLIS, PLANTED WITH "CRAWLING VINES"


M. HIGGINBOTHAM ARCHITECT
LICENSE NO. C-36401

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sandeepdhanda@yahoo.com

LICENSED ARCHITECT
MELVIN R. HIGGINBOTHAM
C-36401
REN. 3/31/23
STATE OF CALIFORNIA

| DATE | SCALE | DRAWN | CKD | APPD |
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| 1 | DESIGN REVIEW PLAN SET | |

1005 RAILROAD AVE
PITTSBURG, CA

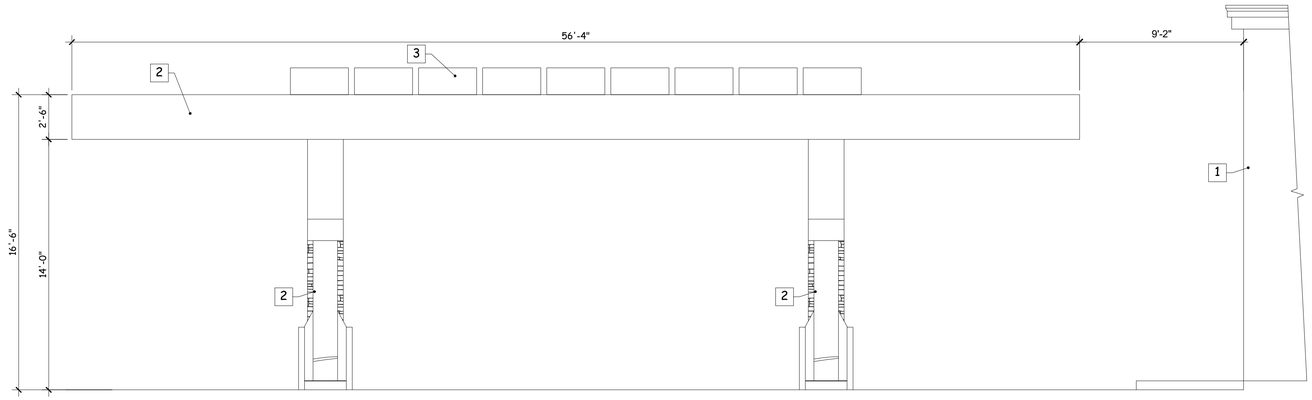
EXTERIOR ELEVATIONS

A-3.0

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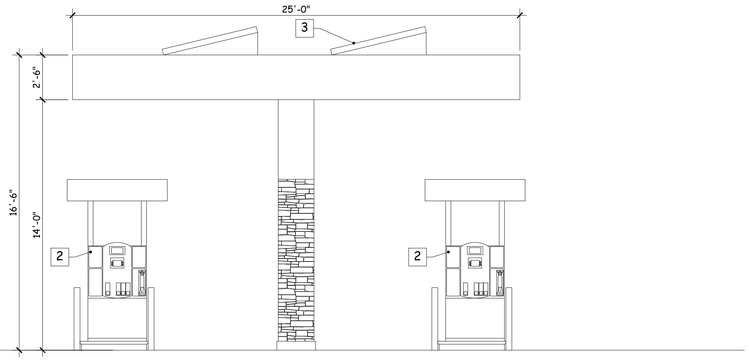


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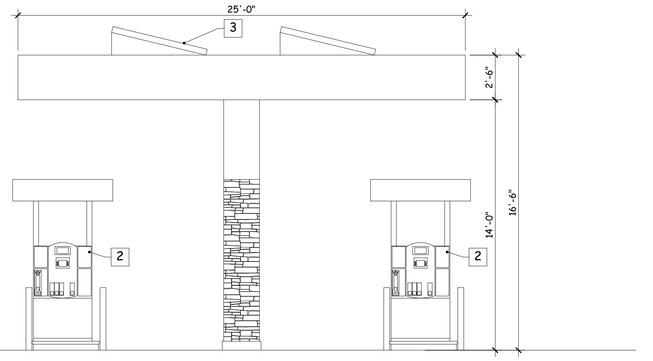

1 NORTH ELEVATION

1/4"=1'-0" NOTE:



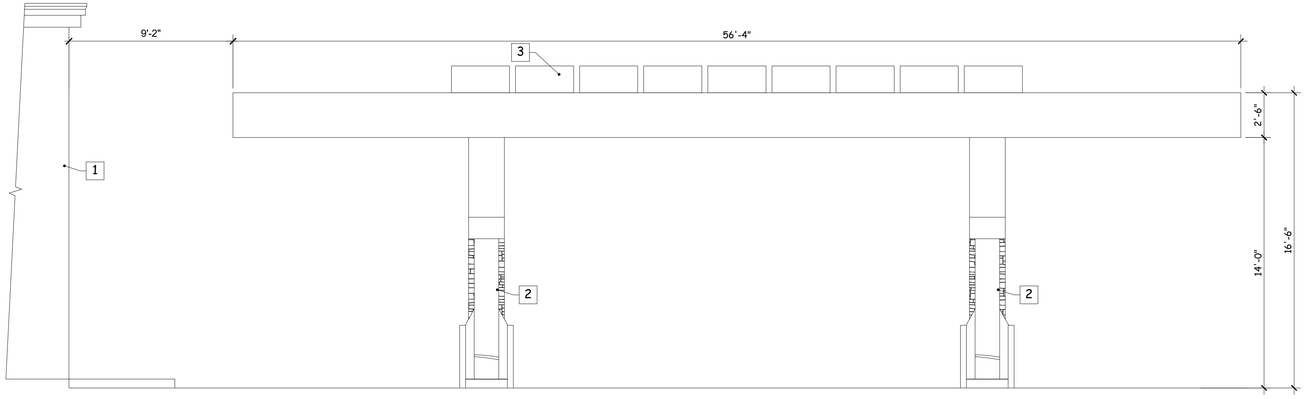

2 EAST ELEVATION

1/4"=1'-0" NOTE:




3 WEST ELEVATION

1/4"=1'-0" NOTE:




4 SOUTH ELEVATION

1/4"=1'-0" NOTE:

## KEYNOTES

1. NEW C-STORE
2. EXISTING FUEL DISPENSER AND BOLLARDS TO REMAIN.
3. NEW SOLAR PANELS MOUNTED ON EXISTING CANOPY


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**LICENSE NO. C-36401**

**DESIGN SERVICES**
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**A PROJECT FOR:**
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MELVIN R. HIGGINBOTHAM
C-36401
REN. 3/31/23
STATE OF CALIFORNIA

| DATE | SCALE | DRAWN | CKD | APPD |
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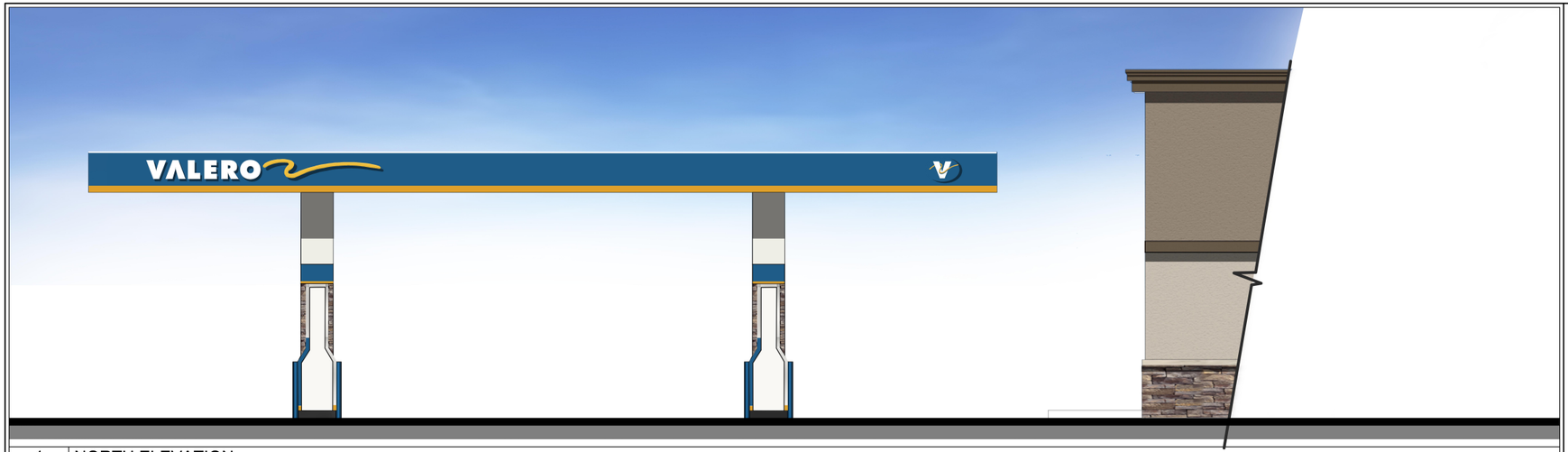
1005 RAILROAD AVE
PITTSBURG, CA

EXTERIOR ELEVATIONS
CANOPY-AUTO

A-3.1

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2 EAST ELEVATION
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onasim@gmail.com

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STATE OF CALIFORNIA

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| DATE | 3-03-2020 |
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SET REVISIONS

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1005 RAILROAD AVE
PITTSBURG, CA

EXTERIOR ELEVATIONS
CANOPY-AUTO
COLOR

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# 1005 RAILROAD AVE.

## PITTSBURG, CA

MAY 01,2022

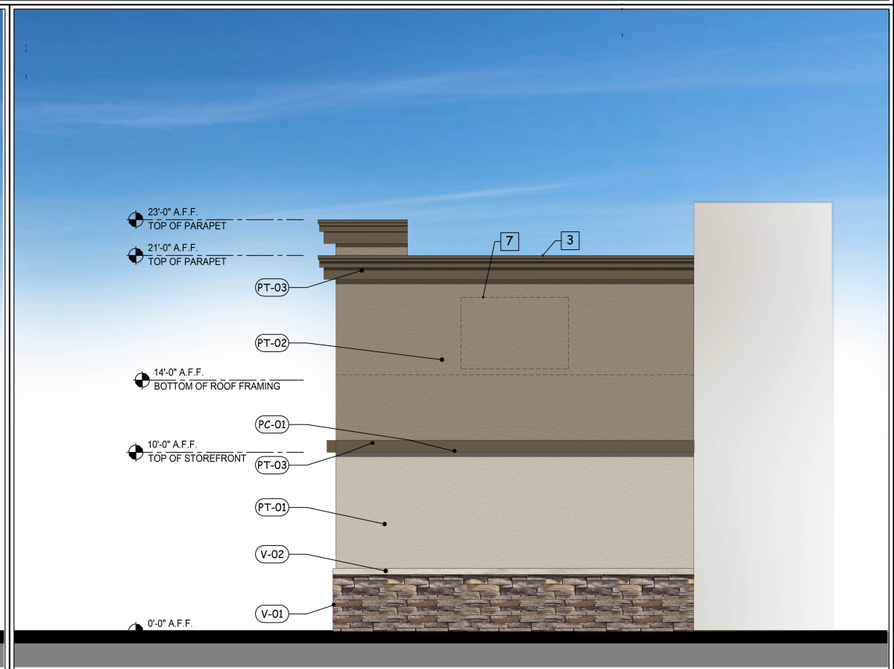
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1/4"=1'-0" NOTE:



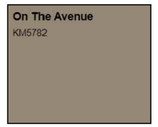

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REN. 3/31/23
STATE OF CALIFORNIA

| NO | DESCRIPTION | DATE |
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| 1 | DESIGN REVIEW PLAN SET | 7/20/21 |
| 2 | DESIGN REVIEW CYCLE-2 | 10/07/21 |

SET REVISIONS

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1005 RAILROAD AVE
PITTSBURG, CA

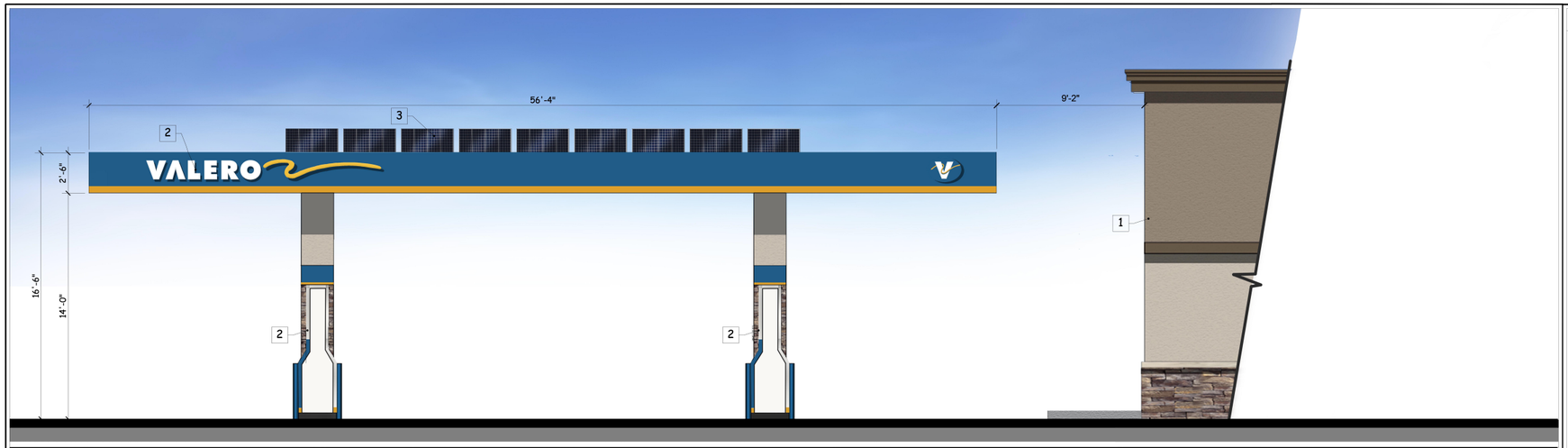
EXTERIOR ELEVATIONS

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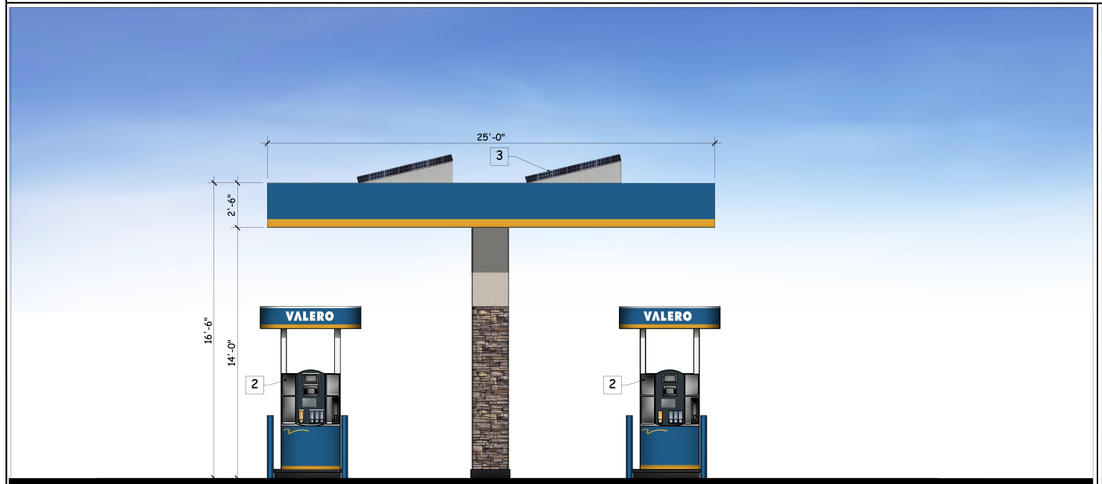
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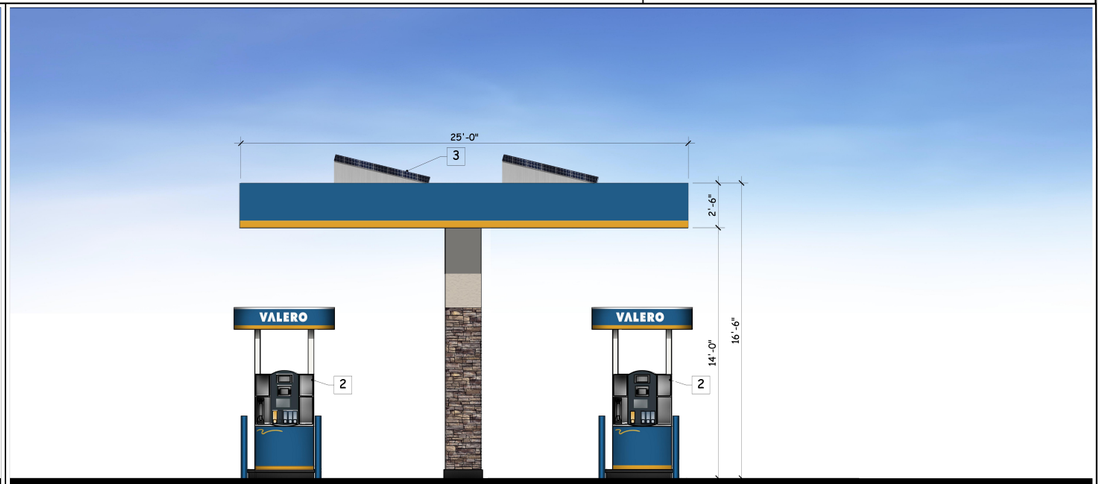

1 NORTH ELEVATION
1/4"=1'-0" NOTE:

## KEYNOTES

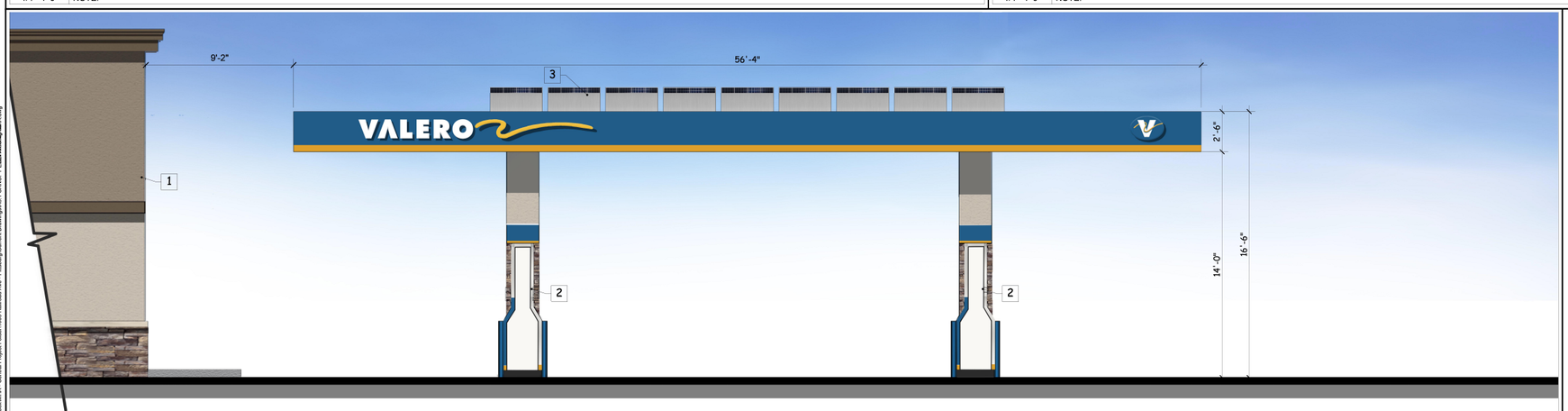
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C-36401
REN. 3/31/23
STATE OF CALIFORNIA

| NO | DESCRIPTION | DATE |
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| 1 | DESIGN REVIEW PLAN SET | 4/6/22 |

SET REVISIONS

DATE
SCALE
DRAWN
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APPD

1005 RAILROAD AVE
PITTSBURG, CA

EXTERIOR ELEVATIONS
CANOPY-AUTO

A-3.1



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# 1005 RAILROAD AVE.
## PITTSBURG, CA

APRIL 28,2022

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**CITY OF PITTSBURG**
**PLANNING COMMISSION**
**STAFF REPORT**
**June 14, 2022**

ITEM: **Consideration of a Resolution Approving Use Permit and Design Review of the Valero C-Store, AP-21-1572 (UP, DR)**

ORIGINATED BY: Mel Higginbotham, 11584 Francis Drive, Grass Valley, CA 95949

SUBJECT: This is a request for use permit and design review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy, remove two fuel pump dispensers (while maintaining the service station with four remaining fuel pump dispensers), and construct a new 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, in the CS-D (Downtown Service Commercial) District. Assessor's Parcel No. 085-204-006.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution, approving Use Permit and Design Review Application No. AP-21-1572, subject to conditions.

BACKGROUND:

On June 15, 2021, Mel Higginbotham filed Planning Application No. 21-1572, requesting use permit and design review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy, remove two fuel pump dispensers, and construct a new 1,600 square foot commercial convenience store for Valero.

On May 19, 2022, City Staff brought this item to the 2x2 meeting with the School Board of the Pittsburg Unified School District to request feedback and comments on the item. The School Board did not raise any concerns over the proposed project.

PROJECT DESCRIPTION:

Existing Conditions: The project site is an approximately 10,350 square foot parcel located on the southeast corner of Railroad Avenue and East 10th Street.

The project site has an existing 300 square foot kiosk and 2,050 square foot fuel canopy with six fuel pumps. The site has driveway entrances along both Railroad Avenue and 10th Street.

See Attachment 3 for site photos.

Surrounding Land Uses:

North: East 10th Street Pittsburg Housing Authority, Chamber of Commerce,
West: Railroad Avenue, Property owned by Pittsburg Unified School District

South: Vacant land
East: Cumberland Street, Bruno's Barber Shop, various commercial and residential uses

See Attachment 4 for a map of surrounding uses.

Proposed Project: The proposed project would maintain an existing service station on site, reduce the number of fuel pump dispensers from six (6) to four (4), and include an expansion of use for the existing Valero convenience store. A service station falls under the use classification of "Service Station", defined in Pittsburg Municipal Code (PMC) section 18.08.080.30.gas, "Establishment primarily engaged in the retail sale of gasoline and motor fuel. This classification provides for the incidental sale of grocery items or related retail goods, and auto parts and accessories. Services offered may include minor vehicle repair and installation of parts, towing services limited to automobiles, nonmechanical washing and waxing or mechanical washing other than classified under automobile washing. Other repair activities are classified under automobile and recreational vehicle repair, major." A Service Station is a conditionally permitted use in the CS-D District with an approved use permit. The existing service station was legally established, and the proposed project would not expand the service station use. A convenience store falls under the use classification of "Grocery", defined in Pittsburg Municipal Code (PMC) section 18.08.080.14.a, "This classification includes a supermarket or convenience store that sells general merchandise incidental to food and beverages". A Grocery is a conditionally permitted use in the CS-D District with an approved use permit. The business operator is proposing to offer ready to eat foods on site, including bean to cup coffee, cappuccino, pizza, hot chicken, fresh fruit, packaged cut fruits, fresh baked cookies, iced tea, fresh packaged salad and sandwiches, frozen beverages including sugar-free options, and packaged snacks. The business would operate between the hours of 5:00 a.m. and 11:59 p.m. daily. The business plans to staff approximately 6 employees.

This project consists of demolishing the existing 300 square foot kiosk building, reducing the length of the existing fuel island canopy from approximately 2,000 square feet to 1,400 square feet, removing two fuel pump dispensers, constructing a 1,600 square foot commercial convenience store and 201 square foot trash enclosure, sidewalks, parking lot, and landscaping improvements. The parking lot will include restriping for 5 parking spaces including one (1) loading zone, one (1) van accessible ADA space, electrical conduit capable of supporting one (1) electric vehicle charging station, two (2) uncovered parking spaces, and 8 fuel island canopy spaces. Landscaping upgrades to the project site include planting of climbing vines along the western façade of the building and a new landscape strip along the southern property line, along with maintaining the existing landscaping.

Access to the project will utilize a connection to existing driveways from Railroad Avenue and East 10$^{th}$ Street.

The applicant will be providing additional safety measures to the site, including: no outdoor storage of materials so there is a clear view of the site at all times, maintaining a surveillance camera system that will operate 24 hours a day and will provide Pittsburg Police Department access to video surveillance immediately upon request as related to criminal activity, monitoring a live feed of the camera system, post signage prohibiting loitering and the consumption of alcoholic beverages on site, installing height tape next to the exit, and will provide additional public safety measures if determined necessary by the Chief of Police.

The applicant will also provide safety measures for the responsible sale of alcohol, including: limiting alcohol sales to the hours between 9:00 a.m. and 10:00 p.m., outside of these hours the cold boxes where alcohol is stored will be locked, installing buzzers on the doors of the cold boxes where alcohol is stored so that clerks will know when someone has removed alcohol from the cold box, prohibiting the sale of single containers of beer or malt liquor, prohibiting sales of fortified wine or 40-ounce alcoholic beverages and wine containers less than 680 milliliters (mL) unless sold in a manufacturer-assembled multi-pack of three or more bottles, and limiting the shelving space for alcoholic beverages to no more than 25 linear feet of shelving within the store, while maintaining a valid ABC License.

See Attachment 2 for project plans.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is in the 'Downtown Subarea' of the General Plan and has a land use designation of 'Service Commercial.' In this subarea, retail and commercial office uses line Railroad Avenue, north of East 10th Street. Service commercial uses are located along East 10th Street, the old County highway. Residential neighborhoods surround the commercial corridors, with high-density developments located near the waterfront.

The proposed project is consistent with the General Plan, specifically, Goal 2-G-1, which calls for maintaining a compact urban form; Goal 2-G-6, which calls for reuse and revitalization of underutilized sites; and Goal 11-G-10, which calls for buffer landscaping. The proposed development project would occur on an underutilized parcel and would provide new improvements to the area.

As further shown in Attachment 7, the proposed project is consistent with all applicable General Plan goals and policies.

Zoning: The project site is located within the CS-D (Downtown Service Commercial) District; where a grocery use is a conditionally permitted use with an approved use permit application. Pursuant to PMC section 18.52.100, all projects require design review. The schedule set out in PMC Table 18.52.115 prescribes development regulations for the CS-D District. As shown in Attachment 5 of this report, the proposed project meets or exceeds

the CS-D District property development regulations, which include height, FAR, lot coverage, lot area, lot width, setbacks, landscape coverage, and parking for both cars and bicycles.

Design Guidelines: The proposed project is subject to the City's adopted Development Review Design Guidelines (DRDG), adopted by Planning Commission through Resolution No. 9864. As shown in Attachment 6, the proposed project is consistent with the applicable DRDG sections, specifically those that call for:

1) continuous horizontal rooflines should not exceed 50 feet in length (DRDG IV.f);

2) design choices should incorporate or prepare for electric vehicle charging (DRDG VI.D.4); and

3) secure bicycle parking facilities should be provided (DRDG VI.D.9).

Required Findings: In accordance with PMC section 18.36.220(B), design review approval may be granted if the Planning Commission can make a determination that the proposed project is consistent with the following standards:

A. the structures conform with good taste, good design and in general contribute to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

B. the structures will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;

C. the exterior design and appearance of the structures are not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

D. the structures are in harmony with proposed developments on land in the general area; and

E. the applications conform with the criteria set forth in any applicable city-adopted design guidelines.

Use Permit Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;

2. is not detrimental to the health, safety, and general welfare of the City;

3. will not adversely affect the orderly development of property within the City;

4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;

5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;

6. will not create a nuisance or enforcement problem within the neighborhood;

7. will not encourage marginal development within the neighborhood;

8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law;

9. is consistent with the City's approved funding priorities; and,

10. if located within the Pedestrian Commercial (CP) District, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

Environmental Determination: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, 'New Construction or Conversion of Small Structures' of the state CEQA Guidelines, section 15303(c). This section exempts commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The convenience store building that would be constructed is 1,600 square feet.

Public Notice: On or prior to June 4, 2022, notice of the June 14, 2022, public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the "Harbor and School St", "Marina Vista", and "W8th" neighborhoods.

ANALYSIS:

As shown in Attachment 7, the proposed project is consistent with applicable goals and policies contained within the General Plan. Most notably, the proposed project is consistent with Land Use Element Goals 2-G-1 and 2-G-6, which encourage the City to

maintain a compact urban form within the City's projected municipal boundary and use vacant infill land and underutilized sites.

The proposed project would improve the neighborhood by developing the lot with a well-designed building and updated parking lot and landscaping. The building's design, materials, and colors would be compatible with other commercial buildings in the area, including the 'La Raza' store located just east of the project site. The project would also conform to all applicable criteria set forth in the City's adopted DRDGs, if conditions of approval are adopted requiring the project to: a) screen all utility box transformers, backflow preventers, meters, and junction boxes from public view; b) break up any continuous roof line expanses exceeding 50 feet in length; c) install downspouts behind building walls; and d) incorporate a cool roof on the building and pre-wire the building roof for solar panels.

Alcoholic Beverage License (ABC): Staff has been in communication with a Licensing Representative of ABC and received information that the premises is located on census tract #3100. 3 off-sale licenses are allowed in this census tract, and currently there is only 1 active license: La Raza Market 134 E 10th St, Pittsburg (20-436860).

Pursuant to current ABC regulations, the mere proximity of the convenience store by itself is not sufficient to deny the license. However, ABC may deny any retail license located within 600 feet of schools, public playgrounds, and nonprofit youth facilities, when there is evidence that normal operation of the licensed premise will be contrary to public welfare and morals.

The PMC does not currently have an established minimum distance requirement from a school for a retail business selling alcoholic beverages. However, staff has determined that the applicant will provide adequate safety measures related to the sales of alcoholic beverages, as described in the 'Proposed Project' section of this staff report; and they have been made into Conditions of Approval Nos. 19, 20, 24, 25, and 26 of the proposed Resolution.

Community and Economic Development Department staff recommends that the Planning Commission can make the required findings to approve the design review request, along with the inclusion of several conditions of approval, including key conditions noted above, as well as the following:

1. Licensing. The business operator shall maintain a City of Pittsburg business license. (Condition No. 2)
2. Site Maintenance. The entire parcel shall be kept clean and free of all litter, debris, and refuse. (Condition No. 5)
3. Landscape Maintenance. The applicant shall be responsible for maintaining landscaping in accordance with the approved landscape plan. Amendments or

modifications to the approved landscape plan shall be submitted to the city planner for approval. (Condition No. 6)

4. Hours of Operation. The business hours shall be limited to the hours between 5:00 a.m. and 11:59 p.m.; and shall prohibit alcoholic beverage sales before 9:00 a.m. and after 10:00 p.m. (Condition Nos. 18 and 24)

ACTION REQUIRED:

Move to adopt a Resolution, approving Use Permit and Design Review Application No. 21-1572, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution
2. Project Plans dated April 7, 2022, and Elevations date stamped May 3, 2022
3. Site Photos
4. Map of Surrounding Land Uses
5. Property Development Regulations Table
6. Development Review Design Guidelines
7. Applicable General Plan Goals and Policies
8. Public Hearing Notice

Prepared by: Celina Palmer, AICP, Associate Planner

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Denying Use Permit and Design Review Approval to Reduce the Size of an Existing Fuel Canopy, Demolish an Existing Kiosk Building and Construct a 1,600 Square Foot Commercial Convenience Store at 1005 Railroad Avenue, for "Valero C-Store, AP-21-1572 (UP, DR)." | ) ) ) ) ) ) ) ) | Resolution No. 10206 |

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

A. On June 15, 2021, Mel Higginbotham filed Planning Application No. 21-1572, requesting a use permit to expand the existing convenience store use, and design review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy from approximately 2,000 square feet to 1,400 square feet, remove two fuel pump dispensers (while maintaining the service station with the remaining four fuel pump dispensers), and construct a 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, in the CS-D (Downtown Service Commercial) District. Assessor's Parcel No. 085-204-006.

B. On May 19, 2022, City Staff brought this item to the 2x2 meeting with the School Board of the Pittsburg Unified School District to request feedback on the item. The School Board did not have any concerns over the proposed project.

C. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 (Zoning), and the City of Pittsburg Development Review Design Guidelines (DRDG; Planning Commission Resolution No. 9864).

D. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, 'New Construction or Conversion of Small Structures' of the state CEQA Guidelines, section 15303(c). This section exempts commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The convenience store building that would be constructed is 1,600 square feet and the remaining fuel canopy would be 1,400 square feet.

E. On or prior to June 4, 2022, notice of the June 14, 2022, public hearing was posted at City Hall and at or near the proposed project site; and on the 'Public Notices' section of the city's website and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the "Harbor and School St", "Marina Vista", and "W8th" neighborhoods.

F. On June 14, 2022, the Planning Commission held a public hearing on Planning Application No. 21-1572, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report, "Consideration of a Resolution Approving Use Permit and Design Review of the Valero C-Store, AP-21-1572 (UP, DR)," dated June 14, 2022, all the information contained in the Planning Division files on the project adopted and incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and incorporated herein by reference.

2. The project was determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Design Review

1. The project will not conform to all the criteria set forth in the City's adopted Development Review Design Guidelines (DRDG, Planning Commission Resolution No. 9864).

Section 3. Decision

Based on the findings set forth above and the authority granted by the Pittsburg Municipal Code, this Planning Commission hereby denies Use Permit and Design Review Application No. 21-1572.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Popova, seconded by Commissioner Foster, the foregoing resolution was passed and adopted the 14th day of June 2022, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10206 was adopted by the Planning Commission of the City of Pittsburg on June 14, 2022.

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

# MINUTES
# OF A REGULAR MEETING
# OF THE
# PITTSBURG PLANNING COMMISSION

**June 14, 2022**

A regular meeting of the Pittsburg Planning Commission was called to order by Acting Chair Foster at 7:00 p.m. on Tuesday, June 14, 2022, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

## ROLL CALL

Present: Commissioners Foster, Jackson, Kobata, Perkins, Popova

Absent: Chair Robinson

Staff: Director of Community and Economic Development Department Jordan Davis, Assistant Director of Planning John Funderburg, Associate Planner Celina Palmer, Associate Engineer Stephen Cardiel, Contract Planner Christie Robinson, Permit Center Supervisor Shelby Rose, Administrative Specialist Sharon Paz, Permit Technician Candace Hatch

## PLEDGE OF ALLEGIANCE

Commissioner Kobata led the Pledge of Allegiance.

## DELETIONS / WITHDRAWALS / CONTINUANCES

3. **Consideration of a Resolution Approving a Use Permit Diamond Foot Massage, AP-22-0022 (UP)**

This item was continued to the June 28, 2022, meeting.

## COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

## PRESENTATIONS

There were no presentations.

## CONSENT

1. Minutes of May 24, 2022

On motion by Commissioner Popova, seconded by Commissioner Kobata to approve the Minutes of May 24, 2022, and carried by the following vote:

| | |
|---|---|
| AYES: | Foster, Jackson, Kobata, Perkins, Popova |
| NAYES: | None |
| ABSTAIN: | None |
| ABSENT: | Robinson |

## PUBLIC HEARING

2. **Consideration of a Resolution Approving Use Permit and Design Review of the Valero C-Store, AP-21-1572 (UP, DR)**

A public hearing on a request for the approval of a use permit and design review approval of plans to demolish the existing kiosk building, reduce the length of the existing fuel island canopy, remove two fuel pump dispensers (while maintaining the service station with four remaining fuel pump dispensers), and construct a new 1,600 square foot commercial convenience store, at 1005 Railroad Avenue, in the CS-D (Downtown Service Commercial) District. Assessor's Parcel No. 085-204-006.

Associate Planner Celina Palmer gave a presentation.

Applicant's Attorney Brian Holloway spoke on behalf of the project.

Acting Chair Foster opened the public hearing.

Public comment was received from the following:

Carol Dooley, Pittsburg
Nasser Sanare, Pittsburg
Nial Murray, Pittsburg
Nazar Aryaed, Pittsburg
Greg Bruton, Pittsburg
Ahmed Ahmed, Pittsburg
Shawn Dooley, Pittsburg
Cynthia Walters, Pittsburg
Bruce Ohlson, Pittsburg

There being no one to speak further to the item, Acting Chair Foster closed the public hearing.

On motion by Commissioner Popova to approve a Use Permit and Design Review for Valero C-Store, AP-21-1572 (UP, DR), seconded by Commissioner Foster and carried by the following vote:

| | |
|---|---|
| AYES: | Foster, Popova |
| NAYES: | Jackson, Kobata, Perkins |
| ABSTAIN: | None |
| ABSENT: | Robinson |

The motion for approval of Use Permit and Design Review for Valero C-Store, AP-21-1572 (UP, DR) failed 3-2.

4. **Consideration of a Resolution Approving a Mitigated Negative Declaration, Use Permit, and Design Review for Pittsburg Solar Recreational Vehicle/Boat Storage, AP 21-1588 (UP, DR)**

A public hearing on a request for the approval of a Use Permit and Design Review approval to establish a boat and recreational vehicle storage facility, construct 191,920 square feet (sq. ft.) of solar covered canopies, and a 1,243 sq. ft. management office building on a 12.5-acre lot, at the southwest junction of Pittsburg-Antioch Highway and Arcy Lane, in the CS (Service Commercial) District. Assessor's Parcel No. 074-100-018.

Contract Planner Christy Robinson gave a presentation.

Applicant Chris Koenig spoke on behalf of the project.

Acting Chair Foster opened the public hearing.

Public comment was received from the following:

Bruce Ohlson, Pittsburg

There being no one to speak further to the item, Acting Chair Foster closed the public hearing.

On motion by Commissioner Jackson to approve a Mitigated Negative Declaration, Use Permit, and Design Review for Pittsburg Solar Recreational Vehicle/Boat Storage, AP-21-1588 (UP, DR), seconded by Commissioner Perkins and carried by the following vote:

| | |
|---|---|
| AYES: | Foster, Jackson, Kobata, Perkins |
| NAYES: | None |
| ABSTAIN: | Popova |
| ABSENT: | Robinson |

## COMMISSION CONSIDERATIONS

### 5. Recommendation on Adoption of Five-Year Capital Improvement Program (CIP) – General Plan Consistency Determination

This was a consideration for the Planning Commission to determine whether the projects in the proposed Five-Year CIP are consistent with the City's General Plan. Determination of consistency between the CIP program and the General Plan is not considered a project under the California Environmental Quality Act (CEQA) and is, therefore, not subject to CEQA.

Associate Engineer Stephen Cardiel gave a presentation.

On motion by Commissioner Jackson to adopt the Five-Year Capital Improvement Program (CIP) – General Plan Consistency Determination, seconded by Commissioner Perkins and carried by the following vote:

| | |
|---|---|
| AYES: | Foster, Jackson, Kobata, Perkins, Popova |
| NAYES: | None |
| ABSTAIN: | None |
| ABSENT: | Robinson |

## ZONING ADMINISTRATOR REPORT

There were no zoning administrator reports.

## STAFF COMMUNICATIONS

Secretary Funderburg introduced new Associate Planner Allison Hodgkin and Senior Planner Maurice Brenyah-Addow.

## COMMITTEE REPORTS

There were no committee reports.

## ADJOURNMENT

The meeting was adjourned at 10:12 pm to June 28, 2022.

Respectfully Submitted,

John Funderburg, Secretary

City of Pittsburg
Planning Department
65 Civic Avenue, Pittsburg, CA 94565
Phone: (925) 252-4920, Fax: (925) 252-4814

# DECLARATION OF APPEAL

Name: Shaan Holdings, LLC Phone No.: 209-515-5496

Address: 5453 Cosumnes Drive

City: Stockton State: CA Zip: 95219

Appealed By:
- ☒ Applicant
- ☐ Interested Party (Please specify.): AP-21-1572

Project Name: Valero Fuel and Food Market Remodel Application No. (s): _____

Appealing Decision Of:
- ☐ City Staff
- ☐ Zoning Administrator
- ☒ Planning Commission

Date of Decision: June 14, 2022

Action Being Appealed:
- ☐ Code/Policy Interpretation
- ☐ Resolution No. _____
- ☒ Other Project Denial

Specify reason(s) for appeal: (may attach additional page(s), if needed.

SEE ATTACHED

Signature of Appellant: [signature]

FOR STAFF USE ONLY:
Resolution No(s): 10206 Date Received: 6/23/22
Deadline for Appeal: 6/24/22 Scheduled for: _____
Applicant Fee/Receipt No.: 006751-0010 Interested Party Fee/Receipt No: _____

ABBOTT & KINDERMANN, INC.
ATTORNEYS AT LAW

June 23, 2022

John Funderburg, Assistant Director of Planning
Planning Department
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565
planning@pittsburgca.gov

Re: **Appeal of Decision of Planning Commission**
**Denial of Application AP-21-1572**
Shaan Holdings, LLC
1005 Railroad Avenue, in the City of Pittsburg
June 14, 2022, 7 p.m.

Dear Assistant Director Funderburg,

This office represents Shaan Holdings, LLC ("**Shaan**"), the applicant for a Conditional Use Permit and Design Review Application No. AP-21-1572 regarding the Valero Fuel and Food Market Remodel (the "**Project**") at 1005 Railroad Avenue in Pittsburg, California. Pursuant to the Pittsburg Municipal Code § 18.18.060, Shaan is hereby appealing to the City Council, the Planning Commission's denial of the Project on June 14, 2022 ("**Appeal**").

The Planning Commission acted outside the scope of its authority in denying the Project. This Appeal is based on several factors including but not limited to the following. First, The Project is consistent with the City's General Plan and Zoning Ordinances. Second, the Project's approval was recommended by City staff, as set forth with substantial evidence in the Planning Commission Staff Report for the Project. Third, the Planning Commission failed to adopt any findings for denial of the Project. Instead, the Planning Commission improperly relied on market competition comments from a single nearby business as the basis for its denial. Shaan reserves the right to provide supplemental legal arguments and evidence to support the Appeal for the City Council hearing and the record on the Appeal.

Please see the attached check dated June 23, 2022, No. 1017, in the amount of $1,661.00. The check is intended to satisfy the appeal fee. If you have any questions or need any additional information, you may reach me at dkindermann@aklandlaw.com or 916.456.9595.

Very truly yours,

Diane Kindermann Henderson

DKH/rmo
Enclosure
cc: Client

City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

# Proclamation

*HONORING DELTA VIEW CATS*
*November 21, 2022*

*WHEREAS, community cats are un-owned cats that live outdoors in the community, and include friendly and unfriendly cats born outdoors without a guardian, as well as lost or abandoned pets; and*

*WHEREAS, East Contra Costa County has historically housed a disproportionate number of community cats, with this disparity increasing since the COVID-19 pandemic; and*

*WHEREAS, Delta View Cats, led by Linda Rodgers and Peter Wilson is a 501(c)3 non-profit organization consisting solely of volunteers dedicating over 5,700 hours annually to promoting and delivering humane care and management for abandoned community cats in Pittsburg; and*

*WHEREAS, Delta View Cats' ultimate goal is to humanitarily reduce the number of abandoned community cats outdoors, with decreased risk and harm to the cats, predation of native birds and wildlife, and public concerns about potential public health and nuisances; and*

*WHEREAS, Delta View Cats firmly believes in Trap-Neuter-Return as the method proven to be compassionate and effective at controlling community cat overpopulation; and*

*WHEREAS, Trap-Neuter-Return is a technique where cats are safely trapped, spayed or neutered, and vaccinated, then adopted by responsible homes or returned to their community after recovery where volunteer caretakers provide food, water, shelter if feasible, monitoring for injuries and illnesses, and medical treatment if possible; and*

*WHEREAS, Delta View Cats has Trapped-Neutered-Returned over 800 cats and aided in the adoption of approximately 300 cats throughout Pittsburg since 2018, and has responded to over 650 resident requests for help with the population, with most notable adoption and rescue efforts occurring in the Marina, Oak Hills, and Riverview Park neighborhoods; and*

*WHEREAS, Delta View Cats feeds 50+ community cats daily. Generous donors ensure the food pantry is stocked and available for these abandoned community cats each day. Over 16,800 cans and 2,400 pounds of dry food per year are needed to achieve this goal; and*

*NOW, THEREFORE, I, Holland Barrett White, on behalf of the City Council of the City of Pittsburg, do hereby honor Delta View Cats their efforts in addressing the issue of community cats in Pittsburg.*

CITY OF PITTSBURG CONTRA COSTA CO. CAL.

Holland Barrett White

*Holland Barrett White, Mayor*

Alice E. Evenson

*Alice E. Evenson, City Clerk*

*ATTEST: November 21, 2022*

City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

# Proclamation

*SMALL BUSINESS SATURDAY*
*November 26, 2022*

*WHEREAS, the City of Pittsburg celebrates our local small businesses and the contributions they make to our local economy and community; and*

*WHEREAS, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62% of net new jobs created since 1995, and small businesses employ 46.8% of the employees in the private sector in the United States, and*

*WHEREAS, 79% of consumers understand the importance of supporting the small businesses in their community on Small Business Saturday®, 70% report the day makes them want to encourage others to Shop Small®, independently-owned retailers, and 66% report that the day makes them want to Shop Small all year long; and*

*WHEREAS, 58% of shoppers reported they shopped online with a small business and 54% reported they dined or ordered takeout from a small restaurant, bar, or café on Small Business Saturday in 2021; and*

*WHEREAS, Pittsburg supports our local businesses that create jobs, boost our local economy, and preserve our communities; and*

*WHEREAS, advocacy groups, as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.*

*NOW, THEREFORE, I, Holland Barrett White, on behalf of the City Council of the City of Pittsburg, do hereby proclaim November 26, 2022 as Small Business Saturday and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.*

CITY OF PITTSBURG CONTRA COSTA CO. CAL.

*Holland Barrett White, Mayor*

*Alice E. Evenson, City Clerk*

*ATTEST: November 26, 2022*

City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

# Proclamation

*HONORING THE BAY CHURCH*
*DURING NATIONAL HOMELESS AWARENESS MONTH*
*November 2022*

*WHEREAS, the month of November is recognized as Homelessness Awareness Month in the United States; and*

*WHEREAS, there are approximately 3,093 homeless individuals in Contra Costa County based on the 2022 Point-In-Time Count; 764 sheltered and 2,329 unsheltered; and*

*WHEREAS, Pittsburg had 221 people who were unsheltered; and*

*WHEREAS, the primary causes of homelessness are cost of living/job loss, eviction, substance abuse, separation/divorce, violence, mental health, loss of a loved-one/caretaker, medical issues, landlord/roommate dispute, incarceration; and*

*WHEREAS, the City of Pittsburg is dedicated to assisting the most vulnerable population in its community through community collaboration, partnerships, and planning and implementing solutions; and*

*WHEREAS, the month of November is designated as Homelessness Awareness Month to educate the public and bring awareness to the needs of the homeless; and*

*WHEREAS, the coordinated efforts of The Bay Church, New Destiny Church, St. Vincent de Paul Society and Loaves and Fishes of Contra Costa are providing the Shower Program, where the unhoused are able to shower, receive clean clothes, and receive a meal.*

*NOW, THEREFORE, I, Holland Barrett White, on behalf of the City Council of the City of Pittsburg, do hereby proclaim November 2022 as Homelessness Awareness Month and recognize The Bay Church for their efforts in addressing homelessness in Pittsburg.*

CITY OF PITTSBURG CONTRA COSTA CO. CAL.

Holland Barrett White

*Holland Barrett White, Mayor*

Alice E. Evenson

*Alice E. Evenson, City Clerk*

*ATTEST: November 21, 2022*

City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

# Proclamation

*HONORING NEW DESTINY CHURCH*
*DURING NATIONAL HOMELESS AWARENESS MONTH*
*November 2022*

*WHEREAS, the month of November is recognized as Homelessness Awareness Month in the United States; and*

*WHEREAS, there are approximately 3,093 homeless individuals in Contra Costa County based on the 2022 Point-In-Time Count; 764 sheltered and 2,329 unsheltered; and*

*WHEREAS, Pittsburg had 221 people who were unsheltered; and*

*WHEREAS, the primary causes of homelessness are cost of living/job loss, eviction, substance abuse, separation/divorce, violence, mental health, loss of a loved-one/caretaker, medical issues, landlord/roommate dispute, incarceration; and*

*WHEREAS, the City of Pittsburg is dedicated to assisting the most vulnerable population in its community through community collaboration, partnerships, and planning and implementing solutions; and*

*WHEREAS, the month of November is designated as Homelessness Awareness Month to educate the public and bring awareness to the needs of the homeless; and*

*WHEREAS, the coordinated efforts of The Bay Church, New Destiny Church, St. Vincent de Paul Society and Loaves and Fishes of Contra Costa are providing the Shower Program, where the unhoused are able to shower, receive clean clothes, and receive a meal.*

*NOW, THEREFORE, I, Holland Barrett White, on behalf of the City Council of the City of Pittsburg, do hereby proclaim November 2022 as Homelessness Awareness Month and recognize New Destiny Church for their efforts in addressing homelessness in Pittsburg.*

CITY OF PITTSBURG CONTRA COSTA CO. CAL.

Holland Barrett White

*Holland Barrett White, Mayor*

Alice E. Evenson

*Alice E. Evenson, City Clerk*

*ATTEST: November 21, 2022*

City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

# Proclamation

*HONORING ST. VINCENT DePAUL SOCIETY*
*DURING NATIONAL HOMELESS AWARENESS MONTH*
*November 2022*

*WHEREAS, the month of November is recognized as Homelessness Awareness Month in the United States; and*

*WHEREAS, there are approximately 3,093 homeless individuals in Contra Costa County based on the 2022 Point-In-Time Count; 764 sheltered and 2,329 unsheltered; and*

*WHEREAS, Pittsburg had 221 people who were unsheltered; and*

*WHEREAS, the primary causes of homelessness are cost of living/job loss, eviction, substance abuse, separation/divorce, violence, mental health, loss of a loved-one/caretaker, medical issues, landlord/roommate dispute, incarceration; and*

*WHEREAS, the City of Pittsburg is dedicated to assisting the most vulnerable population in its community through community collaboration, partnerships, and planning and implementing solutions; and*

*WHEREAS, the month of November is designated as Homelessness Awareness Month to educate the public and bring awareness to the needs of the homeless; and*

*WHEREAS, the coordinated efforts of The Bay Church, New Destiny Church, St. Vincent de Paul Society and Loaves and Fishes of Contra Costa are providing the Shower Program, where the unhoused are able to shower, receive clean clothes, and receive a meal.*

*NOW, THEREFORE, I, Holland Barrett White, on behalf of the City Council of the City of Pittsburg, do hereby proclaim November 2022 as Homelessness Awareness Month and recognize St. Vincent DePaul Society for their efforts in addressing homelessness in Pittsburg.*

CITY OF PITTSBURG CAL. CONTRA COSTA CO.

Holland Barrett White

*Holland Barrett White, Mayor*

Alice E. Evenson

*Alice E. Evenson, City Clerk*

*ATTEST: November 21, 2022*

City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

# Proclamation

*HONORING LOAVES AND FISHES OF CONTRA COSTA*
*DURING NATIONAL HOMELESS AWARENESS MONTH*
*November 2022*

*WHEREAS, the month of November is recognized as Homelessness Awareness Month in the United States; and*

*WHEREAS, there are approximately 3,093 homeless individuals in Contra Costa County based on the 2022 Point-In-Time Count; 764 sheltered and 2,329 unsheltered; and*

*WHEREAS, Pittsburg had 221 people who were unsheltered; and*

*WHEREAS, the primary causes of homelessness are cost of living/job loss, eviction, substance abuse, separation/divorce, violence, mental health, loss of a loved-one/caretaker, medical issues, landlord/roommate dispute, incarceration; and*

*WHEREAS, the City of Pittsburg is dedicated to assisting the most vulnerable population in its community through community collaboration, partnerships, and planning and implementing solutions; and*

*WHEREAS, the month of November is designated as Homelessness Awareness Month to educate the public and bring awareness to the needs of the homeless; and*

*WHEREAS, the coordinated efforts of The Bay Church, New Destiny Church, St. Vincent de Paul Society and Loaves and Fishes of Contra Costa are providing the Shower Program, where the unhoused are able to shower, receive clean clothes, and receive a meal.*

*NOW, THEREFORE, I, Holland Barrett White, on behalf of the City Council of the City of Pittsburg, do hereby proclaim November 2022 as Homelessness Awareness Month and recognize Loaves and Fishes of Contra Costa for their efforts in addressing homelessness in Pittsburg.*

CITY OF PITTSBURG CONTRA COSTA CO., CA.

Holland Barrett White

*Holland Barrett White, Mayor*

Alice E. Evenson

*Alice E. Evenson, City Clerk*

*ATTEST: November 21, 2022*

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution Authorizing the City Manager to Execute a Memorandum of Understanding for a Feasibility Study of Expanded Ferry Service in Contra Costa County

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

The Cities of Antioch, Hercules, Martinez, and Pittsburg (collectively, Cities), Contra Costa County (County), Eastern Contra Costa Transit Authority (ECCTA), and the Contra Costa Transportation Authority (CCTA), individually referred to as the Party and collectively referred to as the "Parties," are interested in expansion of ferry service in the County. Building upon a 2015 financial feasibility study, the Parties propose to study the feasibility of expanded ferry service to East County. The Parties have developed a Memorandum of Understanding (MOU) to facilitate plans, studies, and reports to better understand how or whether expanded ferry service can be established.

## FISCAL IMPACT

The estimated cost to complete the planning work for the expanded ferry service is $200,000 and will be equally shared between the Parties. The City of Pittsburg's Waterfront Fund (540) will fund the City's $40,000 share of MOU costs.

## RECOMMENDATION

Staff recommends City Council authorizing the City Manager to execute the MOU between the Cities, County, ECCTA, and the CCTA to advance planning and studies to evaluate the feasibility of expanded ferry service in Contra Costa County.

## BACKGROUND

While ferry service from San Francisco extends northeast to Solano County, the only ferry terminal in Contra Costa County is in Richmond. This terminal connects West County to San Francisco, providing a low-emission transit option that alleviates local traffic and increases commute accessibility. The Parties propose to bring that connection, traffic alleviation, accessibility, and other benefits to East County communities and have developed

conceptual goals of an expanded ferry service. A financial feasibility study was completed in 2015 and an additional feasibility study is required for the development of initial operating parameters of the service.

Ferry service planning, and development of an implementation strategy, will require coordination with key stakeholders, policymakers, and permitting agencies that may provide input and/or have project approval authority over some or all of the expanded ferry service. The Parties have developed an MOU that defines the roles and responsibilities of each of the Parties to plan and complete studies and reports to better understand how or whether expanded ferry service can be established.

Under the proposed MOU, the CCTA will develop the procurement documents needed to retain the consultant to complete the feasibility study and will be responsible for managing the consultant contract, and a designated representative from each Party will actively represent its Party in meetings, planning activities, consultant selection, and feasibility study review. The planning work for the expanded ferry service is anticipated to be initiated in early 2023 and to be completed by the end of 2023.

## SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

## STAFF ANALYSIS

As proposed in the MOU, the feasibility study aims to investigate estimated ridership, evaluate fare structure, assess operational and maintenance costs, assess existing infrastructure, define regulatory and permitting requirements, assess connected mobility options for first and last mile to marinas, identify and evaluate service plan options and operating parameters, evaluate possible management structures of the service, identify options for finding the service, and develop initial operating assumptions and financial constraints. Included in the proposed feasibility study will be investigation into deployment of zero-emission vessels, procurement options, and recommendations for ongoing management of the ferry service.

In addition to potential greenhouse gas reductions, the Parties have determined that increasing transit options in Contra Costa County will promote economic development, create jobs, provide additional emergency response alternatives, and support congestion relief by converting vehicle trips to transit trips. Providing ferry operations to service within Antioch, Martinez, Pittsburg, Hercules and the unincorporated areas of East County will also provide a viable transit alternative to these communities for both commute and recreational trips.

ATTACHMENTS: Resolution
MOU Regarding Contra Costa Ferry Service Expansion

Report Prepared by: Sara Bellafronte, Senior Administrative Analyst

**MEMORANDUM OF UNDERSTANDING**

**REGARDING EXPANDED FERRY SERVICE IN CONTRA COSTA COUNTY**

This Memorandum of Understanding ("MOU") entered into as of _____ 2022, ("Effective Date") by and among the Cities of Antioch ("Antioch"), Hercules ("Hercules"), Martinez ("Martinez"), and Pittsburg ("Pittsburg"), Contra Costa County ("County"), Eastern Contra Costa Transit Authority ("ECCTA"), and the Contra Costa Transportation Authority ("CCTA"). Antioch, Hercules, Martinez, and Pittsburg are sometimes collectively referred to herein as the "Cities," and each individually as a "City." Each City, the County, ECCTA, and CCTA are sometimes collectively referred to herein as the "Parties," and each individually as a "Party."

## Recitals

A. The Parties have determined that increasing transit options in Contra Costa County will promote economic development, create jobs, provide additional emergency response alternatives, and support congestion relief by converting vehicle trips to transit trips. Providing ferry operations to service within Antioch, Martinez, Pittsburg, Hercules and the unincorporated areas of east County will provide a viable transit alternative to these communities for both commute and recreational trips. To that end, the Parties desire to evaluate and assess whether expanded ferry service in the County (referred to as "Expanded Ferry Service") could be established as a viable service. Expanded Ferry Service would provide connections between the Cities and other employment centers, services, and recreational facilities in the East Bay and other parts of the Bay Area.

B. The Parties have conceptual ideas of the goals of an Expanded Ferry Service. Completion of additional studies will be required for the development of conceptual initial operating parameters of the service, including but not limited to projections for ferry demand, service frequency, fare structure, operating costs, and purchase/lease agreement(s) for vessels (if needed), and other matters connected with an initial demonstration period and ongoing ferry service. The Parties anticipate that these studies will build upon and refine the results of the "Financial Feasibility of Contra Costa Ferry Service, 2015-2024" study that was completed in 2015.

C. Ferry service planning, and development of an implementation strategy, will require coordination with key stakeholders, policymakers, and permitting agencies that may

provide input and/or have project approval authority over some or all of the Expanded Ferry Service. The Parties anticipate that a full financial model and management plan will need to be developed to understand whether the service would be viable. This will require identifying capital and operating costs, a potential fare structure, a conceptual management structure, and matters connected with establishing a viable ferry service. Advancement of these planning efforts beyond these initial studies will require additional agreements, prioritization of funding by the Parties and/or within the Sub-Region and procurement of services, and completion of all environmental review before any of the Parties can commit to pursuing or partnering to pursue Expanded Ferry Service.

D. The Parties desire to enter into this MOU to plan and complete studies and reports to better understand how or whether Expanded Ferry Service can be established. The Parties anticipate future amendments and restatements of this MOU will be required as project milestones are completed, and when there is greater definition around next steps in the planning process.

## Agreement

1. **Term; Termination; Withdrawal.** The term of this MOU begins on the Effective Date, and it terminates when all Parties then-party to the MOU mutually agree in writing to terminate this MOU. Any Party may withdraw from this MOU by providing written notice to all other Parties at least 60 days prior to the date of withdrawal. Notwithstanding anything to the contrary, a Party shall be responsible for paying its share of costs incurred under this MOU through and including the termination date or the withdrawal date.

2. **Feasibility Study Scope of Work and Solicitation.** CCTA shall consult with the other Parties to prepare a consultant scope of work ("Scope of Work") that CCTA will use to define the scope of the services a consultant will perform in connection with completing a Feasibility Study for Expanded Ferry Service ("Feasibility Study"). CCTA shall ensure that the Scope of Work and the Feasibility Study adequately address all of the following: estimate ridership; evaluate fare structure; assesses operational and maintenance costs; assess existing infrastructure; define regulatory and permitting requirements; assess connected mobility options for first and last mile to marinas; identify and evaluate service plan options and operating parameters; evaluate possible management structures of the service; identify options for finding the service; and developing initial operating assumptions and financial constraints. CCTA shall further ensure that the Feasibility Study evaluates the use of small vessels (up to 100 passenger capacity) and investigates

opportunities to deploy zero emissions vessels. CCTA shall further ensure that the Feasibility Study evaluates procurement options, and that the Consultant develops recommendations for the ongoing management of the ferry service.

Following agreement on the Scope of Work by the Parties' representatives, CCTA shall solicit proposals from persons and firms interested in preparing the Feasibility Study. CCTA shall ensure that all other Parties have an opportunity to review and comment on CCTA's selection criteria and solicitation. CCTA shall obtain the concurrence of the Cities' and the County's designated representatives prior to engaging the successful consultant that will prepare the Feasibility Study (the "Consultant").

3. **Parties' Obligations.** To ensure that the Feasibility Study is timely completed under this MOU, in addition to other obligations included in this MOU, the Parties shall have the following obligations.

   A. CCTA Obligations. CCTA shall:

      a. Develop the draft procurement documents needed to retain the Consultant to complete the Feasibility Study within two (2) months of the Effective Date of this MOU.
      b. Coordinate review of the procurement documents with designated representatives of the Cities, the County, and ECCTA; and incorporate comments provided by the Cities, the County, and ECCTA, provided such comments are timely provided to CCTA by the parties.
      c. Select, manage, oversee, and direct the Consultant work, including development of a schedule to ensure the timely completion of the Feasibility Study.
      d. Coordinate meetings among designated representatives of the Parties and the Consultant, as needed, or as reasonably requested by any Party.
      e. Provide a draft Feasibility Study to the Parties for review prior to finalization, and allow the Parties a reasonable opportunity to comment on the draft Feasibility Study.
      f. Perform other tasks, as may be required, to coordinate the timely completion of the Feasibility Study.
      g. Obtain the written consent of each City and the County prior to incurring more than $200,000 in Consultant charges to complete the Feasibility Study, which consents may need to be given following approval of the cost increase by the Cities' and the County's governing bodies.

B. City and County Obligations. Each City and the County shall be responsible for that Party's equal share of the cost of the Consultant's charges for completing the Feasibility Study, in accordance with Section 4 ("Invoicing and Payments") of this MOU. For purposes of the avoidance of doubt, ECCTA is not responsible for any share of the Consultant's charges for completing the Feasibility Study.

C. All Parties' Obligations. Each Party shall designate its representative for purposes of this MOU. The designated representative will be responsible for actively representing that Party in meetings, planning activities, consultant selection, and Feasibility Study review.

4. **Invoicing and Payment.** CCTA shall be solely responsible for ensuring the Consultant is timely paid for work the Consultant performs completing the Feasibility Study under its contract with CCTA. The cities of Martinez, Hercules and Antioch have each elected to allow CCTA to withhold $40,000 in Measure J funds for Local Streets Maintenance & Improvements – Program 11 (Return to Source Funds) in fiscal year 2022-2023 to reimburse CCTA for its share of the Consultant's charges for work connected with the Feasibility Study. If any city is found to be non-compliant with the Measure J Growth Management Program in fiscal year 2022-2023, the city shall remit to CCTA $40,000 to reimburse CCTA for its share of the Consultant's work. Each of the City of Pittsburg and the County shall remit to CCTA $40,000 by July 1, 2023 for each of its share of the cost of the Feasibility Study. CCTA shall provide each City and the County a copy of the Consultant's charges documented on a quarterly invoice.

   If the Feasibility Study experiences cost increases beyond $200,000, the cities and County agree to secure additional funds to cover the shortfall. If additional funding is determined by CCTA to be unavailable, the Feasibility Study may be re-scoped or terminated.

5. **Audit and Access to Records.** Each City and the County shall have the right of access to any books, documents, papers, or other records of CCTA that are pertinent to the Cities' and the County's reimbursement of CCTA for Consultant charges under this MOU. During the term of this MOU and for a period of three (3) years after the termination of this MOU, CCTA shall keep and maintain accurate financial accounts, in accordance with generally acceptable accounting principles, of all payments made by the Cities and the County to reimburse CCTA for Consultant charges. CCTA shall provide the Cities and the County copies of those records within 15 days of a written request, and shall make those records available for inspection during CCTA's normal business hours, at CCTA's offices, or the offices of its financial consultant.

6. **No Project.** The activities described in the MOU do not constitute a project for purposes of the California Environmental Quality Act ("CEQA"). Nothing in this MOU commits, nor shall it be construed to commit, any Parties to approve any project without first complying with the CEQA.

7. **Notices.** All notices, invoices, payments, demands, and other correspondence required to be given under this MOU shall be in writing, and shall be delivered in person, by overnight delivery with delivery charges prepaid, or by U.S. Mail with postage prepaid, to the following:

Antioch
Rosanna Bayon-Moore
Forest Ebbs
Designated Representatives
420 W 3rd St.
Antioch, CA 94509

Hercules
Michael Roberts
Designated Representative
111 Civic Dr.
Hercules, CA 94547

Martinez
Michael Chandler
Designated Representative
525 Henrietta St.
Martinez, CA 94553

Pittsburg
Sara Bellafronte
Designated Representative
65 Civic Ave.
Pittsburg, CA 94565

County
John Cunningham
Federal Glover
Designated Representatives
555 Escobar St.
Martinez, CA 94553

ECCTA
Rashidi Barnes
Designated Representative
801 Wilbur Ave.
Antioch, CA 94509

CCTA
Ying Smith
Designated Representative
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

or to such other addresses as the Parties may respectively designate by written notice to the other Parties. Notice shall be deemed given on the same day if it is personally delivered, on the next day if it is delivered by overnight delivery, or on the fifth (5th) day after the postmark date if it is given by U.S. Mail.

8. **Entire Agreement; No Third-Party Beneficiaries.** This MOU contains the entire agreement among the Parties relating to the subject matter of this MOU. No alteration or variation of this MOU is valid or binding unless made in writing and signed by all Parties then-party to the MOU. Nothing in this MOU shall, nor is it intended to, confer on any person or entity other than the Parties any rights or remedies under this MOU.

9. **Construction.** The section headings and captions of this MOU are, and the arrangement of this MOU is, for the sole convenience of the Parties to this MOU. The section headings, captions, and arrangement of this MOU do not in any way affect, limit, amplify, or modify the terms and provisions of this MOU. This MOU shall not be construed as if it had been prepared by one of the Parties, but rather as if all Parties have prepared it. The Parties to this MOU and their attorneys have read and reviewed this MOU and agree that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this MOU.

10. **Amendment.** Except as specified in this section, this MOU may not be modified, amended, or amended and restated except in a writing signed by all Parties then-party to the MOU. A public agency may become a Party to this MOU only by a written amendment to this MOU executed by all Parties then-party to the MOU. This MOU shall be deemed amended to remove a Party when that Party's withdrawal from this MOU is effective.

11. **Severability.** If a court determines that any term, covenant, or provision of this MOU is invalid, illegal, or unenforceable, the validity of the remainder of this MOU shall not be affected thereby.

12. **Governing Law.** This MOU shall be governed and construed in accordance with California law.

13. **Counterparts and Authority to Execute.** This MOU may be executed in one or more counterparts, each of which shall be deemed an original. The Parties executing this MOU represent and warrant they are authorized to execute this MOU.

14. **Binding Effect**. This MOU shall bind and benefit the Parties hereto and their heirs, successors, and permitted assigns.

[Remainder of page left blank. Signatures on next page(s).]

**City of Pittsburg**

Garrett Evans
City Manager

**City of Antioch**

Cornelius Johnson
City Manager

**City of Martinez**

Michael Chandler
City Manager

**City of Hercules**

Dante Hall
City Manager

**Contra Costa County**

Monica Nino
County Administrator

**Contra Costa Transportation Authority**

Timothy Haile
Executive Director

**Eastern Contra Costa Transit Authority**

Rashidi Barnes
Chief Executive Officer

SMS

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BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Authorizing the City Manager to Execute a Memorandum of Understanding for a Feasibility Study of Expanded Ferry Service In Contra Costa County | ) ) ) ) | RESOLUTION NO. 22- |

WHEREAS, the Cities of Antioch, Hercules, Martinez, and Pittsburg (collectively, Cities), Contra Costa County (County), Eastern Contra Costa Transit Authority (ECCTA), and the Contra Costa Transportation Authority (CCTA), individually referred to as the Party and collectively referred to as the "Parties," are interested in expansion of recreational commute ferry service in Contra Costa County; and

WHEREAS, in addition to potential greenhouse gas reductions, the Parties have determined that increasing transit options in Contra Costa County will promote economic development, create jobs, provide additional emergency response alternatives, and support congestion relief by converting vehicle trips to transit trips; and

WHEREAS, a financial feasibility study for ferry expansion was completed in 2015 and an additional feasibility study is required for the development of initial operating parameters of the service; and

WHEREAS, the Parties have developed a Memorandum of Understanding (MOU) that defines the roles and responsibilities of each of the Party to plan and complete studies and reports to better understand how or whether expanded ferry service can be established; and

WHEREAS, the CCTA will develop the procurement documents needed to retain the consultant to complete the feasibility study and will be responsible for managing the consultant contract, and a designated representative from each Party will actively represent its Party in meetings, planning activities, consultant selection, and feasibility study review; and

WHEREAS, the estimated cost to complete the planning work for the expanded ferry service is $200,000 and will be equally shared between the Parties. The City of Pittsburg's (City) Waterfront Fund will fund the City's $40,000 share of MOU costs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby authorizes the City Manager to execute an MOU and allocate $40,000 of Waterfront funds to pay for the City's share.

PASSED AND ADOPTED by the City Council of the City of Pittsburg, at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Adopt a Pledge to Address Persistent Opportunity Gaps Experienced by Young Men and Women of Color

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

The City Council will consider a Resolution approving the adoption of a pledge to address persistent opportunity gaps experienced by young men and women of color.

## FISCAL IMPACT

There is no fiscal impact.

## RECOMMENDATION

City Council adopt by resolution a pledge to address persistent opportunity gaps experienced by young men and women of color.

## BACKGROUND

In 2019, the City of Pittsburg hired consultant Emerald HPC International to develop a conceptual framework in relation to youth services within the City of Pittsburg by means of stakeholder meetings, fact finding, and planning sessions.

In March 2019, the City of Pittsburg hosted a kick-off workshop to discuss the most critical needs of Pittsburg youth and young adults. Representatives in attendance for the workshop included the members of the City Council, Board Members and staff from Pittsburg Unified School District, a Board Member from Mt. Diablo Unified School District, representatives from the Contra Costa County Office of Education, the City Manager, City staff, and the Pittsburg Police Department.

Emerald HPC completed the framework in July 2019 and worked alongside staff to develop the draft Plan.

On June 20, 2022 the City Council approved resolution 22-14108 adopting the Youth and Young Adult Services Master Plan developing the vision, objectives and strategies for programs and funding specific to Pittsburg youth and young adults. Additionally, the City Council requested staff work with the Pittsburg Unified School District to develop a joint resolution to further the work and commitment to address persistent opportunity gaps experienced specifically by young men and women of color.

## SUBCOMMITTEE FINDINGS

This item was discussed during the MBK-Pittsburg Ad Hoc meeting on October 19, 2022. The item was also brought before the Pittsburg Unified School Board of Trustees on November 9, 2022.

## STAFF ANALYSIS

In Spring 2022, in alignment with My Brothers Keeper Alliance, the City joined hundreds of cities, communities, and tribal nations across the country, engaging in cross-sector, City-wide collaboration to create critical and transformational systems change to address disparities that exist for Pittsburg's youth and men of color. Improving systems to increase educational attainment, employment, and improve public safety systems is beneficial not only to youth and men of color, but to the economic viability and overall health of the residents in the City of Pittsburg.

According to the most recent reported data by the U.S. Census, the City of Pittsburg has a population of 76,544, with 23.4% under the age of 18, 43.3% identifying as Latinx, 34% White, 19.4% Asian, 13.6% Black or African American, 11% two or more races, and 0.9% American Indian and Alaska Native.

Additionally, only 23% of African American and 26% of Latinx male youth that graduate high school graduate meeting eligibility requirements for the California State University/ University of California (CSU/UC) system (comparatively, females graduate meeting UC eligibility nearly 20% more than their male counterparts respectively), and combined represent almost 80% of felony arrests of youth under the age of 17 in Contra Costa County. In other words, racial and gender disparities exist, and those most vulnerable yet at-promise are young men of color.

The Pittsburg Unified School District and the City support My Brother's Keeper in Pittsburg and emphasize the commitment to partner on closing opportunity gaps for all young men and women of color, with an overall goal of ultimately ensuring all youth feel supported as they pursue a promising future and a prosperous, healthy life.

Staff is recommending adoption of this resolution.

ATTACHMENTS:

1. Resolution
2. Youth and Young Adult Services Master Plan

Report Prepared By: Kolette Simonton, Director of Recreation

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Adoption of a Pledge to Address Persistent Opportunity Gaps Experienced by Young Men and Women of Color | ) ) ) | RESOLUTION NO. 22- |

WHEREAS, the City and School District envisions a community where all youth and young adults rise above social and economic barriers to realize their full potential; and

WHEREAS, the City and School District understands that improving systems to increase educational attainment and employment opportunities for Pittsburg young men and women of color is beneficial to the economic vitality and overall health of the residents of Pittsburg; and

WHEREAS, the City and School District seeks to address persistent opportunity gaps experienced by young men and women of color, with an overall goal of ultimately ensuring all youth feel supported as they pursue a promising future and a prosperous, healthy life; and

WHEREAS, the City and School District is committed to working with the Pittsburg Unified School District to develop implementation action strategies that are coordinated and intentionally aligned; and

WHEREAS, programs such as Improve Your Tomorrow and My Brothers Keeper are important first steps in achieving the goals contained with the City of Pittsburg's Youth and Young Adult Services Master Plan and the Pittsburg Unified School District's Local Control and Accountability Plan; and

WHEREAS, the community passed Measure M on June 7, 2016 with the intent to help fund programs for the City's youth; and

WHEREAS, the School District receives funds from the State through the Local Control Funding Formula and other grants

WHEREAS, staff is recommending that the City Council adopt a Pledge to Address Persistent Opportunity Gaps Experienced by Young Men and Women of Color in alliance with the Pittsburg Unified School District.

NOW, THEREFORE, the City Council DOES RESOLVE as follows:

Section 1. The City and Pittsburg Unified School District have a long standing, cooperative relationship working to improve opportunities for Pittsburg's youth.

Section 2. The City commits to continue working with Pittsburg Unified School District to improve opportunities for Pittsburg's youth, through the City Manager or his designee and the Superintendent or his designee and through the joint 2x2 Committee.

Section 3. Programs that help achieve the City's Youth and Young Adult Services Master Plan are eligible uses of the community's Measure M funds.

Section 4. The City Manager is authorized to make such necessary changes and take all actions necessary or appropriate to carry out the City's obligation pursuant to this Resolution.

Section 5. The Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November, 2022 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

ADOPTED JUNE 20, 2022



# City of Pittsburg

## Youth and Young Adult Service Master Plan

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# ACKNOWLEDGEMENTS

**City Council**
Holland Barrett White, Mayor
Shanelle Scales-Preston, Vice Mayor
Juan Antonio Banales
Jelani Killings
Merl Craft

**City Clerk**
Alice Evenson

**City Treasurer**
Nancy Parent

**Youth Advisory Commission**
Michaela Aquino, Chair
Aafia Sammee, Vice Chair
Deyaniel Maldonado, Commissioner
Gianna Payton, Commissioner
Kathryn Jackson, Commissioner

**City Attorney**
Donna Mooney

**City Manager**
Garrett Evans

**Deputy City Manager**
Maria Aliotti

**City Staff**
Kolette Simonton, Director of Recreation
Jordan Davis, Director of Community and Economic Development

**Consultants**
Iris Archuleta, Emerald HPC
Keith Archuleta, Emerald HPC

The Youth and Young Adult Services Master Plan was sponsored by Council Member Jelani Killings during his 2019 term as Mayor.

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# EXECUTIVE SUMMARY

The City of Pittsburg – along with partners such as Pittsburg Unified School District (PUSD), Mt. Diablo Unified School District (MDUSD), Los Medanos College (LMC), and numerous other non-profit agencies and religious institutions –provide services, programs, and educational opportunities to youth and young adults in the community. The City itself, through the Recreation Department, Police Department's Police Activities League (PAL), and the Pittsburg Arts and Community Foundation (PACF) operate, manage, and support over a dozen youth-oriented activities, from community service programs to sports, tutoring, and fine arts. In addition, the City provides financial support for specific youth programs that provide before and after school care and tutoring, as well as programs that provide young adults with life and career skills to help prepare them for the workforce.

As the City's population continues to grow – California Department of Finance estimates the population to exceed 90,000 by year 2040 – it will become increasingly important for Pittsburg to effectively provide services for the growing demographic of young people, and provide opportunities for them to enrich and enhance their lives, physical and mental health, and social development. The City can build on its previous successes and lessons learned, as well as the hard work of other agencies facing similar hurdles, to continue to grow the services and support provided to youth and young adults, and work to create a civic-minded populace.

Staff has researched other youth and young adult-centered planning efforts, and seeks to include the most applicable and effective goals, policies, and initiatives to the City of Pittsburg's plan, while continuing to look to our public and private sector partners and peers to help inform and implement the strategies identified herein.

Based on the report prepared by Emerald HPC for the City in 2019, as well as research of other programs and City-led workshops, the goal of the City of Pittsburg through this effort is to:

- Identify and close gaps in service for youth and young adults;
- Alleviate the amount of unstructured downtime for youth, specifically between the end of the school day and the return of guardians to the home;
- Increase capacity, collaboration, and effectiveness of all youth services offered in Pittsburg;
- Improve the health, crime, economic, and education indicators impacting youth that are identified in the Emerald HPC conceptual framework;
- Enhance communication and outreach efforts.

This Plan has been developed with input from City Council members, the Youth Advisory Commission, City staff, the Pittsburg Police Department, PUSD Board members and staff, MDUSD Board members, LMC staff, community members, community youth, and young adults.

## BACKGROUND

The City of Pittsburg is located in east Contra Costa County, between the Cities of Concord and Antioch, along the Suisun Bay where the San Joaquin and Sacramento Rivers merge. With an estimate population of just over 72,000 as of 2019 – up from an estimated 63,000 in 2010 – the City is generally considered a suburb of some of the larger Bay Area cities. Pittsburg has historically been known as an industrial city, with large employers such as USS-POSCO and Corteva Agriscience (formerly Dow Chemical Company) calling the northern waterfront home; however, in recent years, the City has begun to experience a greater outflow of its working population, as more residents head to larger job centers to the west.

Pittsburg has one public high school, one continuation school, three junior high schools, and twelve elementary or K-8 schools. These educational facilities are operated by PUSD and MDUSD, though a small portion of southeastern Pittsburg is within the Antioch Unified School District (AUSD) attendance area. The City has one public library, two BART Stations, and is served by the Tri Delta Transit bus system. Pittsburg is also home to Los Medanos College (LMC), recently ranked in the top six for community colleges nationwide.

The City itself lacks some of the infrastructure helpful in providing youth services. Former youth centers along Marina Boulevard and Crestview Drive have been closed since the late 1990s. The Pittsburg Youth Development Center, which offers youth classes and sports, is outdated and cannot meet the demand of a city the size of Pittsburg.

## PLAN DEVELOPMENT

In May 2019, the City hired Emerald HPC to lead a roundtable discussion of representatives from the City, PUSD, MDUSD, and the Pittsburg Police Department. During the roundtable, the group listed the following common issues regarding the needs of Pittsburg youth:

- more places to gather;
- greater diversity of activities, particularly after school;
- time with parents, guardians, and positive role models/mentors; and
- employment and career pathway opportunities.

Following the roundtable discussion, Emerald HPC conducted additional demographic and background research, and identified several key consideration items that would help inform future policies, programs, or funding allocations targeting youth service. The key findings contained within the reports provided by Emerald HPC are summarized below:

- Many school age children lack supervision during the hours of 3:00 p.m. and 7:00 p.m., in part due to long commute times resulting from an imbalance of jobs in the area. Significant commutes leave less time for parents and caregivers to spend with their families and adversely affects the quality of life for children and youth.
- Social determinants are in part responsible for the unequal and avoidable differences in health status within and between communities.
- Collaboration between families, schools, and law enforcement is critical for youth, and therefore the future of communities, to prosper.
- There are predictable outcomes related to youth who become disengaged for a variety of factors. Adolescents and young adults are particularly sensitive to environmental influences,

such as family, peer group, school, neighborhood, policies, and societal cues.

- Economic mobility is key, and poverty, unemployment, transportation, childcare, and homelessness greatly impact career/college preparation.

Following the fact-finding and research phase, staff and Emerald HPC worked together to identify a set of strategies, actions, and next steps. These include:

1. *Employment-focused skills training.* Investing in programs that train at-risk youth, reentry, and other populations in local industries will provide increased access to job opportunities close to home, thereby strengthening both the community and the local economy. Creating stronger partnerships with local community colleges and specialized employment skills training partners can help increase youth access to the skills needed for employment.
2. *Improve neighborhood health and mortality rates.* There is a need to improve the health of the people within low-income communities. This begins with neighborhood and health partnerships that include positive community education and advocacy. Once the campaign is ready for launch, there must be a strategic, facilitated outdoor community information and engagement forum with health professionals, city and county leaders and officials in partnership with respected neighborhood leaders.
3. *Community outreach and engagement to support neighborhoods and public schools.* Prior to the launch of a community outreach and engagement strategy, conversations with key stakeholders must be held so that they are sufficiently versed in agreed upon strategy. Sharing project implementation and success with the community will help residents champion the comprehensive strategy and own the commitment, effort and outcomes that support community health and prosperity.

Staff has utilized the recommendations of Emerald HPC to complete an extensive list of programs, activities, and services available to youth of all ages in the City, and has identified the most critical gap in service as high school-aged students between the hours of 3:00 and 7:00 p.m. While programs for this age group do exist, the number of spots are often limited, and programs may carry a fee. Initial opportunities noted by the 2x2 Subcommittee members include getting youth involved/engaged in local government; coordinating a youth services network by collaborating with other agencies in informing youth of resources; helping enhance job skills training; and continue to help build capacity for existing organizations.

In March 2022, the newly formed Youth Advisory Commission was asked to review and make recommendations on the draft Youth and Young Adult Services Master Plan. The input of the Commission included recommended changes to ensure an emphasis on safety, mental health, social engagement, access to workforce programs and youth providers, and the addition of a community center/hub. The Commissioners noted that the biggest challenges not a lack of available programming and opportunities, it is that many are not aware of the programs and opportunities that exist.

# DEMOGRAPHICS AND STATISTICS

The City of Pittsburg has a diverse, and relatively young population, with a large percentage (35%) of residents under the age of 25. The median age of a Pittsburg resident is 35, several years younger than the county average of 40.

As described in the Conceptual Framework prepared by Emerald HPC, and per Contra Costa County Health Department data, in Contra Costa County, a child born in a low-poverty area in 2000 could expect to live more than six years longer than a child born in a high-poverty area. Life expectancy in low-poverty areas was 81.4 years, compared to 74.9 years in high-poverty areas. African Americans in Contra Costa, in particular, had a shorter life expectancy (73.1 years) than any other racial/ethnic group.

Not surprisingly, education levels also play into life expectancy, as it is widely recognized that higher education correlates to lower levels of poverty (U.S. Census Bureau) which, as described above, have a direct impact on life expectancy. Per the Conceptual Framework, a child born in a high-education area in Contra Costa (i.e., all census tracts with less than 5% of residents with less than a high school diploma) in 2000 could expect to live more than seven years longer than a child born in a low-education area (all census tracts with 25% or more residents with less than a high school diploma). As shown in Table 1.2, below, approximately 75% of Pittsburg students surveyed as part of the California Healthy Kids Survey (CHKS) 2016-17, for PUSD responded that their parents either did not have a college degree, or did not know the education level of their parents.

The City does face a poverty rate that exceeds that of the county, approximately 13.6% compared to 9.75%. As shown in Figure 1.2, residents identifying as “Hispanic,” were the most common racial or ethnic group living below the poverty line.

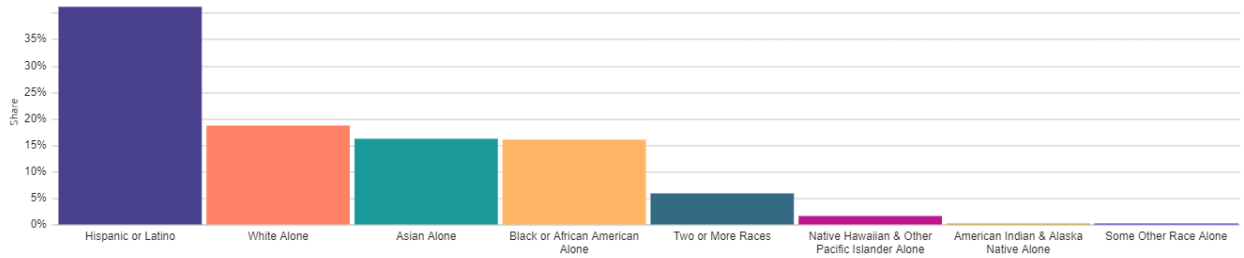
Pittsburg youth also attend after school programs at a low rate. Based on CHKS 2016-17 data, more than 80% of students surveyed in grades 7, 9, and 11 did not attend after school programs at any point during the week.

Table 1.1: Population by Age

| | Estimate | Percent |
|---|---|---|
| **Total City population** | 69,449 | -- |
| **Under 5 years** | 4,880 | 7.0% |
| **5 to 9 years** | 5,226 | 7.5% |
| **10 to 14 years** | 4,591 | 6.6% |
| **15 to 19 years** | 4,176 | 6.0% |
| **20 to 24 years** | 5,462 | 7.9% |

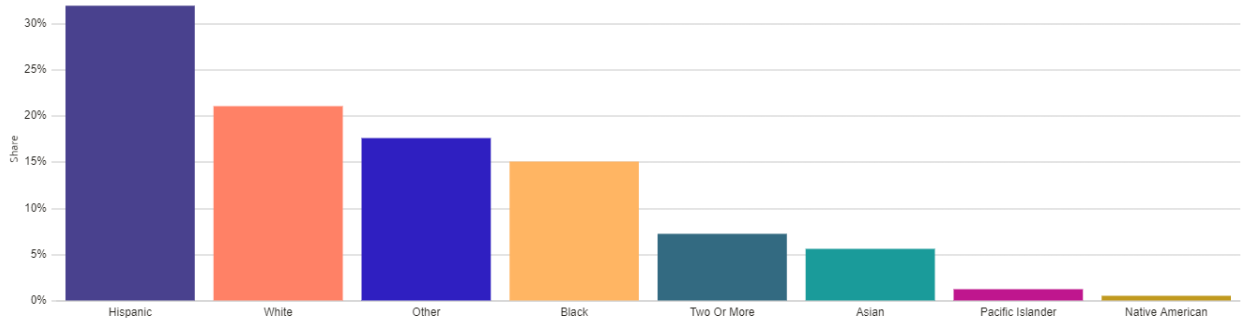
(Sources: U.S. Census ACS 5-Year Estimates)

Figure 1.1: Race or Ethnicity (All Ages)




(Sources: U.S. Census ACS 5-Year Estimates, DataUSA)

Figure 1.2: Poverty by Race or Ethnicity (All Ages)




(Sources: U.S. Census ACS 5-Year Estimates, DataUSA)

Table 1.2: Highest Education of Parents

| | Grade 7 | Grade 9 | Grade 11 | NT[1] |
|---|---|---|---|---|
| **Did not finish high school** | 13% | 18% | 25% | 6% |
| **Graduated from high school** | 20% | 25% | 23% | 5% |
| **Attended college but did not complete four-year degree** | 9% | 15% | 18% | 6% |
| **Graduated from college** | 25% | 23% | 24% | - |
| **Don't know** | 34% | 18% | 9% | 4% |

1: NT includes continuation, community day, and other alternative school types. (Source: CHKS 2016-17)

Table 1.3: Number of Days Attending After School Programming

| | Grade 7 | Grade 9 | Grade 11 | NT[1] |
|---|---|---|---|---|
| **0 Days** | 82% | 87% | 89% | 95% |
| **1 Day** | 1% | 2% | 2% | 0% |
| **2 Days** | 1% | 5% | 4% | 0% |
| **3 Days** | 2% | 1% | 1% | 0% |
| **4 Days** | 3% | 0% | 1% | 0% |
| **5 Days** | 10% | 4% | 3% | 5% |

1: NT includes continuation, community day, and other alternative school types. (Source: CHKS 2016-17)

# PLAN VISION, OBJECTIVES, and STRATEGIES

The *Youth and Young Adult Service Master Plan* is intended to implement the City's vision for a community the supports the education, health, and wellness of its youth and young adults and seeks to strategically improve their social and economic outcomes.

The established Vision of the Plan is reflective of the values of the City and its partners; the adopted Vision will be implemented through six over-arching goals and multiple strategies that will rely on the development of a coordinated youth services network that is facilitated by the City and includes the participation of key partners to achieve intended outcomes.

## VISION:

The City of Pittsburg envisions a community where all Youth and Young Adults rise above social and economic barriers to realize their full potential.

The formulation of this Plan is a result of feedback gathered from stakeholders and research conducted by the City and via the City's consultant, Emerald HPC. The following objectives will frame the City's actions going forward and will establish strategies for reaching the identified outcome, help provide milestones for Plan implementation, and a gauge to help measure success. Implementation Strategies may include action steps that further break down tasks. This working document will direct the collective efforts of the City and its partners, as applicable. The objectives contained herein are intended to be fluid, and staff anticipates minor modifications as additional research and outreach is conducted.

The following Implementation Strategies have been grouped according to their estimated implementation timing rated on a scale of one to three to gauge the City effort and resources required for implementation; however, due to a variety of contributing factors, the City wishes to convey that the timing of implementation may need to be adjusted as funding, personnel resources, and other factors come to light. "Short term" strategies are likely to be implemented within the first year of Plan adopted, while "medium term" strategies likely will require additional funding, staff time, or outreach with a timeline of 2-5 years. "Long term" strategies require the most outreach, planning, and funding, and thus have the furthest horizon, likely in the 3-10 year range. Many of these strategies are contingent or rely heavily upon implementation of other initiatives, but also may be ongoing once initiated.

Potential funding mechanisms for programs include new tax and lease revenues from specific businesses or developments, private contributions, Pittsburg Power Company contributions, General Fund revenues, event sponsorship, and grants. Funding for facilities and capital projects, such as future recreation or other types of youth centers will likely come from community benefit contributions or other types of private sponsorship; however, staff will explore other financing options, such as enhanced infrastructure financing districts (EIFD) and grants.

## OBJECTIVE 1: IDENTIFY GAPS IN YOUTH AND YOUNG ADULT SERVICES.

As part of this effort, the City seeks to help fill the voids facing certain groups of youth and young adults that may not benefit from or qualify for traditional after school and summer programs and services such as organized sports or child day care. Identifying these "gaps" will require input from several key partners, as noted below, each with a specific role and expertise. The City's goal is to identify the group or groups lacking options for unstructured downtime, what opportunities currently exist that may need to be expanded or receive additional support, and how the City's partners can help create a continuum or services that will guide youth in Pittsburg through their teen and young adult years.

### KEY PARTNERS:

City of Pittsburg
School District Representatives
Los Medanos College
Non-Profit Organizations
Religious Institutions

### RESOURCES NEEDED:

Information on existing programs throughout the City
Staff personnel to manage database(s)
Volunteers for Youth Commission

### IMPLEMENTATION STRATEGIES:

#### Short Term

1.1 Establish a database of youth and young adult services to help identify underserved demographics.

*Progress indicators: Database creation*



1.2 Inventory public and privately-owned facilities within the City to identify needs and spaces for youth programming.

*Progress indicators: Inventory completion*



1.3 Convene a series of roundtables to discuss the needs of youth and young adults in the City. Align City efforts with local school districts, LMC, and private service providers.



#### Medium Term

1.4 Engage Contra Costa County Probation, foster care providers, and behavioral health counselors to understand specific needs for high-risk youth in Pittsburg

1.5 Convene a working group with LMC to identify and address workforce development needs and required skills, as well as programs for teens and young adults.



1.6 Identify an organization or commission comprised of youth and/or young adults that can provide insights to service gaps.

*Progress indicators: Continue and grow the Youth Advisory Commission and their role in reviewing youth initiatives.*

## OBJECTIVE 2: DEVELOP A COORDINATED YOUTH SERVICES NETWORK THAT SUPPORTS POSITIVE YOUTH DEVELOPMENT.

One of the most critical aspects of providing youth services is ensuring facilities that offer youth and young adults a safe and supportive space where they can learn new life, social, and career skills that will help them throughout their lives. City-operated programs and facilities should be designed to promote youth engagement and growth within underserved populations.

### KEY PARTNERS:

City of Pittsburg Staff
City of Pittsburg Police Activates League (PAL)
Volunteers

### RESOURCES NEEDED:

Community Center
Operational and maintenance funding
Private funding

### IMPLEMENTATION STRATEGIES:

#### Short Term

2.1 Acquire and operate a community center or hub to provide a centralized location for programs and services supported by the youth services network

2.1 Inform and educate staff about accepted best youth development program planning practices.

*Progress indicators: Short term: Seminar for staff on best practices; Long term: 75% approval rating for programs in relation to youth development*

2.2 Establish local branches of youth support initiatives and collaborate with youth mentorship organizations to increase the number of at-risk and minority youth with positive and professional role models
*Progress indicators: Establishment of programs and identification of funding mechanisms.*

#### Medium Term

2.3 Rename/reorganize Recreation Department to “Recreation and Youth Development Department” to emphasize the City’s focus on youth development

| | | |
|---|---|---|
| 2.4 | Establish a youth services network working group including representatives from PUSD, MDUSD, LMC, and PAL to meet regularly and identify, implement, and assess data-driven programs and services to drive identified plan outcomes | |
| 2.5 | Host a youth services symposium, at least annually, to collaborate with all youth service providers to share best practices, grant and contract opportunities, data, and encourage participation in the youth services network | |
| 2.6 | Develop collaborative and innovative programs that will attract and secure private investments, philanthropic donations, and grants | |
| 2.7 | Develop a strategy to support long-term operation of youth facilities and programs that emphasizes cost reduction and collaboration with other government and private youth service providers | |

Long Term

| | | |
|---|---|---|
| 2.8 | Identify opportunities to partner with a private developer(s) or financier(s) to construct a community recreational center. |  |
| 2.9 | Evaluate and improve safety measures within the City. | |

*Progress Indicators: Create a city-wide safety system within parks and shopping centers similar to the "Blue Light Alarm" system on college campuses; Continue to evaluate and ensure pedestrian accessibility*

## OBJECTIVE 3: INCREASE YOUTH AND YOUNG ADULT ENGAGEMENT IN SERVICE AND LEADERSHIP OPPORTUNITIES.

As the City seeks to provide additional opportunities for youth and young adult engagement and service, the participation of these groups in City affairs is critical in helping to create a new generation of civic-minded residents that will lead Pittsburg and other communities for the next several decades. Providing youth and young adults with further knowledge and experience in City operations will create additional transparency and provide valuable insights into how Pittsburg functions, while also contributing fresh ideas and perspectives that reflect emerging voices.

### KEY PARTNERS:

City of Pittsburg Staff
Youth Volunteers
PUSD Staff

### RESOURCES NEEDED:

Funding for programs
School facilities for program implementation
Community Center

### IMPLEMENTATION STRATEGIES:

#### Short Term

3.1 Increase opportunities for youth civic engagement through service-learning projects and volunteerism. 

*Progress indicators: Staff will monitor increases in youth participation in civic events and projects*

#### Medium Term

3.2 Partner with youth leadership programs to increase the exposure and experience of Pittsburg youth in the areas of college and career exploration, entrepreneurship, and community building

#### Long Term

3.3 Engage high school and college-aged students in development of smart solutions that seek to utilize technology to improve City services. 

*Progress indicators: Identification of a program geared toward high school age students and adopted of the student-created solution by the City*

## OBJECTIVE 4: ADDRESS HEALTH, CRIME, ECONOMIC, AND EDUCATION DISPARITIES IMPACTING PITTSBURG YOUTH AND YOUNG ADULTS.

Low income families and communities of color are disproportionately affected by lack of health care and availability of mental health and wellness services. As described above, there is a need to improve the health of the people within Pittsburg, and particularly children and young adults living in poverty. The City seeks to address these issues in part through neighborhood and health partnerships, community education, and advocacy. Input from youth and young adults regarding the challenges faced on a day-to-day basis is critical to properly address these issues.

KEY PARTNERS:
City of Pittsburg Staff
Health Experts
PUSD/MDUSD Psychology Staff
LMC Diversity Leaders

RESOURCES NEEDED:
Funding for review of City programs to address health and wellness, nutrition, etc.
Facility where resources can be implemented

### IMPLEMENTATION STRATEGIES:

#### Short Term

4.1 Assess existing programs for health and wellness components.

*Progress indicators: Staff will conduct a review of existing programs that support health and wellness*

#### Medium Term

4.2 Collaborate with local youth sports organizations to incorporate health and fitness components throughout all youth programs and increase youth participation in health and fitness activities, including both competitive and recreational sports
.

*Progress indicators: Staff will include assessments regarding health and fitness when bringing items before the City Council for funding or updates*

4.3 Establish General Plan goals and policies that encourage health and wellness, specifically for youth from lower-income families.

4.4 Form partnerships to conduct youth programs that promote active, healthy lifestyles and positive development.

4.5 Collaborate with health and wellness professionals to provide accessible mental health programs, classes, groups, etc.

*Progress Indicators: Provide a space for access to counselors, therapists, and health experts to provide services*

4.6 Partner with PUSD (Student Attendance Review Board), Contra Costa County Board of Education (Foster Youth Services Coordinating Program), and Contra Costa County Probation, to identify programs that support youth involved with the juvenile justice system and those exhibiting high truancy rates
.

Long Term

4.7 Collaborate with PUSD (nutrition) and local community gardens to integrate nutrition education throughout youth programs and increase youth participation in healthy foods education and food sustainability initiatives 
*Progress indicators: Staff will include assessments regarding nutrition education when bringing items before the City Council for funding or updates*

4.8 Increase participation from local businesses and youth in the Youth Works Employment Program

4.9 Partner with local banks and community organizations to promote and provide financial literacy programs

4.10 Promote the arts (music, theatre, multimedia, painting, and literature) through youth programs by collaborating with local organizations and artists

## OBJECTIVE 5: COLLABORATE WITH PUBLIC AND PRIVATE ORGANIZATIONS TO IMPROVE COMMUNICATIONS AND INVOLVE TARGET DEMOGRAPHICS IN PROCESS OF MARKETING AND OUTREACH.

The City's community outreach and engagement strategy will include conversations with key stakeholders. Effectiveness of any adopted initiative will rely on the community, faith leaders, and residents to champion the strategies contained within the Plan.

A community outreach and engagement strategy may utilize volunteers who have sufficient interest in the strategy, sufficient time to participate, and collaborative training prior to involvement. These trained and certified volunteers can include parents, members of the religious community, relevant non-profits, school district student services staff, City employees, and youth that desire to participate, including those from the Police Department or PAL, and high school and college students enrolled Pittsburg High School, Mt. Diablo High School, and at Los Medanos College.

### KEY PARTNERS:

City of Pittsburg Staff
PUSD Staff
MDUSD Staff
LMC Staff
Community Leaders
Faith-Based Organizations
Private Youth Service Providers

### RESOURCES NEEDED:

Multimedia budget
Volunteers and organizations to promote initiatives
Equipment and software for preparation of outreach materials

### IMPLEMENTATION STRATEGIES:

#### Short Term

5.1 Evaluate the current means of communication that the City is using for effectiveness and explore alternative options for youth messaging

*Progress indicators: Increase presence on Instagram and TikTok, Work with Youth Commission as communication ambassadors, attend and promote during school club days and events, host open mic nights or Café Talks*

#### Medium Term

5.2 Establish a marketing strategy that will ensure that youth, parents, and other stakeholders are aware of programs, facilities, services and the benefits of participation.

*Progress indicators: Conducts follow-up assessments to gauge interaction and effectiveness.*

5.3 Partner with a multimedia organization to establish an Inspire Pittsburg design challenge and use the process to market youth involvement and civic responsibility.



Long Term

5.4 Facilitate educational campaigns to raise awareness and combat issues facing youth including drug and alcohol abuse, mental health, bullying, and community violence

5.5 Partner with LMC to design a campaign intended to promote college and career services to graduating high school seniors and young adults.

*Progress indicators: Conducts follow-up assessments to gauge effectiveness.*



5.6 Partner with LMC and PHS to promote and enhance the "College Connect" (former Dual Enrollment program) for High School Seniors



## OBJECTIVE 6: TRACK AND REPORT PROGRESS ON PLAN IMPLEMENTATION AND OUTCOMES.

This Plan is intended to evolve along with the City, as well as the youth and young adults which it serves. To allow the Plan to continually address the needs of the City as it grows, additional input is received, and funding becomes available, consistent review and analyzing of the policies and strategies of this document will be critical.

KEY PARTNERS:
City of Pittsburg Staff
City Council

RESOURCES NEEDED:
No additional resources required

### IMPLEMENTATION STRATEGIES:

Ongoing

6.1 Provide quarterly updates on Plan implementation to the School District(s) Subcommittee (2x2).



6.2 Provide bi-annual updates on Plan implementation to the City Council.



6.3 Create a program assessment database that tracks program outcomes and analyzes their effect on social and economic indicators impacting youth and young adults utilizing the most recent datasets

6.4 Identify key performance indicators and outcomes including, but not limited to:

- The public has access to a City-managed database of all youth programs and services in the City that provides information on program type, cost, time, and age group
- A youth services network is established that coordinates services and programs offered b.y the City, local school and college districts, PAL, and community-based organizations to leverage funding and improve outcomes for youth and young adults in Pittsburg
- At least 20% of high school students attend an after-school program daily
- At least 70% of Pittsburg youth graduate college and career prepared
- Reduce the number of juvenile arrests and youth on probation in the City of Pittsburg
- Increase youth employment
- Reduce youth drug and alcohol use
- Improve physical and mental health
- Reduce the amount of unstructured youth downtime

# OBJECTIVE AND STARTEGY SPECIFIC TO PARENTS/ADULTS

## OBJECTIVE 1: ESTABLISH POLICIES THAT SEEK TO HELP REDUCE UNSTRUCTURED DOWNTIME AND ALLOW GUARDIANS TO SPEND THE MAXIMUM AMOUNT OF TIME WITH CHILDREN.

As discussed previously and conveyed through the Framework prepared by Emerald HPC, many school age children lack supervision during the hours of 3:00 p.m. and 7:00 p.m., in part due to long commute times resulting from an imbalance of jobs in the area; this period of time is commonly referred to as "unstructured downtime," and has been shown to be detrimental to youth and young adults and contribute to disengagement. Significant commutes leave less time for parents and caregivers to spend with their families and adversely affects the quality of life for children and youth.

KEY PARTNERS:
City of Pittsburg Staff
Economic Development Experts
Business Owners/Operators
Real Estate Professionals

RESOURCES NEEDED:
Grant funding for plan development
Private funding and development for infrastructure improvements

### IMPLEMENTATION STRATEGIES:

#### Medium Term

1.1 As part of the General Plan update process, establish goals and policies that seek to bring jobs to East Contra Costa County, reducing commutes and allowing more time at home.



#### Long Term

1.2 Identify creative solutions and provide infrastructure that allows for telecommuting or satellite offices in Pittsburg.

*Progress indicators: Increase in the number of homes accessing high speed internet*



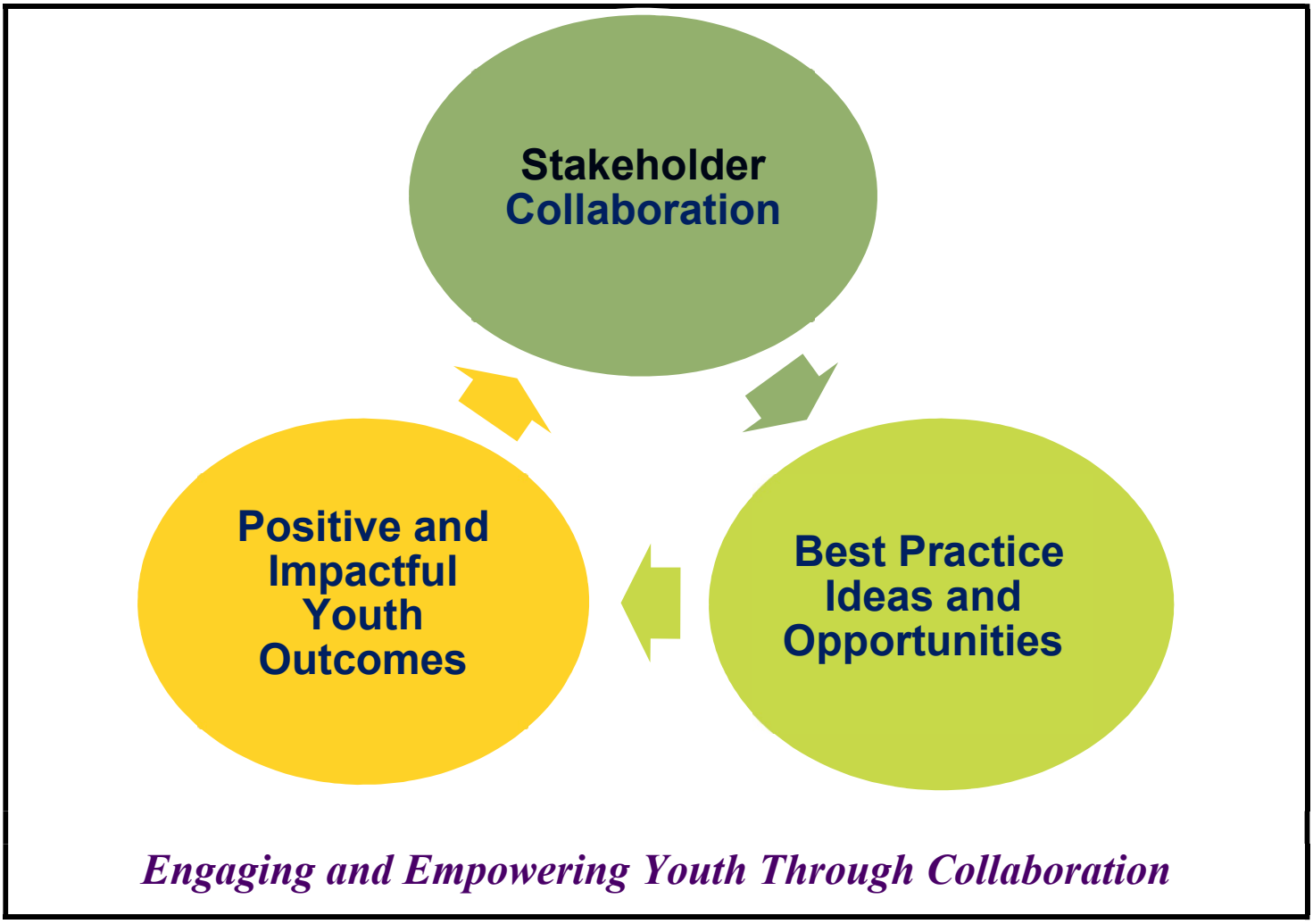
# Appendix A:

Emerald HPC Conceptual Framework

**City of Pittsburg**
**Youth Services Collaborative Strategy**

# *Conceptual Framework*

## *Building a High Performing Youth Serving Community*




*July 29, 2019*
**Keith & Iris Archuleta**
**Emerald HPC International, LLC**

# City of Pittsburg
# Youth Services Collaborative Strategy

## *Conceptual Framework*

### *Building a High Performing Youth Serving Community*

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# I. INTRODUCTION

## *Purpose*

The City of Pittsburg has contracted with Emerald HPC International, LLC to develop a *Conceptual Framework* focused on the identification of fact-based issues facing youth, families and neighborhoods throughout the city of Pittsburg.

It is clear through research and assessment that, depending on the strategies that the City of Pittsburg decides to utilize in order to impact particular indicators, turning the dial on critical issues facing the city will most likely require extensive and outcomes-based collaboration between relevant city staff and potential partners, such as education leaders, existing and effective non-profits, law enforcement, county youth correction facilities, Los Medanos College, substance abuse programs, faith-based organizations and job training programs,.

Such a collaboration will need to be directed by individuals who have a comprehensive understanding of issues identified in this framework and include the involvement of city officials, school administration, youth, households, specific and relevant non-profits, political representatives and other regional stakeholders, through a process of articulating strategic opportunities and defining interlocking roles for the partner stakeholders.

With the assistance of a project leader, stakeholder participation should be facilitated through a process of articulating strategic opportunities and defining interlocking roles for partners.

## *Role of the Conceptual Framework in the Collaborative Planning Process*

Core to our *High Performing Communities Framework*™ (HPC) is the development of a conceptual framework that identifies and articulates potential strategies and interlocking roles of stakeholder partner organizations.

The design of a conceptual framework, in the HPC process, precedes development of a full-blown, operationalized plan. The facts and data within the framework help create pathways to addressing issues facing youth, families, and neighborhoods.

We define a conceptual framework as:

> ***"a tool for making conceptual distinctions and organizing ideas to help guide a planning team in the process of articulating a strategy or strategies based on an identified set of interlocking roles assigned to organizations, assets and stakeholders, for the specific purpose of achieving measurable outcomes."*** ***(An animation of the HPC process can be found at www.emeraldhpc.com/hpc-process.html.)***

An initiative based on a conceptual framework requires general acknowledgement, acceptance, and agreement with a common set of facts and indicators among the stakeholders. This framework presents the groundwork for such an agreement.

The facts and data within this framework can help guide a tangible implementation process that begins with the immediate focus on a youth services collaborative strategy that builds and strengthens the partner relationships needed to achieve long term outcomes.

This framework may also help guide policy related to youth services funding that aligns with agreed-upon partner goals and provides long-term financial stability to encourage and enhance system cohesion, inter-locking partner roles, service integration, community trust and support, and advocacy for targeted youth and families.

# II. FACT-FINDING, RESEARCH, & ANALYSIS: KEY INDICATORS

During the fact-finding phase of our work, we facilitated a roundtable discussion, hosted by the City of Pittsburg, with school district and city officials. This group listed the following common issues regarding the needs of Pittsburg youth: *more places to gather; greater diversity of activities, particularly after school; time with parents; and employment and career pathway opportunities.*

We have now conducted demographic research and analysis based on those issues.

As we translated the issues into research priorities, important underlying facts have been identified that help clarify needs and root causes. With a better understanding of root causation, the community can properly identify key indicators with potential strategies for change. This in turn can inform a facilitated collaborative process to oversee and implement the desired strategies and to measure impact outcomes.

It is important to avoid the promotion of assumptions, biases or fears based on false narratives, silos, competition or stereotypes about age, ethnicity, neighborhoods and income levels and to set additional or new goals based on factual as well as current and relevant data.

Identifying and working with the right stakeholder and planning team will help further dissect and understand root causes underlying the statistics, studies, and community perceptions. The city, professional stakeholders and residents must have the right perspective in order to really make a difference.

## *Health, Crime, Economic, and Education Indicators*

We must note from the onset that East Contra Costa is home to over 300,000 people, with many residents living in historic high-poverty areas and long commute times due to a lack of jobs close to home. The average commute for many residents in the region is an hour and a half one way. This leaves less time for parents and caregivers to spend with their families and to become rooted and engaged in civic life and adversely affects the quality of life for children and youth.

Moreover, in our work, we have consistently found that impoverished neighborhoods are challenged with serious crime, health, and education problems that restrict the opportunities of those growing up and living in these communities. These barriers often thwart economic development and business growth efforts as well and can drive a wedge between the three groups that must be working in trust and unity for a community to grow and prosper. They are: *families, schools, and law enforcement*.

The data that we are providing is eye opening, and more importantly, helps to create a road map for understanding and changing key community dynamics in Pittsburg.

### ***Health and Wellness***

*The following data is from: https://cchealth.org/health-data/population.php*

In Contra Costa, greater wealth equates to longer life. A child born in a low-poverty area in 2000 could expect to live more than six years longer than a child born in a high-poverty area. Life expectancy in low-poverty areas was 81.4 years and 74.9 years in high-poverty areas.

African Americans in Contra Costa had a shorter life expectancy (73.1 years) than any other racial/ethnic group in the county. An Asian/Pacific Islander or Hispanic baby born between 2005 and 2007 in Contra Costa could expect to live more than 12 years longer than an African American baby born at the same time.

A child born in a high-education area in Contra Costa (i.e., all census tracts with less than 5% of residents with less than a high school diploma) in 2000 could expect to live more than seven years longer than a child born in a low-education area (all census tracts with 25% or more residents with less than a high school diploma).

Between 2005–2007, heart disease and cancer accounted for roughly half of all deaths in Contra Costa and California. Heart disease accounted for 22.7% of all deaths in Contra Costa, making it the second leading cause of death in the county after cancer.

Diabetes was the seventh leading cause of death in Contra Costa, accounting for 2.9% of all deaths in the county. People living in San Pablo, **Pittsburg**, Antioch and Richmond were more likely to die from diabetes compared to the county overall.

## ***Social Determinants of Health***

We cannot minimize the critical importance of including health in your strategy for youth and community development. Social determinants have a direct impact on health disparities among specific populations.

The data shows that ***race and ethnicity, gender, sexual identity, age, disability, socioeconomic status, and geographic location*** all contribute to an individual's ability to achieve good health**.**

According to the *Office of Disease Prevention and Health Promotion*, "**A range of personal, social, economic, and environmental factors contributes to individual and population health."** They go on to say: "People with a quality education, stable employment, safe homes and neighborhoods, and access to preventive services tend to be healthier throughout their lives. Conversely, poor health outcomes are often made worse by the interaction between individuals and their social and physical environment."

Concentrated pockets of residents suffering from poor physical conditions are a barrier to economic growth and stability. According to the *National Assessment of Adult Literacy*, African American, Hispanic, and American Indian or Alaska Native adults were significantly more likely to have below basic health literacy compared to their white and Asian or Pacific Islander counterparts. Hispanic adults had the lowest average health literacy score compared to adults in other racial and ethnic groups.

Social determinants are in part responsible for the unequal and avoidable differences in health status within and between communities. As a leading health topic, social determinants take into account the critical role of ***home, school, workplace, neighborhood, and community*** in improving health.

From infancy through old age, the conditions in the social and physical environments in which people are born, live, work, and age can have a significant influence on health outcomes as follows:

### *Prenatal*

According to the *Journal of Public Health Management and Practice*, it is important to improve the prenatal health-related behaviors of women, "including reducing their use of cigarettes, alcohol illegal drugs and economic worry and pregnancy as well as related birth related complications."

Further, other documented benefits of prenatal care include longer intervals between the birth of the first and second child, longer relationships with current partner, and fewer months of using welfare and food stamps. The positive effects of proper prenatal care reduce the societal outcomes of crime, substance abuse, teen pregnancy, child abuse, child neglect, and domestic violence.

### *Children*

Early and middle childhood provides the physical, cognitive, and social-emotional foundation for lifelong health, learning, and wellbeing. A history of exposure to adverse experiences in childhood, including exposure to violence and maltreatment, is associated with health risk behaviors such as smoking, alcohol and drug use, and risky sexual behavior, as well as health problems such as obesity, diabetes, heart disease, sexually transmitted diseases, and attempted suicide. Features of the built environment, such as exposure to lead-based paint hazards and pests, negatively affect the health and development of young children.

### *Adolescents*

Because they are in developmental transition, adolescents and young adults are particularly sensitive to environmental influences. Environmental factors, including family, peer group, school, neighborhood, policies, and societal cues, can either support or challenge young people's health and wellbeing.

Addressing young people's positive development facilitates their adoption of healthy behaviors and helps to ensure a healthy and productive future adult population. Adolescents who grow up in neighborhoods characterized by poverty are more likely to be victims of violence; use tobacco, alcohol, and other substances; become obese; and engage in risky sexual behavior.

### *Adults*

Access to and availability of healthier foods can help adults follow healthful diets.

For example, better access to retail venues that sell healthier options may have a positive impact on a person's diet. These venues may be less available in low-income or rural neighborhoods. Also, longer hours, compressed work weeks, shift work, reduced job security, and part-time and temporary work are realities of the modern workplace and are increasingly affecting the health and lives of U.S. adults. Research has shown that workers experiencing these stressors are at higher risk of injuries, heart disease, and digestive disorders.

### *Older Adults*

Availability of community-based resources and transportation options for older adults can positively affect health status. Studies have shown that increased levels of social support are associated with a lower risk for physical disease, mental illness, and death.

### *Impact of Social Determinants on Social Emotional Youth Health Disparities*

There are predictable outcomes related to youth who become disengaged because of family, school, and neighborhood disparities. As outlined above, key risk factors affect the physical, cognitive, and social-emotional foundation for lifelong health, learning, and wellbeing of youth and can lead to smoking, alcohol and drug use, and risky sexual behavior, as well as health problems such as obesity, diabetes, heart disease, sexually transmitted diseases, and attempted suicide. Adolescents and young adults are particularly sensitive to environmental influences, such as family, peer group, school, neighborhood, policies, and societal cues.

It is important to emphasize a focus on health and education indicators for children and adolescents when discussing youth development strategies and related assessment tools because youth are our economic, workforce and education pipeline for regional economic stability and their health and wellbeing is a predictor of future community health and prosperity.

### ***Youth Arrests and Incarceration***

Youth incarceration is typically a result of family, school, and community disconnect created by poverty and the adult response to the health and social disparities discussed above. The interlocking roles these dynamics play is important to consider when determining a collaborative strategy. They are not independent issues.

The data below is related to youth arrests in Pittsburg and in the county in general. *Please use the attached links provided for further information.*

In Pittsburg, **Juvenile Arrests in Pittsburg are up 34%,** comparing January - May 2018 to January - May 2019. ***http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=11129***

Within Contra Costa County, the incarceration rates reveal a similar stark disparity: 16 youth incarcerated for every 1,000 black youth compared to 1 for every 1,000 white youth. Interestingly, in Alameda the disparity is not quite so dramatic when it comes to incarceration: 5 black youth incarcerated for every 1,000 compared to 0 per 1,000 for whites. ***https://youthlaw.org/publication/powerful-new-tool-for-examining-the-youth-incarceration-data-reveals-the-depth-of-the-problem-in-the-united-states/***

Per 100,000 youth, Contra Costa has only 330 youth felony arrests compared to the California average of 478. However, Contra Costa has a youth state confinement rate of 107 youth for every 100,000 compared to California's average of only 34. This may be indicative of an issue with how we as a community deal with behavior from youth that is deemed undesirable. ***http://casi.cjcj.org/Juvenile/Contra-Costa***

Youth who have contact with the juvenile justice system are at increased risk for a number of negative long-term outcomes—such as injury, substance use and dependency, dropping out of school, and early pregnancy—when compared with the general youth population. Youth who have been detained also may face difficulty gaining the educational credentials they need to obtain sustained employment and may be more likely to engage in criminal behavior as adults. Conditions that increase the likelihood of involvement with the juvenile justice system include family poverty, separation from family members including parental incarceration, a history of maltreatment, and exposure to violence in the home and community. ***https://www.kidsdata.org/export/pdf?cat=30***

In 2015 in Contra Costa, 1.6 per every 1,000 white youth was placed on "electronic monitoring" also known as an ankle monitor, compare this to 17.6 per 1000 for black youth. Statewide for every 1 white youth referred to probation there were 1.2 Latino youth and 3.1 black youth in 2006. By 2015 the gap actually widened to 1.4 Latino youth and 3.8 black youth for every 1 white youth referred to probation.
***http://casi.cjcj.org/Juvenile/Contra-Costa***

Within California in 2014, for every 1 white youth tried as an adult there were 3.3 Latino youth and 11.3 black youth tried as an adult. In 2014, Contra Costa filed 8 white youth, 5 Latino youth and 98 black youth into the adult court system. ***http://www.cjcj.org/uploads/cjcj/documents/the_prosecution_of_youth_as_adults.pdf***

An evaluation of a restorative justice program in Alameda County shows restorative justice diversion works. Youth who participated in a diversion process were 44% less likely to recidivate compared to youth who were processed through the juvenile legal system.
***https://www.acgov.org/probation/documents/AlamedaJJCPresentation10.10.18.pdf***

***Obstacles to Economic Mobility: Poverty, Unemployment, Transportation, Childcare, Homelessness***

It is important to understand how personal, social, educational and environmental factors contribute to economic barriers in the region that impact opportunities for youth and families. The following information is critical to ensure that Pittsburg effectively addresses service gaps and does not miss serving those most in need because of stereotypes and misinformation about residents and especially youth of color.

### *Poverty*

The 2008 economic recession forced millions of Americans into poverty, up from 11% in 2000 to about 15%. Poverty rates actually improved under the Obama administration, going down to 12.7% in 2016. Of the 39.5 million people living below the poverty line who rely on food stamps, 43% are white and only 23% are black.

And, when we look at the 20 million people living in extreme poverty (those households making less than 50 percent of the poverty threshold), 42% are white and 26% are black.

With that said, through our research we found the following additional facts regarding poverty:

A *Stanford University* study shows that in 1970, 65 percent of America's families lived in "middle- income" situations. By 2008, only 43 percent of U.S. families lived in middle-income neighborhoods.

Meanwhile, over that same period of time, the share of families living in either poor or rich neighborhoods essentially doubled. *(The book "Coming Apart" draws on five decades of statistics and research that describes these findings.)*

Further, it was once thought that poverty was mostly a problem for minorities in urban neighborhoods, or those living in the rural areas, particularly in Southern states. But the reality is that poverty is beginning to devour what was a majority of white middle-class families in major suburban areas.

Our work has required developing a deeper understanding of the effects of concentrated poverty on neighborhoods in this region. Neighborhoods with concentrated poverty oftentimes isolate their residents from the resources and networks they need to reach their potential and deprive the larger community of the neighborhood's human and social capital.

With both the rise of poverty in urban communities such as Pittsburg and suburban areas throughout the United States, researchers have sought to interpret the dynamic between neighborhoods and residents in communities of concentrated poverty.

Impoverished neighborhoods are challenged with serious crime, health, and education problems that, in turn, further restrict the opportunities of those growing up and living in them, and thwart business development and business acquisition efforts.

Pittsburg has no alternative but to take seriously the economic status of populations within the city. **As the chart below indicates, Pittsburg's poverty rate is 13.6%** (people living below poverty level).
***http://worldpopulationreview.com***

| *City/Municipality* | *Population* | *# of Businesses* | *Poverty Rate* |
|---|---|---|---|
| **Hercules** | **25,545** | **1,630** | **5.5%** |
| **Rodeo** | **10,400** | **15** | **15.23%** |
| **Crockett (unincorporated)** | **3,044** | **(n/a)** | **9.2%** |
| **Martinez** | **38,402** | **3, 489** | **5.6%** |
| **Walnut Creek** | **70,667** | **19,176** | **7.0%** |
| **Concord** | **130,559** | **10,859** | **11.2%** |
| **Bay Point (unincorporated)** | **21,349** | **1,268** | **21.7%** |
| ***Pittsburg*** | ***72,141*** | ***4,367*** | ***13.6%*** |
| **Antioch** | **112,635** | **6,018** | **14.6%** |
| ***(Note: Antioch's 94509 zip code has a population of 67,279 & a poverty rate of 18.1%; while Antioch's 94531 zip code has a population of 45,356 & a poverty rate of 9.3%. https://factfinder.census.gov.)*** | | | |
| **Brentwood** | **65,288** | **4,106** | **7.7%** |
| **Oakley** | **43,051** | **1,902** | **7.5%** |

**Contra Costa County has a population of 1,150,215 and an overall poverty rate of 9.8%.**

***A key barrier to economic mobility in Pittsburg and East Contra Costa is the lack of industry and work opportunities near home.***

African Americans and Hispanics are more likely to be unemployed compared to their white counterparts. Further, all adults with less than a high school education are three times more likely to be unemployed than those with a bachelor's degree.

Inequitable access to high-quality education contributes to achievement gaps across racial, ethnic, and economic lines and to the decline of student achievement across the U.S. compared to other industrialized nations. Creating skilled workers for an economy that is constantly changing requires strategic investments and better education and workforce development programs, which must be coordinated and aligned with employers' needs.

While providing access to college should remain a high priority, the majority of jobs will continue to require more than a high school diploma but less than a four-year degree, making education beyond high school increasingly essential.

*The following data is from:* ***https://datausa.io/profile/geo/pittsburg-ca/***

In Pittsburg, 36,395 are employed out of an adult labor force of 38,145. However, with a population of over 70,000, there is a need for more jobs locally, especially for teens and transitional aged youth who will find it more difficult to make a long commute. Of those adults employed:

- **6,915 (19.0%) live and work in Pittsburg**
- **25,039 (68.8%) work elsewhere in Contra Costa**
- **4,440 (12.2%) work outside of Contra Costa**
- **1,017 (3.2%) (of all workers) work at home**

The largest industries in Pittsburg are *Health Care & Social Assistance* (5,608 people), *Retail Trade* (3,509 people), and *Administrative & Support & Waste Management Services* (2,872 people).

The highest paying industries are *Utilities* ($73,301), *Mining, Quarrying, & Oil & Gas Extraction* ($70,313), and *Professional, Scientific, & Technical Services* ($61,639). *Read more at:* ***http://www.city-data.com/work/work-Pittsburg-California.html***

Possible solutions would include increasing employment-focused skills training opportunities for underserved populations in local high-demand occupations and industries. This would be more beneficial than providing training in occupations that would require a longer commute for employment.

Programs that train at risk youth, reentry, and homeless populations in local industries will provide increased access to job opportunities close to home, thereby strengthening both the community and the local economy.

In addition, creating incentives and opportunities for business expansion and small business start-ups would increase the number of local jobs available to the local workforce, create supply chain companies, develop more qualified local contractors and subcontractors and help to revitalize the local economy.
*Conceptual Framework for Community and Human Capital Development Strategy(Emerald HPC International, LLC as presentation to the Northern Waterfront Economic Development Initiative Ad Hoc Community in May 2018)*

### *Another barrier to economic mobility in Pittsburg and East Contra Costa is transportation.*

Low-income minorities on average spend more time traveling to work and other daily destinations than do low-income whites because they have fewer private vehicles and use public transit and car pools more frequently. In Pittsburg, using averages, employees have a longer commute time (41.3 minutes) than the normal US worker (25.1 minutes).

Additionally, 12% of the workforce in Pittsburg have "super commutes" in excess of 90 minutes. In 2017, the most common category of travel for workers in Contra Costa was *Drove Alone*, followed by those who *Carpooled* and those who rode *Public Transportation*.

*Detailed information can be found at:* ***https://datausa.io/profile/geo/contra-costa-county-ca***
***https://datausa.io/profile/geo/pittsburg-ca/***

Many Contra Costa youth don't drive and have parents that work distances away from Contra Costa, leaving few options for youth to travel to work and class during the day. The lack of a strong public transit system is a barrier for adults without a car as well, particularly those wishing to find employment out of town.

Possible solutions would include things such as: pushing for more frequent buses to schools, colleges, etc. and increasing employment and training opportunities closer to home.

### *Affordable childcare for working mothers and parents living under the poverty line is another barrier to economic mobility.*

*The following data is from:*
***https://uwba.org/wp-content/uploads/2017/10/ContraCosta-Snapshot.pdf***
***https://datausa.io/profile/geo/pittsburg-ca/***

In Pittsburg, 13.6% of the population (9,800 out of 72,000 people) live below the poverty line. The largest demographic living in poverty are females: ages 35 - 44, followed by males: ages 6 – 11, and then females: ages 25 - 34.

According to the California Self-Sufficiency System (SSS), 61% of single mothers in Contra Costa County are living below the minimum standard for self-sufficiency.

Possible solutions would include a program for affordable or free childcare for working mothers/caregivers that are struggling with poverty. A service such as this can help alleviate the financial burden of childcare on the already struggling mother and by proxy help their children grow up in an environment where they have access to the necessities required for success.

***Another factor related to economic mobility is homelessness.***

In Contra Costa County on January 25, 2017 ***( https://cchealth.org/h3/coc/pdf/PIT-report-2017.pdf ):*** there were 1,607 persons experiencing homelessness; 57% of them were unsheltered. The population included 381 with *Substance Use Disorder*, 368 with a *Mental Health Disability*, 331 *Chronically Homeless*, 224 *Victims of Domestic Violence*, 99 *Veterans*. Among those counted were 84 families and 160 minors.

In Contra Costa County on January 23, 2018 ***( https://cchealth.org/h3/coc/pdf/PIT-report-2018.pdf ):*** There were 627 more individuals experiencing homelessness than the previous year's count of 1,607.

This increase reflects a similar growth in homeless populations over recent years in California and across the Bay Area. Rising rents and scarcity of affordable housing contribute greatly to the housing crisis resulting in more persons seeking homeless-related services.

The number of persons accessing homeless services last year in Contra Costa increased by 13%. Within the homeless population of Contra Costa County in 2018 there were 89 families living with children. In Contra Costa County from 2017 to 2018 there was a 39% increase in individuals identified as homeless

Possible solutions would include, first of all, a survey of the homeless population in Pittsburg. Exploring the prospect of alternative housing of any sort would be beneficial here for both youth and adults - anything from a regular home to repurposed RV's or shipping containers, tiny homes etc. could help.

Also, measures to prevent homelessness in at risk communities, such as programs for subsidized housing, childcare, drug rehab, therapy for veterans etc., could help by addressing the root causes of homelessness before it happens for many.

***Student Engagement***

Youth engagement in the educational process, particularly as it impacts career/college preparation, is probably the single most important issue facing the city of Pittsburg.

As previously stated in the section on the *Social Determinants of Health:*

> There are predictable outcomes related to youth who become disengaged because of family, school, and neighborhood disparities. Because they are in developmental transition, adolescents and young adults are particularly sensitive to environmental influences, such as family, peer group, school, neighborhood, policies, and societal cues.
>
> These factors can affect the physical, cognitive, and social-emotional foundation for the lifelong health, learning, and wellbeing of youth and can lead to smoking, alcohol and drug use, and risky sexual behavior, as well as health problems such as obesity, diabetes, heart disease, sexually transmitted diseases, and attempted suicide.
>
> Addressing young people's positive development facilitates their adoption of healthy behaviors and helps to ensure a healthy and productive future adult population. Therefore, it is important to emphasize a focus on health and education indicators for children and adolescents when discussing youth development strategies because youth are our economic, workforce and education pipeline for regional economic stability, and their health and wellbeing is a predictor of future community health and prosperity.

Considering the factors above, it is important to review the current stats related to Pittsburg and Contra Costa youth.

**For comparison purposes, we will start with Contra Costa data related to *School Connectedness, Community Connectedness, and Emotional/Mental Health.*** We will then follow with similar and additional data related to the Pittsburg Unified School District (PUSD).

# *California Healthy Kids Survey (CHKS), 2016-17*

# *Contra Costa County*

## *1. School Connectedness*

### Binge Drinking in Past Month (Student Reported)

| Contra Costa County | Percent | | | | | |
|---|---|---|---|---|---|---|
| **Level of Connectedness to School** | **0 days** | **1 day** | **2 days** | **3-9 days** | **10-19 days** | **20-30 days** |
| High | 92.5% | 2.7% | 1.6% | 1.8% | 0.5% | 0.8% |
| Medium | 88.0% | 4.0% | 2.4% | 3.1% | 1.1% | 1.4% |
| Low | 77.0% | 4.7% | 5.0% | 4.5% | 2.8% | 6.1% |

| **Race/Ethnicity** | **0 days** | **1 day** | **2 days** | **3-9 days** | **10-19 days** | **20-30 days** |
|---|---|---|---|---|---|---|
| African American/Black | 90.9% | 2.7% | 1.9% | 1.8% | 0.6% | 2.1% |
| American Indian/Alaska Native | 87.9% | 3.2% | 1.3% | 2.3% | 2.1% | 3.1% |
| Asian | 96.0% | 1.4% | 0.8% | 0.8% | 0.2% | 0.8% |
| Hispanic/Latino | 86.5% | 4.2% | 2.8% | 3.0% | 1.4% | 2.2% |
| Native Hawaiian/Pacific Islander | 88.0% | 3.7% | 2.0% | 2.8% | 1.1% | 2.4% |
| White | 88.0% | 3.7% | 2.7% | 3.5% | 1.0% | 1.0% |
| Multiracial | 89.9% | 3.5% | 1.7% | 2.2% | 0.9% | 1.7% |
| Other | 91.7% | 2.7% | 2.3% | 1.3% | 0.3% | 1.7% |

### Drinking and Driving or Riding with a Driver Who Had Been Drinking (Student Reported)

| Contra Costa County | Percent | | | | |
|---|---|---|---|---|---|
| **Level of Connectedness to School** | **Never** | **1 Time** | **2 Times** | **3-6 Times** | **7 or more times** |
| High | 84.8% | 5.4% | 3.9% | 3.2% | 2.7% |
| Medium | 78.3% | 7.2% | 4.8% | 5.0% | 4.7% |
| Low | 69.4% | 6.1% | 6.1% | 6.5% | 11.8% |

| **Race/Ethnicity** | **Never** | **1 Time** | **2 Times** | **3-6 Times** | **7 or more times** |
|---|---|---|---|---|---|
| African American/Black | 82.0% | 5.6% | 3.9% | 3.4% | 5.2% |
| American Indian/Alaska Native | 76.6% | 7.7% | 5.0% | 2.4% | 8.3% |
| Asian | 89.0% | 4.2% | 2.2% | 2.1% | 2.5% |
| Hispanic/Latino | 76.2% | 6.6% | 5.2% | 5.8% | 6.2% |
| Native Hawaiian/Pacific Islander | 80.9% | 4.3% | 7.1% | 4.7% | 3.1% |
| White | 80.6% | 7.1% | 4.8% | 4.0% | 3.5% |
| Multiracial | 82.2% | 5.7% | 4.0% | 3.9% | 4.3% |
| Other | 77.0% | 9.8% | 4.6% | 3.3% | 5.4% |

## Cigarette Use in Lifetime (Student Reported)

| Contra Costa County | Percent | | | | | |
|---|---|---|---|---|---|---|
| **Level of Connectedness to School** | **0 Times** | **1 Time** | **2 Times** | **3 Times** | **4-6 Times** | **7 or more times** |
| High | 93.1% | 2.4% | 0.9% | 0.7% | 0.7% | 2.2% |
| Medium | 85.5% | 3.8% | 1.9% | 1.6% | 1.7% | 5.5% |
| Low | 73.7% | 5.3% | 2.7% | 2.1% | 3.0% | 13.1% |

| **Race/Ethnicity** | **0 Times** | **1 Time** | **2 Times** | **3 Times** | **4-6 Times** | **7 or more times** |
|---|---|---|---|---|---|---|
| African American/Black | 87.7% | 4.6% | 1.4% | 1.1% | 0.7% | 4.5% |
| American Indian/Alaska Native | 82.7% | 8.2% | 0.5% | 0.9% | 0.8% | 6.9% |
| Asian | 94.4% | 1.8% | 0.6% | 0.7% | 0.5% | 2.0% |
| Hispanic/Latino | 85.0% | 4.2% | 2.0% | 1.6% | 1.7% | 5.4% |
| Native Hawaiian/Pacific Islander | 85.7% | 5.6% | 2.4% | 0.5% | 1.7% | 4.2% |
| White | 88.8% | 2.5% | 1.2% | 1.0% | 1.4% | 5.0% |
| Multiracial | 87.9% | 2.9% | 1.5% | 1.2% | 1.4% | 5.1% |
| Other | 87.6% | 1.8% | 1.6% | 0.7% | 1.5% | 6.8% |

## Marijuana Use in Past Month (Student Reported)

| Contra Costa County | Percent | | | | | |
|---|---|---|---|---|---|---|
| **Level of Connectedness to School** | **0 days** | **1 day** | **2 days** | **3-9 days** | **10-19 days** | **20-30 days** |
| High | 90.7% | 2.5% | 1.5% | 2.2% | 1.1% | 2.0% |
| Medium | 82.5% | 3.5% | 2.7% | 4.4% | 2.5% | 4.4% |
| Low | 69.3% | 5.0% | 3.3% | 6.2% | 4.0% | 12.0% |

| **Race/Ethnicity** | **0 days** | **1 day** | **2 days** | **3-9 days** | **10-19 days** | **20-30 days** |
|---|---|---|---|---|---|---|
| African American/Black | 79.9% | 3.5% | 2.9% | 4.3% | 2.9% | 6.5% |
| American Indian/Alaska Native | 85.3% | 3.3% | 2.3% | 3.7% | 1.2% | 4.2% |
| Asian | 94.8% | 1.3% | 0.9% | 1.0% | 0.6% | 1.3% |
| Hispanic/Latino | 81.8% | 3.8% | 2.6% | 4.3% | 2.6% | 4.9% |
| Native Hawaiian/Pacific Islander | 85.4% | 3.2% | 2.0% | 3.8% | 1.4% | 4.2% |
| White | 85.9% | 3.1% | 2.2% | 3.6% | 1.8% | 3.5% |
| Multiracial | 84.8% | 3.3% | 2.2% | 3.4% | 1.8% | 4.4% |
| Other | 86.5% | 3.7% | 0.9% | 3.8% | 2.2% | 2.9% |

## Recreational Use of Prescription Drugs in Lifetime (Student Reported)

| Contra Costa County | Percent | |
|---|---|---|
| **Level of Connectedness to School** | **Any** | **None** |
| High | 9.1% | 90.9% |
| Medium | 16.2% | 83.8% |
| Low | 29.1% | 70.9% |

| Race/Ethnicity | Any | None |
|---|---|---|
| African American/Black | 16.6% | 83.4% |
| American Indian/Alaska Native | 17.2% | 82.8% |
| Asian | 7.2% | 92.8% |
| Hispanic/Latino | 16.8% | 83.2% |
| Native Hawaiian/Pacific Islander | 14.3% | 85.7% |
| White | 13.4% | 86.6% |
| Multiracial | 16.5% | 83.5% |
| Other | 16.6% | 83.4% |

## Combination Alcohol/Drug Use in Past Month (Student Reported)

| Contra Costa County | Percent | |
|---|---|---|
| **Level of Connectedness to School** | **Any** | **None** |
| High | 17.3% | 82.7% |
| Medium | 28.2% | 71.8% |
| Low | 41.6% | 58.4% |

| Race/Ethnicity | Any | None |
|---|---|---|
| African American/Black | 26.5% | 73.5% |
| American Indian/Alaska Native | 23.1% | 76.9% |
| Asian | 10.3% | 89.7% |
| Hispanic/Latino | 29.8% | 70.2% |
| Native Hawaiian/Pacific Islander | 25.3% | 74.7% |
| White | 24.1% | 75.9% |
| Multiracial | 23.6% | 76.4% |
| Other | 20.8% | 79.2% |

### Usual Level of Alcohol Intoxication (Student Reported)

| Level of Connectedness to School | I don't drink alcohol | Just a sip or two | Enough to feel it a little | Enough to feel it moderately | Until I feel it a lot or get really drunk |
|---|---|---|---|---|---|
| High | 70.7% | 11.6% | 6.6% | 7.5% | 3.5% |
| Medium | 57.9% | 14.9% | 10.1% | 10.8% | 6.4% |
| Low | 48.0% | 12.7% | 11.2% | 11.6% | 16.5% |

| Race/Ethnicity | | | | | |
|---|---|---|---|---|---|
| African American/Black | 66.2% | 12.6% | 8.5% | 7.1% | 5.6% |
| American Indian/Alaska Native | 65.4% | 15.4% | 6.4% | 5.9% | 6.9% |
| Asian | 79.2% | 9.6% | 4.9% | 4.2% | 2.1% |
| Hispanic/Latino | 56.5% | 15.0% | 11.2% | 10.1% | 7.3% |
| Native Hawaiian/Pacific Islander | 63.7% | 12.1% | 7.4% | 11.0% | 5.8% |
| White | 61.9% | 12.6% | 7.3% | 11.5% | 6.7% |
| Multiracial | 65.1% | 12.5% | 8.1% | 8.4% | 5.9% |
| Other | 68.5% | 13.5% | 6.3% | 7.9% | 3.9% |

## *2. Community Connectedness*

### Meaningful Participation in the Community (Student Reported)

| Race/Ethnicity | High | Medium | Low |
|---|---|---|---|
| African American/Black | 46.6% | 37.8% | 15.6% |
| American Indian/Alaska Native | 51.5% | 32.5% | 16.0% |
| Asian | 58.4% | 32.5% | 9.1% |
| Hispanic/Latino | 40.6% | 39.7% | 19.6% |
| Native Hawaiian/Pacific Islander | 58.9% | 30.3% | 10.8% |
| White | 67.0% | 25.9% | 7.1% |
| Multiracial | 55.3% | 34.1% | 10.5% |
| Other | 43.9% | 43.6% | 12.5% |

## *3. Emotional/Mental Health*

### Depression-Related Feelings (Student Reported)

| Contra Costa County | Percent | |
|---|---|---|
| Level of Connectedness to School | Yes | No |
| High | 19.9% | 80.1% |
| Medium | 33.4% | 66.6% |
| Low | 47.1% | 52.9% |

| Race/Ethnicity | Yes | No |
|---|---|---|
| African American/Black | 25.9% | 74.1% |
| American Indian/Alaska Native | 27.0% | 73.0% |
| Asian | 24.7% | 75.3% |
| Hispanic/Latino | 32.2% | 67.8% |
| Native Hawaiian/Pacific Islander | 32.9% | 67.1% |
| White | 24.6% | 75.4% |
| Multiracial | 29.5% | 70.5% |
| Other | 24.5% | 75.5% |

## *California Healthy Kids Survey (CHKS), 2016-17*

## *Pittsburg*

**The following data is from the most recent *California Healthy Kids Survey (CHKS), 2016-17, for the* Pittsburg Unified School District (PUSD).**

We have provided in this document the most relevant tables. The link to the full report is provided below:
*https://data.calschls.org/resources/Pittsburg_Unified_1617_Sec_CHKS.pdf*

The report is prepared annually by WestEd, a research, development, and service agency, in collaboration with Duerr Evaluation Resources, under contract from the California Department of Education Coordinated School Health and Safety Office. The youth survey modules consist of key questions, identified by an expert advisory committee, that are considered most important for schools to guide improvement of academic, health, and prevention programs and promote student achievement, college and career readiness, positive development, and well-being. Student identities are protected.

## 1. Summary of Key Indicators

### Table A2.1

***Key Indicators of School Climate and Student Well-Being***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT[A] % | Table |
|---|---|---|---|---|---|
| **School Engagement and Supports** | | | | | |
| School connectedness (high) | 35 | 33 | 32 | 56 | A4.5 |
| Academic motivation (high) | 27 | 23 | 23 | 35 | A4.5 |
| Truant more than a few times[†] | 2 | 4 | 6 | 26 | A4.2 |
| Caring adult relationships (high) | 25 | 23 | 33 | 40 | A4.4 |
| High expectations (high) | 42 | 34 | 42 | 56 | A4.4 |
| Meaningful participation (high) | 10 | 10 | 11 | 19 | A4.4 |
| | | | | | |
| **School Safety and Substance Use** | | | | | |
| School perceived as very safe or safe | 56 | 45 | 55 | 68 | A5.1 |
| Experienced any harassment or bullying[†] | 37 | 29 | 23 | 25 | A5.2 |
| Had mean rumors or lies spread about you[†] | 42 | 31 | 29 | 16 | A5.3 |
| Been afraid of being beaten up[†] | 17 | 14 | 8 | 5 | A5.4 |
| Been in a physical fight[†] | 19 | 8 | 7 | 8 | A5.4 |
| Seen a weapon on campus[†] | 20 | 18 | 14 | 21 | A5.6 |
| Been drunk or "high" on drugs at school, ever | 4 | 6 | 10 | 37 | A6.10 |
| | | | | | |
| **Mental and Physical Health** | | | | | |
| Current alcohol or drug use[†‡] | 14 | 13 | 20 | 44 | A6.4 |
| Current binge drinking[†‡] | 3 | 3 | 5 | 18 | A6.4 |
| Very drunk or "high" 7 or more times | 1 | 5 | 8 | 49 | A6.6 |
| Current cigarette smoking[†‡] | 2 | 2 | 1 | 8 | A7.3 |
| Current electronic cigarette use[†‡] | 6 | 2 | 4 | 12 | A7.3 |
| Experienced chronic sadness/hopelessness[†] | 30 | 30 | 31 | 46 | A8.4 |
| Considered suicide[†] | na | 14 | 13 | 8 | A8.5 |

*[†]Past 12 months; [‡]Past 30 days; na—Not asked of middle school students.*

*Table numbers refer to tables with item-level results for the survey questions that comprise each scale.*

***Note: [A]NT includes continuation, community day, and other alternative school types.***

## 2. Demographic Summary

**Table A1.1**

***Student Sample Characteristics***

| | Grade 7 | Grade 9 | Grade 11 | NT |
|---|---|---|---|---|
| Target Sample | 828 | 990 | 749 | 301 |
| Final Number | 703 | 502 | 430 | 44 |
| **Average Response Rate** | 85% | 51% | 57% | 15% |

**Table A3.1**

***Gender of Sample***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| Male | 51 | 49 | 48 | 59 |
| Female | 49 | 51 | 52 | 41 |

**Table A3.2**

***Hispanic or Latino***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| No | 34 | 37 | 36 | 23 |
| Yes | 66 | 63 | 64 | 77 |

**Table A3.3**

***Race***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| American Indian or Alaska Native | 2 | 2 | 3 | 12 |
| Asian | 8 | 8 | 14 | 0 |
| Black or African American | 13 | 15 | 16 | 12 |
| Native Hawaiian or Pacific Islander | 4 | 6 | 7 | 3 |
| White | 7 | 14 | 14 | 6 |
| Mixed (two or more) races | 67 | 55 | 46 | 67 |

**Table A3.4**

***Living Situation***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| A home with one or more parents or guardian | 82 | 88 | 89 | 86 |
| Other relative's home | 3 | 2 | 5 | 5 |
| A home with more than one family | 8 | 6 | 5 | 2 |
| Friend's home | 0 | 1 | 0 | 0 |
| Foster home, group care, or waiting placement | 1 | 0 | 0 | 2 |
| Hotel or motel | 0 | 0 | 0 | 0 |
| Shelter, car, campground, or other transitional or temporary housing | 0 | 0 | 0 | 2 |
| Other living arrangement | 5 | 3 | 1 | 2 |

**Table A3.5**

***Highest Education of Parents***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| Did not finish high school | 13 | 18 | 25 | 6 |
| Graduated from high school | 20 | 25 | 23 | 5 |
| Attended college but did not complete four-year degree | 9 | 15 | 18 | 6 |
| Graduated from college | 25 | 23 | 24 | |
| Don't know | 34 | 18 | 9 | 4 |

**Table A3.6**

***Free or Reduced-Price Meals Eligibility***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| No | 20 | 25 | 28 | 29 |
| Yes | 59 | 59 | 60 | 57 |
| Don't know | 22 | 16 | 12 | 14 |

**Table A3.7**

***Participation in Migrant Education Program, Past 3 Years***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| No | 53 | 68 | 84 | 66 |
| Yes | 2 | 4 | 1 | 2 |
| Don't know | 45 | 28 | 14 | 32 |

## Table A3.8

***Language Spoken at Home***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| English | 50 | 50 | 49 | 68 |
| Spanish | 43 | 43 | 43 | 32 |
| Mandarin | 0 | 1 | 0 | 0 |
| Cantonese | 0 | 0 | 0 | 0 |
| Taiwanese | 0 | 0 | 0 | 0 |
| Tagalog | 2 | 3 | 3 | 0 |
| Vietnamese | 1 | 1 | 1 | 0 |
| Korean | 0 | 0 | 0 | 0 |
| Other | 3 | 2 | 4 | 0 |

## Table A3.9

***English Language Proficiency – All Students***

| | Grade 7 mean/% | Grade 9 mean/% | Grade 11 mean/% | NT mean/% |
|---|---|---|---|---|
| **English Language Proficiency** | | | | |
| *Average Scale Score* | 3.78 | 3.79 | 3.85 | 3.89 |
| ***How well do you...*** | | | | |
| **understand English?** | | | | |
| Very well | 88 | 89 | 92 | 93 |
| Well | 12 | 8 | 7 | 7 |
| Not well | 0 | 2 | 1 | 0 |
| Not at all | 0 | 1 | 0 | 0 |
| **speak English?** | | | | |
| Very well | 80 | 83 | 89 | 91 |
| Well | 18 | 13 | 9 | 9 |
| Not well | 2 | 3 | 2 | 0 |
| Not at all | 1 | 1 | 0 | 0 |
| **read English?** | | | | |
| Very well | 79 | 83 | 87 | 91 |
| Well | 19 | 13 | 12 | 7 |
| Not well | 2 | 3 | 1 | 2 |
| Not at all | 0 | 1 | 0 | 0 |
| **write English?** | | | | |
| Very well | 76 | 81 | 82 | 86 |
| Well | 22 | 16 | 17 | 12 |
| Not well | 2 | 3 | 1 | 2 |
| Not at all | 0 | 1 | 0 | 0 |
| ***English Language Proficiency Status*** | | | | |
| Proficient | 77 | 81 | 86 | 88 |
| Not proficient | 23 | 19 | 14 | 12 |

**Table A3.10**

***English Language Proficiency – Students Speaking A Language Other Than English at Home***

| | Grade 7 mean/% | Grade 9 mean/% | Grade 11 mean/% | NT mean/% |
|---|---|---|---|---|
| **English Language Proficiency** | | | | |
| *Average Scale Score* | 3.69 | 3.67 | 3.76 | 3.77 |
| ***How well do you...*** | | | | |
| **understand English?** | | | | |
| Very well | 79 | 82 | 86 | 79 |
| Well | 20 | 12 | 12 | 21 |
| Not well | 1 | 5 | 2 | 0 |
| Not at all | 0 | 1 | 0 | 0 |
| **speak English?** | | | | |
| Very well | 71 | 75 | 82 | 85 |
| Well | 28 | 19 | 15 | 15 |
| Not well | 1 | 4 | 3 | 0 |
| Not at all | 0 | 2 | 0 | 0 |
| **read English?** | | | | |
| Very well | 71 | 75 | 78 | 77 |
| Well | 27 | 19 | 19 | 15 |
| Not well | 3 | 5 | 2 | 8 |
| Not at all | 0 | 1 | 0 | 0 |
| **write English?** | | | | |
| Very well | 67 | 73 | 74 | 77 |
| Well | 29 | 22 | 23 | 15 |
| Not well | 4 | 5 | 2 | 8 |
| Not at all | 0 | 1 | 0 | 0 |
| ***English Language Proficiency Status*** | | | | |
| Proficient | 68 | 73 | 78 | 77 |
| Not proficient | 32 | 27 | 22 | 23 |

## Table A3.11

***Number of Days Attending Afterschool Program***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| 0 days | 82 | 87 | 89 | 95 |
| 1 day | 1 | 2 | 2 | 0 |
| 2 days | 1 | 5 | 4 | 0 |
| 3 days | 2 | 1 | 1 | 0 |
| 4 days | 3 | 0 | 1 | 0 |
| 5 days | 10 | 4 | 3 | 5 |

## Table A3.12

***Military Connections***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| No | 90 | 91 | 94 | 80 |
| Yes | 5 | 5 | 2 | 6 |
| Don't know | 5 | 4 | 3 | 14 |

## Table A3.13

***Sexual Orientation and Gender Identification***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| Heterosexual (straight) | 79 | 80 | 82 | 83 |
| Gay or Lesbian | 1 | 2 | 3 | 6 |
| Bisexual | 6 | 9 | 7 | 3 |
| Transgender | 0 | 1 | 1 | 0 |
| Not sure | 6 | 7 | 4 | 6 |
| Decline to respond | 13 | 12 | 10 | 8 |

## 3. School Performance, Supports, and Engagements

### Table A4.1

**Grades, Past 12 Months**

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| Mostly A's | 14 | 13 | 10 | 7 |
| A's and B's | 32 | 32 | 32 | 30 |
| Mostly B's | 6 | 6 | 9 | 7 |
| B's and C's | 25 | 23 | 25 | 33 |
| Mostly C's | 6 | 7 | 9 | 2 |
| C's and D's | 12 | 11 | 12 | 14 |
| Mostly D's | 1 | 4 | 1 | 5 |
| Mostly F's | 4 | 4 | 1 | 2 |

### Table A4.2

***Truancy, Past 12 Months***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| 0 times | 73 | 71 | 60 | 36 |
| 1-2 times | 14 | 15 | 19 | 14 |
| A few times | 11 | 11 | 15 | 24 |
| Once a month | 1 | 1 | 1 | 7 |
| Once a week | 1 | 2 | 2 | 5 |
| More than once a week | 0 | 1 | 4 | 14 |

### Table A4.3

***Reasons for Absence, Past 30 Days***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| Does not apply, I didn't miss any school | 36 | 34 | 25 | 10 |
| Illness (feeling physically sick), including problems with breathing or your teeth | 50 | 52 | 63 | 56 |
| Felt very sad, hopeless, anxious, stressed, or angry | 9 | 10 | 19 | 12 |
| Didn't get enough sleep | 10 | 8 | 19 | 32 |
| Didn't feel safe at school | 3 | 2 | 1 | 2 |
| Had to work | 1 | 1 | 2 | 2 |
| Had to take care of or help a family member or friend | 9 | 6 | 9 | 24 |
| Wanted to spend time with friends who don't go to your school | 1 | 1 | 1 | 5 |
| Wanted to use alcohol or drugs | 1 | 1 | 1 | 10 |
| Were behind in schoolwork or weren't prepared for a test or class assignment | 2 | 5 | 15 | 7 |
| Were bored with or uninterested in school | 4 | 3 | 7 | 12 |
| Were suspended | 5 | 2 | 2 | 2 |
| Other reason | 20 | 17 | 16 | 29 |

*Total percentages may exceed 100% for "mark all that apply" items.*

### Table A8.3

***Eating Breakfast***

| | Grade 7 % | Grade 9 % | Grade 11 % | NT % |
|---|---|---|---|---|
| No | 42 | 47 | 41 | 63 |
| Yes | 58 | 53 | 59 | 37 |

**Key indicators identified through the *California Healthy Kids Survey (CHKS), 2016-17* for Pittsburg:**

**School Engagement and Supports**

*School Connectedness:*
Only 35% of 7th graders; 33% of 9th graders, and 31% of 11th graders felt a high degree of school connection.

*Caring Adult Relationships:*
Only 23% of 7th graders; 23% of 9th graders, and 33% of 11th graders felt a high degree of caring adult relationships.

*Meaningful Participation:*
Only 10% of 7th graders; 10% of 9th graders, and 11% of 11th graders felt a high degree of meaningful participation.

**School Safety**

*School Perceived to Be Safe:*
Only 56% of 7th graders; 45% of 9th graders, and 55% of 11th graders felt a high degree of school safety.

**Mental and Physical Health Risks**

*Current Alcohol or Drug Use:*
14% of 7th graders; 13% of 9th graders, and 20% of 11th graders reported current alchohol or drug use.

*Ate Breakfast*
42% of 7th graders; 47% of 9th graders, 41% of 11th graders, and 63% of *continuation, community day, and other alternative school* students reported not eating breakfast on school days.

*Experienced Chronic Sadness/Hopelessness:*
30% of 7th graders; 30% of 9th graders, and 31% of 11th graders said they had recently experienced sadness or hopelessness.

**Suspensions, Expulsions, and Chronic Absenteeism**

In addition to the California Healthy Kids Survey, we looked at data from the *California Department of Education*: ***www.caschooldashboard.org***.

Looking at data pulled from the California Department of Education California School Dashboard for the 2017-2018 school year, Pittsburg Unified School District had:

- A 90.8% graduation rate (increased by 3.8% from the last year)
- A 49.3% college/career preparation rate (increased by 23.3% from the last year)

However, the district also had:

- A 7.7% suspension rate (increased by .5% from the last year)
- A 11.4% chronic absenteeism rate (increased by 1.4% from the last year)

A deeper dive into California Department of Education data indicates that the ***suspension*** rate of 7.7% is higher than both the county average of 4.1% and statewide average of 3.5%. Of the students suspended, African Americans have the highest suspension rate at 16.7%. Hispanic students made up 63.5% of the student population and accounted for 48.2% of suspensions. African American students made up only 17.1% of the student population but accounted for 37.3% of total suspensions.

In addition, the district had a 0.06% ***expulsion*** rate. This is higher than the county average of 0.04% but lower than the statewide average of 0.08%. Of the 7 students expelled 3 were black/African American, 3 were Hispanic/Latino and 1 was Filipino.

According to the **U.S. Department of Health and Human Services** and the **U.S. Department of Education**:

"Suspension and expulsion can influence a number of adverse outcomes across development, health, and education. **Young students who are expelled or suspended are as much as 10 times more likely to drop out of high school, experience academic failure and grade retention, hold negative school attitudes, and face incarceration than those who are not**. Not only do these practices have the potential to hinder social-emotional and behavioral development, they also remove children from early learning environments and the corresponding cognitively enriching experiences that contribute to healthy development and academic success later in life."

**"Expulsion and suspension practices may also delay or interfere with the process of identifying and addressing underlying issues, which may include disabilities or mental health issues.** Some of these children may have undiagnosed disabilities or behavioral health issues and may be eligible for additional services, but in simply being expelled, they may not receive the evaluations or referrals they need to obtain services. For example, **the source of challenging behavior may be communication and language difficulties,** skills that can be improved through early assessment and intervention services. In these cases, appropriate evaluation and follow-up services are critical, but less likely if the child is expelled from the system."

"Finally, **expulsions may contribute to increased family stress and burden**. Even where assistance is offered, *often there is a lapse in service which leaves families, especially working families, in difficult situations."*

**– U.S. Department of Health and Human Services and U.S. Department of Education, *Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings* (Dec. 10, 2014)**

Statistics related to suspensions and expulsions with a focus on the "defiance" disciplinary code is included for two reasons. The first is that it shows a huge population disparity related to children and adolescents of color. The second is that as mentioned above, suspensions and expulsions can lead to academic failure, dropouts, and prison; all of which have impact on social determinants related to the health of children and adolescents whose negative affects follow them into adulthood.

Further, as stated by **former U.S. Attorney General Eric Holder:**

"**We've seen that severe discipline policies often increase the numbers of suspensions and expulsions without effectively making schools safer or creating better learning environments.** And we've seen that the impacts of exclusionary policies are not felt equally in every segment of the population – with students of color and those with disabilities often receiving different and more severe punishments than their peers."

**– Eric Holder, now former U.S. Attorney General: Remarks at the U.S. Department of Justice and U.S. Department of Education *School Discipline Guidance Rollout* at Frederick Douglass High School in Baltimore, Maryland (Jan. 8, 2014)**

Moreover, according to the **National Education Association:**

"A suspension can be life altering. It is the number-one predictor – more than poverty – of whether children will drop out of school and walk down a road that includes a greater likelihood of unemployment, reliance on social-welfare programs, and imprisonment."

**– *The School-to-Prison Pipeline: Time to Shut It Down*, NEA Today (Jan. 5, 2015)**

"Far too many of our most vulnerable students are excluded from class for minor, non-violent behavior, which puts them at great risk for academic failure, dropping out, and an unnecessary journey down the school to prison pipeline."

**Dennis Van Roekel, former President, *Let's Stop the School-to-Prison Pipeline* (Mar. 13, 2014)**

# III. INITIATIVE FOCUS AND COLLABORATIVE STRATEGY BASED ON FACT-BASED INDICATORS

We have identified above the key indicators underlying critical issues that can inform an initiative focus and outcome-based strategy or set of strategies to impact priority issues facing the city.

This conceptual framework can help guide a facilitated collaborative process to oversee and implement the desired strategies and to measure outcomes.

This framework can also help guide policy related to youth services funding that aligns with agreed-upon partner goals and provides long-term financial stability to encourage and enhance system cohesion, inter-locking partner roles, service integration, community trust and support, and advocacy for targeted youth and families.

## *Next Steps*

**Determine Initiative Focus and Outcome-Based Strategy**
The immediate next step in this process is for the City of Pittsburg to review the data and the identified indicators underlying critical issues of concern and decide on an initiative focus and outcome-based strategy or set of strategies that will impact particular priority issues facing the city.

**Determine Initiative Goals and Outcome Measures**
Determining goals and projected outcomes for the initiative and how they will be measured will be an important consideration in designing an initiative focus and strategies.

For example, based on the indicators described above, projected outcomes of an initiative could include one or more of the following sample measures:

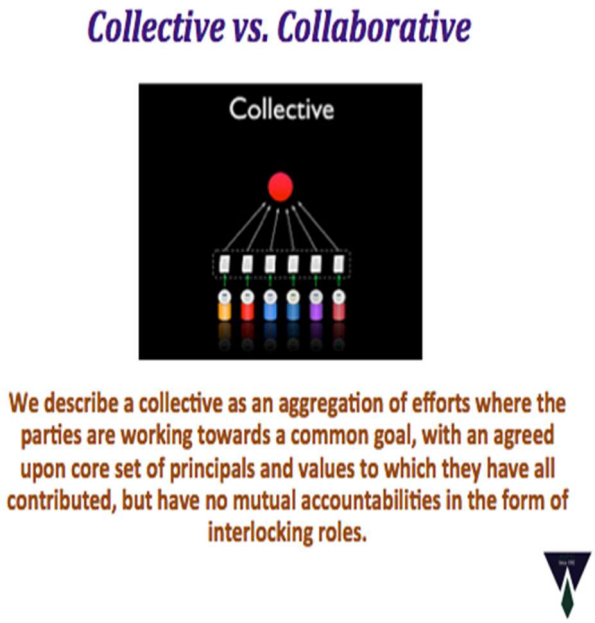
- Improvement in key health and education indicators for youth and young adults
- Training opportunities and variety of training options are increased and result in an increase in local employment in areas of labor leakage
- Crime stats show a significant reduction in violent and property crimes because of an increase in employment and community revitalization projects
- Social capital and collaboration are significantly increased and evidenced by the establishment of and participation in local community organizations and efforts

**Determine Initiative Partners and Stakeholders**
Depending on the initiative focus and key strategies that the City of Pittsburg decides to utilize in order to impact particular indicators, the appropriate stakeholders and collaborative partners would need to be identified through conversation with the planning team. Therefore, we are not listing particular individuals in this document.

## *Collaborative vs. Collective*

We emphasize the **collaborative** approach because it allows for concerted and intentional engagement, the creation of interlocking roles for sustainability, and shared accountability for outcomes that have been mutually agreed upon. Having these interlocking roles and mutual accountability memorialized in writing will create a basis for strategy implementation and support the success of the initiative.

Emerald frequently uses the charts below to emphasize why we suggest ***Collaborative*** vs ***Collective*** project engagement.







## IV. Final Thoughts

To create a plan that carries a ***shared vision and common ground*** through an interactive process, your team must absolutely, completely, and stubbornly avoid "habitus."

***Habitus is public enemy #1 in any planning process.***
Habitus is the compilation/field of behaviors, history, beliefs, attitudes, and practices that support the continuation, maintenance and empowerment of biased thinking surrounding a problem or issue.

***Habitus acts as a strong catalyst for resistance to change***.
In other words, it is the stuff that fuels silos, irrational fears, prejudice, exclusion, inflexibility, and negative competition.

***However, fact-finding as a key element of the planning process helps reduce the power of habitus.***
Fact-finding helps fight habitus and fuels a credible strategy and approach that will draw support, gain wider acceptance, spark excitement, and get results.

Pittsburg has an opportunity to change health, education, and economic outcomes in for all residents, including English learners, people living in poverty and low wage work, youth who are disengaged, homeless people, formerly incarcerated people, people of color, veterans, residents commuting long hours, and recent immigrants.

It's totally possible with the right strategy.

To do so would be amazing and have a transformative impact on the city of Pittsburg and the region.

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution for Consideration to Hire a CalPERS Retired Annuitant in Accordance with Government Code Sections 7522.56, 21221(h) and 21224

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

The intent of this report is to provide City Council with sufficient information to approve the Resolution appointing Alice Evenson as a retired annuitant to provide transitional, extra-help support and waiving the 180-day waiting period.

## FISCAL IMPACT

If approved, the cost could be up to $75,000 for the remainder of the fiscal year. This expense will be covered by salary savings from departmental vacancies. This action does not result in any additional cost to the City.

## RECOMMENDATION

It is recommended that City Council appoint Alice Evenson as a retired annuitant to work on an extra help basis performing the duties of an expert consultant in support of the City Clerk's Office and waive the CalPERS 180-day waiting period.

## BACKGROUND

Alice Evenson, Director of Records and Council Services intends to retire effective December 29, 2022. Ms. Evenson has offered to be appointed as a retired annuitant, on an extra help basis, so that operations can continue to move seamlessly, effectuating a smooth transition of duties for the new Director while ensuring systems and processes remain in compliance. Ms. Evenson will remain in her role as the City's elected City Clerk.

CalPERS allows for retired annuitants to work for a CalPERS employer in an extra help appointment to a vacant position. The allowable circumstances are as follows:

- The appointment must be for a limited duration;
- The hourly pay rate cannot be less than the minimum or exceed the maximum listed in the employer's publicly available pay schedule (base pay only);
- No benefits, incentives, compensation in lieu of benefits, or other forms of compensation can be paid;
- The hours of work are restricted to 960 in a fiscal year;
- Unemployment Insurance payments cannot have been received for prior retired annuitant work.

CalPERS has a 180-Day Waiting Period Requirement (Government Code 7522.56 & 21224) for retired annuitants following their retirement date, during which they cannot be employed with a CalPERS employer. There is an exception to the 180-Day waiting period when the employer certifies the nature of the employment, and that the appointment is necessary to fill a critically needed position sooner than 180 days. In that event the appointment must be approved by the employer's governing body, in a public meeting, as an action item. This section applies to Ms. Evenson's retirement and appointment as a retired annuitant due to the technical skills and knowledge needed to transition the scope of responsibilities during this period.

## SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

## STAFF ANALYSIS

Alice Evenson, Director of Records and Council Services with over 25 years of institutional knowledge, has been integral to City Clerk operations, serving as an executive leader as well as elected City Clerk since 2006.

Ms. Evenson has met normal retirement age. As such, CalPERS regulations requiring a bona fide separation in employment and a 60-day waiting period before appointment is not applicable here.

Ms. Evenson will work as an Extra Help - Expert Consultant with the City Clerk's Office to transition Director of Records and Council Services duties such as maintaining the City's legislative history and providing assistance to the public, other city departments and outside agencies, effective January 9, 2023. In this role, Ms. Evenson will transition the custodian of official City records and coordination of municipal elections. Additionally, Ms. Evenson will assist in the preparation of legislative agendas and minutes and process public hearing notices and ensure an action plan for on-going compliance with the Political Reform Act, Brown Act, Public Records Act, Maddy Act, and Conflict of Interest Codes. Ms. Evenson will transition duties as Secretary to the Successor Agency for the Redevelopment Agency of the City of Pittsburg, Housing Authority of the City of Pittsburg, Pittsburg Southwest GHAD II, Pittsburg Power Company and other so designated agencies of the City of Pittsburg.

It is anticipated this assignment may last through the remainder of the fiscal year to appropriately transition roles and responsibilities.

ATTACHMENTS: Employment Agreement
Resolution

Prepared by: Jennifer Brizel, Director of Human Resources

**RETIRED ANNUITANT AGREEMENT**
**City of Pittsburg Retired Annuitant**

This Retired Annuitant Agreement ("Agreement") is made effective January 9, 2023 between the City of Pittsburg ("City") and Alice Evenson ("Employee").

1. **Terms of employment**: The City hereby hires the Employee as a Retired Annuitant as defined by the City's Administrative Policy for Employment of CalPERS Retired Annuitants (referred to as "Retired Annuitant Policy") to perform the services described on the "Summary of Services" (attached hereto as Exhibit "A," and incorporated herein by this reference).

   A) The term of this Agreement shall be from January 9, 2023 through June 30, 2023.

   B) The Employee will serve for not more than a combined total of 960 hours in any fiscal year for the City of Pittsburg and all other CalPERS employers.

      a. The Employee shall provide written notice to the City of any other CalPERS employer for which the Employee has actually provided services for the fiscal year beginning July 1 prior to the effective date of this Agreement, and through the effective date of this Agreement.

      b. The Employee shall provide written notice to the City of any other CalPERS employer for which the Employee is providing (or plans to provide) services during the term of this Agreement, along with an estimate of the number of hours planned to be worked for that other CalPERS employer.

   C) The Employee shall comply with all CalPERS requirements and limitations and all policies of the City, including the Retired Annuitant Policy.

      a. The Employee hereby confirms that the information provided by the Employee in the "Retired Annuitant Self-Certification" section of the "Retired Annuitant Employment Request Form" submitted to the City is true and correct, and the Employee acknowledges that the City has relied on this information in hiring the Employee in accordance with the terms of this Agreement.

   D) The Employee will be compensated at an hourly wage of $77.56 per hour. The Employee will receive no benefits or leave compensation of any kind, unless specifically required by law.

   E) The City hires the Employee, under the terms of this Agreement on an "at will" basis. The City may discontinue use of the Employee's services without cause at any time, by providing written notice of termination.

   F) Employee will comply with all applicable federal, state and local laws, rules and regulations affecting Employee's work under this Agreement.

2. **General Provisions.**

A) Entire Agreement. This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the parties concerning the services described herein. This Agreement supersedes all prior negotiations, agreements, and understandings regarding this matter, whether written or oral. The documents incorporated by reference into this Agreement are complementary; what is called for in one is binding as if called for in all.

B). Signatures. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the Employee and the City.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

**CITY OF PITTSBURG:**

_____
*(Signature)*

_____
*Garrett Evans, City Manager*

**APPROVED AS TO FORM:**

_____
*(Signature)*

Donna Mooney, City Attorney
*(Type name and title)*

Budget Code:_____

**RETIRED ANNUITANT EMPLOYEE:**

_____
*(Signature)*

_____
*Alice Evenson*

*****Corporation, partnership, limited liability corporation, sole proprietorship, etc.
Unless corporate resolution delegates an individual to sign contracts, an agreement with a corporation shall be signed by the President or Vice President **and** the Secretary or Treasurer of the corporation. A general partner shall sign on behalf of a general partnership. The managing member, if authorized, may sign on behalf of a limited liability corporation.

## RETIRED ANNUITANT PERSONAL SERVICES AGREEMENT

## SUMMARY OF SERVICES

The Retired Annuitant will work as an Extra-Help, Expert Consultant with City Clerk's Office to transition Director of Records and Council duties such as maintaining the City's legislative history; providing assistance to the public, other City departments and outside agencies relative to City Clerk functions; establishing a transition plan for custodian of official City records and coordination of municipal elections. The Retired Annuitant will assist in the preparation of legislative agendas and minutes and process public hearing notices as well as ensure on-going compliance with the Political Reform Act, Brown Act, Public Records Act, Maddy Act, and Conflict of Interest Codes. The Retired Annuitant will transition duties as Secretary to the Successor Agency for the Redevelopment Agency of the City of Pittsburg, Housing Authority of the City of Pittsburg, Pittsburg Southwest GHAD II, Pittsburg Power Company and other so designated agencies of the City of Pittsburg.

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Hire a CalPERS Retired Annuitant in Accordance with Government Code Sections 7522.56 and 21224 | ) ) ) | RESOLUTION NO. 22- |

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the City of Pittsburg must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his/her retirement date; and

WHEREAS, Alice Evenson will retire from City of Pittsburg in the position of Director of Records and Council Services, effective December 29, 2022; and

WHEREAS, Gov. Code sections 7522.56 and 21224 allow CalPERS retired annuitants to work for a CalPERS employer as an "extra help" appointment to perform work of limited duration, such as elimination of a backlog, special project work, or to perform work exceeding regular staff work; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is July 1, 2023, without a certification resolution; and

WHEREAS, Gov. Code section 7522.56 provides an exception to the 180-day wait period when the employer certifies the nature of the employment, that the appointment is necessary to fill a critically needed position sooner than 180 days, with the appointment approved by the governing body as an action item in a public meeting; and

WHEREAS, the City Council, the City of Pittsburg, and Alice Evenson certify that Ms. Evenson has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, Ms. Evenson will continue in her role as elected City Clerk for the City of Pittsburg; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the City and Ms. Evenson shall comply with all CalPERS' requirements and regulations related to retired annuitant appointments including limiting employment to 960 hours per fiscal year for all CalPERS employers; the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; ensuring that the retiree has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

WHEREAS, the maximum base salary for this position is $13,444 and the hourly equivalent is $77.56, and the minimum base salary for this position is $11,062 and the hourly equivalent is $63.81; and retiree's the hourly rate paid to Ms. Evenson will be $77.56; and

WHEREAS, the entire employment agreement, contract or appointment document between Alice Evenson and the City of Pittsburg has been reviewed by this body and is attached herein; and

WHEREAS, the City of Pittsburg hereby appoints Ms. Evenson as an extra help retired annuitant to perform the duties of the Consultant with the City Clerk's Office to transition Director of Records and Council Services duties such as maintaining the City's legislative history and providing assistance to the public, other city departments and outside agencies under Gov. Code section 21224, effective January 9, 2023; and

NOW, THEREFORE BE IT RESOLVED that the City Council hereby certifies the nature of and authorizes the appointment of Ms. Evenson as a Retired Annuitant for the City of Pittsburg under Gov. Code section 21224 and as described herein and detailed in the attached appointment document and that this appointment is necessary to provide extra-help for the City of Pittsburgh effective January 9, 2023 meeting the exception to CalPERS 180-day waiting period.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Authorize the City Manager to Negotiate and Execute an Agreement with Local Edition Creative for Citywide Art Planning and Mural Installation Services

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

The City of Pittsburg and Local Edition Creative ("Consultant") are proposing to enter into an agreement whereby Consultant shall coordinate the installation of five murals throughout the City, installation of a sculpture for a 6 to 8-month duration, project management services, and assist the City with the creation of a strategic art program.

## FISCAL IMPACT

Staff is requesting the City Council allocate $200,000 of General Fund surplus monies to cover the cost of the contract, as well as to provide contingency to allow the City Manager to work with the Consultant and subcommittee(s) to identify additional mural locations, as well as to develop an immersive art installation.

## RECOMMENDATION

City Council adopt a resolution authorizing the City Manager to negotiate and execution an agreement with Local Edition Creative for public art installations.

## BACKGROUND

On May 9, 2022, the City Council held a budget workshop, during which the City Council discussed use of American Rescue Plan Act (ARPA) funds, General Fund surplus funds, and Measure M surplus funds, establishing a general list of projects and programs and preliminarily allocating funding for each. During this meeting, $250,000 was identified as a potential amount to dedicate to public art installations.

Local Edition Creative was selected for their extensive experience designing public art installations, most recently developing the Creative Concord initiative for the City of Concord, which included installation of multiple murals, public art events, and a dedicated website showcasing artists and events (www.creativeconcordca.com).

## SUBCOMMITTEE FINDINGS

This item was first presented to the Economic Development Subcommittee on August 17, 2021. During this meeting, the Subcommittee received a presentation on the importance of public art and discussed designing public art experiences around City events in order to celebrate the City and draw residents and visitors. The Subcommittee was supportive of staff continuing to explore hiring of a consultant to assist with the implementation of an art initiative.

This item was again brought before the Subcommittee on September 26, 2022. During this meeting, staff presented a proposed scope of work submitted by the Consultant, which included five prospective locations for murals downtown. The Subcommittee was supportive of bringing the item before the City Council. Councilmember Killings did further voice concern over limiting the murals to the Downtown area, requesting staff look at other City gateways and locations. Staff has incorporated this request into the proposed workplan.

## STAFF ANALYSIS

As mentioned above, staff is recommending the City hire Local Edition Creative due to their experience, track record of working with local artists, and project management capabilities. As part of the base contract, the Consultant would facilitate the installation of one small-scale mural, three medium-scale murals, one large-scale mural, one sculpture installation for a period of 6 to 8 months, and project management services, including curation.

Pursuant to the proposed agreement, the locations of all murals shall be approved by the City in advance of installation, the Consultant shall provide preference in artist selection to current or former Pittsburg residents, and the City shall approve all artists and murals in advance of installation.

The proposed contract, which is inclusive of the services noted above, contains a not-to-exceed amount of $147,500. Staff has requested the City Council allocate a total of $200,000 in order to allow staff and the consultant to execute amendments to the contract within the approved amount, which would potentially facilitate additional murals and/or an immersive art installation.

## ATTACHMENTS

1. Proposed Resolution
2. Professional Services Agreement

Report prepared by: Jordan Davis, Director of Community and Economic Development

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | |
|---|---|
| Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Local Edition Marketing dba Local Edition Creative for Public Art Programming | RESOLUTION NO. 22-_____ |

WHEREAS, public art has proven to be a successful economic development tool and a way to increase community engagement and enhance commercial areas; and

WHEREAS, the City Council seeks to utilize the program being undertaken to highlight, to the greatest extent possible, local artists, and celebrate the rich history of art in Pittsburg; and

WHEREAS, on August 17, 2021, the Economic Development/Waterfront Development Subcommittee received a presentation on the importance of public art and discussed designing public art experiences around City events in order to celebrate the City and draw residents and visitors. The Subcommittee was supportive of staff continuing to explore hiring of a consultant to assist with the implementation of an art initiative; and

WHEREAS, on May 9, 2022, the City Council held a budget workshop, during which the City Council discussed use of American Rescue Plan Act (ARPA) funds, General Fund surplus funds, and Measure M surplus funds, establishing a general list of projects and programs and preliminarily allocating funding for each. During this meeting, $250,000 was identified as a potential amount to dedicate to public art installations; and

WHEREAS, on September 26, 2022, the Economic Development/Waterfront Development Subcommittee received a presentation of a proposed scope of work submitted by Local Edition Creative; and

WHEREAS, Local Edition Creative was selected for their extensive experience designing public art installations, most recently developing the Creative Concord initiative for the City of Concord, which included installation of multiple murals, public art events, and a dedicated website showcasing artists and events.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburg hereby authorizes the City Manager to negotiate and execute an Agreement with Local Edition Marketing dba Local Edition Creative for public art planning programming in an amount not to exceed Two Hundred Thousand Dollars ($200,000).

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF PITTSBURG AND LOCAL EDITION CREATIVE**

This Agreement ("Agreement") for art production services is made by and between the City of Pittsburg ("City") and Local Edition Marketing, LLC dba Local Edition Creative ("Consultant") (together referred to as the "Parties") as of November 22, 2022 (the "Effective Date").

**Section 1. SERVICES**. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A, and incorporated herein, at the time and place and in the manner specified therein.

**1.1 Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on November 22, 2023, or the date the Consultant completes the services specified in Exhibit A, whichever occurs first, unless the term of the Agreement is otherwise terminated or extended, as referenced herein.

**1.2 Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement according to the standards observed by a competent practitioner of the profession in which Consultant is engaged.

**1.3 Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, requests in writing the reassignment of any such persons to ensure Consultant performs services in accordance with the Standard of Performance, Consultant shall, immediately upon receiving City's request, reassign such persons.

**1.4 Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided herein above and to satisfy Consultant's obligations hereunder.

**Section 2. COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed One Hundred Forty-Seven Thousand Five Hundred Dollars ($147,500). This dollar amount is not a guarantee that the City will pay that full amount to the Consultant but is merely a limit of potential City expenditures under this Agreement.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees

and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

**2.1** **Invoices.** Consultant shall submit a single invoice, based on the cost for services performed as included in Exhibit A. Invoice(s) shall contain the following information, unless waived by the City Manager, or his or her designee:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- The Consultant's signature.

**2.2** **Payment.** City shall make payments, based on invoice(s) received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall pay undisputed invoices that comply with the above requirements within fifteen (15) days from the receipt of the invoice.

**2.3** **Final Payment.** Consultant shall submit its final invoice within 60 days of completing its services. Consultant's failure to submit its final invoice within this 60-day period shall constitute Consultant's waiver of any further billings to, or payments from, City.

**2.4** **Payment of Taxes.** Consultant is solely responsible for the payment of all federal, state and local taxes, including employment taxes, incurred under this Agreement.

**2.5** **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of a written authorization from the City Manager, or his or her designee.

**Section 3.** **FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement.

**Section 4.** **INSURANCE REQUIREMENTS.** Before beginning any services under this Agreement, Consultant, at its own cost and expense, shall procure the types and amounts of insurance specified herein and maintain that insurance throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid

or proposal. Consultant shall be fully responsible for the acts and omissions of its subcontractors or other agents.

**4.1** **Workers' Compensation.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant in the amount required by applicable law. The requirement to maintain Statutory Workers' Compensation and Employer's Liability Insurance may be waived by the City upon written verification that Consultant is a sole proprietor and does not have any employees and will not have any employees during the term of this Agreement.

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

**4.2.1** **General requirements.** Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than $1,000,000 per occurrence and $2,000,000 aggregate, combined single limit coverage for risks associated with the work contemplated by this Agreement.

**4.2.2** **Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition) covering any auto (Code 1), or if Consultant has no owned autos, hired (code 8) and non-owned autos (Code 9). No endorsement shall be attached limiting the coverage.

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

a. The Commercial General and Automobile Liability Insurance shall cover on an occurrence basis.

b. City, its officers, officials, employees, agents, and volunteers shall be covered as additional insureds for liability arising out of work or operations on behalf of the Consultant, including materials, parts, or equipment furnished in connection with such work or operations; or automobiles owned, leased, hired, or borrowed by the Consultant. Coverage can be provided in the form of an endorsement to the Consultant's

insurance at least as broad as CG 20 10 11 85, or both CG 20 10 10 01 and CG 20 37 10 01.

c. For any claims related to this Agreement or the work hereunder, the Consultant's insurance covered shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and non-contributing.

d. The policy shall cover inter-insured suits and include a "separation of Insureds" or "severability" clause which treats each insured separately.

e. Consultant agrees to give at least 30 days prior written notice to City before coverage is canceled or modified as to scope or amount.

**4.3 Professional Liability Insurance.**

**4.3.1 General requirements.** Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than $1,000,000 per occurrence or claim covering the Consultant's errors and omissions.

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

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must purchase an extended period coverage for a minimum of five (5) years after completion of work under this Agreement.

d. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

**4.4 All Policies Requirements.**

**4.4.1 Submittal Requirements.** Consultant shall submit the following to City prior to beginning services:

a. Certificate of Liability Insurance in the amounts specified in this Agreement; and

b. Additional Insured Endorsement as required for the General Commercial and Automobile Liability Polices.

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

**4.4.3 Deductibles and Self-Insured Retentions.** Insurance obtained by the Consultant shall have a self-insured retention or deductible of no more than $100,000.

**4.4.4 Wasting Policies**. No policy required herein shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

**4.4.5 Waiver of Subrogation.** Consultant hereby agrees to waive subrogation which any insurer or contractor may require from Consultant by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by the Consultant, its employees, agents, and subcontractors.

**4.4.6 Subcontractors.** Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein, and Consultant shall ensure that City, its officers, officials, employees, agents, and volunteers are covered as additional insured on all coverages.

**4.4.7 Excess Insurance.** If Consultant maintains higher insurance limits than the minimums specified herein, City shall be entitled to coverage for the higher limits maintained by the Consultant.

**4.5 Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option: 1) obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; 2) order Consultant to stop work under this Agreement and withhold any payment that becomes due to Consultant hereunder until Consultant demonstrates compliance with the requirements hereof; and/or 3) terminate this Agreement.

## Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.

**5.1 General Requirement.** To the fullest extent permitted by law, Consultant shall indemnify, defend with counsel acceptable to City, and hold harmless City and its officers, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all liability, loss, damage, claims, expenses, and costs, including without limitation, attorney's fees, costs and fees of litigation, (collectively, "Liability") of every nature arising out of or in connection with Consultant's performance of the services under this Agreement, or its failure to comply with any of its obligations contained in this Agreement, or its failure to comply with any applicable law or regulation, except such Liability caused by the sole negligence or willful misconduct of City.

Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damage or claims for damages whether or not such insurance policies shall be been determined to apply.

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

## Section 6. STATUS OF CONSULTANT.

**6.1** **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City.

**6.2** **Consultant Not an Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

## Section 7. LEGAL REQUIREMENTS.

**7.1** **Governing Law.** The laws of the State of California shall govern this Agreement.

**7.2** **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder. Consultant shall also, to the extent required by the California Labor Code, pay not less than the latest prevailing wage rates as determined by the California Department of Industrial Relations.

**7.3** **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have, and will maintain at their sole cost and expense, all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid business licenses from City.

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

## Section 8. TERMINATION AND MODIFICATION.

**8.1** **Termination.** Upon ten days' prior written notice, City may cancel this Agreement at any time and without cause upon such written notification to Consultant. In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

**8.2** **Amendments.** The parties may amend this Agreement only by a writing signed by the parties hereto.

**8.3** **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the City Manager, or his or her designee. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the City Manager, or his or her designee.

**8.4** **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant, including but not limited to the provisions of Section 5, shall survive the termination of this Agreement.

**8.5** **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

**8.5.1** Immediately terminate the Agreement;

**8.5.2** Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

**8.5.3** Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

**8.5.4** The remedies mentioned in this Agreement are not exclusive of any other right, power or remedy permitted by law. The City's failure or delay in exercising any remedy shall not constitute a waiver of such remedy or preclude the further exercise of City's rights.

8.6 **Assistance of City.** The City shall provide commercially reasonable information and assistance to Consultant to enable Consultant to deliver the services. The City acknowledges that Consultant's ability to deliver the services in the manner provided in this agreement may depend upon the accuracy and timeliness of information and assistance provided by the City.

8.7 **Force Majeure.** Each party will be excused from performance for any period during which, and to the extent that, such party or any subcontractor is prevented from performing any obligation, in whole or in part, as a result of causes beyond its reasonable control, and without its fault or negligence, including without limitation, acts of God, strikes, lockouts, riots, acts of terrorism or war, epidemics, communication line failures, and power failures.

8.8 **Cure Period.** A breach by either party must be cured within thirty (30) days after receipt of written notice of such breach.

## Section 9. KEEPING AND STATUS OF RECORDS.

**9.1** **Records Created as Part of Consultant's Performance.** All final versions of reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement, and the City may use, reuse or otherwise dispose of the documents without Consultant's permission. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential drafts and will not be released to third parties by Consultant without prior written approval of City.

**9.2** **Consultant's Books and Records.** Consultant shall maintain any and all records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement. All such records shall be maintained in accordance with generally accepted accounting principles and shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Pursuant to Government Code Section 8546.7, the Agreement may be subject to the examination and audit of the State Auditor for a period of 3 years after final payment under the Agreement.

## Section 10 MISCELLANEOUS PROVISIONS.

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

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

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

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

**10.5** **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

**10.6** **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

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

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

**10.8 Notices.** Any notice, demand, request, consent or approval that either party is required to give the other pursuant to this Agreement, shall be in writing and may be given by either (i) personal service, or (ii) certified United States mail, postage prepaid, return receipt requested. Notice shall be effective upon personal delivery or delivery to the addresses specified below, as reflected on the receipt of delivery or return receipt, as applicable.

Consultant: Local Edition Marketing, LLC
ATTN: David R. Socher, Attorney at Law
3443 Golden Gate Way, Suite F
Lafayette, CA, 94549

City: City of Pittsburg
ATTN: City Manager
65 Civic Avenue
Pittsburg, CA 94565

**10.9 Professional Seal.** Where applicable in the determination of the City Manager, or his or her designee, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation. The stamp/seal shall be in a block entitled "Seal and Signature of Registered Professional with report/design responsibility."

**10.10 Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A and B represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral. To the extent there are any inconsistences between this Agreement, the Exhibits, and Consultant's proposal, the Agreement shall control. To the extent there are any inconsistences between the Exhibits and the Consultant's Proposal, the Exhibits shall control.

Exhibit A Scope of Services and Business Terms

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

**10.12 Construction of Agreement.** Each party hereto has had an equivalent opportunity to participate in the drafting of the agreement and/or to consult with legal counsel. Therefore, the usual construction of an agreement against the drafting party shall not apply hereto.

**10.13 No Third-Party Beneficiaries.** This Agreement is made solely for the benefit of the parties hereto, with no intent to benefit any third parties.

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

| **CITY OF PITTSBURG** | **CONSULTANT** |
|---|---|
| _____ | _____ |
| Garrett Evans, City Manager | Name:<br>Title: |

Attest:

_____
Alice E. Evenson, City Clerk

Approved as to Form:

_____
Donna Mooney, City Attorney

## EXHIBIT A

## SCOPE OF SERVICES and BUSINESS TERMS

| ELEMENT | DESCRIPTION | QUANTITY | COST | ESTIMATE |
|---|---|---|---|---|
| **Murals** | | | | |
| | *Mural Location 1 - Medium Scale | 1 | $15,000 | $15,000 |
| | *Mural Location 2 - Large Scale | 1 | $25,000 | $25,000 |
| | *Mural Location 3 - Medium Scale | 1 | $15,000 | $15,000 |
| | Mural Location 4 - Small Scale | 1 | $2,500 | $2,500 |
| | Mural Location 5 - Medium Scale | 1 | $7,500 | $7,500 |
| | **Boom and Scissor Lift Rental | 3 | $5,000 | $15,000 |
| | UV Protective Coating Product For All Murals | 5 | $1,500 | $7,500 |
| | Labor for coating | 5 | $1,000 | $5,000 |
| **Sculpture Instalaltions** | 1 large (6-8 months includes all logistics) | 1 | $25,000 | $25,000 |
| **Contingency** | | 1 | $5,000 | $5,000 |
| **Local Edition Project Management** | All curation, organization and turn-key facillitation | 1 | | $25,000 |

**Total Not-to-Exceed Amount:** **$147,500**

The locations of all murals shall be approved by the City in advance of installation. The Consultant shall provide preference in artist selection to current or former Pittsburg residents. The City shall approve all artists and murals in advance of installation.

**CERTIFICATE OF COMPLIANCE WITH LABOR CODE § 3700**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

CONSULTANT

By: _____
Title: _____

2784980.1

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution Authorizing the Division of Boating and Waterways Funding Requests and Agreements

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

The State of California State Parks and Recreation, Division of Boating and Waterways (DBW) maintains and administers several grant and loan programs designed to improve and safeguard the boating experience for all users. DBW funding applications require a City Council Resolution for the City to be eligible to apply for and receive funding.

## FISCAL IMPACT

This Resolution has no impact on the General Fund and may provide relief for the Marina and Waterfront Funds. Approval of this Resolution will provide the City of Pittsburg with an opportunity to apply for grants that fund projects from pump out station repair (less than $5,000) to boating infrastructure improvements (up to $1.5 million).

## RECOMMENDATION

City Council adopt the Resolution authorizing the City to apply for and if awarded, accept DBW grant funds, and the City Manager to execute Grant Agreements between the City of Pittsburg and the DBW.

## BACKGROUND

The DBW's mission is to provide safe and convenient public access to California's waterways. The DBW fulfills this mission in part through its Local Assistance Loan and Grant Programs. The Local Assistance Loan and Grant Programs assist cities, counties, districts, other governmental agencies, marinas, and port districts, in the development and improvement of marinas and boat launching facilities.

While the Local Assistance Loan Program has been temporarily halted, some programs of interest to the Pittsburg Marina and Waterfront Divisions as well as Pittsburg Police Department include Boat Launching Facility, Ramp Repair and Modification, Vessel Pump-out Station, Surrender and Abandoned Vessel Exchange, Public Beach Restoration, and more. DBW funding applications require a City Council Resolution for the City to be eligible to apply for and receive funding.

## SUBCOMMITTEE FINDINGS

On September 26, 2022, the Economic Development/Waterfront Subcommittee encouraged development of a Marina Preventative Maintenance Plan that includes exploration of project funding sources like DBW grants.

## STAFF ANALYSIS

The City has participated in DBW grant programs before. In Fiscal Year 1978/79, the City received a DBW grant of $150,000 to extend the existing launch ramp, relocate the floats and docks to accommodate the longer ramp, and build restroom facilities. In Fiscal Year 1990/91, another DBW grant of $518,000 was used to replace the launch ramp, boarding floats, and bulkhead wall on the west side of the launch basin, add riprap to the east side of the launch ramp, and add landscaping and irrigation.

As presented to the Economic Development and Waterfront Subcommittee on September 26, 2022, the Pittsburg Marina and waterfront have several unfunded maintenance projects potentially eligible for these programs including boater restrooms, ramps, pump-out stations, docks, sheds, and more. Securing funds for which the City is eligible over the next five years to undertake these projects compliment current revitalization efforts in the area and expands the character of the City's downtown core, a priority outlined in the City's General Plan and Trust Lands Use Plan.

ATTACHMENTS: Resolution

Report Prepared By: Sara Bellafronte, Senior Administrative Analyst

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing the Division of Boating )
And Waterways Funding Requests ) RESOLUTION NO. 22-
For Grant Agreements )

WHEREAS, the State of California State Parks and Recreation, Division of Boating and Waterways (DBW) maintains and administers several grant and loan programs designed to improve and safeguard the boating experience for all users; and

WHEREAS, the City has completed Marina projects with DBW funding before and has current unfunded projects potentially eligible for funding under several programs including but not limited to Boat Launching Facility, Ramp Repair and Modification, Vessel Pump-out Station, Surrender and Abandoned Vessel Exchange, and Public Beach Restoration; and

WHEREAS, DBW funding applications require authorization from the City Council to apply for and receive DBW Grant Programs funding; and

WHEREAS, it is the City Council's desire and direction that staff apply for these funds as often as eligible and practical for the 2022/2023 to 2026/2027 period provided Program funding remains available.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby authorizes the City to apply for and if awarded, accept DBW grant funds and the City Manager to execute Grant Agreements between the City of Pittsburg and the DBW for the period commencing with Fiscal Year 2022/2023 and ending after Fiscal Year 2026/2027.

PASSED AND ADOPTED by the City Council of the City of Pittsburg, at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Receive and File the Treasurer's Report for the Quarter Ending September 30, 2022

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

Attached is the Treasurer's Report for the fiscal quarter ending September 30, 2022. The report includes the combined detailed information of the City and the Successor Agency's (Agency) investments, which are compliant with the City's and Agency's Investment Policies.

## FISCAL IMPACT

The City's expenditure requirements for the next six months are covered by anticipated revenues from City operations and liquidity from maturing investments. The difference between market value and cost as of September 30, 2022, will be reflected in the City's financial statements for Fiscal Year 2022-23 as an adjustment to interest income for each of the City's funds on a pro rata basis as required by Governmental Accounting Standards Board Statement Number 31. Due to the recent rise in interest rates available in the capital markets, value for existing holdings have fallen on paper and will not be realized. This drop in value had increased as inflationary pressure have continued to move rates higher. Market values change on a daily basis. The change in market value is considered temporary in nature, as the City mostly holds its investments until maturity, when they can be redeemed at par value.

## RECOMMENDATION

City Council accept the Treasurer's Report for the quarter ending September 30, 2022, for information purposes only.

## BACKGROUND

Each fiscal quarter, an Investment Summary Report is required to be provided, by policy, to the City Council for review.

## SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

## STAFF ANALYSIS

The City's objectives in order of priority, are to provide safety, ensure the preservation of capital, provide sufficient liquidity for cash needs and earn a competitive rate of return (yield) within the confines of the California Government Code and the Investment Policy. Chandler Asset Management is responsible for managing investments in accordance with the City's investment policy. All portfolio holdings were held with investment grade securities.

The advisor-managed funds are comprised of operating funds managed in a Core Portfolio account, as well as several Non-Successor Agency bond-related funds. The City's advisor works to achieve the City's objectives by investing in high quality fixed income securities consistent with the City's investment policy and California Government Code.

The Core Portfolio represents the City's cash reserves. Its return objective is to enhance both interest income and principal value as measured by total return. Total return reflects the value added to the portfolio for a period of time from interest income, realized gains and losses, as well as unrealized gains and losses. The portfolio's total return for the quarter was -1.17%, comparing to the City performance benchmark of -1.56%, the Intercontinental Exchange Bank of America Merrill Lynch (ICE BAML) 1-3 Year U.S. Treasury/Agency Index. Since inception (7/31/2018), the portfolio's total return through quarter end is 0.95%, which slightly overperformed the benchmark return of 0.72% for the same period. Total returns for the quarter and since inception reflect fluctuations in market value.

| Summary Cash and Investments as of 9/30/2022 | | |
|---|---|---|
| Investments and Cash | Book Value | Market Value |
| Investments | | |
| Portfolio of Securities (Managed by Chandler) | 77,297,916.12 | 74,338,467.34 |
| Bond Managed Reserve (Chandler) | 4,091,446.11 | 4,110,910.29 |
| Section 115 Pension Trust (PARS) | 2,249,846.14 | 2,135,535.80 |
| LAIF | 61,128,313.79 | 59,952,263.85 |
| **Total Investments** | 144,767,522.16 | 140,537,177.28 |
| City Managed | | |
| Cash | 9,853,081.57 | 9,853,081.57 |
| Bond Funds - Restricted Reserve | 61,027,556.78 | 61,047,185.31 |
| **Total City Cash** | 70,880,638.35 | 70,900,266.88 |
| **Total Cash and Investments** | 215,648,160.51 | 211,437,444.16 |

| Sector Allocation | | | | | |
|---|---|---|---|---|---|
| **Security Type** | **Par Value** | **Original Cost** | **Market Value** | **Average Maturity** | **Average Yield** |
| **Operating Funds** | | | | | |
| Cash Equivalents | 9,853,081.57 | 9,853,081.57 | 9,853,081.57 | 1 | N/A |
| Money Market Funds | 137,205.38 | 137,205.38 | 137,205.38 | 1 | 0.89% |
| Investment Pools | 61,128,313.79 | 61,128,313.79 | 59,952,263.85 | 1 | N/A |
| **Total Liquidity** | **71,118,600.74** | **71,118,600.74** | **69,942,550.80** | **1** | 0.89% |
| U.S. Treasury Notes | 17,700,000.00 | 24,469,210.97 | 23,458,307.65 | 635 | 1.54% |
| Federal Agency Securities | 21,215,000.00 | 26,374,798.67 | 25,608,744.13 | 350 | 1.33% |
| Negotiated Certificates of Deposit | | 2,999,986.98 | 2,973,535.25 | 197 | 2.13% |
| Medium-Term Corporate Notes | 13,450,000.00 | 14,352,912.10 | 13,532,841.72 | 697 | 1.32% |
| Asset-Backed Securities | 4,619,172.96 | 4,595,429.54 | 4,451,295.46 | 1175 | 1.71% |
| Commercial Paper | 120,320.10 | 1,243,461.81 | 1,249,343.75 | 29 | 0.71% |
| Supranationals | 2,570,000.00 | 2,621,023.95 | 2,445,103.50 | 558 | 0.36% |
| Collateralized Mortgage Obligations | 500,000.00 | 503,886.72 | 482,090.50 | 1091 | 2.96% |
| **Total Securities** | **60,174,493.06** | **77,160,710.74** | **74,201,261.96** | **553** | **1.42%** |
| **Total Operating Funds** | **131,293,093.80** | **148,279,311.48** | **144,143,812.76** | **285** | **0.73%** |
| **Bonded Debt Funds** | | | | | |
| Pittsburg Pension Bond | 3,037,282.95 | 3,000,885.05 | 3,018,665.63 | 88 | 2.51% |
| Pittsburg AD Auto Mall | 335,035.74 | 329,937.69 | 330,444.33 | 139 | 3.48% |
| Pittsburg AD Vista DM | 772,466.54 | 760,623.37 | 761,800.33 | 139 | 3.49% |
| Additional Bonded Debt Funds | 61,027,556.78 | 61,027,556.78 | 61,047,185.31 | N/A | N/A |
| **Total Bonded Debt Funds** | **65,172,342.01** | 65,119,002.89 | 65,158,095.60 | 113 | 2.77% |
| **Section 115 Trust** | | | | | |
| Equity Mutual Fund | 2,249,846.14 | 2,249,846.14 | 2,135,535.80 | | |
| **Total Section 115 Trust Funds** | **2,249,846.14** | **2,249,846.14** | **2,135,535.80** | **N/A** | **N/A** |
| **Total City Funds** | **198,715,281.95** | **215,648,160.51** | **211,437,444.16** | | |

Governmental Accounting Standards Board Statement 31 requires the City to recognize the fair market value of its investments at the end of each fiscal year. The market values of investments included in this report were obtained from the State Controller's office for Local Agency Investment Funds (LAIF), and from the City's registered investment advisor and bond trustees for longer-term investments.

Attached is the Chandler Asset Management (CAM) Investment Report detailing an economic update, account profile and investment activity for the quarter ending September 30, 2022.

ATTACHMENTS: Letter from City Treasurer
Investment Report by Chandler Asset Management

Report Prepared By: Christina Nguyen, Accountant II
Report Reviewed By: Laura Mendez, Finance Manager of Reporting

**City of Pittsburg**
**Finance Division**
**65 Civic Avenue**
**Pittsburg, California 94565**

November 1, 2022

Honorable Mayor and City Council:

I have reviewed the City of Pittsburg's Treasury Report for the quarter ending September 30, 2022, and find that it complies with the Investment Policy established by my office.

Sincerely,

Nancy Parent
City Treasurer

CHANDLER ASSET MANAGEMENT

# City of Pittsburg

*Period Ending September 30, 2022*

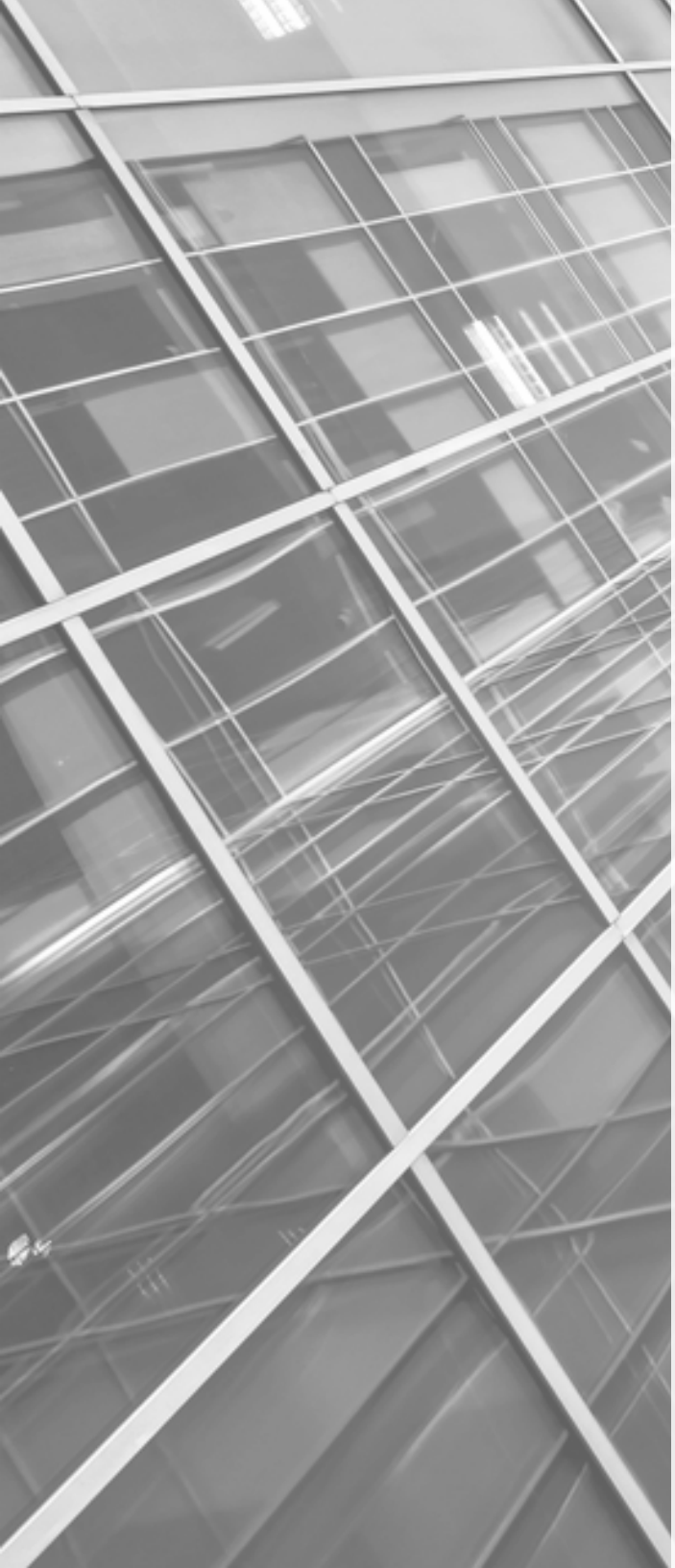
CHANDLER ASSET MANAGEMENT, INC. | 800.317.4747 | www.chandlerasset.com



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*As of September 30, 2022*


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| **SECTION 1** | **Economic Update** |
| **SECTION 2** | **Account Profile** |
| **SECTION 3** | **Consolidated Information** |
| **SECTION 4** | **Portfolio Holdings** |
| **SECTION 5** | **Transactions** |



# Section 1 | Economic Update

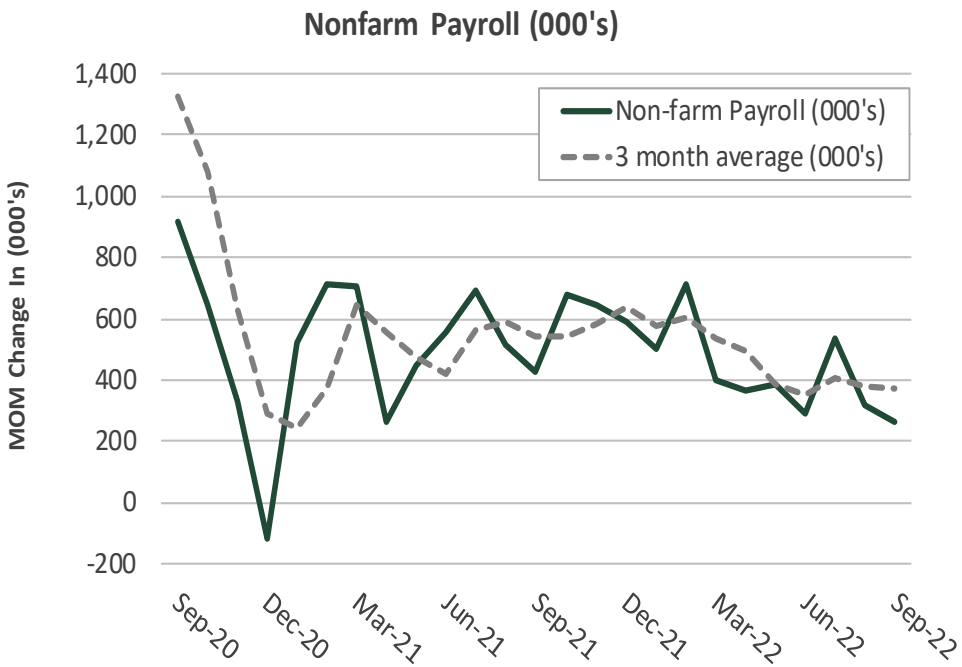
# Economic Update

- Market volatility has intensified as financial conditions tighten and global central banks pursue monetary policies to combat persistently high inflation and maintain financial market stability. Labor markets and consumer balance sheets remain strong; however, inflation is weighing heavily on consumer sentiment and beginning to impact discretionary spending. Corporate earnings have generally performed better than expected, but warnings are growing along with wider credit spreads. While evidence of slower economic conditions has begun to mount, we expect the Federal Reserve to continue to raise rates until a sustainable improvement in inflationary conditions has been achieved. Over the near-term, we expect financial market volatility to remain intensified and conditions tighter with persistent inflation, geopolitical risk, and the Fed's hawkish monetary policy.

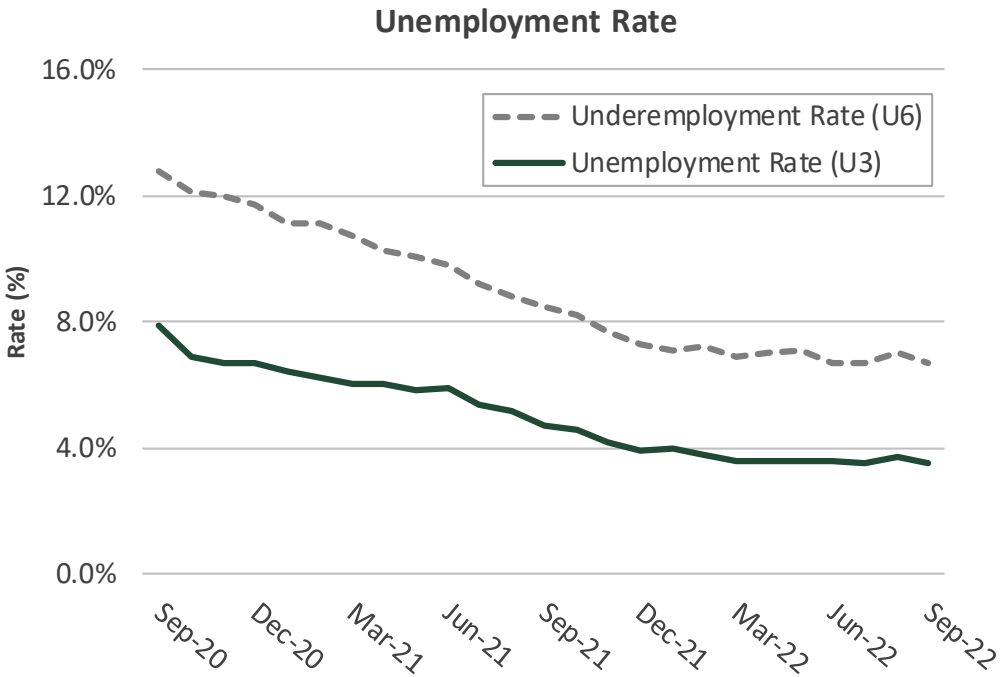
- At the September meeting, the Federal Open Market Committee (FOMC) delivered the third 75-basis point increase to the Fed Funds Rate, increasing the range to 3.00% to 3.25%. The FOMC acknowledged spending and production are experiencing modest growth, offset by a robust labor market and elevated inflation metrics. We expect the Fed to continue to increase the federal funds rate in the near term until inflationary pressures weaken.

- In September, yields rose significantly across the curve. The 2-year Treasury yield increased 79 basis points to 4.28%, the 5-year Treasury yield rose 74 basis points to 4.09%, and the 10-year Treasury yield gained 64 basis points to 3.83%. The spread between the 2-year Treasury yield and 10-year Treasury yield became more inverted at -45 basis points at September month-end versus -30 basis points at August month-end. The spread was a positive 121 basis points one year ago. The spread between 3-month and 10-year treasuries widened to 56 basis points in September compared to just 27 basis points in August. The shape of the curve does not necessarily indicate an imminent recession but bears watching as a better predictor of recession over the medium-term.

# Employment



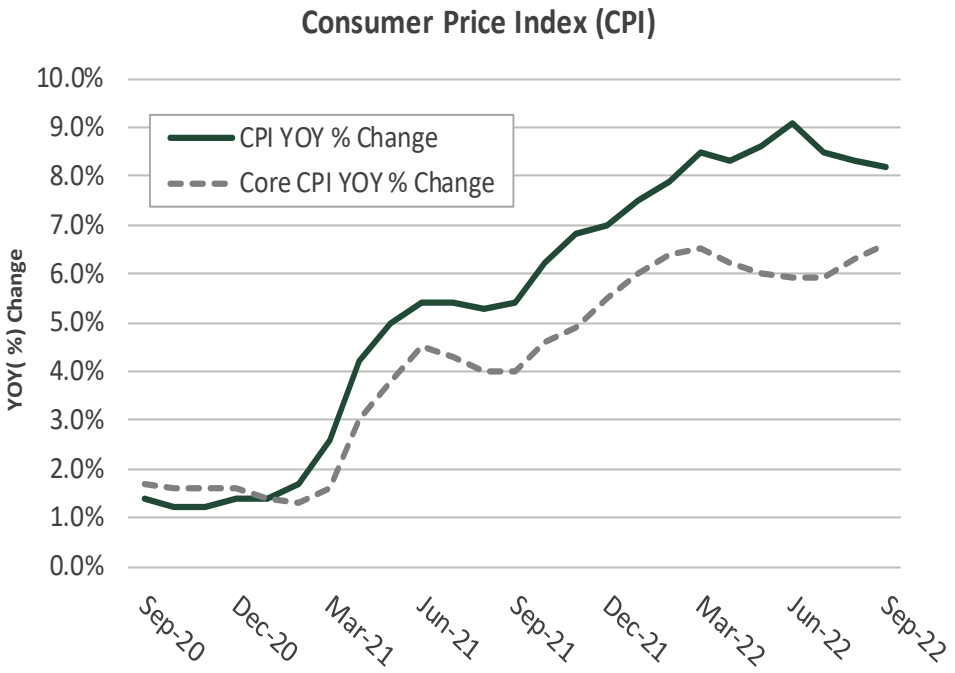

*Source: US Department of Labor*



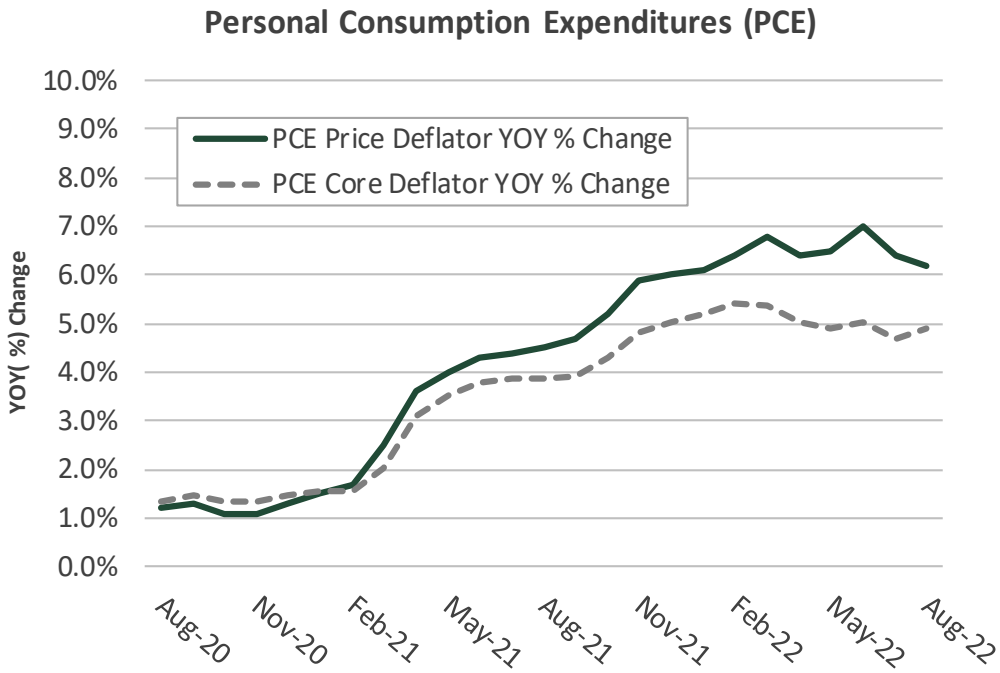

*Source: US Department of Labor*

The U.S. economy added 263,000 jobs in September, surpassing market expectations of 255,000, and gains were revised upward by 11,000 for the prior two months. Trends in employment remain strong, with the three-month moving average payrolls at 372,000 and the six-month moving average at 360,000. Hiring was widespread, with solid increases in education and health services, leisure and hospitality, and professional and business services. The unemployment rate fell to 3.5% from 3.7%, as the labor participation rate edged down to 62.3% in September from 62.4% in August. The U-6 underemployment rate, which includes those who are marginally attached to the labor force and employed part time for economic reasons dropped to 6.7% from 7.0% last month. Average hourly earnings rose 5.0% year-over-year in September compared to 5.2% year-over-year in August, a constructive development for the inflation outlook. The strong September labor report bolsters the case for the Fed to continue raising the federal funds rate.

# Inflation



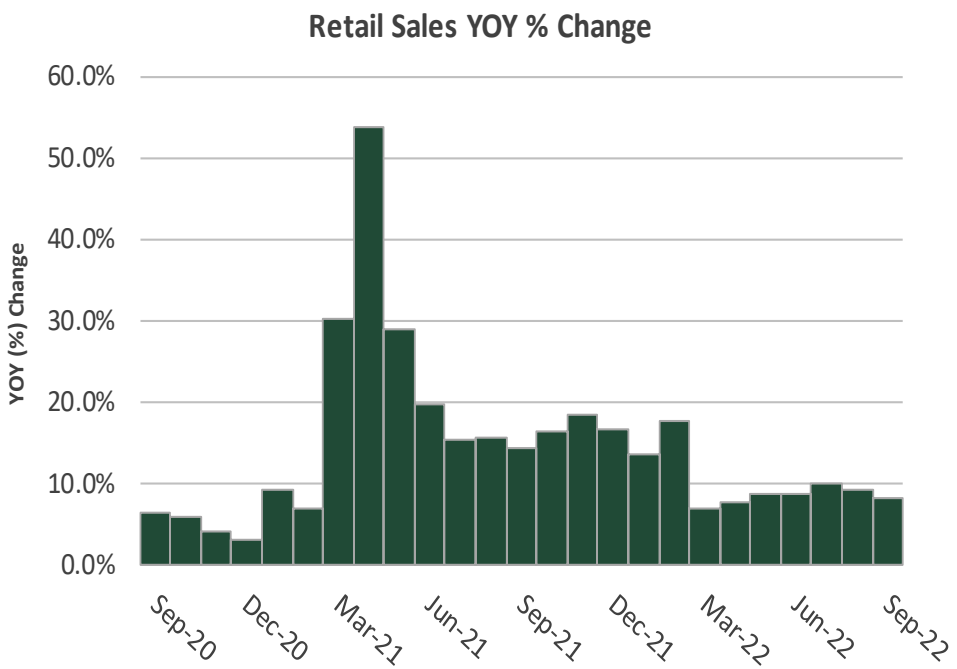

*Source: US Department of Labor*




*Source: US Department of Commerce*

The Consumer Price Index (CPI) increased more than expected in September, up 8.2% year-over-year versus consensus expectations for 8.1%, but down slightly from 8.3% in August. The Core CPI, which excludes volatile food and energy components, jumped to 6.6% year-over-year, up from 6.3% in August and the highest level since 1982. The report included widespread increases, particularly in food, shelter, and medical care services. Owners' equivalent rent, which is a major contributor to CPI and tends to lag, was up 6.7% year-over-year. The Personal Consumption Expenditures (PCE) index rose 6.2% in August, higher than consensus estimates of up 6.0%, but down from a 6.4% increase last month. Core PCE was up 4.9% year-over-year in August, versus up 4.7% year-over-year in July. Persistently elevated inflation is likely to keep the Federal Reserve on the path of tightening monetary policy as long as it continues to run well above the Fed's longer-run target of around 2.0%.

# Consumer



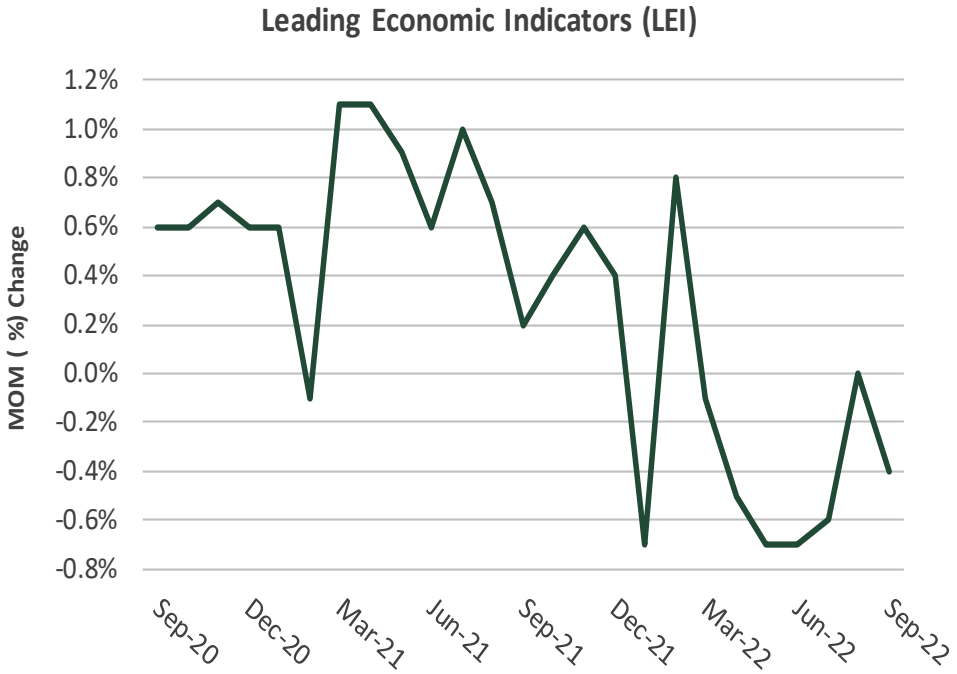

*Source: US Department of Commerce*



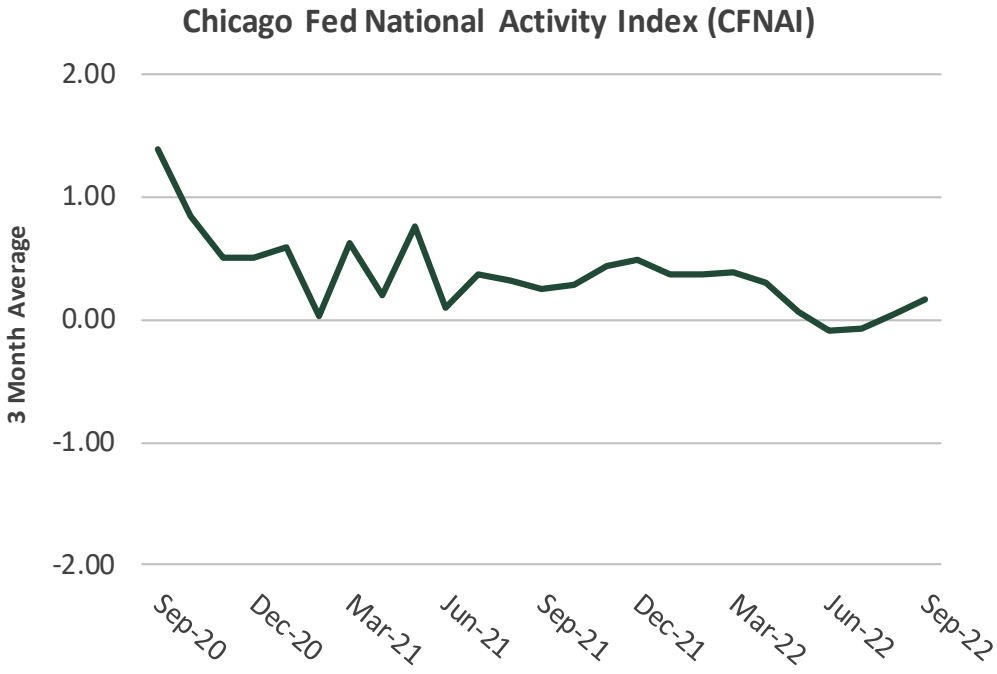

*Source: The Conference Board*

Advance retail sales were flat for the month but up 8.2% year-over-year in September, slowing from August's 9.4% year-over-year gain that surprised to the upside. Retail sales growth is starting to reflect the headwinds from higher prices as consumers dip into savings and assume more debt. The Conference Board's Consumer Confidence Index rose for the second month in a row to 108.0 in September, with gains in both the present situation and future expectations components. The strength was tied directly to the consumer's assessment of the labor market, which continues to reflect the demand for labor outstripping supply.

# Economic Activity



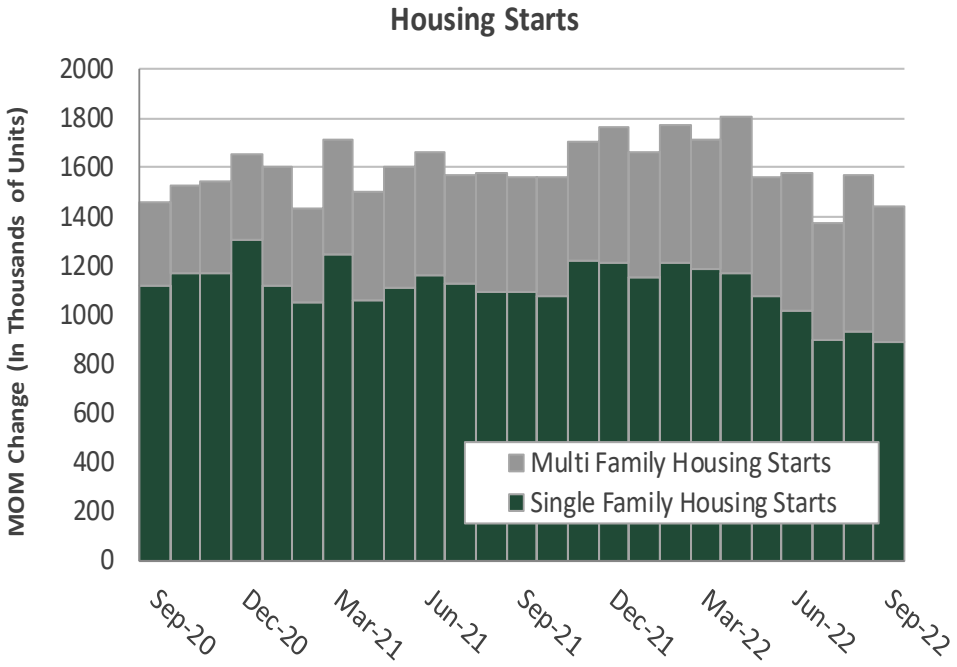

*Source: The Conference Board*



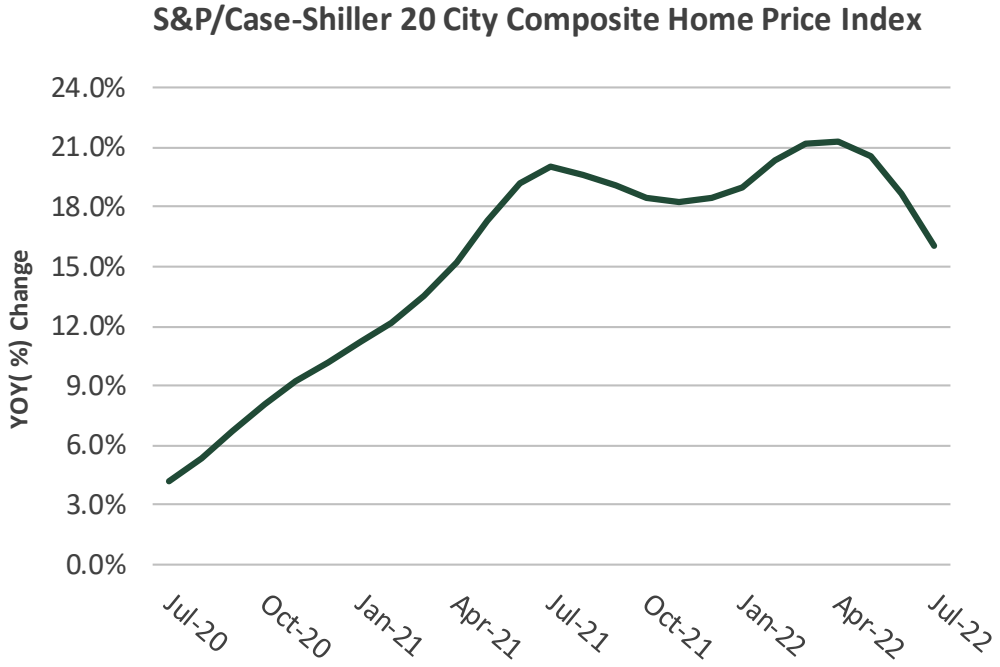

*Source: Federal Reserve Bank of Chicago*

The Conference Board's Leading Economic Index (LEI) remained in negative territory at -0.4% in September, following an upwardly revised 0% in August. The LEI is down 2.8% for the six-month period between March and September 2022, versus its 1.4% growth over the previous six months. The Conference Board cited widespread weakness among the index's ten components and expects slower economic growth going forward. The Chicago Fed National Activity Index (CFNAI) was unchanged at 0.10 in September indicating steady economic growth over the month. On a 3-month moving average basis, the CFNAI increased to 0.17 in September from an upwardly revised 0.04 in August.

# Housing



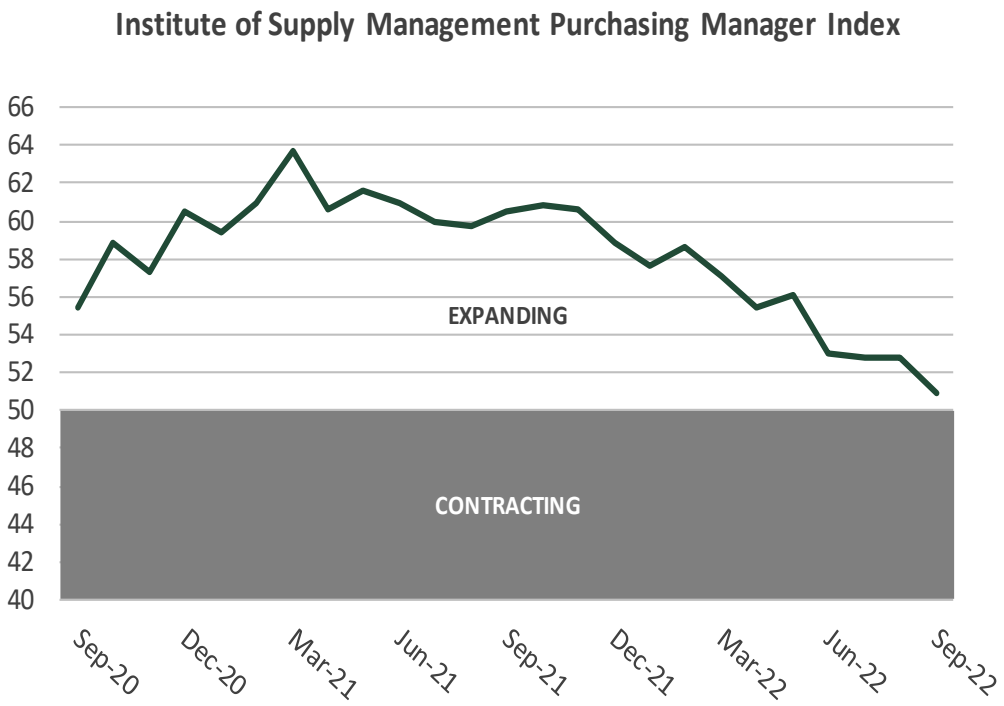

*Source: US Department of Commerce*



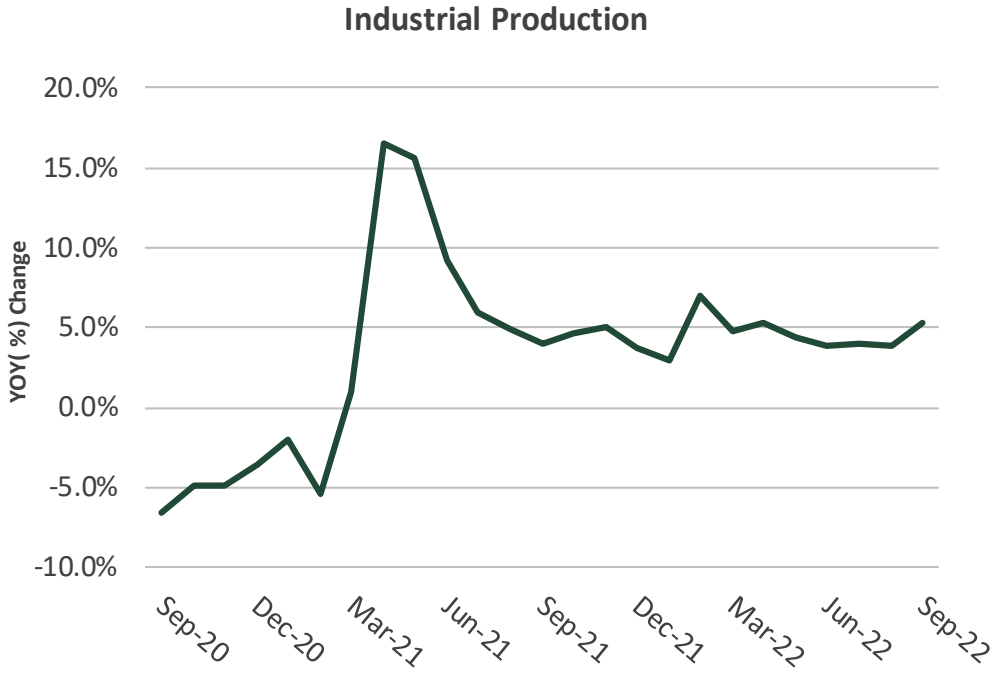

*Source: S&P*

Total housing starts declined 8.1% to an annual rate of 1,439,000 in September, after a downward revision to 1,566,000 units in August. Single-family home starts fell 4.7% and multi-family starts fell 13.2% month-over-month. On a year-over-year basis, total housing starts decreased 7.7% reflecting a shift from single-family units to more affordable multi-family units as homebuyers struggle with a combination of elevated prices and higher mortgage rates. Mortgage rates for a 30-year fixed-rate loan are higher than they have been since 2006 at 6.94% According to the Case-Shiller 20-City Home Price Index, the year-over-year increase receded from 18.7% in June to 16.1% in July, clearly displaying the impact of higher mortgage rates which have reduced demand for homebuying as affordability has declined.

# Manufacturing




*Source: Institute for Supply Management*



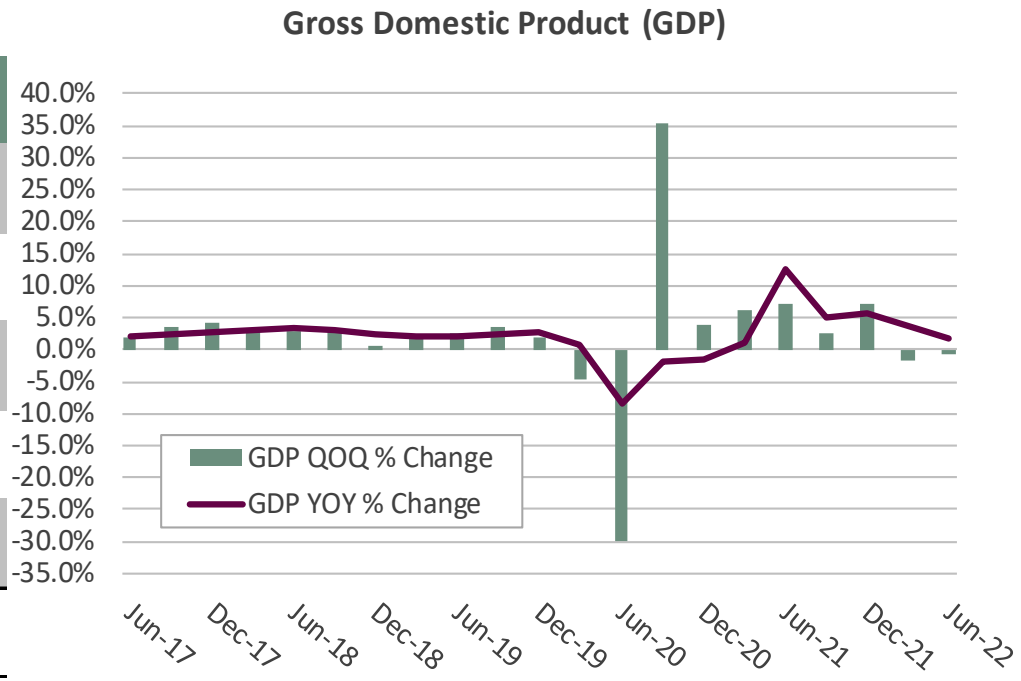

*Source: Federal Reserve*

The Institute for Supply Management (ISM) manufacturing index plunged nearly two points to 50.9 in September, the lowest since May 2020 and disappointing relative to consensus expectations of 52.0. Readings above 50.0 are indicative of expansion in the manufacturing sector. New orders declined significantly, reflecting lower demand for goods as consumers shift to spending on services. Total industrial production rose 0.4% in September after a small upward revision to -0.1% in August. Gains were broad-based including both durable and non-durable goods. Capacity utilization increased to 80.3% in September after a minimal upward revision to 80.1% in August and continues to run slightly above the 1972-2021 average of 79.6%.

# Gross Domestic Product (GDP)

| Components of GDP | 9/21 | 12/21 | 3/22 | 6/22 |
|---|---|---|---|---|
| Personal Consumption Expenditures | 2.0% | 2.1% | 0.9% | 1.4% |
| Gross Private Domestic Investment | 1.8% | 5.1% | 1.0% | -2.8% |
| Net Exports and Imports | -1.1% | -0.2% | -3.1% | 1.2% |
| Federal Government Expenditures | -0.5% | 0.0% | -0.4% | -0.2% |
| State and Local (Consumption and Gross Investment) | 0.5% | -0.2% | 0.0% | -0.1% |
| **Total** | **2.7%** | **7.0%** | **-1.6%** | **-0.6%** |

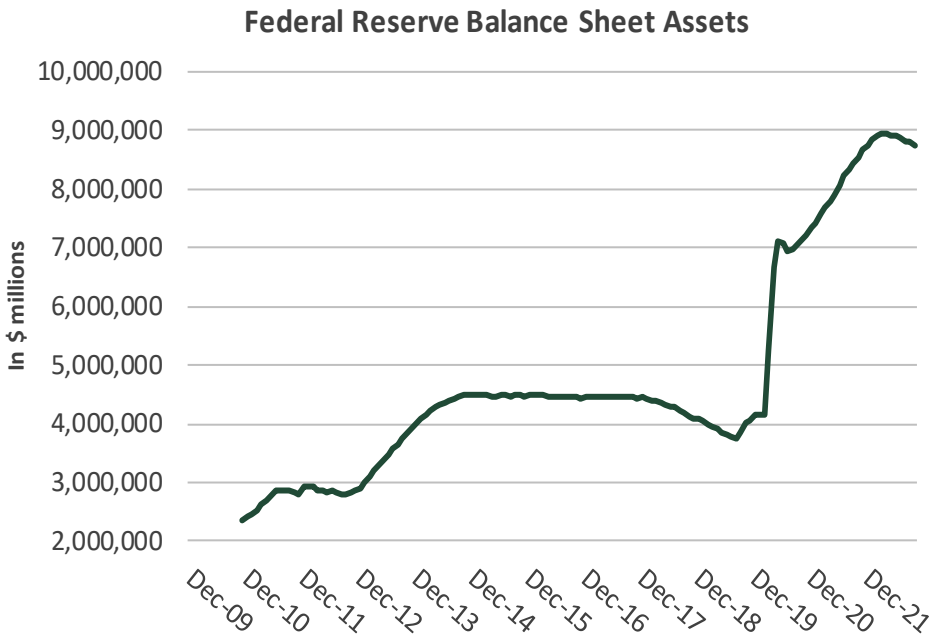
*Source: US Department of Commerce*



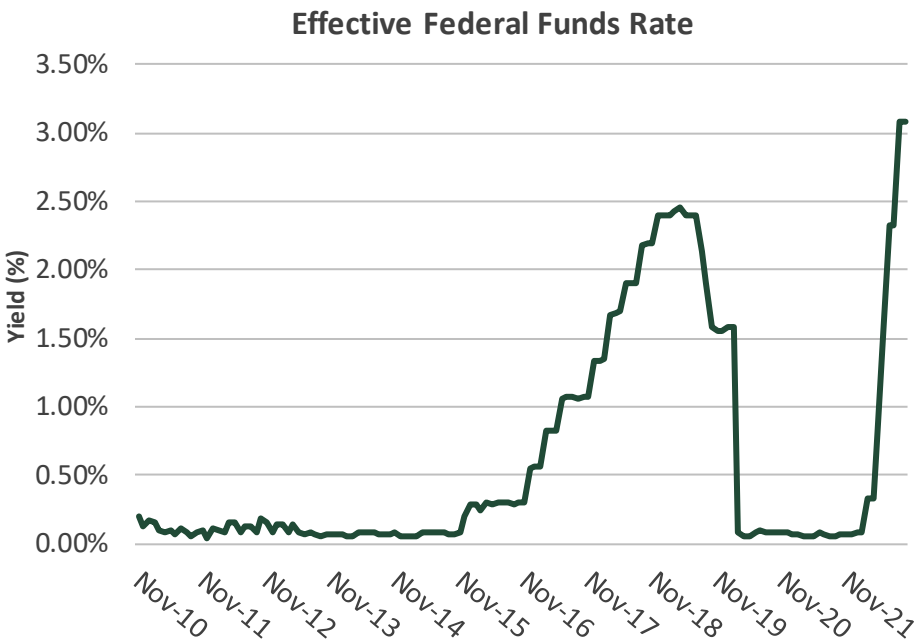

*Source: US Department of Commerce*

According to the third estimate, U.S. GDP was unrevised at -0.6% annualized in the second quarter. Personal consumption expenditures rose, primarily due to spending on services. The largest negative contribution was from a drop in gross residential investment as the housing sector diminished sharply. The second quarter decline followed a first quarter contraction of -1.6%. Although many market participants link two quarters in a row of negative GDP growth with a recession, an official declaration by the National Bureau of Economic Research is unlikely given the mosaic of data and the strength of the labor market. The consensus estimate calls for 1.9% growth in the third quarter and 1.7% growth for the full year 2022.

# Federal Reserve



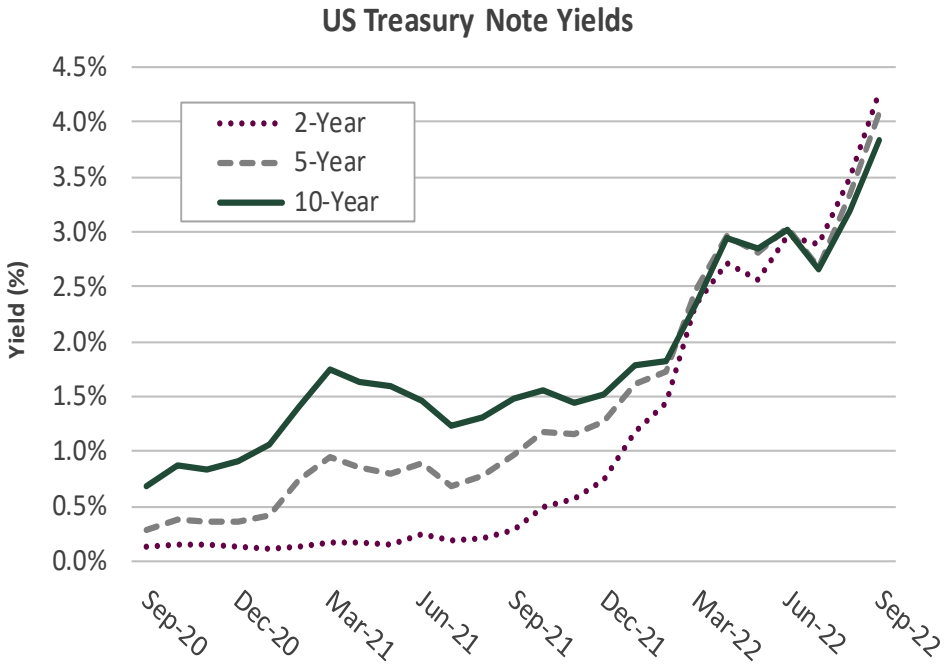

*Source: Federal Reserve*



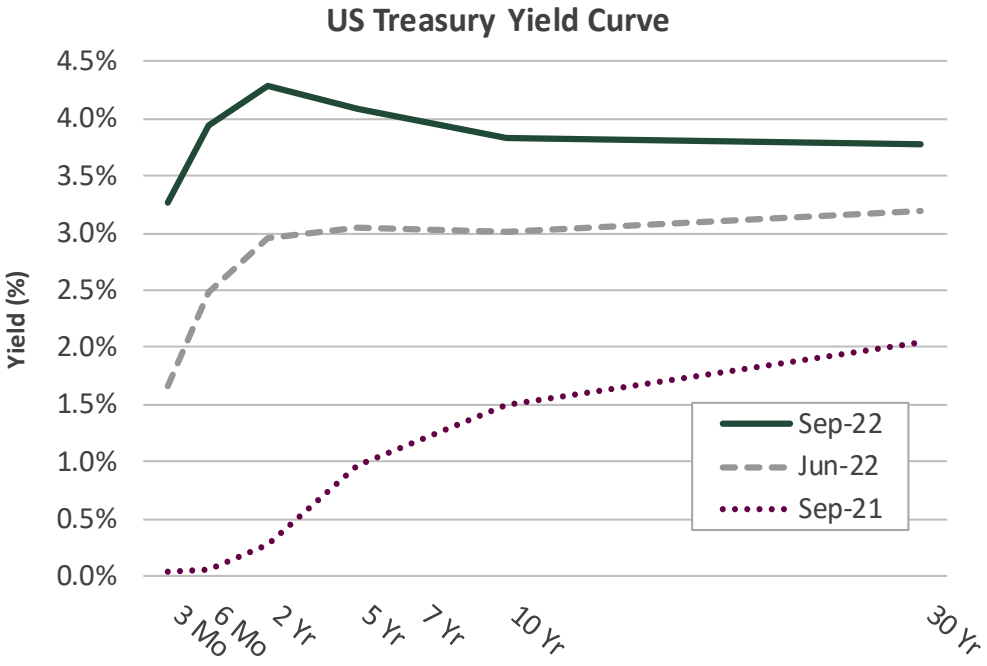

*Source: Bloomberg*

At the September meeting, the Federal Open Market Committee (FOMC) delivered the third 75-basis point increase to the Fed Funds Rate, increasing the range to 3.00% to 3.25%. The FOMC acknowledged spending and production are experiencing modest growth, offset by robust labor market and elevated inflation metrics. The FOMC remains data dependent to meet its long-term 2% inflation objective. The Fed also released new economic projections showing a significant slowdown in the economy later in 2022 and 2023. The Fed has reduced its $9 trillion balance sheet holdings by $87.1 billion since the start of the program and will increase the rate of decrease to $95 billion a month in September. As inflation metrics begin to moderate, we believe the Federal Reserve will decelerate their pace of tightening, but a material decline in inflation in the short-term is unlikely.

# Bond Yields

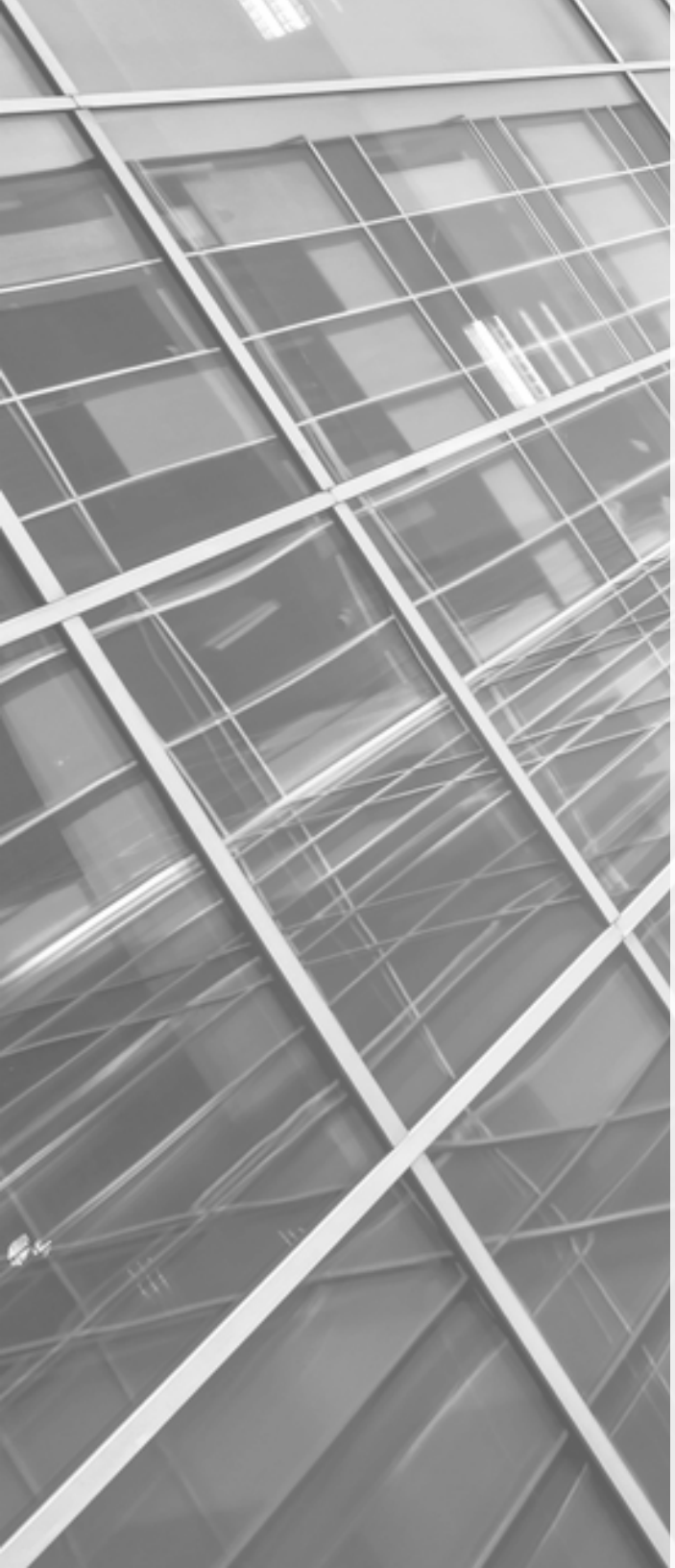



*Source: Bloomberg*




*Source: Bloomberg*

At the end of September, the 2-year Treasury yield was 400 basis points higher, and the 10-Year Treasury yield was about 234 basis points higher, year-over-year. The spread between the 2-year Treasury yield and 10-year Treasury yield became more inverted at -45 basis points at September month-end versus -30 basis points at August month-end. The average historical spread (since 2003) is about 130 basis points. The spread between 3-month and 10-year treasuries widened to 56 basis points in September compared to just 27 basis points in August. The shape of the yield curve does not indicate an imminent recession but bears watching as a better predictor of recession over the medium-term.



# Section 2 | Account Profile

# Objectives

*As of September 30, 2022*

## Investment Objectives

The investment objectives for the City of Pittsburg, in order of priority, are to provide safety to ensure the preservation of capital in the overall portfolio, provide sufficient liquidity for cash needs and a market rate of return consistent with the investment program.

## Chandler Asset Management Performance Objective

The performance objective for the portfolio is to earn a total rate of return through a market cycle that is equal to or above the return on the benchmark index.

## Strategy

In order to achieve these objectives, the portfolio invests in high quality fixed income securities consistent with the City's investment policy and California Government Code.

# Compliance

*As of September 30, 2022*

**City of Pittsburg Managed Consolidated**

*This portfolio is a consolidation of assets managed by Chandler Asset Management. Assets managed by Chandler Asset Management are in full compliance with state law and Client's investment policy. Chandler relies on City to provide accurate information for reporting assets and producing this compliance statement.*

| Category | Standard | Comment |
|---|---|---|
| U.S. Treasuries | No Limitation; Full faith and credit of the U.S. are pledged for the payment of principal and interest | *Complies* |
| Federal Agencies | 30% max per Agency/GSE issuer; 20% max agency callable securities; Federal agency or U.S. government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or U.S. government-sponsored enterprises. | *Complies* |
| Supranational Obligations | "AA" rating category or better by a NRSRO; 30% max; 10% max per issuer; USD denominated senior unsecured unsubordinated obligations; Issued or unconditionally guaranteed by IBRD, IFC, IADB | *Complies* |
| Municipal Securities (CA, Other States) | "A" rating category or better by a NRSRO; 30% max; 5% max per issuer; Obligations of the City, State of California and any local agency within the state; Bonds of any of the other 49 states in addition to California; Including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California. | *Complies* |
| Corporate Medium Term Notes | "A" rating category or better by a NRSRO; 30% max; 5% max per issuer; Issuer is a corporation organized and operating within the U.S. or by depository institutions licensed by the U.S. or any state and operating within the U.S | *Complies* |
| Asset-Backed, Mortgage-Backed, Mortgage Pass-Through Securities, Collateralized Mortgage Obligations | "AA" rating category or better by a NRSRO; 20% max (combined ABS/MBS/CMO); 5% max per Asset-Backed or Commercial Mortgage security issuer; From issuers not defined in US Treasury and Federal Agencies of the Eligible Investments section of the policy | *Complies* |
| Negotiable Certificates of Deposit (NCD) | The amount of NCD insured up to the FDIC limit does not require any credit ratings; Any amount above FDIC insured limit must be issued by institutions with "A-1" short-term debt rating or higher by a NRSRO; or "A" long-term rating category or higher by a NRSRO; 30% max; 5% max per issuer; Issued by a nationally or state-chartered bank, or a federal or state association, a state or federal credit union, or by a federally-licensed or state-licensed branch of a foreign bank. | *Complies* |
| Time Deposits (Non-negotiable & Collateralized CD/TD) | "A" rated or one of the three highest rating categories by a NRSRO; 30% max; 5% max per issuer; 1 year max maturity; Non-negotiable time deposits that are FDIC insured or fully collateralized in financial institutions located in California, including US branches of foreign banks licensed to do business in California | *Complies* |
| Banker's Acceptances | "A-1" rated or highest short-term rating category by a NRSRO; 40% max; 5% max per issuer; 180 days max maturity | *Complies* |
| Commercial Paper | "A-1" short-term ratings or higher by a NRSRO; "A" long-term rating category or higher by a NRSRO, if any; 25% max; Under a provision sunsetting on January 1, 2026, no more than 40% of the portfolio may be invested in Commercial Paper if the City's investment assets under management are greater than $100 million; 5% max per issuer; 270 days max maturity; 10% max of the outstanding commercial paper of any single issuer; Issued by an entity that meets all the following conditions in either (1) or (2): 1. (a) organized and operating in the U.S. as a general corporation (b) has assets > $500 million; (c) "A" rating category or higher by a NRSRO, if any debt 2. (a) organized within the U.S. as a special purpose corporation, trust, or limited liability company; (b) has program-wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond; (c) "A-1" rating category or higher by a NRSRO. | *Complies* |

# Compliance

*As of September 30, 2022*

**City of Pittsburg Managed Consolidated**

*This portfolio is a consolidation of assets managed by Chandler Asset Management. Assets managed by Chandler Asset Management are in full compliance with state law and Client's investment policy. Chandler relies on City to provide accurate information for reporting assets and producing this compliance statement.*

| Category | Standard | Comment |
|---|---|---|
| Money Market Mutual Funds | Registered with SEC under Investment Company Act of 1940; issued by diversified management companies and meet either of the following criteria: (i) Highest rating by two NRSROs; or (ii) Retained an investment adviser registered or exempt from SEC registration with > 5 years experience managing money market mutual funds with AUM >$500 million; 20% max Money Market Funds; 10% max per Fund | *Complies* |
| Local Agency Investment Fund (LAIF) | Maximum amount permitted by LAIF; Not used by investment adviser | *Complies* |
| California Asset Management Program (CAMP) | Shares of beneficial interest issued by a joint powers authority pursuant to California Government Code; Not used by investment adviser | *Complies* |
| Repurchase Agreements | Primary government securities dealers rated in one of the three highest categories by two NRSROs; Counterparties should also have: i) short-term rating in the highest category; ii) $25 billion minimum assets and $350 million in capital size; iii) 5 years audited financial results; iv) strong reputation; 15% max; 5% max per issuer; 90 days max maturity; 102% collateralized with U.S. Treasury or Federal Agency securities; Not used by investment adviser | *Complies* |
| Prohibited | Investments not described in the policy, including but not limited to: Common stocks, Futures contracts, Options, Inverse floaters, Range notes, Mortgage derived Interest-only strips, or any security that could result in zero interest accrual securities if held to maturity; Purchase of any security not listed in Section 8-Eligible Investments of the Investment Policy, unless approved by the City Council | *Complies* |
| Max Per Issuer | 5% of portfolio per issuer unless otherwise specified in the policy | *Complies* |
| Maximum Maturity | 5 years, except as otherwise stated in the policy | *Complies* |

# Account Structure

*As of September 30, 2022*

| | Original Cost | Market Value | % of Portfolio |
|---|---|---|---|
| **Funds Managed Internally** | | | |
| Cash Equivalents | 9,853,081.57 | 9,853,081.57 | 4.66% |
| Investment Pools | 61,128,313.79 | 59,952,263.85 | 28.35% |
| Additional Bonded Debt Funds | 61,027,556.78 | 61,047,185.31 | 28.87% |
| **Total** | **132,008,952.14** | **130,852,530.73** | **61.89%** |
| **Funds Managed by City's Investment Advisor** | | | |
| Operating Funds | 77,297,916.12 | 74,338,467.34 | 35.16% |
| Bond Managed Reserve | 4,091,446.11 | 4,110,910.29 | 1.94% |
| **Total** | **81,389,362.23** | **78,449,377.63** | **37.10%** |
| **City's Section 115 Trust** | | | |
| Section 115 Trust | 2,249,846.14 | 2,135,535.80 | 1.01% |
| **Total** | **2,249,846.14** | **2,135,535.80** | **1.01%** |
| **Total City Funds** | **215,648,160.51** | **211,437,444.16** | **100.00%** |

*Market value changes daily and is subject to a number of economic forces, including supply and demand, and can incur unrealized gains and losses.

# Sector Allocation

*As of September 30, 2022*

| Security Type | Original Cost | Market Value | % of Portfolio | Average Maturity | Average Yield |
|---|---|---|---|---|---|
| **Operating Funds** | | | | | |
| Cash Equivalents[1] | 9,853,081.57 | 9,853,081.57 | 6.84% | 1 | N/A |
| Money Market Funds | 137,205.38 | 137,205.38 | 0.10% | 1 | 0.89% |
| Investment Pools[2] | 61,128,313.79 | 59,952,263.85 | 41.59% | 1 | N/A |
| **Total Liquidity** | **71,118,600.74** | **69,942,550.80** | **48.52%** | **1** | **0.89%** |
| U.S. Treasury Notes | 24,469,210.97 | 23,458,307.65 | 16.27% | 635 | 1.54% |
| Federal Agency Securities | 26,374,798.67 | 25,608,744.13 | 17.77% | 350 | 1.33% |
| Negotiable Certificates of Deposit | 2,999,986.98 | 2,973,535.25 | 2.06% | 197 | 2.13% |
| Medium-Term Corporate Notes | 14,352,912.10 | 13,532,841.72 | 9.39% | 697 | 1.32% |
| Asset-Backed Securities | 4,595,429.54 | 4,451,295.46 | 3.09% | 1175 | 1.71% |
| Commercial Paper | 1,243,461.81 | 1,249,343.75 | 0.87% | 29 | 0.71% |
| Supranationals | 2,621,023.95 | 2,445,103.50 | 1.70% | 558 | 0.36% |
| Collateralized Mortgage Obligations | 503,886.72 | 482,090.50 | 0.33% | 1091 | 2.96% |
| **Total Securities** | **77,160,710.74** | **74,201,261.96** | **51.48%** | **553** | **1.42%** |
| **Total Operating Funds** | **148,279,311.48** | **144,143,812.76** | **100.00%** | **285** | **0.73%** |
| **Bonded Debt Funds** | | | | | |
| Pittsburg Pension Bond | 3,000,885.05 | 3,018,665.63 | 4.63% | 88 | 2.51% |
| Pittsburg AD Auto Mall | 329,937.69 | 330,444.33 | 0.51% | 139 | 3.48% |
| Pittsburg AD Vista DM | 760,623.37 | 761,800.33 | 1.17% | 139 | 3.49% |
| Additional Bonded Debt Funds[3] | 61,027,556.78 | 61,047,185.31 | 93.69% | N/A | N/A |
| **Total Bonded Debt Funds** | **65,119,002.89** | **65,158,095.60** | **100.00%** | **101** | **2.77%** |
| **Section 115 Trust** | | | | | |
| Equity Mutual Fund[2] | 2,249,846.14 | 2,135,535.80 | 100.00% | N/A | N/A |
| **Total Section 115 Trust Funds** | **2,249,846.14** | **2,135,535.80** | **100.00%** | **N/A** | **N/A** |
| **Total City Funds** | **215,648,160.51** | **211,437,444.16** | | | |

[1,2]Funds not managed by City's investment adviser

[3]Bonded Debt Funds not managed, nor tracked by City's investment adviser

*Market value changes daily and is subject to a number of economic forces, including supply and demand, and can incur unrealized gains and losses.

# Portfolio Characteristics

*As of September 30, 2022*

**City of Pittsburg Managed Consolidated**

| | 09/30/22 Portfolio | 06/30/22 Portfolio |
|---|---|---|
| **Average Maturity (yrs)** | 1.51 | 1.68 |
| **Modified Duration** | 1.35 | 1.51 |
| **Average Purchase Yield** | 1.42% | 0.97% |
| **Average Market Yield** | 4.15% | 2.93% |
| **Average Quality*** | AA+/Aa1 | AA+/Aa1 |
| **Market Value**** | 74,338,467 | 65,017,969 |

**Portfolio is S&P and Moody's, respectively.*

**Excludes accrued interest

# Investment Performance

*As of September 30, 2022*

**City of Pittsburg**
**12-Month Earnings**

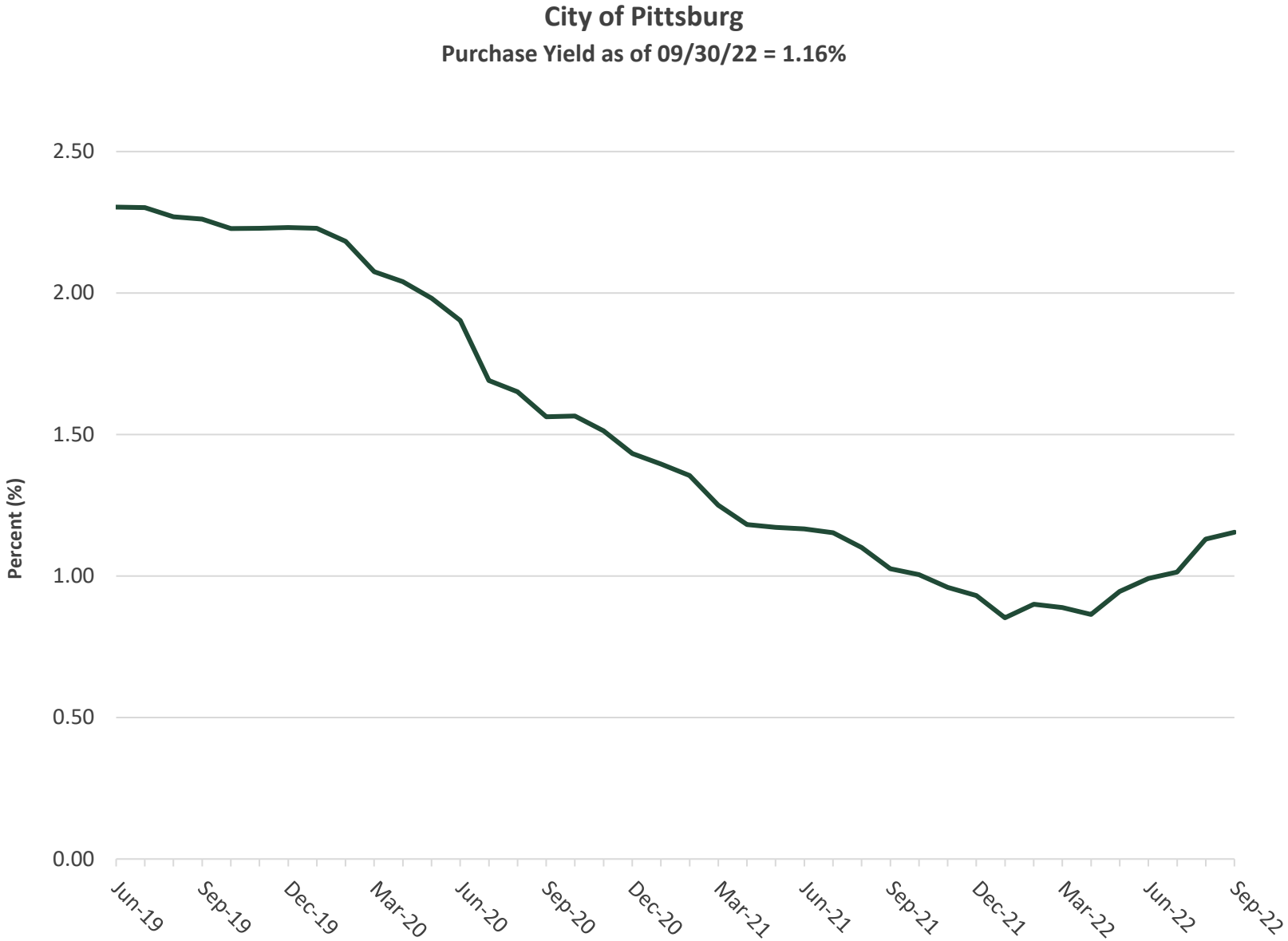
| Investment Earnings | |
|---|---|
| October 2021 | 48,819 |
| November 2021 | 71,724 |
| December 2021 | 62,436 |
| January 2022 | 50,739 |
| February 2022 | 40,771 |
| March 2022 | 53,679 |
| April 2022 | 56,437 |
| May 2022 | 45,624 |
| June 2022 | 45,440 |
| July 2022 | 47,139 |
| August 2022 | 49,403 |
| September 2022 | 56,946 |
| **Total** | **629,157** |

| Change in Fair Value | |
|---|---|
| Unrealized Gain/Loss Position 9/30/2021 | 411,382 |
| Unrealized Gain/Loss Position 9/30/2022 | (2,760,762) |
| **Change in Fair Value** | **(3,172,144)** |

Source: City of Pittsburg Monthly Investment Report. Interest earnings include accrued interest and realized gains and losses on amortized cost.

# Historical Average Purchase Yield

*As of September 30, 2022*



# Portfolio Characteristics

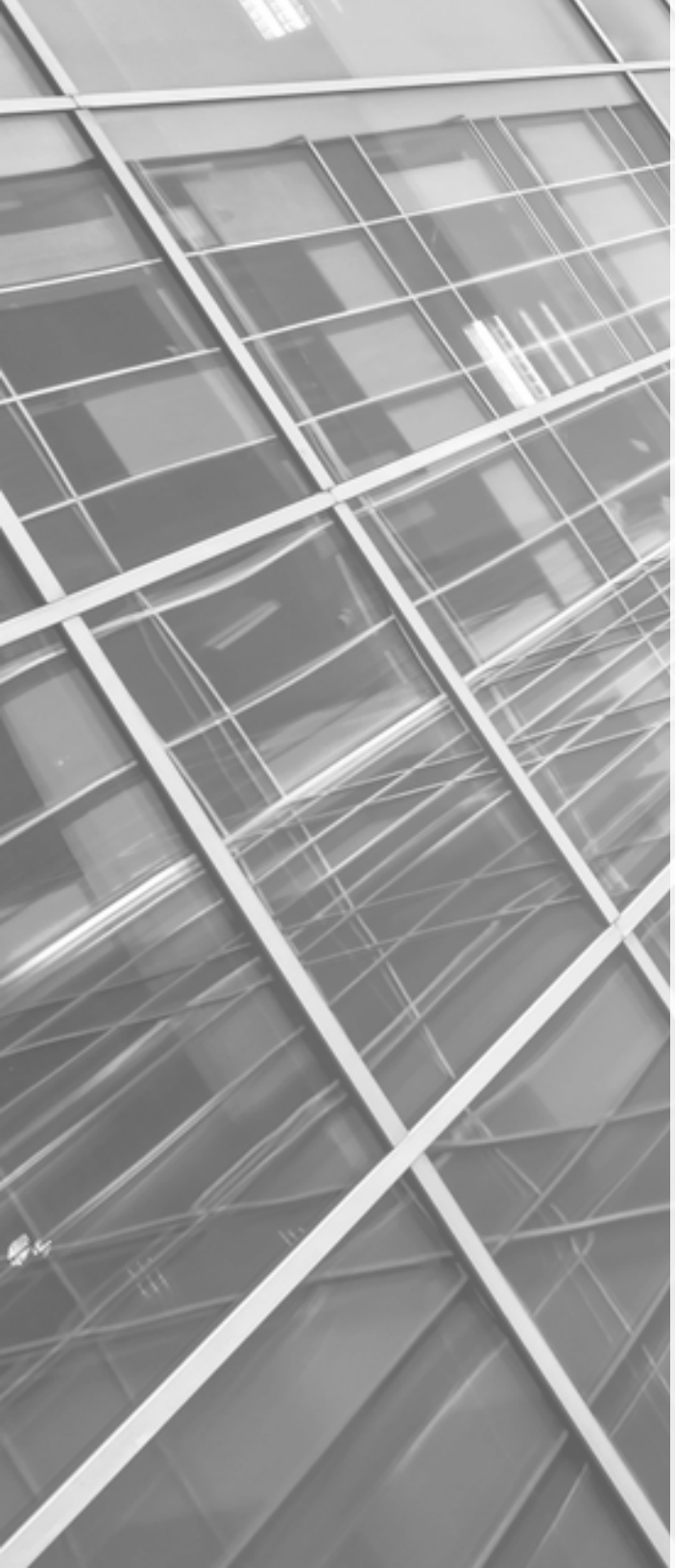
*As of September 30, 2022*

**City of Pittsburg Bond Reserve Consolidated**

| | 09/30/22 Portfolio | 06/30/22 Portfolio |
|---|---|---|
| **Average Maturity (yrs)** | 0.28 | 0.07 |
| **Modified Duration** | 0.28 | 0.07 |
| **Average Purchase Yield** | 2.85% | 0.97% |
| **Average Market Yield** | 2.85% | 0.97% |
| **Average Quality*** | AAA/Aaa | AAA/Aaa |
| **Market Value**** | 4,110,910 | 6,131,339 |

**Portfolio is S&P and Moody's, respectively.*

**Excludes accrued interest



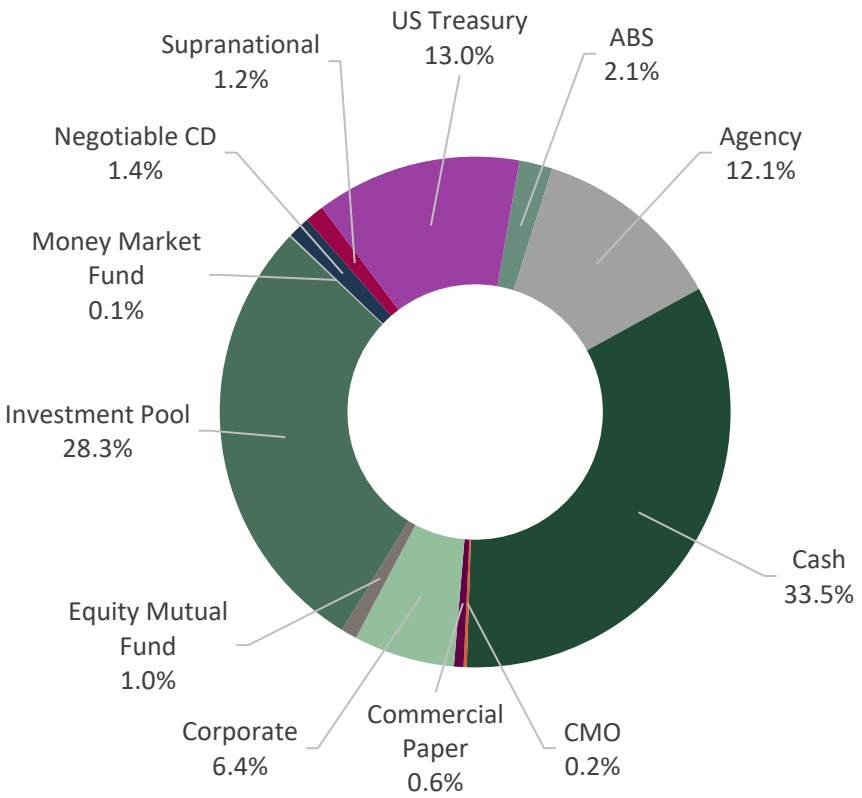
# Section 3 | Consolidated Information

# Sector Distribution

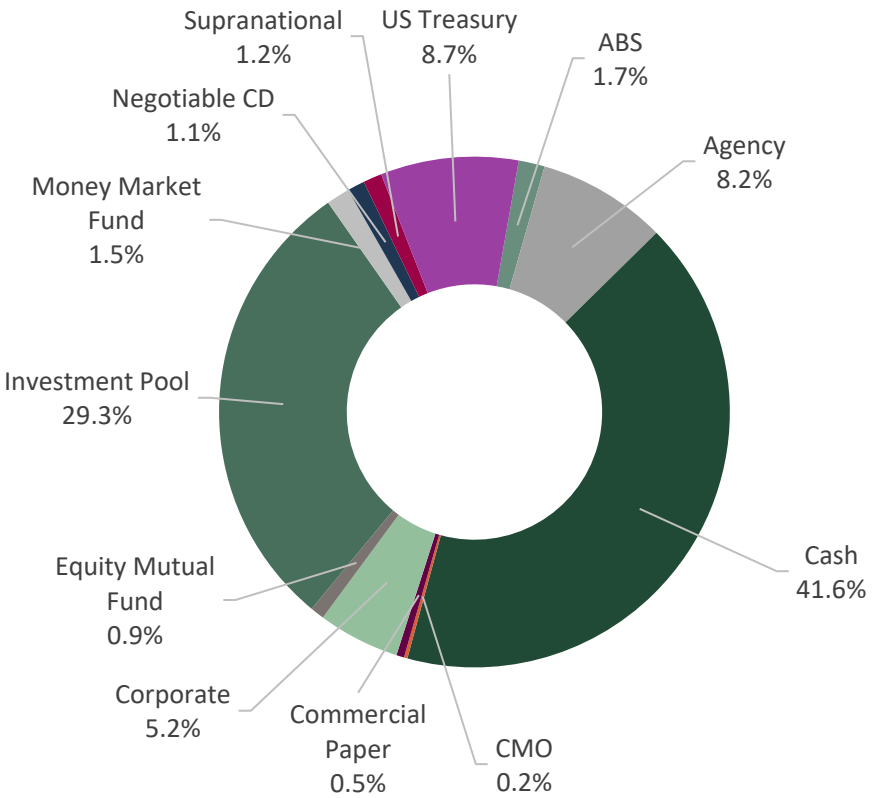
*As of September 30, 2022*

## City of Pittsburg Total Consolidated

### September 30, 2022




### June 30, 2022



# Issuers

*As of September 30, 2022*

## City of Pittsburg Total Consolidated – Account #10638

| Issue Name | Investment Type | S&P Rating | Moody Rating | % Portfolio |
|---|---|---|---|---|
| City of Pittsburg | Cash | NR | NR | 33.50% |
| City of Pittsburg | Investment Pool | NR | NR | 28.33% |
| Government of United States | US Treasury | AA+ | Aaa | 11.12% |
| Federal Home Loan Mortgage Corp | Agency | AA+ | Aaa | 3.70% |
| Federal Farm Credit Bank | Agency | AA+ | Aaa | 2.36% |
| Federal National Mortgage Association | Agency | AA+ | Aaa | 2.26% |
| Government of United States | US Treasury | A-1+ | P-1 | 1.91% |
| Federal Home Loan Bank | Agency | AA+ | Aaa | 1.86% |
| Federal Home Loan Bank | Agency | A-1+ | P-1 | 1.38% |
| City of Pittsburg PARS 115 Trust | Equity Mutual Fund | NR | NR | 1.01% |
| Intl Bank Recon and Development | Supranational | AAA | Aaa | 0.76% |
| MUFG Bank Ltd/NY | Commercial Paper | A-1 | P-1 | 0.59% |
| Westpac Banking Corp NY | Negotiable CD | A-1+ | P-1 | 0.59% |
| Federal Home Loan Bank | Agency | NR | Aaa | 0.56% |
| Toronto Dominion Holdings | Negotiable CD | A-1+ | P-1 | 0.47% |
| United Health Group Inc | Corporate | A+ | A3 | 0.47% |
| JP Morgan Chase & Co | Corporate | A- | A1 | 0.44% |
| Deere & Company | Corporate | A | A2 | 0.41% |
| Inter-American Dev Bank | Supranational | AAA | Aaa | 0.39% |
| Royal Bank of Canada | Negotiable CD | A-1+ | P-1 | 0.35% |
| John Deere ABS | ABS | NR | Aaa | 0.35% |
| Toronto Dominion Holdings | Corporate | A | A1 | 0.34% |
| Apple Inc | Corporate | AA+ | Aaa | 0.34% |
| Paccar Financial | Corporate | A+ | A1 | 0.34% |
| Amazon.com Inc | Corporate | AA | A1 | 0.33% |
| Bank of Montreal Chicago | Corporate | A- | A2 | 0.33% |
| Charles Schwab Corp/The | Corporate | A | A2 | 0.32% |
| Caterpillar Inc | Corporate | A | A2 | 0.32% |
| Northern Trust Corp | Corporate | A+ | A2 | 0.28% |
| MasterCard Inc | Corporate | A+ | A1 | 0.27% |
| Bank of America Corp | Corporate | A- | A2 | 0.25% |
| Bank of New York | Corporate | A | A1 | 0.24% |
| US Bancorp | Corporate | A+ | A2 | 0.24% |
| American Express ABS | ABS | AAA | NR | 0.23% |
| National Rural Utilities | Corporate | A- | A1 | 0.23% |
| Home Depot | Corporate | A | A2 | 0.23% |
| Federal Home Loan Mortgage Corp | CMO | NR | NR | 0.23% |
| Duke Energy Field Services | Corporate | A | Aa3 | 0.23% |

# Issuers

*As of September 30, 2022*

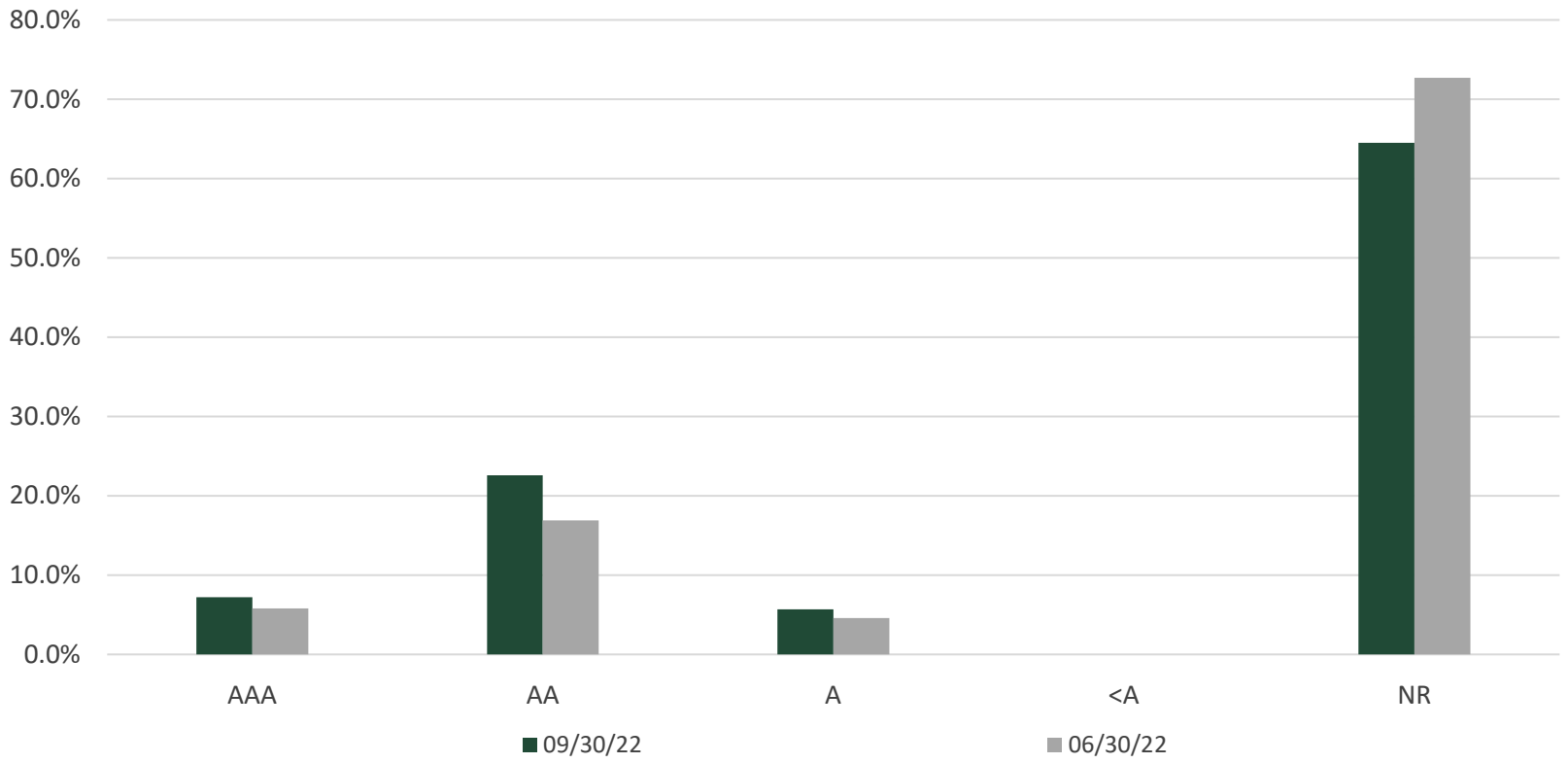
## City of Pittsburg Total Consolidated – Account #10638

| Issue Name | Investment Type | S&P Rating | Moody Rating | % Portfolio |
|---|---|---|---|---|
| Royal Bank of Canada | Corporate | A | A1 | 0.23% |
| Target Corp | Corporate | A | A2 | 0.23% |
| Hyundai Auto Receivables | ABS | AAA | NR | 0.22% |
| GM Financial Automobile Leasing Trust | ABS | AAA | NR | 0.21% |
| Toyota ABS | ABS | NR | Aaa | 0.20% |
| Toyota Motor Corp | Corporate | A+ | A1 | 0.19% |
| Honda ABS | ABS | AAA | NR | 0.16% |
| Toyota ABS | ABS | AAA | NR | 0.15% |
| Honda ABS | ABS | NR | Aaa | 0.14% |
| Mercedes-Benz Auto Lease Trust | ABS | AAA | NR | 0.13% |
| BMW ABS | ABS | AAA | Aaa | 0.09% |
| BMW Vehicle Lease Trust | ABS | AAA | NR | 0.08% |
| State Street Bank | Corporate | A | A1 | 0.08% |
| BMW Vehicle Lease Trust | ABS | NR | Aaa | 0.08% |
| GM Financial Securitized Term Auto Trust | ABS | NR | Aaa | 0.08% |
| Wal-Mart Stores | Corporate | AA | Aa2 | 0.07% |
| Wells Fargo Advantage Govt Money Market Fund | Money Market Fund | AAA | Aaa | 0.06% |
| Salesforce.com Inc | Corporate | A+ | A2 | 0.05% |
| Wells Fargo Adv Tsy Plus Money Market Fund | Money Market Fund | AAA | Aaa | 0.03% |
| **TOTAL** | | | | **100%** |

# Quality Distribution

*As of September 30, 2022*

**City of Pittsburg Total Consolidated**
**September 30, 2022 vs. June 30, 2022**




| | AAA | AA | A | <A | NR |
|---|---|---|---|---|---|
| 09/30/22 | 7.2% | 22.6% | 5.7% | 0.0% | 64.5% |
| 06/30/22 | 5.8% | 16.9% | 4.6% | 0.0% | 72.7% |

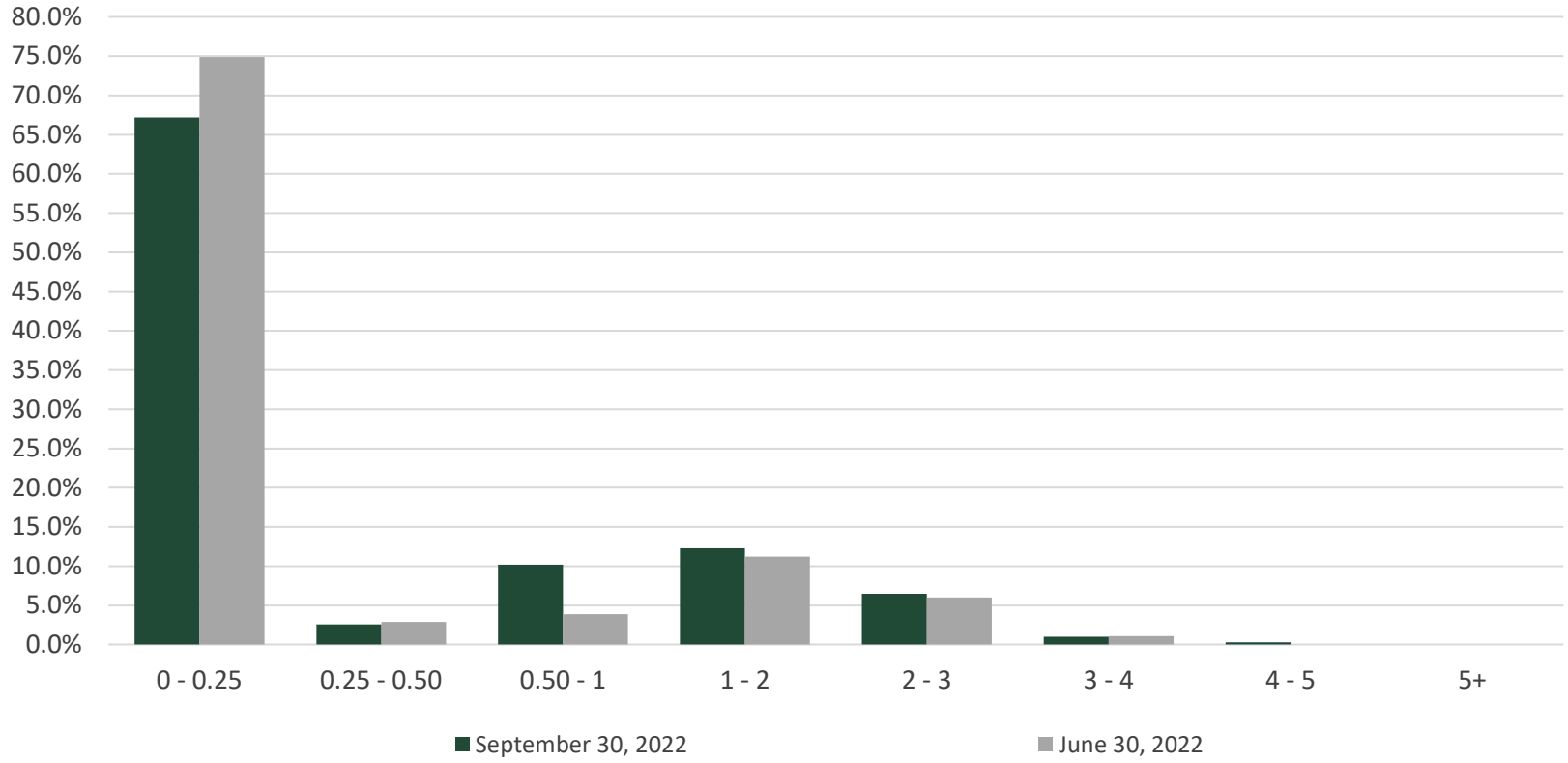
*Source: S&P Ratings*

# Duration Distribution

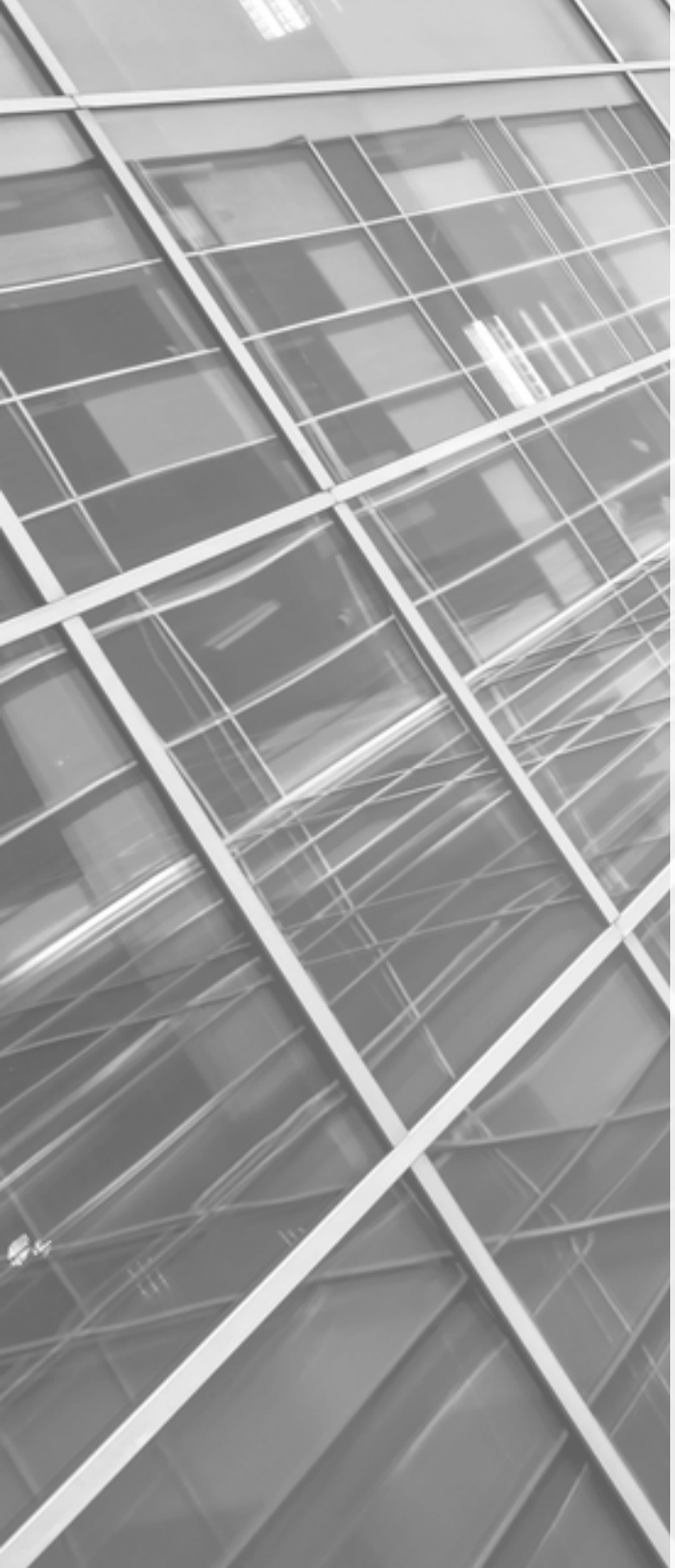
*As of September 30, 2022*

**City of Pittsburg Total Consolidated**

**September 30, 2022 vs. June 30, 2022**




| | 0 - 0.25 | 0.25 - 0.50 | 0.50 - 1 | 1 - 2 | 2 - 3 | 3 - 4 | 4 - 5 | 5+ |
|---|---|---|---|---|---|---|---|---|
| 09/30/22 | 67.2% | 2.6% | 10.2% | 12.3% | 6.5% | 1.0% | 0.3% | 0.0% |
| 06/30/22 | 74.9% | 2.9% | 3.9% | 11.2% | 6.0% | 1.1% | 0.0% | 0.0% |



# Section 3 | Portfolio Holdings

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| **ABS** | | | | | | | | | |
| 47789KAC7 | John Deere Owner Trust 2020-A A3<br>1.100% Due 08/15/2024 | 97,252.00 | 03/04/2020<br>1.11% | 97,246.06<br>97,249.49 | 99.01<br>4.14% | 96,287.26<br>47.55 | 0.05%<br>(962.23) | Aaa / NR<br>AAA | 1.88<br>0.32 |
| 36262XAC8 | GM Financial Auto Lease Trust 2021-3 A2<br>0.390% Due 10/21/2024 | 150,000.00 | 05/09/2022<br>2.83% | 145,453.13<br>146,503.54 | 96.64<br>4.56% | 144,963.15<br>17.88 | 0.07%<br>(1,540.39) | NR / AAA<br>AAA | 2.06<br>0.81 |
| 58769KAD6 | Mercedes-Benz Auto Lease Trust 2021-B A3<br>0.400% Due 11/15/2024 | 275,000.00 | 06/22/2021<br>0.40% | 274,979.24<br>274,989.49 | 96.54<br>4.75% | 265,490.22<br>48.89 | 0.13%<br>(9,499.27) | NR / AAA<br>AAA | 2.13<br>0.80 |
| 09690AAC7 | BMW Vehicle Lease Trust 2021-2 A3<br>0.330% Due 12/26/2024 | 175,000.00 | 09/08/2021<br>0.34% | 174,981.94<br>174,990.22 | 97.15<br>4.51% | 170,009.88<br>9.63 | 0.08%<br>(4,980.34) | Aaa / NR<br>AAA | 2.24<br>0.68 |
| 89236XAC0 | Toyota Auto Receivables 2020-D A3<br>0.350% Due 01/15/2025 | 148,864.60 | 10/06/2020<br>0.36% | 148,836.86<br>148,849.67 | 98.07<br>4.58% | 145,986.75<br>23.16 | 0.07%<br>(2,862.92) | NR / AAA<br>AAA | 2.30<br>0.46 |
| 05601XAC3 | BMW Vehicle Lease Trust 2022-1 A3<br>1.100% Due 03/25/2025 | 185,000.00 | 01/11/2022<br>1.11% | 184,972.34<br>184,981.20 | 96.29<br>4.76% | 178,130.03<br>33.92 | 0.08%<br>(6,851.17) | NR / AAA<br>AAA | 2.48<br>1.02 |
| 43813GAC5 | Honda Auto Receivables Trust 2021-1 A3<br>0.270% Due 04/21/2025 | 122,034.80 | 02/17/2021<br>0.27% | 122,032.56<br>122,033.73 | 97.08<br>4.95% | 118,474.92<br>9.15 | 0.06%<br>(3,558.81) | Aaa / NR<br>AAA | 2.56<br>0.62 |
| 89240BAC2 | Toyota Auto Receivables Owners 2021-A A3<br>0.260% Due 05/15/2025 | 431,021.56 | 02/02/2021<br>0.27% | 430,941.55<br>430,984.00 | 97.43<br>4.30% | 419,958.96<br>49.81 | 0.20%<br>(11,025.04) | Aaa / NR<br>AAA | 2.62<br>0.63 |
| 36266FAC3 | GM Financial Auto Lease Trust 2022-2 A3<br>3.420% Due 06/20/2025 | 295,000.00 | 05/03/2022<br>3.45% | 294,969.23<br>294,974.72 | 98.09<br>4.76% | 289,371.99<br>308.28 | 0.14%<br>(5,602.73) | NR / AAA<br>AAA | 2.72<br>1.46 |
| 47788UAC6 | John Deere Owner Trust 2021-A A3<br>0.360% Due 09/15/2025 | 200,000.00 | 03/02/2021<br>0.37% | 199,961.56<br>199,978.22 | 96.11<br>4.92% | 192,212.00<br>32.00 | 0.09%<br>(7,766.22) | Aaa / NR<br>AAA | 2.96<br>0.86 |
| 43815EAC8 | Honda Auto Receivables 2021-3 A3<br>0.410% Due 11/18/2025 | 365,000.00 | 08/17/2021<br>0.41% | 364,994.67<br>364,996.48 | 95.30<br>4.63% | 347,829.67<br>54.04 | 0.16%<br>(17,166.81) | NR / AAA<br>AAA | 3.14<br>1.13 |
| 43815GAC3 | Honda Auto Receivables Trust 2021-4 A3<br>0.880% Due 01/21/2026 | 185,000.00 | 11/16/2021<br>0.89% | 184,961.00<br>184,971.24 | 94.61<br>4.70% | 175,030.91<br>45.22 | 0.08%<br>(9,940.33) | Aaa / NR<br>AAA | 3.31<br>1.43 |
| 47789QAC4 | John Deere Owner Trust 2021-B A3<br>0.520% Due 03/16/2026 | 235,000.00 | 07/13/2021<br>0.52% | 234,979.04<br>234,985.91 | 94.50<br>4.71% | 222,081.11<br>54.31 | 0.10%<br>(12,904.80) | Aaa / NR<br>AAA | 3.46<br>1.33 |
| 89238JAC9 | Toyota Auto Receivables Trust 2021-D A3<br>0.710% Due 04/15/2026 | 175,000.00 | 11/09/2021<br>0.71% | 174,996.27<br>174,997.27 | 94.72<br>4.62% | 165,766.30<br>55.22 | 0.08%<br>(9,230.97) | NR / AAA<br>AAA | 3.54<br>1.37 |
| 44935FAD6 | Hyundai Auto Receivables Trust 2021-C A3<br>0.740% Due 05/15/2026 | 344,000.00 | 07/27/2022<br>3.53% | 328,614.06<br>329,706.96 | 94.36<br>4.93% | 324,612.51<br>113.14 | 0.15%<br>(5,094.45) | NR / AAA<br>AAA | 3.62<br>1.37 |
| 05602RAD3 | BMW Vehicle Owner Trust 2022-A A3<br>3.210% Due 08/25/2026 | 195,000.00 | 05/10/2022<br>3.23% | 194,989.86<br>194,991.08 | 97.34<br>4.81% | 189,816.32<br>104.33 | 0.09%<br>(5,174.76) | Aaa / AAA<br>NR | 3.90<br>1.70 |
| 47787JAC2 | John Deere Owner Trust 2022-A A3<br>2.320% Due 09/16/2026 | 230,000.00 | 03/10/2022<br>2.34% | 229,949.12<br>229,957.04 | 95.59<br>5.00% | 219,868.04<br>237.16 | 0.10%<br>(10,089.00) | Aaa / NR<br>AAA | 3.96<br>1.67 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 448977AD0 | Hyundai Auto Receivables Trust 2022-A A3<br>2.220% Due 10/15/2026 | 136,000.00 | 05/02/2022<br>3.34% | 132,685.00<br>133,121.95 | 95.93<br>4.62% | 130,462.90<br>134.19 | 0.06%<br>(2,659.05) | NR / AAA<br>AAA | 4.04<br>1.72 |
| 36265WAD5 | GM Financial Securitized Auto 2022-3 A3<br>3.640% Due 04/16/2027 | 165,000.00 | 07/06/2022<br>3.67% | 164,998.86<br>164,998.94 | 97.83<br>4.82% | 161,415.54<br>250.25 | 0.08%<br>(3,583.40) | Aaa / NR<br>AAA | 4.55<br>1.90 |
| 02582JJT8 | American Express Credit Trust 2022-2 A<br>3.390% Due 05/17/2027 | 510,000.00 | 05/17/2022<br>3.42% | 509,887.19<br>509,900.68 | 96.77<br>4.75% | 493,527.00<br>768.40 | 0.23%<br>(16,373.68) | NR / AAA<br>AAA | 4.63<br>2.44 |
| **TOTAL ABS** | | **4,619,172.96** | **1.71%** | **4,595,429.54**<br>**4,598,161.83** | **4.69%** | **4,451,295.46**<br>**2,396.53** | **2.10%**<br>**(146,866.37)** | **Aaa / AAA**<br>**Aaa** | **3.22**<br>**1.28** |
| **Agency** | | | | | | | | | |
| 3133EKUA2 | FFCB Note<br>1.850% Due 02/01/2023 | 700,000.00 | 07/23/2019<br>1.86% | 699,825.00<br>699,983.29 | 99.44<br>3.53% | 696,079.30<br>2,158.33 | 0.33%<br>(3,903.99) | Aaa / AA+<br>AAA | 0.34<br>0.33 |
| 3133ELNW0 | FFCB Note<br>1.450% Due 02/21/2023 | 1,000,000.00 | 02/19/2020<br>1.45% | 999,970.00<br>999,996.09 | 99.06<br>3.88% | 990,606.00<br>1,611.11 | 0.47%<br>(9,390.09) | Aaa / AA+<br>AAA | 0.39<br>0.39 |
| 3137EAEQ8 | FHLMC Note<br>0.375% Due 04/20/2023 | 1,000,000.00 | 06/03/2020<br>0.32% | 1,001,440.00<br>1,000,275.66 | 98.07<br>3.92% | 980,726.00<br>1,677.08 | 0.46%<br>(19,549.66) | Aaa / AA+<br>AAA | 0.55<br>0.54 |
| 3137EAEQ8 | FHLMC Note<br>0.375% Due 04/20/2023 | 1,000,000.00 | 08/25/2022<br>3.20% | 981,970.00<br>984,708.73 | 98.07<br>3.92% | 980,726.00<br>1,677.08 | 0.46%<br>(3,982.73) | Aaa / AA+<br>AAA | 0.55<br>0.54 |
| 3137EAER6 | FHLMC Note<br>0.375% Due 05/05/2023 | 975,000.00 | 05/05/2020<br>0.39% | 974,590.50<br>974,919.07 | 97.79<br>4.16% | 953,469.08<br>1,482.81 | 0.45%<br>(21,449.99) | Aaa / AA+<br>AAA | 0.59<br>0.58 |
| 3135G04Q3 | FNMA Note<br>0.250% Due 05/22/2023 | 1,470,000.00 | Various<br>0.29% | 1,468,435.30<br>1,469,664.47 | 97.61<br>4.04% | 1,434,921.39<br>1,316.87 | 0.68%<br>(34,743.08) | Aaa / AA+<br>AAA | 0.64<br>0.63 |
| 3133834G3 | FHLB Note<br>2.125% Due 06/09/2023 | 1,000,000.00 | 06/14/2019<br>1.93% | 1,007,470.00<br>1,001,290.41 | 98.54<br>4.28% | 985,444.00<br>6,611.11 | 0.47%<br>(15,846.41) | Aaa / AA+<br>NR | 0.69<br>0.67 |
| 313384GW3 | FHLB Discount Note<br>3.250% Due 06/14/2023 | 1,000,000.00 | 08/25/2022<br>3.36% | 973,638.89<br>976,888.89 | 97.69<br>3.36% | 976,888.89<br>0.00 | 0.46%<br>0.00 | P-1 / A-1+<br>F-1+ | 0.70<br>0.69 |
| 3135G05G4 | FNMA Note<br>0.250% Due 07/10/2023 | 910,000.00 | 07/08/2020<br>0.32% | 908,043.50<br>909,496.13 | 97.13<br>4.04% | 883,861.16<br>511.88 | 0.42%<br>(25,634.97) | Aaa / AA+<br>AAA | 0.78<br>0.76 |
| 313384JQ3 | FHLB Discount Note<br>3.270% Due 07/26/2023 | 2,000,000.00 | 08/25/2022<br>3.39% | 1,939,323.33<br>1,945,863.33 | 97.29<br>3.39% | 1,945,863.33<br>0.00 | 0.92%<br>0.00 | P-1 / A-1+<br>F-1+ | 0.82<br>0.81 |
| 3133EKZK5 | FFCB Note<br>1.600% Due 08/14/2023 | 1,000,000.00 | 08/09/2019<br>1.63% | 998,710.00<br>999,720.10 | 97.68<br>4.33% | 976,832.00<br>2,088.89 | 0.46%<br>(22,888.10) | Aaa / AA+<br>AAA | 0.87<br>0.85 |
| 3133EL3V4 | FFCB Note<br>0.200% Due 08/14/2023 | 1,000,000.00 | 08/12/2020<br>0.27% | 997,910.00<br>999,394.95 | 96.56<br>4.25% | 965,636.00<br>261.11 | 0.46%<br>(33,758.95) | Aaa / AA+<br>AAA | 0.87<br>0.85 |
| 3137EAEV7 | FHLMC Note<br>0.250% Due 08/24/2023 | 1,040,000.00 | 08/19/2020<br>0.28% | 1,038,939.20<br>1,039,684.08 | 96.54<br>4.21% | 1,004,039.92<br>267.22 | 0.47%<br>(35,644.16) | Aaa / AA+<br>AAA | 0.90<br>0.88 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 3130ATB71 | FHLB Note<br>3.625% Due 09/06/2023 | 1,200,000.00 | 09/27/2022<br>4.36% | 1,192,035.60<br>1,192,058.96 | 99.39<br>4.30% | 1,192,662.00<br>3,020.83 | 0.56%<br>603.04 | Aaa / NR<br>NR | 0.93<br>0.90 |
| 3130A3DL5 | FHLB Note<br>2.375% Due 09/08/2023 | 1,000,000.00 | 08/29/2019<br>1.50% | 1,033,950.00<br>1,007,898.57 | 98.31<br>4.23% | 983,097.00<br>1,517.36 | 0.47%<br>(24,801.57) | Aaa / AA+<br>NR | 0.94<br>0.91 |
| 3137EAEW5 | FHLMC Note<br>0.250% Due 09/08/2023 | 1,210,000.00 | Various<br>0.26% | 1,209,535.70<br>1,209,855.12 | 96.24<br>4.38% | 1,164,474.96<br>193.26 | 0.55%<br>(45,380.16) | Aaa / AA+<br>AAA | 0.94<br>0.92 |
| 3133EMBS0 | FFCB Note<br>0.200% Due 10/02/2023 | 1,000,000.00 | 09/28/2020<br>0.24% | 998,810.00<br>999,602.25 | 96.06<br>4.24% | 960,631.00<br>994.44 | 0.45%<br>(38,971.25) | Aaa / AA+<br>AAA | 1.01<br>0.98 |
| 3137EAEY1 | FHLMC Note<br>0.125% Due 10/16/2023 | 885,000.00 | 10/14/2020<br>0.25% | 881,698.95<br>883,854.43 | 95.71<br>4.37% | 847,045.89<br>507.03 | 0.40%<br>(36,808.54) | Aaa / AA+<br>AAA | 1.04<br>1.02 |
| 3137EAEZ8 | FHLMC Note<br>0.250% Due 11/06/2023 | 1,155,000.00 | 11/03/2020<br>0.28% | 1,153,960.50<br>1,154,619.67 | 95.64<br>4.35% | 1,104,629.30<br>1,163.02 | 0.52%<br>(49,990.37) | Aaa / AA+<br>AAA | 1.10<br>1.07 |
| 3135G06H1 | FNMA Note<br>0.250% Due 11/27/2023 | 1,020,000.00 | 11/23/2020<br>0.29% | 1,018,837.20<br>1,019,552.69 | 95.55<br>4.22% | 974,639.58<br>878.33 | 0.46%<br>(44,913.11) | Aaa / AA+<br>AAA | 1.16<br>1.13 |
| 3137EAFA2 | FHLMC Note<br>0.250% Due 12/04/2023 | 825,000.00 | 12/02/2020<br>0.28% | 824,183.25<br>824,680.01 | 95.43<br>4.27% | 787,269.45<br>670.31 | 0.37%<br>(37,410.56) | Aaa / AA+<br>AAA | 1.18<br>1.15 |
| 3130A3VC5 | FHLB Note<br>2.250% Due 12/08/2023 | 1,000,000.00 | 02/13/2020<br>1.46% | 1,029,240.00<br>1,009,088.96 | 97.68<br>4.27% | 976,816.00<br>7,062.50 | 0.46%<br>(32,272.96) | Aaa / AA+<br>NR | 1.19<br>1.15 |
| 3135G0V34 | FNMA Note<br>2.500% Due 02/05/2024 | 600,000.00 | 01/30/2020<br>1.44% | 624,768.00<br>608,312.32 | 97.59<br>4.36% | 585,564.60<br>2,333.33 | 0.28%<br>(22,747.72) | Aaa / AA+<br>AAA | 1.35<br>1.30 |
| 3130A7PH2 | FHLB Note<br>1.875% Due 03/08/2024 | 1,000,000.00 | 03/03/2020<br>0.85% | 1,040,350.00<br>1,014,432.35 | 96.66<br>4.29% | 966,594.00<br>1,197.92 | 0.46%<br>(47,838.35) | Aaa / AA+<br>NR | 1.44<br>1.39 |
| 3133ENKS8 | FFCB Note<br>1.125% Due 01/06/2025 | 425,000.00 | 01/06/2022<br>1.20% | 424,043.75<br>424,274.27 | 93.16<br>4.32% | 395,931.28<br>1,128.91 | 0.19%<br>(28,342.99) | Aaa / AA+<br>AAA | 2.27<br>2.19 |
| 3135G05X7 | FNMA Note<br>0.375% Due 08/25/2025 | 1,000,000.00 | 03/07/2022<br>1.78% | 953,120.00<br>960,785.21 | 89.43<br>4.29% | 894,296.00<br>375.00 | 0.42%<br>(66,489.21) | Aaa / AA+<br>AAA | 2.90<br>2.83 |
| | | | | **26,374,798.67** | | **25,608,744.13** | **12.12%** | **Aaa / AA+** | **0.96** |
| **TOTAL Agency** | | **26,415,000.00** | **1.33%** | **26,310,900.01** | **4.09%** | **40,705.73** | **(702,155.88)** | **Aaa** | **0.93** |
| **Cash** | | | | | | | | | |
| 90PITT$02 | City of Pittsburg Additional Bonded Debt Funds | 61,027,556.78 | Various<br>0.00% | 61,027,556.78<br>61,027,556.78 | 1.00<br>0.00% | 61,047,185.31<br>0.00 | 28.84%<br>19,628.53 | NR / NR<br>NR | 0.00<br>0.00 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 90PITT$00 | City of Pittsburg Cash Equivalents | 9,853,081.57 | Various<br>0.00% | 9,853,081.57<br>9,853,081.57 | 1.00<br>0.00% | 9,853,081.57<br>0.00 | 4.66%<br>0.00 | NR / NR<br>NR | 0.00<br>0.00 |
| **TOTAL Cash** | | **70,880,638.35** | **0.00%** | **70,880,638.35**<br>**70,880,638.35** | **0.00%** | **70,900,266.88**<br>**0.00** | **33.50%**<br>**19,628.53** | **NR / NR**<br>**NR** | **0.00**<br>**0.00** |
| **CMO** | | | | | | | | | |
| 3137BM7C4 | FHLMC K051 A2<br>3.308% Due 09/25/2025 | 500,000.00 | 05/16/2022<br>2.96% | 503,886.72<br>503,449.83 | 96.42<br>4.62% | 482,090.50<br>1,378.33 | 0.23%<br>(21,359.33) | NR / NR<br>AAA | 2.99<br>2.65 |
| **TOTAL CMO** | | **500,000.00** | **2.96%** | **503,886.72**<br>**503,449.83** | **4.62%** | **482,090.50**<br>**1,378.33** | **0.23%**<br>**(21,359.33)** | **NR / NR**<br>**Aaa** | **2.99**<br>**2.65** |
| **Commercial Paper** | | | | | | | | | |
| 62479MKU6 | MUFG Bank Ltd/NY Discount CP<br>0.700% Due 10/28/2022 | 1,250,000.00 | 02/01/2022<br>0.71% | 1,243,461.81<br>1,249,343.75 | 99.95<br>0.71% | 1,249,343.75<br>0.00 | 0.59%<br>0.00 | P-1 / A-1<br>NR | 0.08<br>0.08 |
| **TOTAL Commercial Paper** | | **1,250,000.00** | **0.71%** | **1,243,461.81**<br>**1,249,343.75** | **0.71%** | **1,249,343.75**<br>**0.00** | **0.59%**<br>**0.00** | **P-1 / A-1**<br>**NR** | **0.08**<br>**0.08** |
| **Corporate** | | | | | | | | | |
| 91324PDD1 | United Health Group Inc Note<br>2.375% Due 10/15/2022 | 750,000.00 | 02/01/2022<br>0.70% | 758,752.50<br>750,482.42 | 99.93<br>4.09% | 749,452.50<br>8,213.54 | 0.36%<br>(1,029.92) | A3 / A+<br>A | 0.04<br>0.04 |
| 69371RQ41 | Paccar Financial Corp Note<br>1.900% Due 02/07/2023 | 500,000.00 | 10/31/2019<br>1.90% | 499,975.00<br>499,997.29 | 99.25<br>4.05% | 496,241.50<br>1,425.00 | 0.24%<br>(3,755.79) | A1 / A+<br>NR | 0.36<br>0.35 |
| 24422EVN6 | John Deere Capital Corp Note<br>0.450% Due 01/17/2024 | 485,000.00 | 03/01/2021<br>0.47% | 484,655.65<br>484,844.73 | 94.83<br>4.60% | 459,934.72<br>448.63 | 0.22%<br>(24,910.01) | A2 / A<br>A | 1.30<br>1.26 |
| 91159HHG8 | US Bancorp Callable Note Cont 12/29/2023<br>3.700% Due 01/30/2024 | 500,000.00 | 11/27/2019<br>2.03% | 532,435.00<br>509,896.16 | 98.96<br>4.51% | 494,806.50<br>3,134.72 | 0.24%<br>(15,089.66) | A2 / A+<br>A+ | 1.33<br>1.28 |
| 69371RR24 | Paccar Financial Corp Note<br>0.350% Due 02/02/2024 | 225,000.00 | 01/28/2021<br>0.39% | 224,739.00<br>224,883.44 | 94.61<br>4.54% | 212,879.25<br>129.06 | 0.10%<br>(12,004.19) | A1 / A+<br>NR | 1.34<br>1.31 |
| 637432NL5 | National Rural Utilities Callable Note Cont 12/7/2023<br>2.950% Due 02/07/2024 | 500,000.00 | 04/06/2022<br>2.77% | 501,470.00<br>501,044.47 | 97.71<br>4.72% | 488,533.00<br>2,212.50 | 0.23%<br>(12,511.47) | A1 / A-<br>A+ | 1.36<br>1.30 |
| 808513BN4 | Charles Schwab Corp Callable Note Cont 2/18/2024<br>0.750% Due 03/18/2024 | 725,000.00 | Various<br>0.69% | 726,181.50<br>725,559.93 | 94.59<br>4.60% | 685,794.90<br>196.35 | 0.32%<br>(39,765.03) | A2 / A<br>A | 1.47<br>1.43 |
| 023135BW5 | Amazon.com Inc Note<br>0.450% Due 05/12/2024 | 750,000.00 | Various<br>0.67% | 745,836.00<br>747,320.77 | 93.77<br>4.49% | 703,237.50<br>1,303.13 | 0.33%<br>(44,083.27) | A1 / AA<br>AA- | 1.62<br>1.57 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 91324PEB4 | United Health Group Inc Callable Note Cont 5/15/2022 | 250,000.00 | 11/08/2021 | 248,565.00 | 93.65 | 234,135.00 | 0.11% | A3 / A+ | 1.62 |
| | 0.550% Due 05/15/2024 | | 0.78% | 249,073.59 | 4.65% | 519.44 | (14,938.59) | A | 1.58 |
| 14913R2L0 | Caterpillar Financial Service Note | 715,000.00 | 05/10/2021 | 714,041.90 | 93.55 | 668,915.39 | 0.32% | A2 / A | 1.63 |
| | 0.450% Due 05/17/2024 | | 0.50% | 714,480.74 | 4.60% | 1,197.63 | (45,565.35) | A | 1.59 |
| 24422EVQ9 | John Deere Capital Corp Note | 425,000.00 | 06/07/2021 | 424,468.75 | 93.29 | 396,501.20 | 0.19% | A2 / A | 1.69 |
| | 0.450% Due 06/07/2024 | | 0.49% | 424,701.08 | 4.63% | 605.63 | (28,199.88) | A | 1.64 |
| 89114QCA4 | Toronto Dominion Bank Note | 750,000.00 | 04/23/2021 | 796,327.50 | 96.05 | 720,364.50 | 0.34% | A1 / A | 1.70 |
| | 2.650% Due 06/12/2024 | | 0.65% | 775,151.53 | 5.10% | 6,017.71 | (54,787.03) | AA- | 1.62 |
| 06051GJY6 | Bank of America Corp Callable Note Cont 6/14/2023 | 540,000.00 | 06/07/2021 | 540,036.00 | 96.59 | 521,593.56 | 0.25% | A2 / A- | 1.71 |
| | 0.523% Due 06/14/2024 | | 0.52% | 540,012.62 | 4.32% | 839.42 | (18,419.06) | AA- | 1.65 |
| 89236TJH9 | Toyota Motor Credit Corp Note | 425,000.00 | 06/15/2021 | 424,494.25 | 93.23 | 396,227.50 | 0.19% | A1 / A+ | 1.72 |
| | 0.500% Due 06/18/2024 | | 0.54% | 424,711.13 | 4.65% | 607.99 | (28,483.63) | A+ | 1.67 |
| 06367TQW3 | Bank of Montreal Note | 750,000.00 | 09/10/2021 | 749,392.50 | 92.61 | 694,584.00 | 0.33% | A2 / A- | 1.78 |
| | 0.625% Due 07/09/2024 | | 0.65% | 749,618.02 | 5.03% | 1,067.71 | (55,034.02) | AA- | 1.72 |
| 79466LAG9 | Salesforce.com Inc Callable Note Cont 7/15/2022 | 115,000.00 | 06/29/2021 | 114,941.35 | 93.24 | 107,220.48 | 0.05% | A2 / A+ | 1.79 |
| | 0.625% Due 07/15/2024 | | 0.64% | 114,965.15 | 4.60% | 151.74 | (7,744.67) | NR | 1.74 |
| 037833DM9 | Apple Inc Callable Note Cont 8/11/2024 | 750,000.00 | 08/18/2021 | 776,857.50 | 95.38 | 715,360.50 | 0.34% | Aaa / AA+ | 1.95 |
| | 1.800% Due 09/11/2024 | | 0.58% | 766,801.38 | 4.30% | 750.00 | (51,440.88) | NR | 1.88 |
| 78015K7C2 | Royal Bank of Canada Note | 500,000.00 | 05/19/2021 | 525,750.00 | 94.66 | 473,311.00 | 0.23% | A1 / A | 2.09 |
| | 2.250% Due 11/01/2024 | | 0.73% | 515,572.62 | 4.97% | 4,687.50 | (42,261.62) | AA- | 1.98 |
| 46647PBY1 | JP Morgan Chase & Co Callable Note Cont 2/16/2024 | 390,000.00 | 02/09/2021 | 390,000.00 | 93.52 | 364,719.81 | 0.17% | A1 / A- | 2.38 |
| | 0.563% Due 02/16/2025 | | 0.56% | 390,000.00 | 4.66% | 274.46 | (25,280.19) | AA- | 2.30 |
| 57636QAN4 | MasterCard Inc Callable Note 1x 02/03/2025 | 600,000.00 | 10/28/2021 | 618,294.00 | 94.15 | 564,912.00 | 0.27% | A1 / A+ | 2.42 |
| | 2.000% Due 03/03/2025 | | 1.04% | 613,159.38 | 4.57% | 933.33 | (48,247.38) | NR | 2.32 |
| 87612EBL9 | Target Corp Callable Note Cont 4/15/25 | 500,000.00 | 02/17/2022 | 502,465.00 | 94.35 | 471,740.00 | 0.23% | A2 / A | 2.54 |
| | 2.250% Due 04/15/2025 | | 2.08% | 501,977.30 | 4.63% | 5,187.50 | (30,237.30) | A | 2.40 |
| 437076CM2 | Home Depot Callable Note Cont 3/15/2025 | 500,000.00 | 03/24/2022 | 499,125.00 | 95.40 | 477,002.00 | 0.23% | A2 / A | 2.54 |
| | 2.700% Due 04/15/2025 | | 2.76% | 499,271.88 | 4.64% | 6,862.50 | (22,269.88) | A | 2.38 |
| 06406RBC0 | Bank of NY Mellon Corp Callable Note Cont 3/25/2025 | 510,000.00 | 04/19/2022 | 509,928.60 | 96.60 | 492,644.19 | 0.24% | A1 / A | 2.57 |
| | 3.350% Due 04/25/2025 | | 3.35% | 509,938.90 | 4.77% | 7,356.04 | (17,294.71) | AA- | 2.39 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 46647PCH7 | JP Morgan Chase & Co Callable Note Cont 6/1/2024 | 600,000.00 | 05/24/2021 | 600,777.60 | 92.60 | 555,595.80 | 0.26% | A1 / A- | 2.67 |
| | 0.824% Due 06/01/2025 | | 0.78% | 600,432.08 | 4.81% | 1,648.00 | (44,836.28) | AA- | 2.56 |
| 26442UAA2 | Duke Energy Progress LLC Callable Note Cont 5/15/25 | 500,000.00 | 04/18/2022 | 500,605.00 | 95.82 | 479,084.00 | 0.23% | Aa3 / A | 2.88 |
| | 3.250% Due 08/15/2025 | | 3.21% | 500,516.49 | 4.82% | 2,076.39 | (21,432.49) | NR | 2.69 |
| 931142EW9 | Wal-Mart Stores Note | 155,000.00 | 09/06/2022 | 154,891.50 | 98.21 | 152,232.32 | 0.07% | Aa2 / AA | 2.95 |
| | 3.900% Due 09/09/2025 | | 3.92% | 154,893.68 | 4.55% | 369.42 | (2,661.36) | AA | 2.74 |
| 857477BR3 | State Street Bank Callable Note Cont 2/6/2025 | 190,000.00 | 02/02/2022 | 190,000.00 | 93.15 | 176,992.60 | 0.08% | A1 / A | 3.36 |
| | 1.746% Due 02/06/2026 | | 1.75% | 190,000.00 | 4.85% | 506.83 | (13,007.40) | AA- | 3.17 |
| 665859AW4 | Northern Trust Company Callable Note Cont 4/10/2027 | 600,000.00 | 09/12/2022 | 597,906.00 | 96.47 | 578,826.00 | 0.28% | A2 / A+ | 4.61 |
| | 4.000% Due 05/10/2027 | | 4.08% | 597,926.95 | 4.86% | 9,400.00 | (19,100.95) | A+ | 4.08 |
| | | | | **14,352,912.10** | | **13,532,841.72** | **6.43%** | **A1 / A** | **1.91** |
| **TOTAL Corporate** | | **14,200,000.00** | **1.32%** | **14,277,233.73** | **4.62%** | **68,122.17** | **(744,392.01)** | **A+** | **1.81** |
| **Equity Mutual Fund** | | | | | | | | | |
| 90PARS$00 | City of Pittsburg PARS 115 Trust | 2,249,846.14 | Various | 2,249,846.14 | 0.95 | 2,135,535.80 | 1.01% | NR / NR | 0.00 |
| | | | 0.00% | 2,249,846.14 | 0.00% | 0.00 | (114,310.34) | NR | 0.00 |
| | | | | **2,249,846.14** | | **2,135,535.80** | **1.01%** | **NR / NR** | **0.00** |
| **TOTAL Equity Mutual Fund** | | **2,249,846.14** | **0.00%** | **2,249,846.14** | **0.00%** | **0.00** | **(114,310.34)** | **NR** | **0.00** |
| **Investment Pool** | | | | | | | | | |
| 90PITT$01 | City of Pittsburg Investment Pools | 61,128,313.79 | Various | 61,128,313.79 | 0.98 | 59,952,263.85 | 28.33% | NR / NR | 0.00 |
| | | | 0.00% | 61,128,313.79 | 0.00% | 0.00 | (1,176,049.94) | NR | 0.00 |
| | | | | **61,128,313.79** | | **59,952,263.85** | **28.33%** | **NR / NR** | **0.00** |
| **TOTAL Investment Pool** | | **61,128,313.79** | **0.00%** | **61,128,313.79** | **0.00%** | **0.00** | **(1,176,049.94)** | **NR** | **0.00** |
| **Money Market Fund** | | | | | | | | | |
| 94975H296 | Wells Fargo Treasury Plus MMFD 453 | 17,466.54 | Various | 17,466.54 | 1.00 | 17,466.54 | 0.01% | Aaa / AAA | 0.00 |
| | | | 2.61% | 17,466.54 | 2.61% | 0.00 | 0.00 | NR | 0.00 |
| 94975H296 | Wells Fargo Treasury Plus MMFD 453 | 10,035.74 | Various | 10,035.74 | 1.00 | 10,035.74 | 0.00% | Aaa / AAA | 0.00 |
| | | | 2.61% | 10,035.74 | 2.61% | 0.00 | 0.00 | NR | 0.00 |
| 94975H296 | Wells Fargo Treasury Plus MMFD 453 | 37,282.95 | Various | 37,282.95 | 1.00 | 37,282.95 | 0.02% | Aaa / AAA | 0.00 |
| | | | 2.61% | 37,282.95 | 2.61% | 0.00 | 0.00 | NR | 0.00 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 94975H254 | Wells Fargo Money Market Fund #743 | 16,885.28 | 09/30/2022<br>2.37% | 16,885.28<br>16,885.28 | 1.00<br>2.37% | 16,885.28<br>0.00 | 0.01%<br>0.00 | Aaa / AAA<br>NR | 0.00<br>0.00 |
| 94975H254 | Wells Fargo Money Market Fund #743 | 120,320.10 | Various<br>2.37% | 120,320.10<br>120,320.10 | 1.00<br>2.37% | 120,320.10<br>0.00 | 0.06%<br>0.00 | Aaa / AAA<br>NR | 0.00<br>0.00 |
| | | | | **201,990.61** | | **201,990.61** | **0.10%** | **Aaa / AAA** | **0.00** |
| **TOTAL Money Market Fund** | | **201,990.61** | **2.45%** | **201,990.61** | **2.45%** | **0.00** | **0.00** | **NR** | **0.00** |
| **Negotiable CD** | | | | | | | | | |
| 96130ALV8 | Westpac Banking Corp NY Yankee CD<br>1.080% Due 02/07/2023 | 1,250,000.00 | 02/07/2022<br>1.08% | 1,250,000.00<br>1,250,000.00 | 99.02<br>3.80% | 1,237,781.25<br>8,850.00 | 0.59%<br>(12,218.75) | P-1 / A-1+<br>F-1 | 0.36<br>0.35 |
| 78012U3M5 | Royal Bank of Canada Yankee CD<br>1.350% Due 02/14/2023 | 750,000.00 | 02/11/2022<br>1.35% | 750,000.00<br>750,000.00 | 99.01<br>3.96% | 742,566.00<br>6,440.63 | 0.35%<br>(7,434.00) | P-1 / A-1+<br>F-1+ | 0.38<br>0.37 |
| 89115BK66 | Toronto Dominion Bank Yankee CD<br>4.020% Due 08/22/2023 | 1,000,000.00 | 08/24/2022<br>4.02% | 999,986.98<br>999,988.31 | 99.32<br>4.78% | 993,188.00<br>4,466.67 | 0.47%<br>(6,800.31) | P-1 / A-1+<br>F-1+ | 0.89<br>0.87 |
| | | | | **2,999,986.98** | | **2,973,535.25** | **1.41%** | **Aaa / AAA** | **0.54** |
| **TOTAL Negotiable CD** | | **3,000,000.00** | **2.13%** | **2,999,988.31** | **4.17%** | **19,757.30** | **(26,453.06)** | **Aaa** | **0.53** |
| **Supranational** | | | | | | | | | |
| 459058JM6 | Intl. Bank Recon & Development Note<br>0.250% Due 11/24/2023 | 925,000.00 | Various<br>0.28% | 924,231.25<br>924,708.22 | 95.45<br>4.35% | 882,879.20<br>815.80 | 0.42%<br>(41,829.02) | Aaa / AAA<br>AAA | 1.15<br>1.12 |
| 459058GQ0 | Intl. Bank Recon & Development Note<br>2.500% Due 03/19/2024 | 750,000.00 | 01/26/2021<br>0.26% | 802,455.00<br>774,488.15 | 97.46<br>4.31% | 730,912.50<br>625.00 | 0.35%<br>(43,575.65) | Aaa / AAA<br>AAA | 1.47<br>1.42 |
| 4581X0DZ8 | Inter-American Dev Bank Note<br>0.500% Due 09/23/2024 | 895,000.00 | 09/15/2021<br>0.52% | 894,337.70<br>894,563.10 | 92.88<br>4.29% | 831,311.80<br>99.44 | 0.39%<br>(63,251.30) | Aaa / AAA<br>NR | 1.98<br>1.93 |
| | | | | **2,621,023.95** | | **2,445,103.50** | **1.16%** | **Aaa / AAA** | **1.53** |
| **TOTAL Supranational** | | **2,570,000.00** | **0.36%** | **2,593,759.47** | **4.32%** | **1,540.24** | **(148,655.97)** | **Aaa** | **1.49** |
| **US Treasury** | | | | | | | | | |
| 91282CAR2 | US Treasury Note<br>0.125% Due 10/31/2022 | 1,950,000.00 | 03/14/2022<br>0.95% | 1,939,945.31<br>1,948,688.52 | 99.80<br>2.52% | 1,946,074.65<br>1,020.04 | 0.92%<br>(2,613.87) | Aaa / AA+<br>AAA | 0.08<br>0.08 |
| 912828M80 | US Treasury Note<br>2.000% Due 11/30/2022 | 2,000,000.00 | 02/01/2022<br>0.71% | 2,021,093.75<br>2,004,204.73 | 99.81<br>3.13% | 1,996,176.00<br>13,442.62 | 0.95%<br>(8,028.73) | Aaa / AA+<br>AAA | 0.17<br>0.17 |
| 912796R27 | US Treasury Bill<br>2.510% Due 12/29/2022 | 3,000,000.00 | 07/07/2022<br>2.58% | 2,963,602.10<br>2,981,382.68 | 99.38<br>2.58% | 2,981,382.68<br>0.00 | 1.41%<br>0.00 | P-1 / A-1+<br>F-1+ | 0.25<br>0.24 |
| 912796T33 | US Treasury Bill<br>3.507% Due 02/23/2023 | 755,000.00 | 09/14/2022<br>3.61% | 743,156.83<br>744,333.79 | 98.59<br>3.61% | 744,333.79<br>0.00 | 0.35%<br>0.00 | P-1 / A-1+<br>F-1+ | 0.40<br>0.39 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

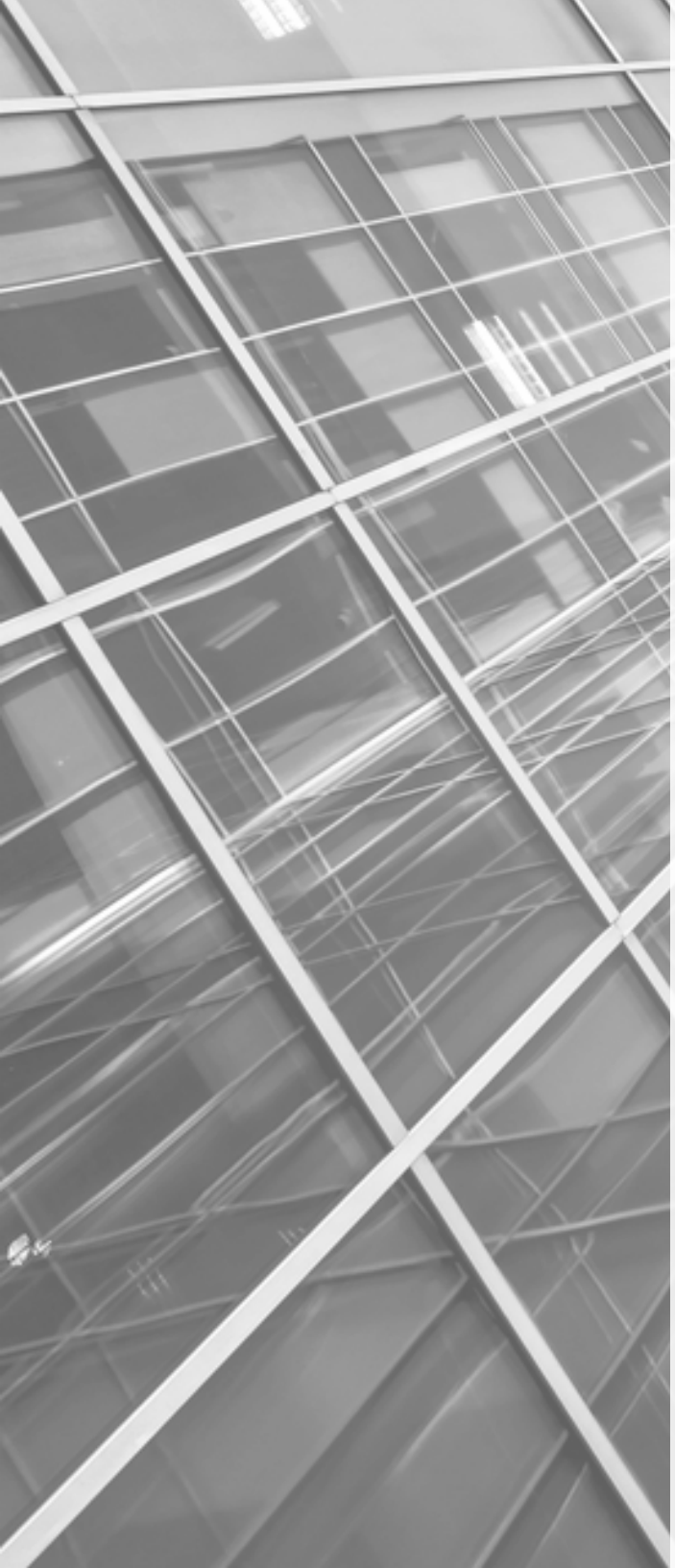
| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 912796T33 | US Treasury Bill<br>3.507% Due 02/23/2023 | 325,000.00 | 09/14/2022<br>3.61% | 319,901.95<br>320,408.59 | 98.59<br>3.61% | 320,408.59<br>0.00 | 0.15%<br>0.00 | P-1 / A-1+<br>F-1+ | 0.40<br>0.39 |
| 912828R69 | US Treasury Note<br>1.625% Due 05/31/2023 | 2,000,000.00 | 08/26/2022<br>3.26% | 1,975,859.38<br>1,978,756.25 | 98.39<br>4.09% | 1,967,812.00<br>10,922.13 | 0.93%<br>(10,944.25) | Aaa / AA+<br>AAA | 0.67<br>0.65 |
| 912828T26 | US Treasury Note<br>1.375% Due 09/30/2023 | 1,000,000.00 | 09/27/2022<br>4.31% | 971,445.31<br>971,678.73 | 97.17<br>4.30% | 971,680.00<br>37.77 | 0.46%<br>1.27 | Aaa / AA+<br>AAA | 1.00<br>0.98 |
| 912828T91 | US Treasury Note<br>1.625% Due 10/31/2023 | 700,000.00 | 09/25/2019<br>1.60% | 700,628.91<br>700,166.06 | 97.18<br>4.31% | 680,257.90<br>4,760.19 | 0.32%<br>(19,908.16) | Aaa / AA+<br>AAA | 1.08<br>1.05 |
| 91282CBA8 | US Treasury Note<br>0.125% Due 12/15/2023 | 1,000,000.00 | 01/08/2021<br>0.22% | 997,148.44<br>998,825.20 | 95.18<br>4.27% | 951,758.00<br>368.85 | 0.45%<br>(47,067.20) | Aaa / AA+<br>AAA | 1.21<br>1.18 |
| 91282CBV2 | US Treasury Note<br>0.375% Due 04/15/2024 | 1,000,000.00 | 04/14/2021<br>0.36% | 1,000,351.56<br>1,000,180.27 | 94.18<br>4.32% | 941,836.00<br>1,731.56 | 0.45%<br>(58,344.27) | Aaa / AA+<br>AAA | 1.54<br>1.50 |
| 91282CCC3 | US Treasury Note<br>0.250% Due 05/15/2024 | 650,000.00 | 05/12/2021<br>0.36% | 647,968.75<br>648,900.82 | 93.71<br>4.30% | 609,095.50<br>613.79 | 0.29%<br>(39,805.32) | Aaa / AA+<br>AAA | 1.62<br>1.59 |
| 91282CCG4 | US Treasury Note<br>0.250% Due 06/15/2024 | 1,000,000.00 | 06/28/2021<br>0.46% | 993,750.00<br>996,401.34 | 93.42<br>4.29% | 934,180.00<br>737.70 | 0.44%<br>(62,221.34) | Aaa / AA+<br>AAA | 1.71<br>1.67 |
| 91282CCL3 | US Treasury Note<br>0.375% Due 07/15/2024 | 1,000,000.00 | 08/05/2021<br>0.37% | 1,000,273.44<br>1,000,166.25 | 93.39<br>4.24% | 933,945.00<br>794.84 | 0.44%<br>(66,221.25) | Aaa / AA+<br>AAA | 1.79<br>1.75 |
| 91282CCT6 | US Treasury Note<br>0.375% Due 08/15/2024 | 1,000,000.00 | 09/10/2021<br>0.42% | 998,632.81<br>999,123.56 | 93.06<br>4.27% | 930,586.00<br>478.94 | 0.44%<br>(68,537.56) | Aaa / AA+<br>AAA | 1.88<br>1.83 |
| 91282CDB4 | US Treasury Note<br>0.625% Due 10/15/2024 | 1,000,000.00 | 12/02/2021<br>0.86% | 993,281.25<br>995,219.23 | 92.99<br>4.25% | 929,922.00<br>2,885.93 | 0.44%<br>(65,297.23) | Aaa / AA+<br>AAA | 2.04<br>1.98 |
| 91282CDH1 | US Treasury Note<br>0.750% Due 11/15/2024 | 1,000,000.00 | 11/10/2021<br>0.80% | 998,554.69<br>998,976.68 | 92.95<br>4.26% | 929,453.00<br>2,832.88 | 0.44%<br>(69,523.68) | Aaa / AA+<br>AAA | 2.13<br>2.06 |
| 91282CDN8 | US Treasury Note<br>1.000% Due 12/15/2024 | 1,100,000.00 | 12/29/2021<br>0.99% | 1,100,472.66<br>1,100,352.42 | 93.23<br>4.25% | 1,025,492.60<br>3,245.90 | 0.49%<br>(74,859.82) | Aaa / AA+<br>AAA | 2.21<br>2.14 |
| 912828ZC7 | US Treasury Note<br>1.125% Due 02/28/2025 | 1,000,000.00 | 02/03/2022<br>1.42% | 991,054.69<br>992,963.56 | 92.89<br>4.25% | 928,945.00<br>963.40 | 0.44%<br>(64,018.56) | Aaa / AA+<br>AAA | 2.42<br>2.34 |
| 912828ZF0 | US Treasury Note<br>0.500% Due 03/31/2025 | 750,000.00 | 03/03/2021<br>0.54% | 748,886.72<br>749,317.67 | 91.25<br>4.22% | 684,375.00<br>10.30 | 0.32%<br>(64,942.67) | Aaa / AA+<br>AAA | 2.50<br>2.44 |
| 912828ZL7 | US Treasury Note<br>0.375% Due 04/30/2025 | 500,000.00 | 01/13/2021<br>0.39% | 499,609.38<br>499,765.18 | 90.60<br>4.25% | 453,008.00<br>784.65 | 0.21%<br>(46,757.18) | Aaa / AA+<br>AAA | 2.58<br>2.52 |
| 912828ZT0 | US Treasury Note<br>0.250% Due 05/31/2025 | 1,250,000.00 | 10/06/2021<br>0.72% | 1,228,759.77<br>1,234,484.43 | 89.97<br>4.27% | 1,124,610.00<br>1,050.20 | 0.53%<br>(109,874.43) | Aaa / AA+<br>AAA | 2.67<br>2.60 |
| 9128285C0 | US Treasury Note<br>3.000% Due 09/30/2025 | 750,000.00 | 04/29/2022<br>2.90% | 752,314.45<br>752,032.34 | 96.53<br>4.24% | 723,984.00<br>61.81 | 0.34%<br>(28,048.34) | Aaa / AA+<br>AAA | 3.00<br>2.83 |

# Holdings Report

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

| CUSIP | Security Description | Par Value/Units | Purchase Date<br>Book Yield | Cost Value<br>Book Value | Mkt Price<br>Mkt YTM | Market Value<br>Accrued Int. | % of Port.<br>Gain/Loss | Moody/S&P<br>Fitch | Maturity<br>Duration |
|---|---|---|---|---|---|---|---|---|---|
| 9128285J5 | US Treasury Note<br>3.000% Due 10/31/2025 | 1,000,000.00 | 06/02/2022<br>2.87% | 1,004,023.44<br>1,003,635.95 | 96.45<br>4.24% | 964,492.00<br>12,554.35 | 0.46%<br>(39,143.95) | Aaa / AA+<br>AAA | 3.09<br>2.87 |
| 912828M56 | US Treasury Note<br>2.250% Due 11/15/2025 | 1,000,000.00 | 08/25/2022<br>3.37% | 966,093.75<br>967,130.81 | 94.19<br>4.25% | 941,914.00<br>8,498.64 | 0.45%<br>(25,216.81) | Aaa / AA+<br>AAA | 3.13<br>2.94 |
| 9128285T3 | US Treasury Note<br>2.625% Due 12/31/2025 | 1,000,000.00 | 08/25/2022<br>3.34% | 977,421.88<br>978,086.49 | 95.16<br>4.23% | 951,641.00<br>6,633.83 | 0.45%<br>(26,445.49) | Aaa / AA+<br>AAA | 3.25<br>3.05 |
| 9128286L9 | US Treasury Note<br>2.250% Due 03/31/2026 | 1,000,000.00 | 08/29/2022<br>3.40% | 961,640.63<br>962,578.37 | 93.71<br>4.20% | 937,070.00<br>61.81 | 0.44%<br>(25,508.37) | Aaa / AA+<br>AAA | 3.50<br>3.31 |
| **TOTAL US Treasury** | | **28,730,000.00** | **1.72%** | **28,495,871.85**<br>**28,527,759.92** | **3.84%** | **27,504,432.71**<br>**74,492.13** | **13.03%**<br>**(1,023,327.21)** | **Aaa / AA+**<br>**Aaa** | **1.53**<br>**1.47** |
| **TOTAL PORTFOLIO** | | **215,744,961.85** | **0.56%** | **215,648,160.51**<br>**215,521,385.74** | **1.52%** | **211,437,444.16**<br>**208,392.43** | **100.00%**<br>**(4,083,941.58)** | **Aa1 / AA+**<br>**Aaa** | **0.54**<br>**0.48** |
| **TOTAL MARKET VALUE PLUS ACCRUALS** | | | | | | **211,645,836.59** | | | |



# Section 4 | Transactions

# Transaction Ledger

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

*June 30, 2022 through September 30, 2022*

| Transaction Type | Settlement Date | CUSIP | Quantity | Security Description | Price | Acq/Disp Yield | Amount | Interest Pur/Sold | Total Amount | Gain/Loss |
|---|---|---|---|---|---|---|---|---|---|---|
| **ACQUISITIONS** | | | | | | | | | | |
| Purchase | 07/08/2022 | 912796R27 | 3,000,000.00 | US Treasury Bill<br>2.51% Due: 12/29/2022 | 98.787 | 2.58% | 2,963,602.10 | 0.00 | 2,963,602.10 | 0.00 |
| Purchase | 07/13/2022 | 36265WAD5 | 165,000.00 | GM Financial Securitized Auto 2022-3 A3<br>3.64% Due: 04/16/2027 | 99.999 | 3.67% | 164,998.86 | 0.00 | 164,998.86 | 0.00 |
| Purchase | 07/29/2022 | 44935FAD6 | 344,000.00 | Hyundai Auto Receivables Trust 2021-C A3<br>0.74% Due: 05/15/2026 | 95.527 | 3.53% | 328,614.06 | 99.00 | 328,713.06 | 0.00 |
| Purchase | 08/25/2022 | 89115BK66 | 1,000,000.00 | Toronto Dominion Bank Yankee CD<br>4.02% Due: 08/22/2023 | 99.999 | 4.02% | 999,986.98 | 335.00 | 1,000,321.98 | 0.00 |
| Purchase | 08/26/2022 | 313384GW3 | 1,000,000.00 | FHLB Discount Note<br>3.25% Due: 06/14/2023 | 97.364 | 3.36% | 973,638.89 | 0.00 | 973,638.89 | 0.00 |
| Purchase | 08/26/2022 | 313384JQ3 | 2,000,000.00 | FHLB Discount Note<br>3.27% Due: 07/26/2023 | 96.966 | 3.39% | 1,939,323.33 | 0.00 | 1,939,323.33 | 0.00 |
| Purchase | 08/26/2022 | 3137EAEQ8 | 1,000,000.00 | FHLMC Note<br>0.375% Due: 04/20/2023 | 98.197 | 3.20% | 981,970.00 | 1,312.50 | 983,282.50 | 0.00 |
| Purchase | 08/26/2022 | 9128285T3 | 1,000,000.00 | US Treasury Note<br>2.625% Due: 12/31/2025 | 97.742 | 3.34% | 977,421.88 | 4,065.90 | 981,487.78 | 0.00 |
| Purchase | 08/26/2022 | 912828M56 | 1,000,000.00 | US Treasury Note<br>2.25% Due: 11/15/2025 | 96.609 | 3.37% | 966,093.75 | 6,297.55 | 972,391.30 | 0.00 |
| Purchase | 08/29/2022 | 912828R69 | 2,000,000.00 | US Treasury Note<br>1.625% Due: 05/31/2023 | 98.793 | 3.26% | 1,975,859.38 | 7,991.80 | 1,983,851.18 | 0.00 |
| Purchase | 08/30/2022 | 9128286L9 | 1,000,000.00 | US Treasury Note<br>2.25% Due: 03/31/2026 | 96.164 | 3.40% | 961,640.63 | 9,344.26 | 970,984.89 | 0.00 |
| Purchase | 09/09/2022 | 931142EW9 | 155,000.00 | Wal-Mart Stores Note<br>3.9% Due: 09/09/2025 | 99.930 | 3.92% | 154,891.50 | 0.00 | 154,891.50 | 0.00 |
| Purchase | 09/14/2022 | 665859AW4 | 600,000.00 | Northern Trust Company Callable Note Cont 4/10/2027<br>4% Due: 05/10/2027 | 99.651 | 4.08% | 597,906.00 | 8,266.66 | 606,172.66 | 0.00 |
| Purchase | 09/15/2022 | 912796T33 | 325,000.00 | US Treasury Bill<br>3.507% Due: 02/23/2023 | 98.431 | 3.61% | 319,901.95 | 0.00 | 319,901.95 | 0.00 |
| Purchase | 09/15/2022 | 912796T33 | 755,000.00 | US Treasury Bill<br>3.507% Due: 02/23/2023 | 98.431 | 3.61% | 743,156.83 | 0.00 | 743,156.83 | 0.00 |

# Transaction Ledger

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

*June 30, 2022 through September 30, 2022*

| Transaction Type | Settlement Date | CUSIP | Quantity | Security Description | Price | Acq/Disp Yield | Amount | Interest Pur/Sold | Total Amount | Gain/Loss |
|---|---|---|---|---|---|---|---|---|---|---|
| Purchase | 09/28/2022 | 912828T26 | 1,000,000.00 | US Treasury Note<br>1.375% Due: 09/30/2023 | 97.145 | 4.31% | 971,445.31 | 6,799.86 | 978,245.17 | 0.00 |
| Purchase | 09/30/2022 | 3130ATB71 | 1,200,000.00 | FHLB Note<br>3.625% Due: 09/06/2023 | 99.336 | 4.36% | 1,192,035.60 | 2,900.00 | 1,194,935.60 | 0.00 |
| **Subtotal** | | | **17,544,000.00** | | | | **17,212,487.05** | **47,412.53** | **17,259,899.58** | **0.00** |
| **TOTAL ACQUISITIONS** | | | **17,544,000.00** | | | | **17,212,487.05** | **47,412.53** | **17,259,899.58** | **0.00** |
| **DISPOSITIONS** | | | | | | | | | | |
| Sale | 07/13/2022 | 912796T58 | 1,550,000.00 | US Treasury Bill<br>0.653% Due: 08/25/2022 | 99.788 | 0.66% | 1,546,717.49 | 0.00 | 1,546,717.49 | -2,074.48 |
| Sale | 07/13/2022 | 912796T58 | 230,000.00 | US Treasury Bill<br>0.653% Due: 08/25/2022 | 99.788 | 0.66% | 229,512.92 | 0.00 | 229,512.92 | -307.82 |
| **Subtotal** | | | **1,780,000.00** | | | | **1,776,230.41** | **0.00** | **1,776,230.41** | **-2,382.30** |
| Maturity | 08/25/2022 | 912796T58 | 325,000.00 | US Treasury Bill<br>0.653% Due: 08/25/2022 | 100.000 | | 325,000.00 | 0.00 | 325,000.00 | 0.00 |
| Maturity | 08/25/2022 | 912796T58 | 755,000.00 | US Treasury Bill<br>0.653% Due: 08/25/2022 | 100.000 | | 755,000.00 | 0.00 | 755,000.00 | 0.00 |
| Maturity | 09/14/2022 | 4581X0CZ9 | 480,000.00 | Inter-American Dev Bank Note<br>1.75% Due: 09/14/2022 | 100.000 | | 480,000.00 | 0.00 | 480,000.00 | 0.00 |
| Maturity | 09/19/2022 | 65558UGJ5 | 800,000.00 | Nordea Bank APB New York Yankee CD<br>0.19% Due: 09/19/2022 | 100.000 | | 800,000.00 | 1,553.78 | 801,553.78 | 0.00 |
| Maturity | 09/30/2022 | 91282CAN1 | 1,200,000.00 | US Treasury Note<br>0.125% Due: 09/30/2022 | 100.000 | | 1,200,000.00 | 0.00 | 1,200,000.00 | 0.00 |
| **Subtotal** | | | **3,560,000.00** | | | | **3,560,000.00** | **1,553.78** | **3,561,553.78** | **0.00** |
| Security Withdrawal | 09/30/2022 | 90PARS$00 | 307,420.77 | City of Pittsburg PARS 115 Trust | 1.000 | | 307,420.77 | 0.00 | 307,420.77 | 0.00 |

# Transaction Ledger

*As of September 30, 2022*

## City of Pittsburg Total Consolidated - Account #10638

*June 30, 2022 through September 30, 2022*

| Transaction Type | Settlement Date | CUSIP | Quantity | Security Description | Price | Acq/Disp Yield | Amount | Interest Pur/Sold | Total Amount | Gain/Loss |
|---|---|---|---|---|---|---|---|---|---|---|
| Security Withdrawal | 09/30/2022 | 90PITT$01 | 13,859,599.11 | City of Pittsburg Investment Pools | 1.000 | | 13,859,599.11 | 0.00 | 13,859,599.11 | 0.00 |
| **Subtotal** | | | **14,167,019.88** | | | | **14,167,019.88** | **0.00** | **14,167,019.88** | **0.00** |
| **TOTAL DISPOSITIONS** | | | **19,507,019.88** | | | | **19,503,250.29** | **1,553.78** | **19,504,804.07** | **-2,382.30** |

# Important Disclosures

*As of September 30, 2022*

2022 Chandler Asset Management, Inc, An Independent Registered Investment Adviser.

Information contained herein is confidential. Prices are provided by ICE Data Services Inc ("IDS"), an independent pricing source. In the event IDS does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.

Performance results are presented gross-of-advisory fees and represent the client's Total Return. The deduction of advisory fees lowers performance results. These results include the reinvestment of dividends and other earnings. Past performance may not be indicative of future results. Therefore, clients should not assume that future performance of any specific investment or investment strategy will be profitable or equal to past performance levels. All investment strategies have the potential for profit or loss. Economic factors, market conditions or changes in investment strategies, contributions or withdrawals may materially alter the performance and results of your portfolio.

Index returns assume reinvestment of all distributions. Historical performance results for investment indexes generally do not reflect the deduction of transaction and/or custodial charges or the deduction of an investment management fee, the incurrence of which would have the effect of decreasing historical performance results. It is not possible to invest directly in an index.

Source ICE Data Indices, LLC ("ICE"), used with permission. ICE permits use of the ICE indices and related data on an "as is" basis; ICE, its affiliates and their respective third party suppliers disclaim any and all warranties and representations, express and/or implied, including any warranties of merchantability or fitness for a particular purpose or use, including the indices, index data and any data included in, related to, or derived therefrom. Neither ICE data, its affiliates or their respective third party providers guarantee the quality, adequacy, accuracy, timeliness or completeness of the indices or the index data or any component thereof, and the indices and index data and all components thereof are provided on an "as is" basis and licensee's use it at licensee's own risk. ICE data, its affiliates and their respective third party do not sponsor, endorse, or recommend chandler asset management, or any of its products or services.

This report is provided for informational purposes only and should not be construed as a specific investment or legal advice. The information contained herein was obtained from sources believed to be reliable as of the date of publication, but may become outdated or superseded at any time without notice. Any opinions or views expressed are based on current market conditions and are subject to change. This report may contain forecasts and forward-looking statements which are inherently limited and should not be relied upon as indicator of future results. Past performance is not indicative of future results. This report is not intended to constitute an offer, solicitation, recommendation or advice regarding any securities or investment strategy and should not be regarded by recipients as a substitute for the exercise of their own judgment.

Fixed income investments are subject to interest, credit and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to repay interest and principal. Low rated bonds generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, especially during periods of rising interest rates.

Ratings information have been provided by Moody's, S&P and Fitch through data feeds we believe to be reliable as of the date of this statement, however we cannot guarantee its accuracy.

Security level ratings for U.S. Agency issued mortgage-backed securities ("MBS") reflect the issuer rating because the securities themselves are not rated. The issuing U.S. Agency guarantees the full and timely payment of both principal and interest and carries a AA+/Aaa/AAA by S&P, Moody's and Fitch respectively.

# Benchmark Disclosures

*As of September 30, 2022*

**ICE BofA 1-3 Yr US Treasury & Agency Index**

*The ICE BofA 1-3 Year US Treasury & Agency Index tracks the performance of US dollar denominated US Treasury and nonsubordinated US agency debt issued in the US domestic market. Qualifying securities must have an investment grade rating (based on an average of Moody's, S&P and Fitch). Qualifying securities must have at least one year remaining term to final maturity and less than three years remaining term to final maturity, at least 18 months to maturity at time of issuance, a fixed coupon schedule, and a minimum amount outstanding of $1 billion for sovereigns and $250 million for agencies.*

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, Executive Director

**SUBJECT:** Adoption of a City Council Resolution to Temporarily Amend the Senior Executive Staffing Allocation

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

The City Manager recommends temporarily amending the staffing allocation plan by adding one (1) Director of Special Projects.

## FISCAL IMPACT

No fiscal impact is anticipated from the temporary staffing allocation increase as the cost will be absorbed within the current fiscal budget through salary savings.

## RECOMMENDATION

Staff recommends the City Council adopt a resolution to temporarily amend the City's authorized allocated positions by adding one (1) Director of Special Projects at the salary rate of $17,843 monthly, through the end of Fiscal Year 2022/2023.

## BACKGROUND

In order to provide sufficient time to recruit and select this critical, hard-to-fill role for the City, the City Manager requests an additional position allocation through the remainder of the fiscal year to recruit a qualified candidate and allow the current director to serve as the City Engineer and transition current programs and projects. Once a Director of Public Works is selected, it is proposed that the current director will be y-rated into the role of Director of Special Projects for a limited duration.

## SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

## STAFF ANALYSIS

The current Director of Public Works has provided notice of retirement effective June 30, 2023. The Director of Public Works plans, manages, oversees and directs the operations and services of the Public Works Department which includes the streets, traffic signals, water distribution, sewer collection, water treatment, stormwater facilities, National Pollutant Discharge Elimination System (NPDES) and equipment maintenance, parks, trees, park planning and coordinates activities with other City officials, departments, outside agencies and organizations.

The Director of Public Works also serves in the capacity as the City Engineer in possession of a valid certificate of registration as a Civil Engineer issued by the California State Board of Registration for Civil and Professional Engineers. The City Engineer provides technical input to project managers within the Public Works and Community and Economic Development Departments as well as provides stakeholder integration and senior-level leader engagement on complex technical issues. An additional senior executive level position is proposed to offer a seamless transition for this critical role until June 30, 2023.

ATTACHMENTS: Resolution
Employment Agreement

Prepared by: Jennifer Brizel, Director of Human Resources

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Temporarily Amend the Senior Executive )
Staffing Allocation ) RESOLUTION NO. 22-

WHEREAS, the current Director of Public Works has provided notice of retirement effective June 30, 2023. The Director of Public Works plans, manages, oversees and directs the operations and services of the Public Works Department which includes the streets, traffic signals, water distribution, sewer collection, water treatment, stormwater facilities, National Pollutant Discharge Elimination System (NPDES) and equipment maintenance, parks, trees, park planning and coordinates activities with other City officials, departments, outside agencies and organizations; and

WHEREAS, the Director of Public Works also serves in the capacity as the City Engineer in possession of a valid certificate of registration as a Civil Engineer issued by the California State Board of Registration for Civil and Professional Engineers. The City Engineer provides technical input to project managers within the Public Works and Community and Economic Development Departments as well as provides stakeholder integration and senior-level leader engagement on complex technical issues; and

WHEREAS, the City Manager requests the Staffing Allocation Plan be amended to temporarily add one (1) Director of Special Projects for the duration of the 2022/2023 fiscal year, ending June 30, 2023; and

WHEREAS, in order to provide sufficient time to recruit and select the Director of Public Works which is a critical, hard-to-fill role for the City, the City Manager requests an additional position allocation to allow the current director to serve as the Director of Special Projects and City Engineer and to transition current programs and projects; and

NOW, THEREFORE BE IT RESOLVED that the City Council hereby authorizes the addition of one (1) Director of Special Projects to the authorized Staffing Allocation Plan for the remainder of the 2022/2023 fiscal year to facilitate the transition of programs and projects.

Be it further resolved that the position of Director of Special Projects will be at the salary rate of $17,843 monthly, through the end of Fiscal Year 2022/2023 and that the staffing allocation increase will be absorbed within the current fiscal budget through salary savings.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution Making Findings in Support of Continuing to Hold Public Subcommittee Meetings by Teleconference Pursuant to California Government Code Section 54953(e)

**MEETING DATE:** **November 21, 2022**

## EXECUTIVE SUMMARY

Assembly Bill 361 (AB 361) amended the Brown Act to allow local legislative bodies to continue to meet remotely during proclaimed states of emergency under specified conditions. Findings must be made every 30 days.

## FISCAL IMPACT

There is no fiscal impact to the General Fund by this action.

## RECOMMENDATION

The City Council adopt the attached resolution, continue in-person meetings with the exception of subcommittee meetings which will remain virtual.

## BACKGROUND

Beginning in March 2020, Governor Newsom issued a series of Executive Orders aimed at containing the novel coronavirus. Among these were Executive Orders—N-25-20 and N-29-20 (collectively, the "Brown Act Orders") — that waived requirements in the Brown Act expressly or impliedly requiring the physical presence of legislative body members, staff, or the public at local agency meetings.

On June 11, 2021, the Governor issued Executive Order N-08-21, to begin winding down some of the prior measures that were adopted to respond to COVID-19. Notably, N-08-21 established an end date to the Brown Act Orders, effective September 30, 2021.

On September 16, Governor Newsom signed Assembly Bill 361 which amended the Brown Act to allow local legislative bodies to continue to meet remotely during proclaimed states of emergency under specified conditions and so long as certain findings are made by a majority of the legislative body. As detailed in the attached resolution, findings were made on November 7, 2022, and are effective for 30 days.

## SUBCOMMITTEE FINDINGS

This item was not submitted to a subcommittee.

## STAFF ANALYSIS

Local legislative bodies such as a city council that wish to continue meeting by teleconference must comply with the requirements of California Government Code Section 54953, which was amended by AB 361.

Specifically, newly amended Government Code Section 54953 requires the following procedures:

- Give notice and post agendas as otherwise required by the Brown Act;
- List on the agenda how the public can electronically attend and comment at the meeting. Note that a public agency is not required to offer an in-person option for the public to attend and comment at such a meeting;
- Provide an opportunity to comment in advance of and during the meeting;
- Allow a reasonable amount of time to register, if required, and comment on each agenda item or at least the amount of time allowed per agency meeting protocols, whichever is longer;
- No action may be taken during a disruption that inhibits the broadcast of the meeting or the public's ability to comment;
- All votes must be via rollcall;
- Comply with state and federal civil rights and non-discrimination laws; and
- Take all precautions to protect the statutory and constitutional rights of the public.

While it only applies in situations where the Governor has proclaimed a state of emergency, and not, for instance, when only a local health officer has declared an emergency, AB 361 provides an explicit avenue for local public agencies to meet remotely in the case of a public health, or other, emergency that inhibits the opportunity to meet in person. AB 361 provides the flexibility to meet by teleconference through December 31, 2023, unless extended.

The City Council resolution, if approved, would authorize teleconferenced meetings of subcommittees.

Making the findings would allow teleconferenced meetings for the next 30 days.

ATTACHMENTS: Resolution

Report Prepared By: Alice E. Evenson, City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Making Findings in Support of Continuing to Hold Public Subcommittee Meetings By Teleconference Pursuant to California Government Code Section 54953(e) | ) ) ) ) | RESOLUTION NO. 22- |

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 10, 2020, the Contra Costa County Board of Supervisors issued an emergency proclamation to respond to COVID-19; and

WHEREAS, on March 16, 2020, the City Council proclaimed the existence of a local emergency in response to COVID-19; and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20, which suspended specified requirements under the Brown Act with regard to teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which modified and replaced the Brown Act language of Executive Order N-25-20, continuing to suspend specified requirements under the Brown Act for teleconferenced meetings of legislative bodies during the period in which state or local public health officials have imposed or recommended social distancing measures; and

WHEREAS on June 11, 2021, the Governor issued Executive Order N-08-21, which modified and replaced the Brown Act language of Executive Order N-29-20 and set forth an end date of September 30, 2021; and

WHEREAS, in September 2021 the State Legislature passed Assembly Bill 361, which was signed into law by the Governor on September 19, 2021; and

WHEREAS, AB 361 amended the Brown Act at Government Code Section 54953 to allow, until January 1, 2024, a legislative body to use teleconferencing without adhering to specified requirements so long as, among other circumstances, the meeting is held during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, and so long as the legislative body reconsiders the circumstances every 30 days; and

WHEREAS, on September 20, 2021, the Contra Costa County Health Officer issued recommendations for public meetings, which recommendations include social distancing; and

WHEREAS, on October 4, 2021, and November 1, 2021, the City Council adopted a resolution authorizing teleconferenced meetings for the City Council, commissions, and subcommittees; and

WHEREAS, following an improvement in the incidence of COVID cases, the City Council adopted Resolutions on November 29, 2021, December 20, 2021, January 18, 2022, February 7, 2022, March 7, 2022, April 4, 2022, May 2, 2022, June 6, 2022, June 20, 2022, July 18, 2022, August 15, 2022, September 19, 2022, October 17, 2022, and November 7, 2022 to authorize meetings with public participation by teleconference and in-person attendance by members of the City Council and commissions, and otherwise fully teleconferenced meetings for subcommittees; and

WHEREAS, with the emergence of the Omicron variant, which may spread more easily than other variants, and in the wake of holiday gatherings of persons, the incidence of COVID increased markedly and then decreased but continues to be transmitted in the community.

NOW, THEREFORE BE IT RESOLVED that the City Council hereby makes the following findings:

1. The circumstances of the state of emergency have been reconsidered. The state of emergency declared by the Governor has not been terminated. The state of emergency declared by the County Board of Supervisors has not been terminated. The state of emergency declared by the City Council has not been terminated.

2. State or local officials continue to impose or recommend measures to promote social distancing. The County Health Official on October 4, 2022, reissued a recommendation for social distancing, among other recommendations, during public meetings.

BE IT FURTHER RESOLVED that the City Council hereby approves meetings of subcommittees to be held by teleconference in compliance with California Government Code Section 54953(e). As there are numerous subcommittees, some which are comprised of members of more than one legislative body, and meet frequently, for the protection of the health of attendees all subcommittee meetings are to be held by teleconference.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Garrett Evans, City Manager

**SUBJECT:** Adoption of a City Council Resolution to Authorize a Third Amendment to the Employment Agreement for the City Attorney

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

On July 17, 2018, the City Council approved the appointment of Donna Mooney as City Attorney and authorized an employment agreement. On November 7, 2022, the City Council directed staff to bring to open session for consideration an amendment to the employment agreement to revise the agreement Terms, increase the salary by Five Percent (5%), effective July 10, 2022 and provide for salary increases based on the Consumer Price Index (CPI) and City Council approval.

## FISCAL IMPACT

The employment agreement amendment will result in an approximate increased payroll cost of $10,000 for the remainder of Fiscal Year 2022/2023, which will be absorbed into the department's current allocated budget.

## RECOMMENDATION

It is recommended that the City Council adopt of a City Council Resolution to Authorize a Third Amendment to the Employment Agreement for the City Attorney.

## BACKGROUND

On July 17, 2018, the City Council approved the appointment of Donna Mooney as City Attorney and authorized the Mayor to negotiation and sign an employment agreement for Ms. Mooney on behalf of the City. The employment agreement required an annual merit-based performance evaluation process after the first year of employment with the City.

On September 8, 2019 the City Council adopted Resolution #19-13685 authorizing amendments to Ms. Mooney's employment agreement to increase salary and extend the agreement term. On September 20, 2021 the City Council adopted Resolution #21-13992 authorizing amendments to Ms. Mooney's employment agreement to increase salary, add Deferred Compensation and extend the agreement term to September 4, 2024.

On August 15, 2022, the City Council conducted a performance review of Ms. Mooney in closed session and provided authorization to the Mayor to negotiate with Ms. Mooney changes to her salary and benefits.

## SUBCOMMITTEE FINDINGS

This item was not submitted to a subcommittee.

## STAFF ANALYSIS

It is the compensation philosophy of the City Council to provide competitive salary and benefits to retain our valued employees. A consulting firm retained by the City conducted a market-rate compensation survey of local City Attorney positions in Contra Costa County. The consultant concluded that Pittsburg's current City Attorney salary rate was approximately Six Percent (6%) below the average monthly salary of city attorneys of the comparative cities.

Subsequent to Ms. Mooney's performance review in closed session with the City Council on August 15, 2022, the City Council provided authorization to the Mayor to negotiate with Ms. Mooney changes to her salary and benefits, including a Five Percent (5%) merit increase, consistent with the survey information provided by the consultant.

Additionally, the Third Amendment includes an amendment to Section 5, Compensation as follows:

On September 4, 2022, and on each succeeding September 4th while this agreement is in effect, the City Attorney's base salary shall be increased no greater than the San Francisco Bay Area Consumer Price Index, All Consumers and no less than Two Percent (2%). The City Council will determine the percentage of the annual cost of living adjustment. Should all bargaining groups in the City of Pittsburg not receive a salary increase during the fiscal year, the City Council may elect to not extend the cost of living adjustment in this Section.

The Mayor and Ms. Mooney agreed upon the amended terms of Ms. Mooney's employment and the requisite employment agreement amendment was prepared.

ATTACHMENTS:
Third Amendment to Employment Agreement
Resolution

Report Prepared By: Jennifer Brizel, Director of Human Resources

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing the Mayor to Execute the )
Third Amendment to the Employment ) RESOLUTION NO. 22-
Agreement for the City Attorney )

WHEREAS, the City Council hired Donna Mooney to serve as City Attorney of the City of Pittsburg and entered into an employment agreement ("Agreement") on September 4, 2018; and

WHEREAS, On September 8, 2019 the City Council adopted Resolution 19-13685 authorizing amendments to the Agreement to increase salary and extend the agreement term; and

WHEREAS, On September 20, 2021 the City Council adopted Resolution 21-13992 authorizing amendments to the Agreement to increase salary, add Deferred Compensation and extend the agreement term to September 4, 2024; and

WHEREAS, on August 15, 2022, the City Council conducted a merit-based annual review of Donna Mooney's performance; and

WHEREAS, a consulting firm retained by the City conducted a market-rate compensation survey of local City Attorney positions and found that the salary was behind market rate; and

WHEREAS, the City Council desires to add language to the Agreement to provide for an automatic extension of the term annually; and

WHEREAS, the City Council desires to increase the salary by five percent (5%) to $21,252 per month, effective July 10, 2022; and

WHEREAS, the City Council desire to provide for a cost-of-living adjustment such that, on September 4, 2022, and on each succeeding September 4th while the agreement is in effect, the City Attorney's base salary shall be increased no greater than the San Francisco Bay Area Consumer Price Index, All Consumers and no less than Two Percent (2%). The City Council will determine the percentage of the annual cost of living adjustment. Should all bargaining groups in the City of Pittsburg not receive a salary increase during the fiscal year, the City Council may elect to not extend the cost of living adjustment; and

WHEREAS, Donna Mooney has indicated her concurrence with the amended terms of the employment agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the Mayor to execute the Third Amendment to the Agreement.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**THIRD AMENDMENT TO**
**EMPLOYMENT AGREEMENT**

This Third Amendment to the Principal Agreement made and entered into on July 6, 2018, hereafter referred to as Agreement, between Donna Mooney, an individual, therein referred to as Employee, and the City of Pittsburg, a municipal corporation, therein referred to as City, is made and entered into on this 21st day of November 2022.

WHEREAS, the parties entered into the Agreement on July 6, 2018, which Agreement was amended by the parties on September 8, 2019, and September 20, 2021; and

WHEREAS, the parties desire to amend the Agreement to revise the agreement Terms, increase compensation by five percent (5%), effective July 10, 2022, and provide for salary increases based on the Consumer Price Index (CPI) and Council approval.

NOW, THEREFORE, Employee and City do mutually agree as follows:

**1. Term.** The first paragraph of Section 2 of the Agreement is hereby replaced to read as follows:

EMPLOYEE's employment will commence September 4, 2018, and shall continue until September 4, 2025, or the date of earlier termination in accordance with provisions in this Agreement. On September 4, 2023, and on each succeeding September 4 while this Agreement is in effect, this Agreement shall be automatically extended for one (1) additional year unless six (6) months prior to the date the City Council notifies EMPLOYEE of its intent not to extend the Agreement for one additional year. City's election not to extent this Agreement shall not entitle EMPLOYEE to Severance pursuant to Section 3 of this Agreement.

**2. Compensation.** The first paragraph of Section 5 of the Agreement is hereby amended to read as follows:

Effective July 10, 2022, CITY agrees to pay EMPLOYEE for her services rendered hereunder at a monthly rate of $21,252 which sum shall be considered base salary and shall be payable in installments at the same time as other employees of the CITY are paid, and subject to customary withholdings.

On an annual basis, the City Attorney's base salary shall be increased no greater than the San Francisco Bay Area Consumer Price Index, All Consumers and no less than Two Percent (2%). The City Council will determine the percentage of the annual cost of living adjustment. Should all bargaining groups in the City of Pittsburg not receive a salary increase during the fiscal year, the City Council may elect to not extend the cost of living adjustment in this Section.

**3. Integration.** This Third Amendment contains the entire agreement between the parties with respect to its subject matter and supersedes whatever oral or written

understanding they may have had prior to the execution of this Third Amendment. This Third Amendment shall not be amended or modified except by a written agreement executed by each of the parties. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect.

**4. Inconsistencies.** In the event of any conflict or inconsistency between the provisions of this Third Amendment and the Agreement, the provisions of this Third Amendment shall control in all respects.

**5. Ambiguities.** The parties have each carefully reviewed this Third Amendment and have agreed to each term of this Third Amendment. No ambiguity shall be presumed to be construed against either party.

IN WITNESS WHEREOF, the parties have entered into this Third Amendment on the day and year first hereinabove appearing.

**EMPLOYEE**

By: _____

Donna Mooney

**CITY OF PITTSBURG**

By: _____

Holland Barrett White, Mayor

ATTEST:

By: _____

Alice E. Evenson, City Clerk

**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR**
**65 Civic Avenue**
**Pittsburg, CA 94565**

**TO:** Mayor and Council Members

**FROM:** Donna Mooney, City Attorney

**SUBJECT:** Adoption of a City Council Resolution to Authorize a Fourth Amendment to the Employment Agreement for the City Manager

**MEETING DATE:** November 21, 2022

## EXECUTIVE SUMMARY

On February 4, 2019, the City Council approved the appointment of Garrett Evans as City Manager and authorized an Employment Agreement. On November 7, 2022, the City Council directed staff to bring to open session for consideration an amendment to the Employment Agreement to increase the salary by Seven and a Half Percent (7.5%), effective July 10, 2022 and revise Annual Evaluation terms.

## FISCAL IMPACT

The Employment Agreement amendment will result in an approximate increased payroll cost of $25,000 for the remainder of Fiscal Year 2022/2023, which will be absorbed into the department's current allocated budget

## RECOMMENDATION

It is recommended that the City Council adopt a City Council Resolution to Authorize a Fourth Amendment to the Employment Agreement for the City Manager.

## BACKGROUND

The Council provided authorization to the Mayor, and the City Manager agreed, on the attached amendment to the City Manager's Employment Agreement.

## SUBCOMMITTEE FINDINGS

This item was not submitted to a subcommittee.

## STAFF ANALYSIS

On February 4, 2019, the City Council approved the appointment of Garrett Evans as City Manager. On February 5, 2020, the City Council authorized the first amendment to the Employment Agreement to reflect a Two Percent (2%) merit adjustment. On June 15, 2020, the City Council authorized the second amendment to the City Manager's contract to reduce salary and benefits (estimated at $37,026) based on the pandemic. On March 22, 2022, the City Council authorized the third amendment to increase the City Manager's base salary by 2.5% as a cost of living adjustment. A consulting firm was retained by the City in September 2022 to conduct a market-rate compensation survey of local City Manager positions and found that the City Manager salary was behind market rate.

The City Council provided authorization to the Mayor, and the City Manager agreed, on the attached amendment to the City Manager's employment Agreement executed on November 21, 2022 amending the Agreement to extend the term and automatic renewal; and increase the base salary by Seven and a Half Percent (7.5%), effective July 10, 2022.

The Agreement amends Section 6.B. Compensation and Annual Evaluation, removing the performance bonus, up to Ten Thousand Dollars ($10,000) annually and modifying the annual evaluation period from November and December (at least once a year) to February and March ("Annual Evaluation").

The attached Employment Agreement amendments are proposed for adoption by the City Council.

ATTACHMENTS: Fourth Amendment to Employment Agreement
Resolution

Report Prepared By: Jennifer Brizel, Director of Human Resources

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

| | | |
|---|---|---|
| Authorizing the Mayor to Execute the Fourth Amendment to the Employment Agreement for the City Manager | ) ) ) | RESOLUTION 22- |

WHEREAS, the City Council hired Garrett Evans to serve as City Manager of the City of Pittsburg and entered into an Employment Agreement ("Agreement") on February 4, 2019; and

WHEREAS, on February 5, 2020 City Council authorized the First Amendment to the Employment Agreement to reflect a Two Percent (2%) merit adjustment; and

WHEREAS, on June 15, 2020, the City Council authorized the Second Amendment to the City Manager's contract to reduce salary and benefits for Fiscal Year 2020-21 (estimated at $37,026) based on the pandemic; and

WHEREAS, on March 22, 2022, the City Council authorized the Third Amendment to increase the City Manager's base salary by Two and a Half Percent (2.5%) as a cost of living adjustment; and

WHEREAS, a consulting firm retained by the City conducted a market-rate compensation survey of local City Manager positions and found that the salary was behind market rate; and

WHEREAS, on November 7, 2022, the City Council authorized a Fourth Amendment to the City Manager's Employment Agreement with a merit adjustment of Seven and a Half Percent (7.5%) from $257,836 to $277,174 annually, effective July 10, 2022; and

WHEREAS, Section 6.B., Compensation and Annual Evaluation is amended to remove Performance Bonus; and

WHEREAS, the City, by the City Council, and Manager may set mutually agreed-upon objectives for each year under this Agreement. City Council shall evaluate Manager's performance at least once a year during the months of February and March ("Annual Evaluation"). Mutually agreed upon objectives will be set during the first quarter of each calendar year; and

WHEREAS, Garrett Evans has indicated his concurrence with the amended terms of the Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the Mayor to execute the Fourth Amendment to the Employment Agreement.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 21st day of November 2022, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Holland Barrett White, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

**FOURTH AMENDMENT TO**
**EMPLOYMENT AGREEMENT**

This Fourth Amendment to the Principal Agreement made and entered into on February 4, 2019, hereafter referred to as Agreement, between Garrett Evans, an individual, therein referred to as Employee, and the City of Pittsburg, a municipal corporation, therein referred to as City, is made and entered into on this 21st day of November 2022.

WHEREAS, the parties desire to amend Compensation and Annual Evaluation terms, increasing Compensation by Seven and a Half Percent (7.5%), effective July 10, 2022; and

WHEREAS, the City, by the City Council, and Manager may set mutually agreed-upon objectives for each year under this Agreement. City Council shall evaluate Manager's performance at least once a year during the months of February and March ("Annual Evaluation"). Mutually agreed upon objectives will be set during the first quarter of each calendar year.

NOW, THEREFORE, Employee and City do mutually agree as follows:

1. **Compensation and Annual Evaluation.** The Section 6.A. of the Agreement is hereby amended to read as follows:

   CITY and EMPLOYEE agree to amend Section 6.A., Compensation and Annual Evaluation, by changing the annual rate of pay from $257,835.98 to $277,174 reflects a Seven and a Half Percent (7.5%) merit adjustment, effective July 10, 2022.

2. **Compensation and Annual Evaluation.** The Section 6.B. of the Agreement is hereby amended to read as follows:

   City, by the City Council, and Manager may set mutually-agreed-upon objectives for each year under this Agreement. The City Council shall evaluate Manager's performance at least once a year during the months of February and March ("Annual Evaluation"). Mutually agreed upon objectives will be set during the first quarter of each calendar year.

**3. Integration.** This Fourth Amendment contains the entire agreement between the parties with respect to its subject matter and supersedes whatever oral or written understanding they may have had prior to the execution of this Fourth Amendment. This Fourth Amendment shall not be amended or modified except by a written agreement executed by each of the parties. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect.

**4. Inconsistencies.** In the event of any conflict or inconsistency between the provisions of this Fourth Amendment and the Agreement, the provisions of this Fourth Amendment shall control in all respects.

**5. Ambiguities.** The parties have each carefully reviewed this Fourth Amendment and have agreed to each term of this Fourth Amendment. No ambiguity shall be presumed to be construed against either party.

IN WITNESS WHEREOF, the parties have entered into this Fourth Amendment on the day and year first hereinabove appearing.

**EMPLOYEE**

By: _____

Garrett Evans

**CITY OF PITTSBURG**

By: _____

Holland Barrett White, Mayor

ATTEST:

By: _____

Alice Evenson, City Clerk