



**CITY OF PITTSBURG
AGENDA**

MAY 03, 2021

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

**CLOSED SESSION
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

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

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

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.ci.pittsburg.ca.us. 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.

PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting of the City Council will be conducted electronically through Zoom and broadcast live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Council Members will be participating electronically and will not be physically present in the Council Chamber.

Beginning with the January 19, 2021 City Council Meeting, live comments will be allowed by members of the public via teleconferencing during Zoom meetings and written comments received after 3:00 p.m. will be read aloud by staff. To be placed in a queue to comment, please adhere to the following instructions.

To Participate in Public Comment During the Meeting:

- Notify the City Clerk's Office via email by 3:00 p.m. on the meeting date that you would like to be placed in the queue for general Public Comments, or comments on a specific agenda item. Requests received after 3:00 p.m. on the date of the meeting will not be able to comment.
- Email your name and telephone number to meetingcomments@ci.pittsburg.ca.us. We need both identifications to pair you with the item you wish to speak on. You must also be sure that you call in using the number you have provided or we may not be able to identify you as a speaker.
- Your email must include the words **"FOR PUBLIC COMMENT"** in the subject line and specify the **Agenda Item number or Non-Agenda** as appropriate.
- You will receive an email confirmation with instructions to log in.
- Once the meeting starts (check the Streaming Media link on our website – www.ci.pittsburg.ca.us) you can phone in to Zoom. If you log in before the event has actually started you may be disconnected.
- You will be added to the meeting as an attendee and will be called upon by staff for phone-in comments.
- Speakers will be muted until their opportunity to provide public comment.
- All comments will be subject to the three-minute time limitation (approximately 350 words).
- Begin your comment by providing your name and city of residence for the record – although providing this is not required for participation.
- Just as in a live meeting inside the Council Chamber, only one comment per agenda item per person is allowed.

In the event a quorum of the City Council loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting will be adjourned. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the City Council. Any other agenda items the Council has not taken action on will be placed on a future agenda.

AUDIENCE REMARKS

The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.

6:00 P.M. - CONVENE IN CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Section 54956.9(d)(2)

Number of cases: one

2. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Section 54957.6:

City designated representatives: Garrett Evans, Stacy Shell, Charles Sakai, Sloan Sakai Yeung & Wong LLP

Employee organizations: American Federation of State, County, and Municipal Employees Local 512 Management/Professional/Confidential Unit and Miscellaneous A Unit; Pittsburg Police Officers' Association; Pittsburg Police Managers Group; Teamsters Local 856; International Brotherhood of Electrical Workers Local 1295

Unrepresented employees: Management Group; Senior Executive Team

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

3. Bike to Wherever Day

4. Global Love Day

PRESENTATIONS

5. Quarterly Overview of Use of Force by Law Enforcement Personnel and Overview of Internal Affairs Investigations

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

See Public Advisory.

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 participate). (No Action Required)

CITY COUNCIL MEETING

PUBLIC HEARING

6. Adoption of a City Council Resolution Approving the Community Development Block Grant 2021-2022 Annual Action Plan

The US Department of Housing and Urban Development (HUD) provides funding to jurisdictions to help meet their housing and community needs. As recipients of these federal funds, HUD requires the City Council to review and approve the Community Development Block Grant (CDBG) 2021-2022 Annual Action Plan (2021-2022 Annual Action Plan). The 2021-2022 Annual Action Plan states the funding recommendations for that fiscal year (FY) and includes the list of subrecipients and their funding allocations.

CONSIDERATION

7. Adoption of a City Council Resolution Receiving the East Contra Costa County Dynamic Personal Micro Transit Feasibility Study and Preliminary Support of the Project Concept

The cities of Antioch, Brentwood, Oakley, and Pittsburg; Contra Costa County, Contra Costa Transportation Authority, and a consortium of private entities, led by Glydways LLC, recently completed the East Contra Costa County Dynamic Personal Micro Transit (DPMT) Feasibility Study to evaluate potential deployment in the East Contra Costa County region.

8. By Minute Order Approve Expanding Scope of the Ad Hoc Committee City Council Policy and Procedures Review

In accordance with the City of Pittsburg "Policy and Procedures for City Council" originally adopted by the City Council on September 4, 2001 by Resolution No. 01-9475, the Mayor and Vice-Mayor shall appoint individual Council Members to standing and ad hoc committees. The City Council Policy and Procedures Review ad hoc committee is a currently active committee and staff wishes to have this committee include review of the existing Handbook for City Advisory Bodies.

CONFLICT OF INTEREST STATEMENT

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

C
OMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION,
PITTSBURG POWER COMPANY, SUCCESSOR AGENCY AND SOUTHWEST

PITTSBURG GHAD II CONSENT CALENDAR

9. Minutes of April 19, 2021
10. Adoption of a Pittsburg Arts and Community Foundation Resolution Approving the Amended and Restated Agreement Between Pittsburg Arts and Community Foundation Inc. and John H. and Regina K. Scully Foundation Regarding Donation

The Pittsburg Arts and Community Foundation Inc. (PACF) and John H. and Regina K. Scully Foundation LLC, a California limited liability company wholly owned by the Foundation (LLC) executed a donation agreement (Prior Agreement) dated November 2, 2020, whereby the LLC will donate up to \$1,000,000 (Donation) to PACF to complete renovations and improvements to the California Theatre (Project). The Project has since been named Project 1200, California Theatre Balcony Level Occupancy Project and is for the rehabilitation of the balcony level to include installation of incline lift from lower balcony to upper balcony, carpet with fixed and ADA seating, egress lighting at the balcony level, and related improvements. PACF and the LLC propose to enter into an Amended and Restated Donation Agreement (Agreement), renaming the LLC and amending certain terms of the Prior Agreement.

11. Adoption of City Council Resolution Awarding a Purchase Contract for a 2022 Peterbilt 348 Dump Truck

The City maintains a fleet of vehicles and equipment necessary for maintenance of the City's infrastructure, including a 2006 Sterling SLT 7500 Dump truck that needs replacement. If approved, this resolution will authorize a purchase contract for a new 2022 Peterbilt 348 Dump Truck.

12. Adoption of a City Council Resolution Authorizing Local Enforcement Agency Assistance Grant Application for FY 2021/2022 through FY 2025/2026

The Department of Resources Recycling and Recovery (CalRecycle) maintains a grant program to support the Local Enforcement Agency's (LEA) solid waste facilities permit and inspection programs. The Local Enforcement Assistance Grant application requires an updated City Council Resolution as part of its grant application.

13. By Minute Order, Authorize Letter of Support for AB 332 Hazardous Waste: Treated Wood Waste: Management Standards

Treated wood waste (TWW), a common building material, was managed and disposed of following safe and proper handling through Alternative Management Standards found in Title 22 of the California Code of Regulations. On September 29, 2020, Governor Newsom vetoed Senate Bill 68 (Galgiani), which sought to repeal the January 1, 2021 sunset date of allowing the alternative management of TWW. This letter of support for AB 332 Hazardous Waste: Treated Wood Waste: Management Standards will codify the Alternative Management Standards within Title 22.

14. Adoption of a City Council Resolution Authorizing the City Attorney to Execute Second Amendment to Outside Counsel Services Agreement with Best, Best & Krieger

The City Attorney proposes a second amendment to an Outside Counsel Services Agreement with the law firm Best, Best & Krieger, to increase the compensation and extend the duration, for legal services in connection with employment benefits.

15. By Minute Order, Authorize the Mayor to Sign a Letter Supporting AB 988 on Behalf of the City of Pittsburgh

California is facing a mental health crisis with suicide rates climbing over the last twenty years. The state has relied heavily on law enforcement for emergency mental health care, despite a lack of proper mental health training among most law enforcement personnel. Support of AB 988 would provide resources and a framework for providing emergency mental health care through trained mental illness professionals and networks.

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)
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ADJOURNMENT to May 17, 2021

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.ci.pittsburg.ca.us. 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 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 take 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 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.ci.pittsburg.ca.us on the Streaming Media page. Past meetings are also archived on that webpage. City Council meetings are also broadcast live on CCTV, Channel 24 also re-run at a later date. For more information, please contact the City Clerk's office at 252-4850.

City Council Outside Agency / Liaison / Sub-Committees Assignments - 2021

Updated March 1, 2021

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Merl Craft / Holland White Alternate	Standing	Annual	G. Evans
Delta Diablo**	Juan Banales / Shanelle Scales-Preston Alt.	Standing	2 nd Wednesday	R. Abono
East Co. Co. County Habitat Conservancy	Juan Banales / Jelani Killings Alternate	Standing	Monthly	Planning
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	2 nd Thursday	J. Hecht
Tri-Delta Transit (2 reps)***	S. Scales-Preston & Merl Craft / Jelani Killings Alt.	Standing	Last Wednesday	J. Hecht
<u>LIAISON TO</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
East Bay League of Calif. Cities	Shanelle Scales-Preston / Merl Craft Alt.	Standing	3 rd Thursday	*Rotational
Mayor's Conference	Merl Craft / Holland White Alt.	Standing	1 st Thursday	G. Evans
School Districts Committee (2x2)	Merl Craft & Holland White / Shanelle Scales-Preston Alt.	Standing	2 nd Thursday even months	G. Evans
<u>SUBCOMMITTEES</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
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	Holland White & Juan Banales / S. Scales-Preston Alt.	Standing	Ad needed	G. Evans
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
Government Performance Subcommittee	Holland White & Juan Banales	Ad Hoc	As needed	G. Evans
Hills Committee	Juan Banales & Jelani Killings / Merl Craft Alt.	Ad Hoc	As needed	G. Evans
Pittsburg Recognition Committee	Merl Craft / Juan Banales Alt.	Standing	As needed	J. Hecht
Economic Develop/Waterfront Subcommittee	Jelani Killings & Holland White / Juan Banales Alt.	Standing	As needed	J. Davis
Finance Subcommittee	Juan Banales & Holland White / Jelani Killings Alt.	Standing	As needed	FINANCE
Land Use Subcommittee	Juan Banales & Holland White / Merl Craft Alt.	Standing	As needed	J. Hecht
Pittsburg Arts & Community Foundation	Merl Craft & S. Scales-Preston / Jelani Killings Alt.	Standing	As needed	G. Evans
Pittsburg Police Activities League (PAL)	S. Scales-Preston & Holland White / Juan Banales Alt.	Standing	Monthly	B. Addington
Power Company Advisory	S. Scales-Preston & Holland White / 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 & Merl Craft / Holland White Alt.	Standing	As needed	K. Simonton

*Rotational Staff as assigned by City Manager

**Stipend of \$209 per month

***Stipend of \$100 per month

COMMISSION/SUBCOMMITTEE MEETING SCHEDULE

Following is a tentative list of currently scheduled Commission meetings for the upcoming month. For further information, please visit our website at www.ci.pittsburg.ca.us and click on the CALENDAR link for meetings, dates, times and locations.

Commission	Tentative Meeting Dates
Planning Commission	2 nd and 4 th Tuesdays
Community Advisory Commission	1 st Wednesday

Planning Commission meetings are regularly held the second and fourth Tuesdays of the month in the Pittsburg City Hall Council Chambers.

Community Advisory Commission meetings are regularly held the first Wednesday of the month in the Pittsburg City Hall Council Chambers.

In addition to the Commission Meetings listed above, there are several Council Member Subcommittees that meet on an “as needed basis”. For a list of subcommittees that Council Members and staff are assigned to, please see the “Council Committee List” attached to the agenda.

Subcommittee Meetings that are anticipated to occur in the coming month vary. The meeting dates, times and locations for these meetings are yet to be determined. This information will be posted on the City’s website, www.ci.pittsburg.ca.us, as soon as it is determined. Please check the Calendar on the City’s website for information.

For further information, contact the City staff member assigned to that Commission or Subcommittee.



City of Pittsburg

65 Civic Avenue • Pittsburg, California 94565

Proclamation

BIKE TO WHEREVER DAY

MAY 21, 2021

WHEREAS, the City of Pittsburg envisions a City where walking and bicycling are fully integrated into daily life by providing environmentally friendly transportation options that are at the same time safe and convenient for people of all ages and abilities, and

WHEREAS, the City of Pittsburg understands that riding a bicycle will improve the health of the individual, the City, and the environment, and

WHEREAS, the City of Pittsburg encourages the use of the bicycle as a viable, utilitarian, economical, and environmentally sound means of transportation for everyone, and

WHEREAS, the City of Pittsburg endeavors to encourage more of our residents to bicycle by incorporating the development of bicycle facilities into the vision we have for the future of our City with the recently adopted Active Transportation Plan, and

WHEREAS, the City of Pittsburg recognizes the bicycle as a legitimate roadway vehicle, and therefore entitled to legal and responsible use of all our public roadways.

NOW, THEREFORE BE IT RESOLVED, I, Merl Craft, Mayor of the City of Pittsburg, on behalf of the entire City Council, staff, and residents, hereby proclaim Friday, May 21, 2021 as Bike to Wherever Day in recognition of Pittsburg's commitment to making this city a more bikeable city. Further, I encourage all residents who can to bicycle to work, school, shopping and errands, or simply for pleasure and exercise on Pittsburg's roads and paths.



Merl Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk

May 21, 2021



City of Pittsburg

65 Civic Avenue • Pittsburg, California 94565

PROCLAMATION

GLOBAL LOVE DAY

MAY 1, 2021

WHEREAS, The Love Foundation, Inc., a non-profit organization, has announced GLOBAL LOVE DAY to facilitate in establishing LOVE & PEACE on our planet; and

WHEREAS, GLOBAL LOVE DAY will establish a worldwide focus towards "unconditionally loving each other as we love ourselves;" and

WHEREAS, We are One Humanity on this planet; and

WHEREAS, All life is interconnected and interdependent; and

WHEREAS, All share in the Universal bond of love; and

WHEREAS, Love begins with self-acceptance and forgiveness; and

WHEREAS, With respect and compassion we embrace diversity; and

WHEREAS, Together we make a difference through love; and

WHEREAS, The Love Foundation, Inc. invites mankind to declare May 1, 2021 as GLOBAL LOVE DAY, a day of forgiveness and unconditional love. GLOBAL LOVE DAY will act as a model for all of us to follow, each and every day.

NOW, THEREFORE, I, Merl Craft, Mayor of the City of Pittsburg on behalf of the entire City Council, hereby dedicate and proclaim May 1st, 2021 as GLOBAL LOVE DAY in the City of Pittsburg and invite all citizens to observe this day, which honors the public cause for Global Love, World Peace, and Universal Joy.



Merl Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk

May 1, 2021



**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 Approving the Community Development Block Grant 2021-2022 Annual Action Plan

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

The US Department of Housing and Urban Development (HUD) provides funding to jurisdictions to help meet their housing and community needs. As recipients of these federal funds, HUD requires the City Council to review and approve the Community Development Block Grant (CDBG) 2021-2022 Annual Action Plan (2021-2022 Annual Action Plan). The 2021-2022 Annual Action Plan states the funding recommendations for that fiscal year (FY) and includes the list of subrecipients and their funding allocations.

FISCAL IMPACT

For FY 2021-2022, the City is receiving an entitlement grant amount of \$617,686 from HUD. Unallocated funds from prior years in the amount of \$40,000 will be allocated towards the FY 2021-2022 budget.

The breakdown of the total CDBG funding for FY 2021-2022 is as follows:

Entitlement Funds from HUD:	\$617,686
Unallocated Funds from Prior Years:	\$ 40,000
Total Funding for FY 2021-2022:	\$657,686

The CDBG fund account number is 233-41411. The breakdown of how the \$657,686 is allocated is depicted in Exhibit A of this Staff Report.

RECOMMENDATION

City Council open the public hearing, receive testimony, close the public hearing, consider any public comments, and adopt the Resolution approving the 2021-2022 Annual Action Plan.

BACKGROUND

The City receives CDBG funds from HUD to carry out a wide range of community development activities directed toward revitalizing neighborhoods and developing viable urban communities by providing decent housing, a suitable living environment and expanding economic opportunities for low- and moderate-income households.

For jurisdictions to receive annual CDBG fund allocations, the City must prepare and submit to HUD a five-year Consolidated Plan, annual Action Plans that are subsidiary documents to the Consolidated Plan, and a Consolidated Annual Performance Evaluation Report that details accomplishments in relation to the Annual Action Plan.

The entitlement jurisdictions of Antioch, Concord, Pittsburg, Walnut Creek and the Urban County (all other cities and the unincorporated areas) constitute the Contra Costa CDBG Consortium (Consortium). Together, the Consortium prepared a joint 2020-2025 Contra Costa Consortium Five-Year Consolidated Plan (Consolidated Plan). The priority needs for the City and the strategy and objectives to address those needs are detailed in the 2020-2025 Consolidated Plan. The City Council approved the 2020-2025 Consolidated Plan with adoption of Resolution 20-13767 on April 20, 2020.

The Consolidated Plan is a detailed planning document that provides a needs assessment, describes the jurisdiction's non-housing community development needs, its housing needs and market conditions, sets out a five-year strategy identifying priorities and available resources and establishes the Annual Action Plan which outlines intended uses of the resources. The Consolidated Plan incorporates the requirements of HUD's CDBG Program. HUD must approve both the Consolidated Plan and the City's Annual Action Plan. The Consortium divided the Consolidated Plan into two (2) funding cycles:

- o 2020-2022 - 2 year funding cycle
- o 2023-2025 - 3 year funding cycle

With the designated funding cycles, FY 2021-2022 is a renewal year for CDBG grants. Therefore, subrecipients that were awarded funds on April 20, 2020 with the City Council's approval of the FY 2020-2021 Annual Action Plan through Resolution 20-13766 are eligible for funding in the consecutive year, provided they meet their performance goals.

The City's CDBG funds may only be used for projects and programs that benefit residents of Pittsburg. HUD's 70% rule requires grantees to ensure that at least 70% of its expenditures over a particular time period must be used for activities that benefit low- and moderate-income persons. The City has determined that 80% of the annual budget shall be used to benefit low- and moderate-income persons. The use of FY 2021-2022 CDBG funds shall commence on July 1, 2021 and expire June 30, 2022. The 2021-2022 Annual Action Plan has been prepared in compliance with the 2020-2025 Consolidated Plan.

SUBCOMMITTEE FINDINGS

On March 16, 2021, the CDBG Subcommittee met to make funding recommendations for the FY 2021-2022 subrecipients for City Council consideration and approval.

STAFF ANALYSIS

The amount of CDBG funds obligated for Public Services activities must not exceed 15 percent of the sum of the entitlement grant provided for that program year plus program income received during the prior year. The allocation for staff-time costs and overhead charges to general Program Administration must not exceed 20 percent of the sum of the entitlement grant provided for that program year plus the estimated revenue from program income to be received by the City during that same program year. Payments received for the CDBG Housing Rehabilitation Program is defined as program income. The remaining 65 percent of the funds available for allocation may be obligated towards Economic Development, Housing, Code Enforcement and Infrastructure activities. Pursuant to City guidelines, the minimum amount that can be awarded to a subrecipient is \$10,000.

The 2021-2022 Annual Action Plan is attached as Exhibit “B” to this Staff Report. The recommended activities are as follows:

- Public Services (health, youth and homeless services)
- Economic Development (employment training, small business development)
- Code Enforcement
- Housing Rehabilitation
- Infrastructure/Public Facilities [Installation of American with Disabilities Act (ADA) curb ramps and sidewalks]

The proposed activities are consistent with the goals of the Consortium’s 2020-2025 Consolidated Plan as well as HUD regulations. The 2021-2022 Annual Action Plan reflects the City Council’s efforts on focusing activities that provide measurable direct benefits to lower income residents and address a wide range of community needs.

As required, there was a public comment period that commenced on March 26, 2021 and ended on April 26, 2021.

ATTACHMENTS: Resolution

Exhibit A – Funding Allocation Table

Exhibit B – 2021-2022 Annual Action Plan

Report Prepared By: Melaine Venenciano, Senior Administrative Analyst

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of a City Council Resolution)
Approving Community Development)
Block Grant 2021-2022 Annual Action)
Plan _____)

RESOLUTION NO. 21-

The Pittsburgh City Council FINDS AND DETERMINES as follows:

WHEREAS, the City receives Community Development Block Grant (CDBG) funds from the US Department of Housing and Urban Development (HUD) to carry out a wide range of community development activities directed toward revitalizing neighborhoods and developing viable urban communities by providing decent housing, a suitable living environment and expanding economic opportunities for low- and moderate-income households; and

WHEREAS, the entitlement jurisdictions of Antioch, Concord, Pittsburgh, Walnut Creek and the Urban County (all other cities and the unincorporated areas) constitute the Contra Costa CDBG Consortium (Consortium). Together, the Consortium prepared a joint 2020-2025 Consolidated Plan (Consolidated Plan) which was adopted by Resolution 20-13767 on April 20, 2020, to assess the needs of each jurisdiction and to guide the use of CDBG funds within each individual member community; and

WHEREAS, the Consortium divides the Consolidated Plan into two (2) funding cycles: 1) 2020-2022 - 2 year funding cycle and 2) 2023-2025 - 3 year funding cycle. Fiscal Year (FY) 2021-2022 is a renewal year for CDBG grants; and

WHEREAS, the Consolidated Plan is a detailed planning document that provides a needs assessment, describes the jurisdiction's non-housing community development needs, its housing needs and market conditions, sets out a five-year strategy identifying priorities and available resources, and establishes the FY 2021-2022 Annual Action Plan which outlines intended uses of the resources. The Consolidated Plan incorporates the requirements of HUD's CDBG Program; and

WHEREAS, the City's CDBG funds can only be used for projects and programs that benefit residents of Pittsburgh. HUD's 70% rule requires grantees to ensure that at least 70% of its expenditures over a particular time period must be used for activities that benefit low- and moderate-income persons. The City has determined that 80% of the annual budget shall be used to benefit low- and moderate-income persons. The use of FY 2021-2022 CDBG funds shall commence on July 1, 2021 and expire June 30, 2022; and

WHEREAS, the approved budget for FY 2021-2022 is \$657,686 which includes \$617,686 of entitlement funds and \$40,000 of unallocated funds from previous years; and

WHEREAS, the CDBG Subcommittee made recommendations for the FY 2021-2022 subrecipients for City Council consideration and approval; and

WHEREAS, the City solicited comments from March 26, 2021 through April 26, 2021, conducted a public hearing on May 3, 2021 to receive testimony, and closed the comment period.

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

Section 1.

All the recitals above are true and correct and incorporated herein.

Section 2.

The City Council hereby approves the 2021-2022 Annual Action Plan, including the CDBG application form SF-424 and the required certifications.

Section 3.

The public comment period on the 2021-2022 Annual Action Plan is hereby closed.

Section 4.

The City Manager or his/her designee will submit to HUD the 2021-2022 Annual Action Plan and all understandings and assurances contained therein and in connection with the submission will provide additional information as may be required.

Section 5.

The City Manager or his/her designee is hereby authorized to execute the necessary documents and take such further actions as may be necessary or appropriate to carry out the City's obligations under this Resolution.

Section 6.

The City Clerk shall certify to the adoption of this Resolution.

Section 7.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 3rd day of May 2021 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Merl Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk

Exhibit A
FY 2021-2022 Funding Allocation

PS – PUBLIC SERVICES		FY 21-22
1	Loaves and Fishes	\$ 18,000.00
2	Winter Nights Shelter	\$ 23,000.00
3	People Who Care	\$ 16,000.00
4	St. Vincent De Paul – RotaCare Program	\$ 25,652.00
5	CASA	\$ 10,000.00
	TOTAL AWARD AMOUNT FOR PS(15%):	\$ 92,652
	CE – CODE ENFORCEMENT	
1	City of Pittsburg – Police Department	\$ 152,000.00
	ED – ECONOMIC DEVELOPMENT	
1	COCOKIDS	\$ 12,000.00
2	Renaissance Entrepreneurship Center	\$ 10,000.00
3	Opportunity Junction – Administrative Careers Training Program	\$ 24,989.00
	I/PF – INFRASTRUCTURE/PUBLIC FACILITIES	
1	City of Pittsburg – ADA Ramps/Sidewalk Replacement	\$ 232,508.00
	HSG – HOUSING	
1	City of Pittsburg – Housing Rehabilitation Program	\$ 10,000.00
	TOTAL AWARD FOR OTHER	\$ 441,497.00
	PS – PUBLIC SERVICES	\$92,652
	OTHER	\$441,497
	PROGRAM ADMINISTRATION:	\$123,537
	PROGRAM BUDGET:	\$657,686

Exhibit B

CITY OF PITTSBURG



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM 2021-2022 Annual Action Plan

65 Civic Avenue
Pittsburg, CA 94565
CDBG Program Administrator

Annual Action Plan
2021

1

Melaine Venenciano
925-252-4155
Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

Pittsburg's 2021 entitlement grant amount is \$617,686. The City will continue to use its grant funds to serve the community by funding various agencies, programs and projects.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	617,686	0	40,000	657,686	1,800,000	Annual allocation was confirmed in March 2021. Expected amount available for remainder of Consolidated Plan to be \$600,000 per year.

Table 1 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City leverages Federal, State, and local resources to the greatest extent feasible. Moreover, the City continues to encourage non-profit organizations to seek other federal, state, and local funding for both housing and non-housing community development activities.

The City's Police Department receives the following grants which enables the City to carry out a wide range of community development activities directed toward revitalizing neighborhoods and developing viable urban communities by providing a suitable living environment for low- and moderate-income households.

- OTS DUI Grants - \$124,700
- Tobacco Grant (3 years) - \$1,105,299
- Edward Byrne Memorial Justice Assistance - \$22,342
- Coronavirus Emergency Supplemental Funding - \$63,695
- COPS Grant (3 years) – \$125,000

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The Successor Agency started with over 60 properties to sell upon its dissolution in 2012 and currently only has 2 properties left for sale. Several of the properties that were sold are going to be developed into housing projects. Since affordable housing is a high priority, the City supports the development of these housing projects.

Yellow Roof Foundation (YRF) purchased 3 properties from the Successor Agency and will be constructing a for rent affordable housing project consisting of a single family residential unit and an accessory dwelling unit (ADU) on each parcel for a total of six (6) affordable housing units. YRF shall rent the three (3) ADUs to a person or persons at the very low income level (30-50% of AMI) and the 3 single family residential units at the moderate income level (80-120% AMI)

and in no event shall any of the six (6) affordable units be rented to person or persons whose income is greater than 120% of AMI.

YRF is a California 501 (c)(3) non-profit corporation founded in 2018 and their mission is building affordable housing opportunities for families and individuals at risk of homelessness. With more than 100 years of collective experience in land acquisition, land entitlement, site development, new home construction, property renovation, property management, real estate law, and real estate and construction finance, YRF is prepared to help families and individuals realize better tomorrows by building and creating affordable housing opportunities.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	AH-3: Maintain and Preserve Affordable Housing	2020	2025	Affordable Housing		Affordable Housing	CDBG: \$162,000	Homeowner Housing Rehabilitated:3 Household Housing Unit Housing Code Enforcement/Foreclosed Property Care: 1000 Household Housing Unit
2	CD-1: General Public Services	2020	2025	Non-Housing Community Development		Non-Housing Community Development	CDBG: \$43,652	Public service activities for Low/Moderate Income Housing Benefit: 1444 Households Assisted
3	CD-3: Youth	2020	2025	Non-Housing Community Development			CDBG: \$26,000	Public service activities for Low/Moderate Income Housing Benefit: 140 Households Assisted
4	CD-6: Economic Development	2020	2025	Non-Housing Community Development		Non-Housing Community Development	CDBG: \$46,989	Businesses assisted: 45 Businesses Assisted Other: 1 Other
5	H-2: Homeless Prevention	2020	2025	Homeless		Reduce/Alleviate Homelessness	CDBG: \$23,000	Homeless Person Overnight Shelter: 15 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	CD-7: Infrastructure and Accessibility	2020	2025	Non-Housing Community Development		Non-Housing Community Development	CDBG: \$232,508	Other: 14 Other
7	CD-8: Administration	2020	2025	Non-Housing Community Development		Program Administration	CDBG: \$123,537	

Table 2 – Goals Summary

Goal Descriptions

1	Goal Name	AH-3: Maintain and Preserve Affordable Housing
	Goal Description	Maintaining and preserving affordable housing during this Annual Action Plan includes the following: - Housing Rehabilitation Program - \$10,000. Cal -Home funds will contribute \$100,000 to the housing rehabilitation budget making the total budget for the program be \$110,000. - Code Enforcement - \$152,000
2	Goal Name	CD-1: General Public Services
	Goal Description	Public Service activities during this Annual Action Plan include the following: - Loaves and Fishes - \$18,000 - St. Vincent DePaul RotaCare Clinic - \$25,652

3	Goal Name	CD-3: Youth
	Goal Description	Youth services during this Annual Action Plan include the following: • People Who Care - \$16,000 • Court Appointed Special Advocates - \$10,000
4	Goal Name	CD-6: Economic Development
	Goal Description	Economic Development activities during this Annual Action Plan includes the following: • COCOKIDS - \$10,000 • Renaissance Entrepreneurship Center - \$10,000 • Opportunity Junction Administrative Careers Training Program - \$24,989
5	Goal Name	H-2: Homeless Prevention
	Goal Description	Homeless Prevention activity during this Annual Action Plan includes the following: • Winter Nights Shelter - \$23,000
6	Goal Name	CD-7: Infrastructure and Accessibility
	Goal Description	Infrastructure and Accessibility activity during this Annual Action Plan includes the following: • ADA ramps/sidewalk replacement - \$232,508
7	Goal Name	CD-8: Administration
	Goal Description	• Planning and administration - \$123,537

AP-35 Projects - 91.420, 91.220(d)

Introduction

Pittsburg's CDBG program major objectives are to:

- Provide assistance to programs and activities that benefit lower income persons.
- Prevent or reduce deterioration in designated neighborhoods.
- Preserve the existing housing stock for lower income persons.
- Provide assistance to programs that create permanent employment opportunities for lower income persons.
- Improve the public works infrastructure, including improvements that aid in the revitalization of neighborhoods, increase access for persons with disabilities and seniors and increase the health and safety of residents.
- Provide assistance to neighborhood and public facilities that serve lower income persons and families.

#	Project Name
1	2021-2022 Loaves and Fishes
2	2021-2022 Winter Nights Shelter
3	2021-2022 People Who Care
4	2021-2022 St. Vincent DePaul RotaCare Program
5	2021-2022 Court Appointed Special Advocates
6	2021-2022 Code Enforcement
7	2021-2022 Renaissance Entrepreneurship Center
8	2021-2022 Opportunity Junction - Administrative Careers Training Program
9	2021-2022 ADA Ramps and Sidewalk Replacement
10	2021-2022 Housing Rehabilitation Program
11	2021-2022 Program Administration

Table 3 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Underserved individuals and families face many challenges. Homeless and youth services continues to be a high priority for the City. Funding employment programs helps reduce family poverty. Pittsburg strives to provide constant support to community by funding programs that addresses Pittsburg's community needs.

AP-38 Project Summary

1	Project Name	2021-2022 Loaves and Fishes
	Target Area	City of Pittsburg
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$18,000
	Description	Loaves and Fishes provide a hot nutritious meal to anyone who is hungry by serving a hot, noon time, buffet style meal Monday-Friday. By partnering with other agencies that come to their dining rooms, Loaves and Fishes also offer its clients other safety net services such as medical, shelter, and registration for Cal Fresh. Their clients are individuals and families who are homeless or very low to low income residents living in Antioch, Pittsburg, and Martinez.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Estimated to serve 600 Pittsburg residents. Ninety eight percent of clients served are low to very low-income individuals recently out of work, homeless, unemployed, underemployed, or disabled. Loaves and Fishes provides meals and groceries to people who cannot afford to feed themselves or their family a nutritious meal. They serve anyone who is hungry adults, children, families and elderly. Performance Measures: Objective - Creating a Suitable Living Environment Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 05W Food Banks HUD National Objective - LMA HUD Accomplishment Type - Persons (General)

	Location Description	Pittsburg Dining Room-1415 Simpson Court Pittsburg, CA 94565
	Planned Activities	Loaves and Fishes serves the hungry of Contra Costa County. Its meals are free to anyone who is hungry. The need is nutritious food and the issue is there are people who cannot afford to purchase it. By providing a free meal, Loaves and Fishes are fulfilling both areas of need and issue. Loaves and Fishes prides itself by providing a well-balanced meal, low in salt with a daily emphasis on a fresh green salad, a seasonal fresh fruit salad and entrée. In the last year Loaves and Fishes has worked very hard to expand its mission with the goal to do more for its clients. Providing food is very important, but Loaves and Fishes wanted to do more and has changed its mission to "The mission of Loaves and Fishes of Contra Costa is to provide community-based food programs and partner services that focus on basic needs." Loaves and Fishes nourish lives by partnering with other nonprofits in the community to provide basic safety net services at its dining rooms in a cost-effective manner.
2	Project Name	2021-2022 Winter Nights Shelter
	Target Area	City of Pittsburg
	Goals Supported	H-2: Homeless Prevention
	Needs Addressed	Reduce/Alleviate Homelessness
	Funding	CDBG: \$23,000
	Description	Winter Nights Rotating Family Shelter is a project of the Interfaith Council of Contra Costa County. Program provides emergency shelter, food, tutoring, transportation, case management, housing placement assistance and more to homeless families living primarily in East and Central County. Winter Nights operates from October through May each year, and can serve up to 30 persons at any given time.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	Estimated to help approximately 15 Pittsburg residents. Performance Measures: Objective – Creating a Suitable Living Environment Outcome – Availability and Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 03T Operating Costs of Homeless Programs/AIDS Patients Program HUD National Objective - LMC HUD Accomplishment Type – Persons (General)
	Location Description	The rotating shelter moves from location to location every two weeks.
	Planned Activities	The rotating shelter moves from location to location every two weeks from October until the end of May or early June. Over 40 host and participating locations, primarily in Central and East County, provide space, meals, and volunteers. A full list of these locations is listed in Attachment Other-ICCC Participating Faith Communities.
3	Project Name	2021-2022 People Who Care
	Target Area	City of Pittsburg
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$16,000

	Description	The PWC After-school Program consist of Community Service, Job Training/Employment, Mental Health Services, and Peer Counseling for the much-needed support for high-risk juveniles. Most participants do not have access to after school programs and are referred by the school district or a juvenile probation facility due to expulsion, behavioral issues and truancy. The program's target population is at-risk youth and young adults between the ages of 14 to 21. The target population has many of the following characteristics in common such as parents who have been or are incarcerated; parents who are recovering from chemical dependency or are chemically dependent: experienced or witnessed domestic violence; youth who have experimented with alcohol and/or drugs; little education (below grade level); involved or previously involved in gang activity; lack career goals or future goals.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Estimated to help approximately 100 low and moderate-income youth residing in Pittsburg. Performance Measures: Objective - Creating a Suitable Living Environment Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code - 05D - Youth Services HUD National Objective - LMC HUD Accomplishment Type - Persons (General)
	Location Description	PWC's office is located at 2231 Railroad Avenue, Pittsburg, CA 94565. The youth in the program assist in various events and functions throughout the city.

	Planned Activities	The PWC Program employs a plan to prevent or intervene in the child's life to deter further or future involvement in the juvenile justice system. The PWC program is designed to assist youth in finding a career path by teaching self-empowerment and providing resources.
4	Project Name	2021-2022 St. Vincent DePaul RotaCare Program
	Target Area	City of Pittsburgh
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$25,652
	Description	St. Vincent de Paul's RotaCare Pittsburgh Free Medical Clinic offers medical care to uninsured, poor, and low-income residents of Pittsburgh for the relief of pain and suffering. The Clinic is open weekly on Wednesdays from 4-8 p.m., and the second and fourth Saturdays, 9-12 pm. Volunteer doctors, nurses, pharmacists, social workers, translators, and administrators offer services at no charge. All treatment, lab services, x-rays, ultra-sound and other diagnostic tests, along with all pharmaceuticals are provided free of charge.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	This program is estimated to help 674 Pittsburg residents. The specific populations served are the uninsured, low-income, minority population of East County in need of medical care. Over 90 percent of the patients served are minority and over 98 percent of the patients served have incomes below 200 percent of the Federal Poverty Level. Performance Measures: Objective - Creating a Suitable Living Environment Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 05M Health Services HUD National Objective - LMC HUD Accomplishment Type - Persons (General)
	Location Description	The St. Vincent de Paul Free Medical Clinic Program is located at the St. Vincent de Paul Family Resource Center: 2210 Gladstone Drive, Pittsburg, CA 94565. Additionally, St. Vincent de Paul has 27 neighborhood-based locations that provide emergency food, clothing, utility assistance, rental assistance and other emergency assistance.

	Planned Activities	The mission of the RotaCare Pittsburgh Free Medical Clinic at St. Vincent de Paul is to improve availability and access to health services for low income and underserved residents of East County, for residents of Pittsburgh where significant health disparities exist. Despite the reforms made by the Affordable Care Act, the services provided by free and charitable clinics are more important than ever. Over the last two years, Free and Charitable Clinics have seen a 40 percent increase in patient demand, but a decrease in donations. The clinic at SVdP is also encountering a similar increase in patient demand. The RotaCare Pittsburgh Free Medical Clinic at St. Vincent de Paul was developed to provide healthcare services to the uninsured and those unable to pay for healthcare services. Based on the socio-economic status of our patients, the RotaCare Pittsburgh Free Medical Clinic serves those particularly impacted by health disparities. Initially conceived as an urgent/primary care clinic, the RotaCare Pittsburgh Free Medical Clinic at St. Vincent de Paul has evolved to provide chronic care patient education and monitoring, as 50% of clinic visits involve chronic disease treatment or management. The health outcomes of the underserved and low-income residents utilizing the services of our clinic are impacted heavily by the ability to affect their response to chronic diseases. All services are provided FREE OF CHARGE to patients. A licensed Pharmacist dispenses all medications. Any lab services or radiology services are provided free of charge to patients. Referrals are made to Quest Diagnostics and Antioch Imaging for these additional services. St. Vincent de Paul covers all costs of referring patients for lab tests, (to Quest Diagnostics-Pittsburgh), and x-rays/MRI/ultrasound imaging (at Antioch Medical Imaging). Follow up required for
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		lab/radiology results are provided by Medical Director Dr. Hamid Khonsari.
55	Project Name	22021-2022 Court Appointed Special Advocates
	Target Area	City of Pittsburg
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$10,000
	Description	Provide advocacy, mentoring and representation services to abused and neglected children who are wards of the County's Juvenile Dependency Court to improve access to health and social services and a safe and permanent living situation.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Estimated to help approximately 40 low to moderate-income youth residing in Pittsburg. Performance Measures: Objective - Creating a Suitable Living Environment Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code - 05D - Youth Services HUD National Objective - LMC HUD Accomplishment Type - Persons (General)
	Location Description	The CASA program is not site based. The program provides services wherever the children and youth live. The children and youth that CASA serves are placed in every community within Contra Costa County.

	Planned Activities	CASA of Contra Costa County provides volunteer advocacy services to children who are dependents of the Juvenile Court as foster children. CASA volunteers are appointed by the Juvenile Court and work one-on-one with these children, fostering a unique atmosphere of trust and mutual respect leading to a meaningful relationship. CASA volunteers visit the foster home, meet with teachers, mental health providers, attorneys and social workers so they can provide a complete and detailed report to the Juvenile Court about a child's situation, and make recommendations for improvement. Additionally, CASA volunteers provide fun activities and support to the child. They take them to the movies, for a walk, or to a museum or baseball game. They talk to the children about what is important to them, and what would make their lives easier. The CASA volunteer is often the only adult in the child's life who is not paid to care for them, and for many children this is the most valuable part of having a CASA volunteer working on their behalf.
6	Project Name	2021-2022 Code Enforcement
	Target Area	City of Pittsburg
	Goals Supported	AH-3: Maintain and Preserve Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$152,000
	Description	Comprehensive inspection and enforcement of all state and municipal statutes and regulations related to the reduction and removal of substandard and dangerous housing as well as property conditions, which contribute to slum and blight, disruptive criminal behavior, and activity within the targeted low-income neighborhood(s).
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	Estimated to help approximately 1,000 Pittsburgh households in low and moderate-income census tracts. Comprehensive inspection and enforcement of state and municipal statutes that impact substandard housing and neighborhood conditions in various low-income areas throughout the City. Performance Measures: Objective – Creating a Suitable Living Environment Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 15 Code Enforcement HUD National Objective - LMA HUD Accomplishment Type – Housing Units (General)
	Location Description	A concentrated effort will be placed on the following Census Tract and Block Group Numbers: 3100, 3110, 3120,3131.01,3131.02, 3131.03, 3132.03, 3132.04, 3132.06
	Planned Activities	Project goal is to improve housing and property conditions and reduce slum and blight. Maintaining the existing level of personnel offers the opportunity to enhance the existing enforcement efforts and the level of services needed to abate hazardous/substandard living conditions (dwellings and properties). Establish acceptable standards for long term benefit and resident involvement; to initiate partnerships with the property owners and residents that establish goals to improve the quality of life and personal and neighborhood pride. Code Enforcement: active field patrol, initiation of complaints and investigations of properties and residential dwellings that have conditions contributing to slum and blight and substandard dangerous housing. Provide neighborhoods with the coordinated resources and education to improve their quality of life integrated with a methodology for enhanced long-term neighborhood maintenance.

7	Project Name	2021-2022 Renaissance Entrepreneurship Center
	Target Area	City of Pittsburgh
	Goals Supported	CD-6: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$10,000
	Description	The project helps build economically vibrant communities in Contra Costa County by serving English and Spanish speaking low income residents with intensive small business training, classes, individual consulting, network development, and access to capital services to develop the business skills and acumen, and access the resources and networks needed to create thriving small businesses.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	The women and men Renaissance will serve come from a variety of backgrounds and life experiences. They are lower income and many are heads of households, have poor or no credit, housing insecurity, and limited formal education. Data shows that aspiring entrepreneurs from under resourced communities and populations face a dearth of appropriate small business training and support services, access to capital, or role models who share their backgrounds. By providing customized training and access to resources and support that directly addresses the challenges individuals face in achieving economic mobility, Renaissance changes that dynamic and remains an ally for the life of the business. Performance Measures: Objective - Creating Economic Opportunities Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code - 18C Micro-Enterprise Assistance HUD National Objective - LMC HUD Accomplishment Type - Persons (General
	Location Description	Los Medanos College, 2700 E Leland Rd, Pittsburg, CA 94565 La Clinica de La Raza, 337 E Leland Rd, Pittsburg, CA 94565

	Planned Activities	Various entry points will be used and will include the following program components: • 4 sessions of the 4-week Start Smart class (1 per quarter in each of English and Spanish) will be offered in Pittsburgh • 2 sessions of the 10-week Business Prep class (two in English, two in Spanish) will be offered in the Pittsburgh/Antioch area. These are scheduled to follow the Start Smart classes as clients determine they are ready to move forward with their business plans. • Individual consulting services on an ongoing basis. For clients engaging in our industry-specific business growth services, we will offer: • 4 Food Workshops (4 in English, 4 in Spanish – 1 each per quarter) • 3 Service Industry Workshops (3 in English, 3 in Spanish) • 3 Retail Workshops and • 2 Makers Workshops (English) • Individual consulting services on an ongoing basis.
8	Project Name	2021-2022 Opportunity Junction - Administrative Careers Training Program
	Target Area	City of Pittsburgh
	Goals Supported	CD-6: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$24,989
	Description	This program trains and places low-income job seekers into administrative careers. The Administrative Careers Training (ACT) combines computer training with life skills, case management, paid work experience, mental health services, career skills, job placement, and long-term alumni follow-up.
	Target Date	6/30/2022

Estimate the number and type of families that will benefit from the proposed activities	The ACT Program will provide training and job placement assistance to 1 low income Pittsburg residents to be placed under contract with an employer partner. The ACT program is designed to address all of the barriers faced by hard-to-serve low-income adults seeking to enter the job market at sustainable wages. The program integrates computer training with life skills, paid experience, case management and psychological counseling, career counseling and job placement, and long-term ongoing support. Participants enter administrative careers that enable them to become self-sufficient. The ACT Program targets motivated, low-income job seekers facing addressable barriers to employment. Participants must: reside in Contra Costa County and read English at a minimum of a 7th grade level. Performance Measures: Objective – Creating Economic Opportunities Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 05H Employment Training HUD National Objective - LMC HUD Accomplishment Type - Persons (General)
Location Description	3102 Delta Fair Blvd., Antioch, CA 94509

	Planned Activities	The ACT Program consists of the following: Twelve Weeks of Full-Time Training in: • Life Skills, including many team-building exercises and covering goal-setting, overcoming obstacles, managing change, self-care, business and workplace skills (including a half-unit college credit class taught in partnership with Los Medanos College), and public speaking; • Computer Skills, focused on the Microsoft Office Suite and online applications such as Google Docs and Salesforce. Training leads to Microsoft Office Specialist (MOS) certification in Word and Excel, with some trainees earning MOS certification in PowerPoint, Access, and Outlook; and • Academic Skills including Business English and Business Math. Up to Four Months Paid, On-the-Job Experience – Once training is complete, Opportunity Junction hires participants as paid interns in our Staffing Services social enterprise, where they provide contracted services for local businesses and administrative support for the staff. Unlike many social enterprises, our emphasis is on the benefit to the participant, so we hire every graduate of the training phase. Nonprofits and government offices may also serve as sites for the internships, if they are geographically accessible to our participants. Case Management – Case managers closely support participants throughout the program and for 18 months following job placement, ensuring that each participant is linked to child-care, health care, transportation, and other needed services. On-Site Counseling Services – Because most of the participants have suffered from past trauma, our onsite counselor assesses all ACT participants and provides referrals and counseling. Integrating these services into
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		the program helps to de-stigmatize them and facilitate participation. Personalized Job Placement – In order to facilitate a good fit between participants and employers, interns engage in comprehensive career-building activities including skill and interest assessment, job search, resume and cover letter preparation, and interview practice. Meanwhile, the Director of Employer Engagement works directly with employers to develop appropriate placements for interns and program alumni. Long-Term Support Services – Following job placement, each participant is provided ongoing support services and follow up, which have been expanded significantly in the past two years. Specific services include our Active Alumni Job-Seeker Program, our Alumni Advancement Academy (AAA), the Alumni Council, alumni meetings and activities, use of the onsite Alumni Center, and ongoing case management and counseling services.
9	Project Name	2021-2022 ADA Ramps and Sidewalk Replacement
	Target Area	City of Pittsburgh
	Goals Supported	CD-7: Infrastructure and Accessibility
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$232,508
	Description	The project aims to serve Pittsburgh residents by improving sidewalks and constructing ADA compliant curb ramps at all intersections in the City. This Program will provide improved pedestrian access for all residents and will advance the City's goal of meeting federal and state mandated standards. City staff will perform design, construction management, and inspection.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	The goal of the project includes improving access to public transportation, schools, businesses, and other community facilities for pedestrians, the mobility impaired, and physically challenged persons, through installing curb ramps and replacing sidewalks at targeted intersections. Performance Measures: Objective – Creating a Suitable Living Environment Outcome - Availability/Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 03L - Sidewalks HUD National Objective - LMA HUD Accomplishment Type - Persons (General)
	Location Description	Eligible census tracts citywide.
	Planned Activities	The purpose of the project is to improve pedestrian transportation for mobility impaired or physically challenged persons by installing ADA compliant curb ramps.
10	Project Name	2021-2022 Housing Rehabilitation Program
	Target Area	City of Pittsburgh
	Goals Supported	AH-3: Maintain and Preserve Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$10,000
	Description	Assist in the development of viable communities by providing decent housing and a suitable living environment through the provision of subsidized housing rehabilitation loans for very-low and low-income households.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	Estimated to help approximately 3 Pittsburg residents. Cal-Home funds will contribute \$100,000 to the program which makes the Housing Rehabilitation Program budget be \$110,000. Performance Measures: Objective – Creating a Suitable Living Environment Outcome – Availability and Accessibility HUD Performance Measure Type - Provide New or Continuing Access to a Service HUD Matrix Code – 14A – Rehab Single Unit Residential HUD National Objective - LMH HUD Accomplishment Type – Housing Units
	Location Description	Citywide.
	Planned Activities	The City will provide low-interest rehabilitation loans to Pittsburg homeowners for improving their property. This program is funded by the CDBG program. To qualify for the housing rehabilitation program, applicant must live in the City limits, home is owner occupied, and applicant must be “low to moderate” income (this income changes annually and is based on household size and total family annual income). • Maximum loan available is \$30,000. • Health and safety hazards will be given top priority for consideration in the program. • Loan funds may be used for various improvements but are required to fall under the category of health and safety, property maintenance, functional obsolescence, energy efficiency, or removal of architectural barriers for the disabled. Common repairs permitted under this loan program include, but are not limited to: new roofs and gutters; electrical and plumbing upgrades; and installation of ramps and grab bars.
11	Project Name	2021-2022 Program Administration
	Target Area	City of Pittsburg
	Goals Supported	CD-8: Administration

	Needs Addressed	Program Administration
	Funding	CDBG: \$123,537
	Description	Administration - Support development of viable urban communities through extending and strengthening partnerships among all levels of government and the private sector and administer federal grant programs in a fiscally prudent manner.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable.
	Location Description	Not applicable.

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Citywide.

Geographic Distribution

Target Area	Percentage of Funds
City of Pittsburgh	80%

Table 4 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Funding will be allocated citywide.

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

Priority is assigned based on the level of need that is demonstrated by the data that has been collected during the preparation of the Consolidated Plan, the information gathered during the consultation and citizen participation process and the availability of resources to address these needs. Based on all of these components, affordable housing, homelessness, non-housing community development needs and grant administration are all considered “high” priorities.

Actions planned to address obstacles to meeting underserved needs

Special needs groups such as elderly/frail elderly, persons with disabilities, persons who are victims of domestic live throughout the City. Given that these special needs populations have various obstacles to accessing housing and various services, the City of Pittsburg will continue to provide CDBG funds for housing rehabilitation activities, public facility/infrastructure improvements, and public service activities that improve the quality of life for special needs groups.

Actions planned to foster and maintain affordable housing

Pittsburg strives to create opportunities for its low-income residents by providing access to affordable housing and resources. The Housing Authority currently owns 4 residential properties that are rented out to housing choice voucher residents. Additionally, the Housing Rehabilitation Program provides interest deferred loans to low income residents including senior citizens. In many instances, the residents that apply for the Housing Rehabilitation Program are on a fixed income and do not have the financial means to keep up with the maintenance of the home. Therefore, maintenance and repairs to their homes are almost impossible.

Pittsburg also funds the Future Build program which partners with Grid Alternatives to install solar power on homes for low-income families.

Actions planned to reduce lead-based paint hazards

Lead hazard is a concern for the City, given that lead hazard is estimated to be 90% in pre-1940 housing units. The City will continue to protect residents from lead-based paint hazards in housing funded with CDBG funds by conforming to HUD regulations 24 CFR Part 35. This regulation addresses the need to reduce or eliminate lead-based paint hazards in federally owned housing and housing receiving federal funds. We require our

subrecipients to agree to include requirements for compliance with this regulation. The City requires that recipients of homeowner rehabilitation funds sign HUD's Notification for Lead Based Paint and that any abatement required be included in the home's repairs.

Actions planned to reduce the number of poverty-level families

Pittsburg will employ a variety of strategies to help alleviate poverty in the City, including efforts to stimulate economic growth and job opportunities, and to provide residents with the skills and abilities required to take advantage of those opportunities. The City uses a portion of its CDBG funding to provide grants to non-profit agencies to operate the Public Services programs that serve the homeless in the community, which directly impact poverty-level individuals. The City, through its various departments, provides services and supports programs that promote personal responsibility, independence and self-sufficiency.

In addition, one of the most significant efforts taken by Pittsburg to reduce persons living below the poverty level is funding economic development programs and several agencies that provide services for persons within the community who are extremely- or very low-income. In particular, Pittsburg believes by funding economic development programs that provide microenterprise assistance for those who want to maintain or start stable small businesses as licensed home-based family child care providers; funding agencies that provide small business development training and consulting to assist qualifying clients in starting or expanding microbusiness; and funding organizations that provide job training and placement plays a role in reducing the number of persons below the poverty line. These funded programs impact client's lives and businesses in a variety of ways, including increasing social and human capital and household income, decreasing reliance on public assistance, and generating jobs in the community.

Actions planned to develop institutional structure

The Contra Costa County Consortium was formed by the County of Contra Costa and the cities of Antioch, Concord, Pittsburg and Walnut Creek to develop a collaborative approach to administering and implementing the goals and objectives of their respective CDBG programs. The Consortium members coordinate Consolidated Planning efforts and have developed a streamlined process for applying for CDBG/HOME/ESG funds that allows applicants to complete one application for multiple jurisdictions and, once funded, complete one periodic performance report for all funding jurisdictions. This joint effort has eased the administrative burden for Subrecipients and allows jurisdictions to easily share information. Furthermore, the Consortium established a multiple-year funding cycle that has greatly reduced the time spent on completing and reviewing applications for both

Subrecipients and CDBG/HOME staff respectively.

Each entitlement jurisdiction in the Consortium completes its own annual planning and allocation process, including preparation and completion of its annual Action Plan, as well as its Consolidated Annual Performance Evaluation Report (CAPER). These planning efforts have a high degree of coordination with Consortium members working together to closely align CDBG allocations, helping to maximize funding and to ensure collaboration between agencies.

Actions planned to enhance coordination between public and private housing and social service agencies

Consortium jurisdictions work on strategies and actions designed to overcome identified impediments and eliminate problems of housing discrimination. The Contra Costa Interagency Council on Homelessness (CCICH) works with local jurisdictions, public and private agencies, the interfaith community, homeless advocacy groups, and other community organizations to implement the CoC Plan to alleviate homelessness. The majority of the City's goals and objectives within the Consolidated Plan and Annual Action Plan are met through activities that are carried out by subrecipients that are primarily public and private agencies within the County, including non-profit organizations. There is ongoing concern about the long-term capacity of the non-profit community during these severe budgetary times and their ability to comply with often complex federal regulations and requirements in implementing federally funded programs. Pittsburg will continue to support these agencies by providing technical assistance, helping to establish collaboration between agencies and with funding, when possible.

Discussion

Pittsburg works closely with public and private affordable housing providers as well as with Contra Costa County's Public Health, Behavioral Health and Homeless Services departments, and various agencies to coordinate the allocation of funds to best meet the needs of the City's low to moderate income residents and the special needs population. This coordination leverages CDBG funds to maximize their impact.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

Program Income: The City does not anticipate receiving program income for FY 2021-2022.

Other: The City does not have any float-funded activities, Section 108 loan guarantees, or surplus urban renewal settlement funds. The County does not have any Urgent Need activities.

Benefit to low- and moderate-income persons: All of the City's FY 2021-2022 CDBG funds that is not going towards Program Administration is allocated to activities that will benefit persons of low- and moderate income. The City anticipates utilizing 20 percent towards of all CDBG Program funds towards CDBG Program Administration.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
---	---

2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.

80.00%

DRAFT



**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 Receiving the East Contra Costa County Dynamic Personal Micro Transit Feasibility Study and Preliminary Support of the Project Concept

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

The cities of Antioch, Brentwood, Oakley, and Pittsburg; Contra Costa County, Contra Costa Transportation Authority, and a consortium of private entities, led by Glydways LLC, recently completed the East Contra Costa County Dynamic Personal Micro Transit (DPMT) Feasibility Study to evaluate potential deployment in the East Contra Costa County region.

FISCAL IMPACT

No fiscal impact from this action.

RECOMMENDATION

Receive and accept the East Contra Costa County Dynamic Personal Micro Transit Feasibility Study and provide preliminary City Council support of the Project.

BACKGROUND

The jurisdictions in East Contra Costa County are evaluating the development of a new vision for transit in the region. The goals of the project are to provide Transit Accessibility by building a DPMT network (autonomous vehicles) with minimal local funds required; provide Transit Accessibility to assure Economic Development and attract employers; conduct a Feasibility Study and complement with a Project Development Agreement to attract potential Public Funding and Private Financing in a Design Build Finance Operate Maintain (DBFOM) environment.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

The Feasibility Study, developed by Advanced Mobility Group, looked at the Glydways DPMT system, how it operates, the potential benefits, potential ridership demand, implementation challenges, risk mitigation strategies, and potential business models to ultimately inform the decision-making entities whether the Glydways system could be successfully integrated over time, to complement transit, and support the region's greater transportation strategies. The Glydways technology and conceptual routes developed, in coordination with stakeholder jurisdictions were evaluated using various criteria with respect to technology readiness, scalability, costs, and return on investment.

The Feasibility Study concluded that the DPMT is feasible to deploy in the East Contra Costa County region with the following potential benefits:

- Support economic development and create jobs
- Congestion relief by way of converting vehicle trips to transit trips
- Increased transit access for underserved communities
- Cost effective and scalable solution
- Environmentally sustainable solution
- Speedy deployment delivered through public/private partnership

New sustainable mobility options and transportation technologies will help Pittsburg complement and enhance the existing transit system, increase accessibility and first-last mile connectivity, and better serve the community. Staff is encouraged by the Feasibility Study findings and eager to participate in the planning and programming of a comprehensive DPMT network in the East Contra Costa County region to support the goals and objectives of the Project.

Staff will work the Project proponents to exploring public funding opportunities and private sector investment to support the Project. Investments in this innovative initiative will help complement fixed route transit service, reduce congestion and greenhouse gas emissions, increase safety, spur economic development, and provide equitable transportation access for all residents.

ATTACHMENTS: Resolution
DPMT Feasibility Study

Report Prepared By: Garrett Evans, City Manager

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of a City Council Resolution)
Receiving the East Contra Costa County) RESOLUTION NO. 21-
Dynamic Personal Micro Transit Feasibility)
Study and Preliminary Support of the Project)

The Pittsburg City Council FINDS AND DETERMINES as follows:

WHEREAS, the goals of the East Contra Costa County Glydways Dynamic Personal Micro Transit (DPMT) Project are to provide Transit Accessibility through a DPMT network; provide Transit Accessibility to assure Economic Development and attract employers; to attract potential State and Federal Funding and Private Financing in a Design Build Finance Operate Maintain (DBFOM) environment; and

WHEREAS, the cities of Antioch, Brentwood, Oakley, and Pittsburg; Contra Costa County, Contra Costa Transportation Authority, and a consortium of private entities, led by Glydways LLC, have conducted the East Contra Costa County DPMT Feasibility Study for potential deployment in the region; and

WHEREAS, the Feasibility Study, developed by Advanced Mobility Group, found that constructing and operating the DPMT system in East Contra Costa County region is feasible and would provide direct benefits to the area; including economic development, congestion relief, reduced carbon emissions, and increased transit accessibility for within communities; and

WHEREAS, transportation and mobility connections and technology continue to evolve, and it is time to take a fresh look at all options to foster connectivity and mobility between the communities of East Contra Costa County; and

WHEREAS, the City is in support of the Feasibility Study findings and the project goals and objectives for the East Contra Costa County region; and

WHEREAS, the City will provide resources to facilitate the Project. Such resources may include, but are not limited to: assisting Glydways in obtaining City documents such as Right Of Way maps, planning and design documents required to advance the Project; and

WHEREAS, the City will support the planning and programming of a comprehensive DPMT network in the East Contra Costa County region, to complement Eastern Contra Costa Transit Authority's fixed route transit services and BART, including private sector investment in the development and implementation of the DPMT system.

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

Section 1.

The City Council supports of the regional vision adopted by the findings of the East Contra Costa County Glydways DPMT Feasibility Study with the cities of Brentwood, Antioch, Oakley, and Pittsburg; Contra Costa County, Contra Costa Transportation Authority, Eastern Contra Costa Transit Authority, and a consortium of private entities, led by Glydways LLC.

Section 2.

The City Council will work collaboratively with other private and public agencies to assist in developing a highly integrated regional transportation system that provides convenient, seamless, and affordable transit.

Section 3.

The City Manager is hereby authorized to take such further actions as may be necessary or appropriate to carry out the obligations pursuant to this Resolution.

Section 4.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 3rd day of May 2021, by the following vote:

AYES:

NOES:

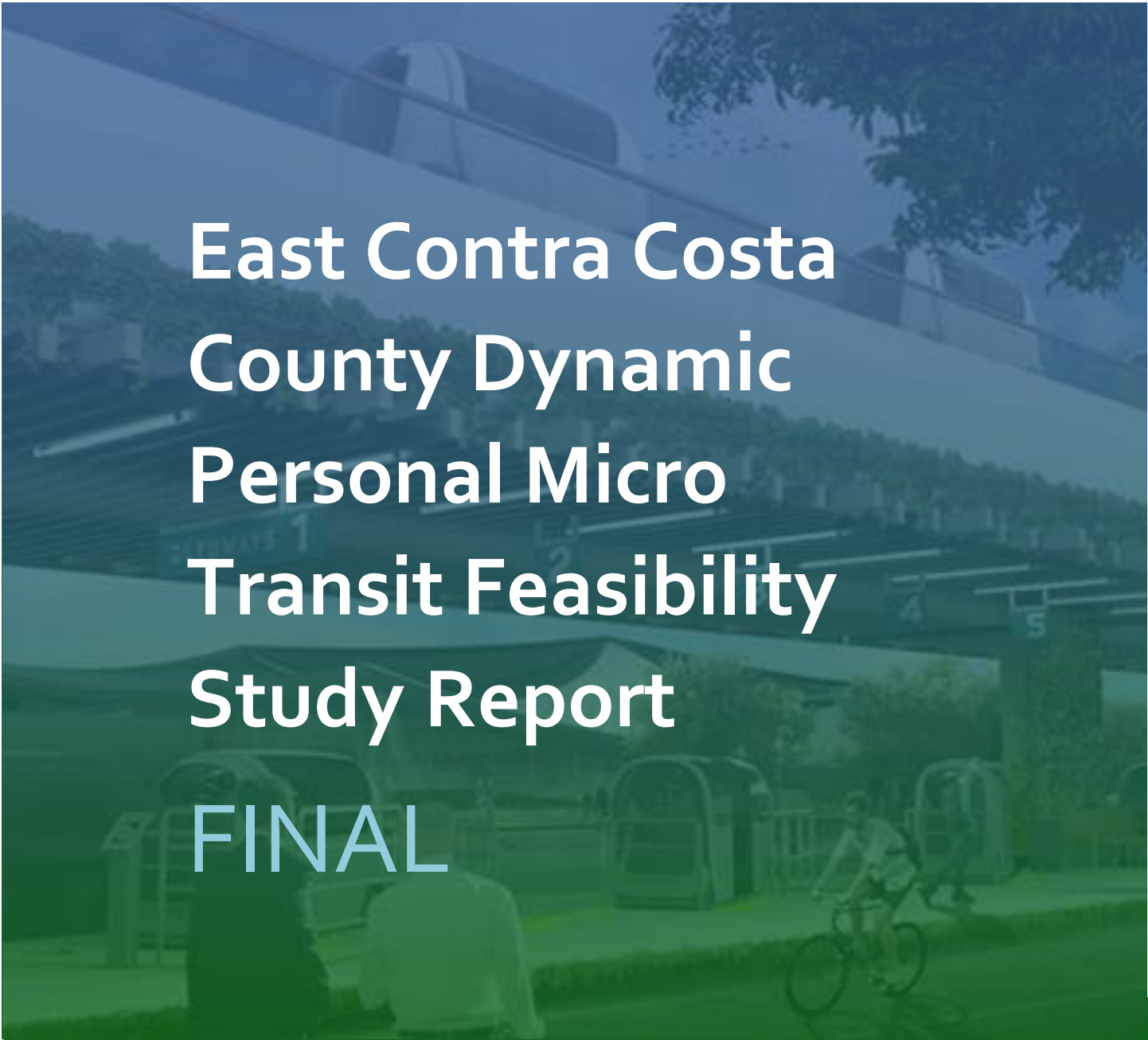
ABSTAINED:

ABSENT:

Merl Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk



East Contra Costa County Dynamic Personal Micro Transit Feasibility Study Report

FINAL

Prepared by:



April 12, 2021

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Executive Summary

The cities of Pittsburg, Brentwood, Oakley, and Antioch, along with East Contra Costa Transit Authority (ECCTA), Contra Costa Transportation Authority (CCTA), and Contra Costa County, have collaborated to conduct a feasibility study for potential deployment of a Dynamic Personal Micro Transit (DPMT) network in Eastern Contra Costa County (East County). The purpose of this Feasibility Study (Study) is to analyze whether constructing and operating a DPMT system in the East County region is feasible and beneficial. The Study investigates the DPMT's core system, including how it operates, the potential benefits, potential ridership demand, costs of implementation, and identification of risk mitigation strategies, potential business models, and funding strategies. The main purpose of the Study is to inform decision-making entities whether the DPMT proposed by Glydways could be successfully integrated over time, to complement traditional bus and rail transit, and support the region's greater transportation strategies.

DPMT system, to be built by Glydways, consists of a fleet of driverless electric vehicles operating on-demand in elevated or at-grade paved pathways. The operating space can be created from repurposed roads, abandoned railroad, capped canals, or newly built elevated pathways. Glydways vehicle is a lightweight bidirectional electric vehicle with full functionality steering, sensing and control in each direction. Users can request a ride through an app on their phone or using kiosks at boarding zones for a non-stop ride from their origin to destination. The system is expected to have the capacity to serve up to 10,000 persons/hour in each direction.

A conceptual route alignment (Figure ES1) was developed with feedback received from key stakeholder in East County. The proposed alignment connects existing and planned residential, medical, institutional, business, and industrial developments/centers with multimodal transit stations in East County as a continuous route. The alignment shown as a dashed line represents routes for future consideration. The proposed route has not been finalized and is subject to change as the availability of rights of way and the connections needs further study.

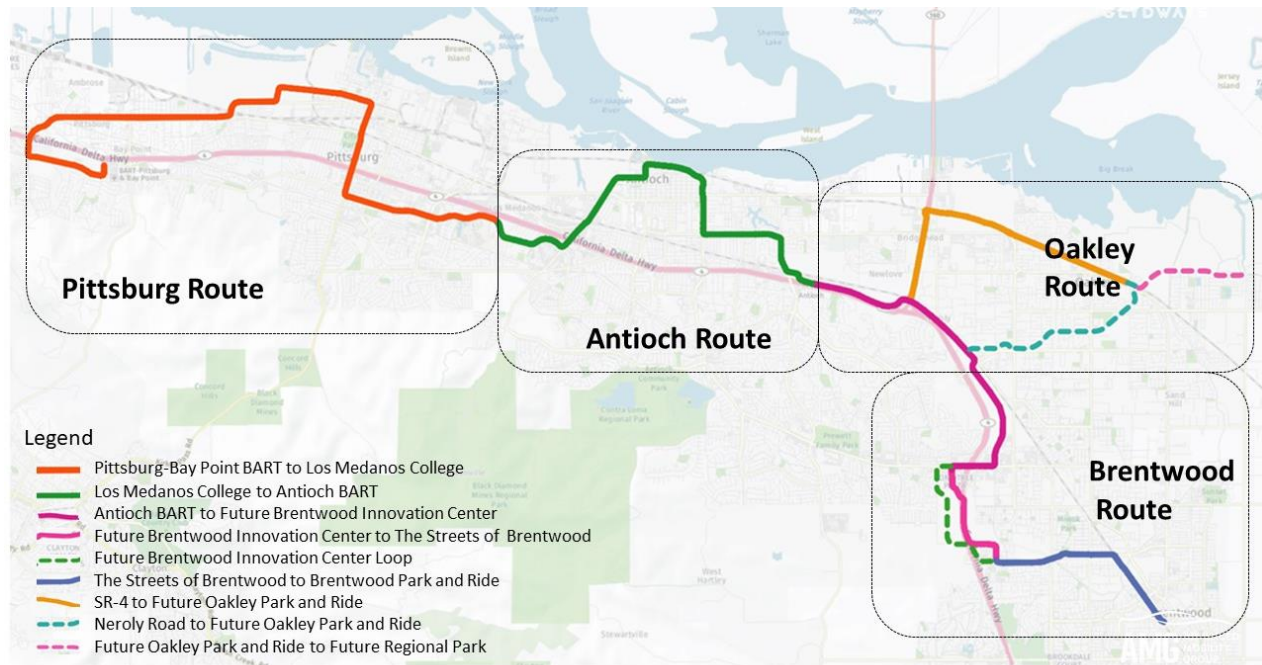


Figure ES1: DPMT Proposed Route Alignment

Table ES1 lists the characteristics, estimated costs, and estimated 2030 (projected opening year) annual ridership. Capital costs include infrastructure (guideway, garage/central control, and vehicle costs) and development costs. Annual Operations and Maintenance (O&M) costs include operating expenses and replacement costs of vehicles and infrastructure. O&M costs also include labor costs and service licensing fees.

Table ES1: DPMT Characteristics, Estimated Costs and Ridership

DPMT Segment	Segment Length	Total Capital Cost (in millions)	Total Annual O&M Cost (in millions)	Estimated 2030 Annual Ridership (in millions)
Pittsburg	9.6 miles	\$196	\$12	2.9
Antioch	6.3 miles	\$121	\$7	2.1
Oakley and Brentwood	12.8 miles	\$134	\$10	2.0
Total	28.7 miles	\$451	\$29	7.0

For the purpose of this Study, Glydways technology was evaluated using various criteria with respect to technology readiness, scalability, costs, and return on investment. Financing and delivery of the project is an additional evaluation criterion that is discussed separately in “Feasibility of DPMT Deployment Business Case” section. The summary of the evaluation in comparison to other transit modes is shown in Table ES2.

Table ES2: Evaluation Criteria Matrix - Summary

Attribute	Bus Transit	Rail Transit	Private Car	Glydways DPMT
Technology Level	★	★	★	1
On-demand 24/7	×	×	★	★
Total Trip Time	×	×	?	★
Non-Stop Travel	×	×	★	★
Scalability	+	×	—	★
Safety	+	+	×	★
ADA Compliant	+	+	—	+
Infrastructure Capital Costs	+	×	×	★
Environmental Sustainability	+	+	×	★
Ridership Demand	+	★	—	★
Operating Costs	×	+	×	+
Potential Savings in Accident Costs	+	+	×	★
Barriers in Implementation	2	2 3	—	2 3 4
Risk Management	+	+	—	+

★ Yes/Good	× No/Bad	+ Acceptable	? Varies	— N/A
1 Emerging	2 Funding	3 Environmental	4 Additional Technical, institutional and Societal Barriers	

Potential Public Private Partnership (P3) models with Design-Build-Finance-Operate-Maintain (DBFOM) options to deliver the DPMT system were explored and are recommended for deployment in East County as discussed in “Feasibility of DPMT Deployment Business Case” section. The DBFOM financial model can accelerate deployment of the DPMT, while limiting risk, and ensuring financial sustainability.

This feasibility study concludes that deployment of the DPMT is feasible in East County with the potential following benefits:

- ▶ Supports economic development and creates jobs
- ▶ Congestion relief by converting vehicle trips to transit trips
- ▶ Increased transportation access for underserved communities
- ▶ Cost effective and scalable solution
- ▶ Environmentally sustainable solution
- ▶ Speedy deployment delivered through public/private partnership

Procurement and deployment of a DPMT in East County requires consensus of project stakeholders and decision makers while the success is driven by the adoption by the users. The project requires detailed engineering, environmental clearance, approvals, secured funding, right of way acquisition, construction management, and commitment for safe and secured operations and maintenance. As next steps, execution of a Pre-Development Agreement (PDA) is recommended to initiate a negotiating period during which project stakeholders can discuss and finalize the implementation agreements that are necessary for the comprehensive implementation of the Glydways system; provided by the private sector in a DBFOM environment.

PROJECT BENEFITS

- ▶ Support economic development and create jobs
- ▶ Congestion relief through mode shift
- ▶ Reductions in Greenhouse Gas emissions
- ▶ Increased transit accessibility
- ▶ Increased transportation access for the Underserved
- ▶ Increased connectivity
- ▶ Cost effective and scalable
- ▶ Environmentally sustainable
- ▶ Accelerated deployment through P3



Introduction

This section includes the purpose of the study and an overview of the current demographic, regulatory, and policy context surrounding the existing transportation system in East County.

PURPOSE OF THE STUDY

East County (Figure 1), an area that includes Antioch, Brentwood, Discovery Bay, Oakley, Pittsburg, unincorporated areas of Bay Point and unincorporated areas of Contra Costa County, is an expanding area of economic growth. 79% of area residents drive to work on SR-4 which is a vital regional and interregional commute and trade corridor; and one of the most congested in the Bay Area. Economic expansion is essential for this region and alternative mobility options that supports a transportation mode shift away from single occupant vehicles are needed to keep and promote this area's vitality and to connect it to the rest of the County and the Bay Area. The cities of Pittsburg, Brentwood, Oakley, Antioch, along with Contra Costa County, have collaborated to conduct a feasibility study for potential deployment of DPMT to enhance transit accessibility and connectivity in East County.

The purpose of this Study is to analyze whether constructing and operating the DPMT system in the East County region is feasible and beneficial. The Study investigates the core system of the DPMT, including how it operates, the potential benefits, potential ridership demand, costs of implementation, and identification of risk mitigation strategies, potential business models, and funding strategies. The main purpose of the Study is to inform decision-making entities whether the DPMT system could be successfully integrated over time, to complement traditional bus and rail transit, support the region's greater transportation strategies, and encourage economic growth and vitality.

The East County Integrated Transit Study (ECITS) initiated by CCTA is evaluating the need for transit services in East County. The findings of this feasibility study will inform the ECITS study regarding DPMT as a viable mobility option that could provide necessary transportation service in East County.



Figure 1: East County Map

GOALS + OBJECTIVES

The goals and objectives for this study were drafted in collaboration with the project stakeholders.

TRANSPORTATION CONTEXT

East County is an expanding area with extensive economic growth. The three East County communities that have seen growth rates higher than average in Contra Costa County are Brentwood, Antioch, and Pittsburg. Among these three cities, Brentwood is the fastest-growing community transitioning from a primarily agriculture-based community to a more commercialized and thriving suburb within the greater San Francisco Bay Area. The lower cost of housing compared to other Bay Area communities and continued expansion of jobs along the Interstate 580 and 680 corridors, including in the Livermore Tri-Valley and Concord/Walnut Creek areas are contributing factors to growth.

Transportation through and within East County consists of a network of facilities across multiple travel modes (roadways, rail transit, and bus transit), functions, and capacities. Many agencies oversee the planning, development, operation, and funding of these facilities.

The California Department of Transportation (Caltrans) manages the state transportation network. Contra Costa Transportation Authority (CCTA) administers the county's transportation sales tax program and is the designated Congestion Management Agency (CMA) for Contra Costa County. At the local level, the Contra Costa County Departments of Public Works and Conservation and Development are responsible for overseeing the planning, design, construction, and maintenance of transportation facilities, including roadway, bicycle, pedestrian, and transit facilities, in unincorporated areas.

Incorporated cities of Antioch, Oakley, Pittsburg, and Brentwood in East County are responsible for overseeing the planning, design, construction, and maintenance of transportation facilities, including roadway, bicycle, pedestrian, and transit facilities, in their respective jurisdictions. ECCTA, a Joint Powers Agency (JPA) consisting of cities of Antioch, Brentwood, Oakley, Pittsburg, and the Contra Costa County, operates fixed-route transit and paratransit service under the name "Tri Delta Transit" and micro transit service under the name "Tri My Ride". The light rail branch line of the Bay Area Rapid Transit (BART) system eBART - East Contra Costa County BART extension - starts at the Pittsburg/Bay Point station and extends to the Antioch station. San Joaquins is a passenger train service operated by AMTRAK in the San Joaquin Valley. The San Joaquins route passes through East County and connects Stockton, in the Central Valley, with Oakland in the San Francisco Bay Area. AMTRAK stations in East County include Antioch station and proposed Oakley station.

GOALS + OBJECTIVES

- ▶ Provide Transit Accessibility at no cost to cities
- ▶ Provide Transit Accessibility to ensure Economic Development and attract employers
- ▶ Complement the Feasibility Study with a PDA to attract Public Funding and Private Financing to implement through DBFOM environment

Regional highway access to East County is primarily provided by State Route 4 (SR 4), which extends east-west through the county. The SR 4 corridor connects East County to other East Bay cities to the west and Discovery Bay and Stockton and the central valley cities to the east. Regional public transit is provided by BART's Antioch to San Francisco Line that serves East County with Pittsburg/Bay Point, Pittsburg Center and Antioch stations. "The eBART Next Segment Study" includes alternatives to extend the rail system within the median of SR 4 to a new terminus station in Brentwood. Tri Delta Transit provides fixed-route and on-demand service from East County to the BART system and regional job centers to accommodate the commuter workforce population. Figure 2 illustrates transportation services available and planned in East County.

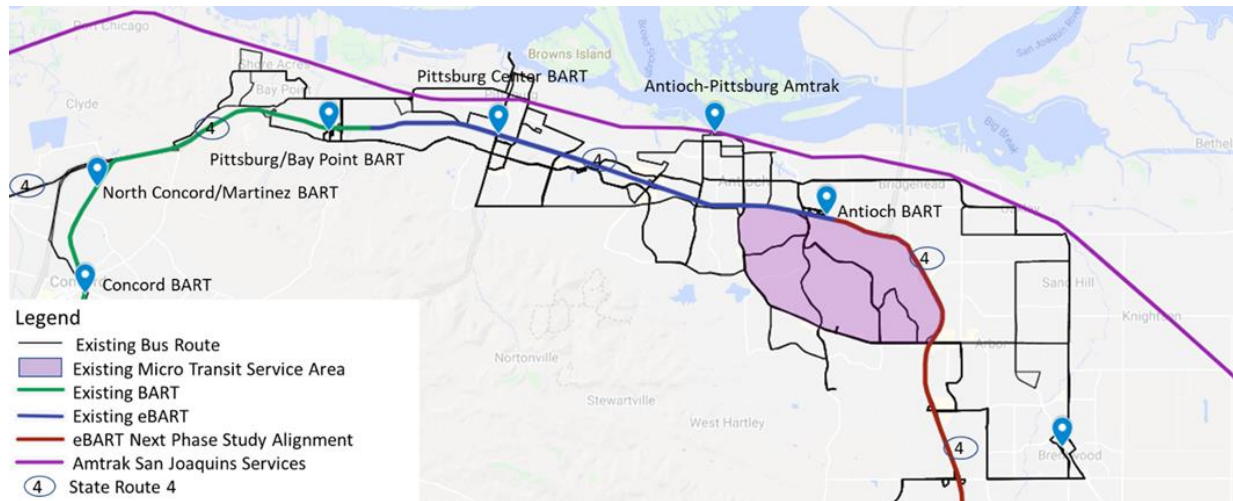


Figure 2: Transportation Services in East County

Based on 2019 census data, 'Driving Alone' is the dominant commute mode used by 71% of residents of East County. Carpooling is used by 16% of residents and approximately 6% use public transit to get to work. A small percentage of residents, approximately 2%, use bicycling, walking, or other means to commute. Approximately 5% of the people reported that they work from home. Figure 3 and Figure 4 show high minority (more than 65%) and high poverty (30% or higher) census tracts in East County, respectively.

Figure 3: High Minority Census Tract – East County

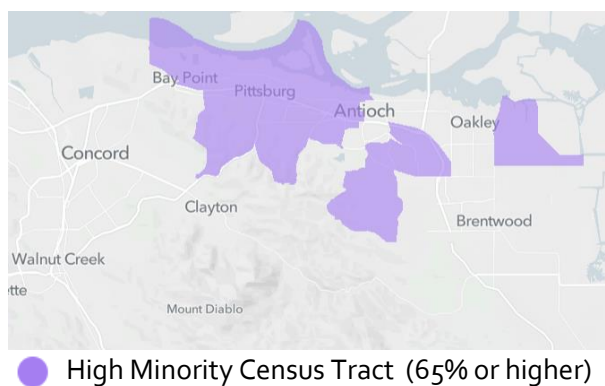
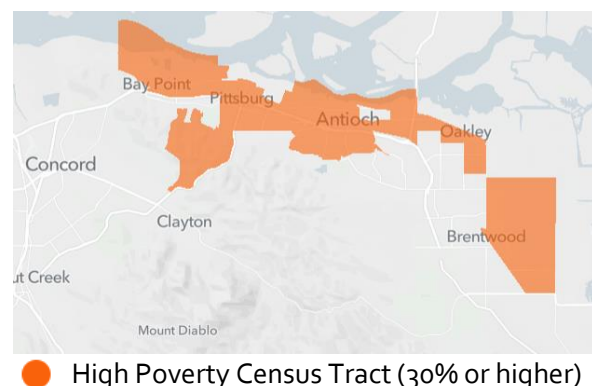


Figure 4: High Poverty Census Tract – East County



TECHNOLOGY FEASIBILITY

The transportation system in East County has been significantly impacted by the COVID-19 pandemic. Day-to-day social and travel behavior has drastically changed within the region, as has been the case throughout the San Francisco Bay Area and the state. Transit ridership has dropped significantly, and commute times are currently more comparable to pre-COVID-19 levels on SR 4 due to increased use of single occupant vehicles. Even before COVID-19, fixed-route bus transit ridership had been declining as travel time reliability and overall long commute times remained the biggest challenges for transit. As cities and transit providers plan for re-opening post COVID-19, they need to factor in budget constraints, congestion, adoption of new regulations such as California's plan to eliminate gasoline powered vehicles in 15 years, and also prepare for new technology and growth.

New transportation technologies and services are emerging and evolving. On-demand services such as Lyft, Uber, and other transportation network companies operate in East County to meet customers' demand. Technology growth in recent years has brought automation capabilities to all aspects of our transportation system. While the automation of vehicles and services is relatively mature in the rail transit industry, bus transit and personal vehicles still lag in automation. Connected and Automated Vehicle (CAV) technology is slowly progressing through pilot programs, partnerships, private sector involvement, and research activities in bus transit automation.

Technologies like DPMT come with innovative strategies that can bring much needed on-demand transit service to East County where important factors like ride time, wait time and ride quality can be greatly improved. With much of the community in high minority and high poverty areas in East County, the passenger's willingness to board the system, or not to board the system, will greatly depend on the fare structure of the system as well. Various factors along with the issues and risks are assessed in this feasibility study to determine the viability of DPMT in East County.



Technology

Hybrid transportation systems similar to the DPMT have been proven in the past as Personal Rapid Transit (PRT), Group Rapid Transit (GRT), and Automated Transit Network (ATN) systems, first introduced in 1975 in Morgantown, West Virginia. The concepts have had varying success gaining acceptance despite clear advantages in capital/operating costs, flexible operating capability, personalized safety, convenience, and scalability. However, recent transportation technology advances, dynamic block control, Artificial Intelligence (AI) and cloud computing, which is implemented in DPMT, makes it a viable micro transit option in the era of redefining mobility. This section reviews the DPMT technology, how it operates, technical requirements, and its potential benefits.

CONCEPT

Glydways is a phased, ATN based transportation solution that can bring micro transit connectivity to East County. The features of the proposed Glydways system fits within the characteristics of ATN that is sometimes referred to as PRT. ATN characteristics are:

- ▶ Direct origin-to-destination service with no need to transfer or stop at intermediate stations.
- ▶ Small vehicles available for the exclusive use of an individual or small group traveling together by choice.
- ▶ Service available on demand by the user rather than on fixed schedules.
- ▶ Fully automated vehicles which can be available 24 hours a day, 7 days a week.
- ▶ Vehicles operating on a guideway that is reserved for their exclusive use.
- ▶ Small (narrow and light) guideways that are elevated, at ground level or underground as required to meet the needs of rights of way and cross traffic while delivering non-stop seamless travel.
- ▶ Vehicles able to use all guideways and stations on a fully connected network without any restrictions.

GLYDWAYS SYSTEM

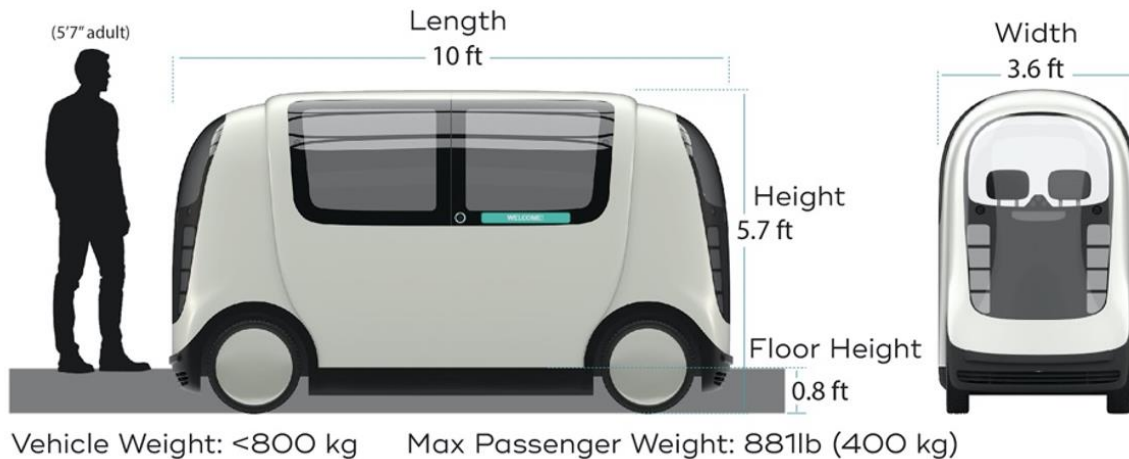
Glydways system consists of a fleet of electric vehicles operating on-demand in a dedicated paved pathway. The operating space is created from repurposed roads or built anew in a dedicated structure. The vehicles are autonomous and independent yet

AUTOMATED TRANSIT NETWORK CONCEPT

- ▶ Direct origin-to-destination service
- ▶ Personal vehicles
- ▶ On-demand service
- ▶ Fully automated vehicles
- ▶ 24/7 availability
- ▶ Low cost
- ▶ Narrow and light connected exclusive guideways
- ▶ Requires less right-of-way than traditional transit

orchestrated by local and central control as a “system of systems” to provide potential capacities of up to 10,000 persons/hour in each direction. The Glydways system consists of three elements; the vehicles, infrastructure, and Continuous Flow System Control.

Figure 5: Glydways Vehicle



Vehicles

Glydways vehicles, shown in [Figure 5](#), use standard parts and technology currently available and built in the U.S. The Glydways vehicle is a lightweight electric vehicle designed for reliable, efficient, and comfortable urban mobility. The Glydways vehicles are bidirectional electric vehicles equipped with full functionality steering, sensing, and control in each direction. The deployed system in East County will typically operate at an average speed of 31 miles per hour (mph) for safety and battery efficiency even though Glydways vehicles can travel at speeds up to 62 mph. Glydways vehicles can accommodate up to four (4) people, a wheelchair and a companion, or a bicycle and (3) passengers.

Infrastructure

The proposed Glydways system consists of elevated, at-grade or underground guideways for main vehicle fleet throughput, with all boarding zones at ground level.

Guideways: The guideway, as shown in [Figure 6](#), can be a one-way or a two-way track that can be implemented above, at, or below grade and is exclusively grade/barrier separated. Where the guideways are at-grade, fencing, walls, or other appropriate barriers will maintain right of way integrity. The size, spans, and methods of construction are like pedestrian and bicycle bridges with similar design and approval requirements. Because Glydways vehicles can reverse directions along the line at every boarding zone, there are no turnarounds required in this system which reduces system footprint.

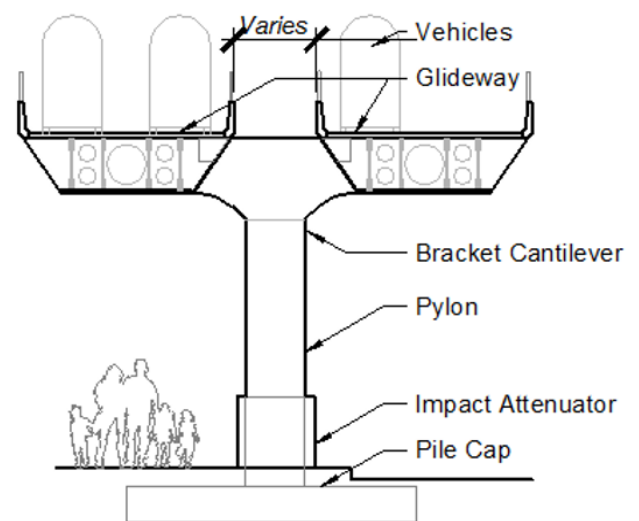


Figure 6: Glydways Overhead Guideway

Boarding Zones: Glydways passengers can access the system via boarding zones. Each boarding zone, as shown in Figure 7, consists of a simple concrete platform, the array of boarding spots, and canopy structures that serve as cover for the boarding zone space. The canopy structure also provides opportunities to incorporate lighting, wayfinding, and system signage.

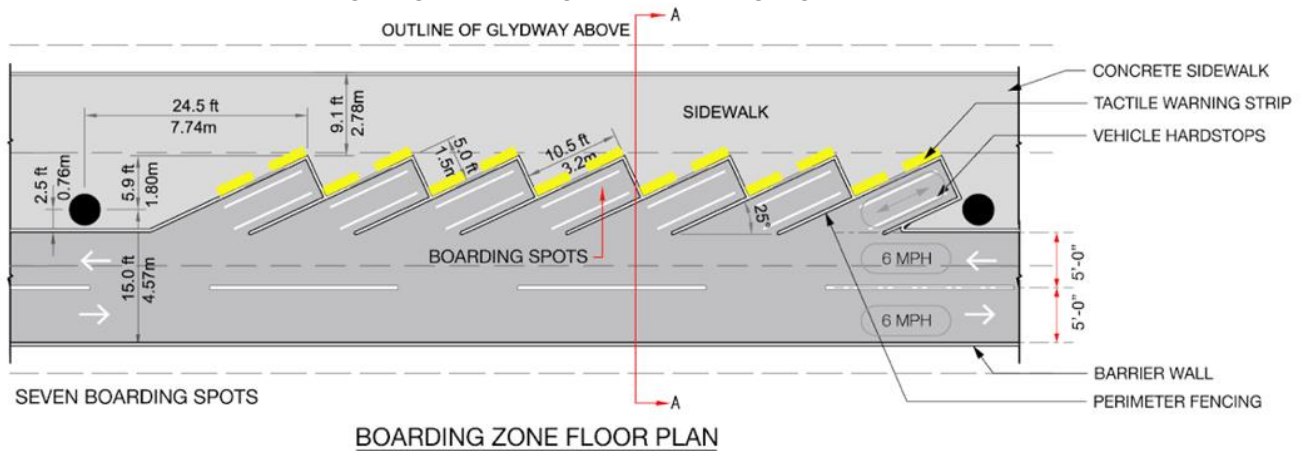
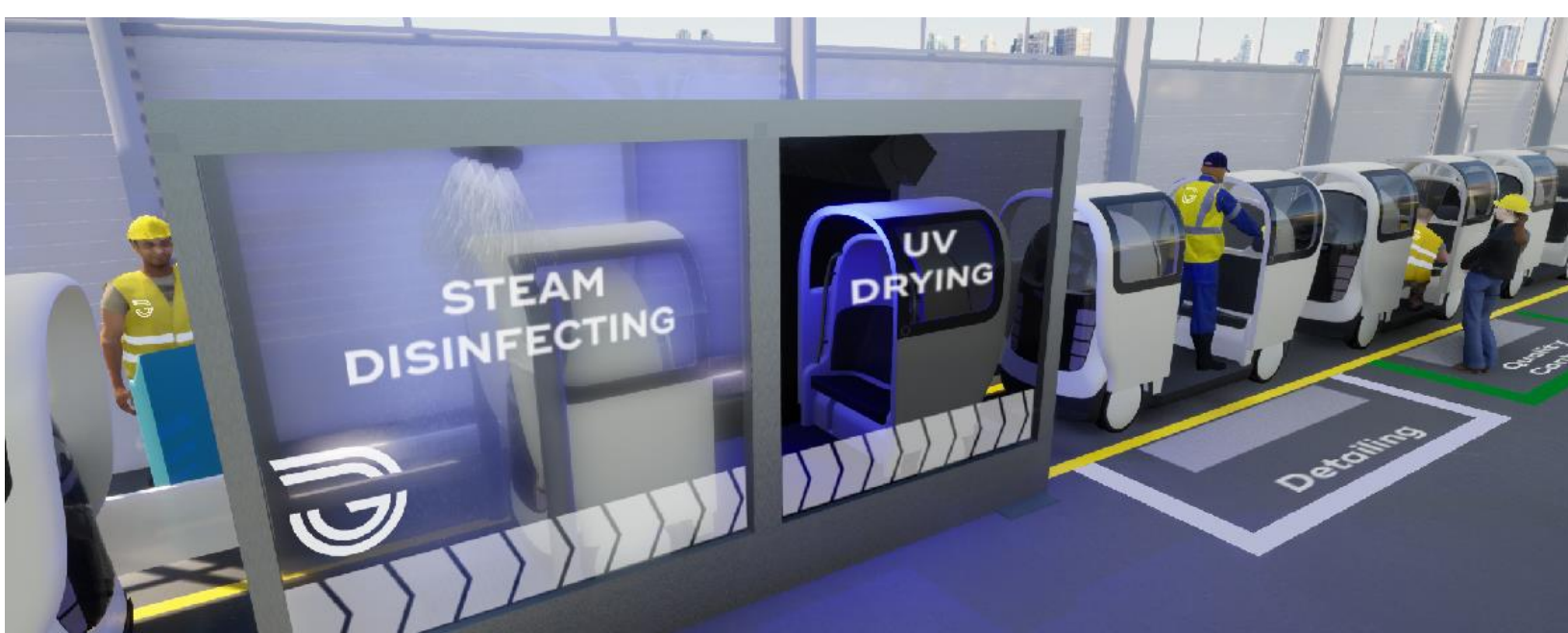


Figure 7: Glydways Boarding Zone

Garages: The Glydways Maintenance and Storage Facilities (MSFs) are very small and can be accommodated inside existing buildings, parking structures or built new. Inside the MSF, the vehicles are stored on simple lightweight steel deck structures. The MSFs will be spread over multiple locations across the system to both minimize footprint as well as reduce rider wait time. As the Glydways system is expanded, additional garages will be built to accommodate the increase in fleet requirements. Charging and vehicle maintenance will occur in these facilities.



Continuous Flow System Control

Glydways' system relies on a Fleet Management System (FMS), Track Management System (TMS), and Boarding Zone Management System (BMS) to maintain the continuous flow of vehicles. [Figure 8](#) shows how the three systems work together.

FMS: The volume of vehicles in a Glydways system is modulated by the FMS by way of garages, which dispatch vehicles into or out of the system throughout the day, matching vehicle supply to both live and historically predicted passenger demand. The FMS's roles include: (i) Coordinate reservations; (ii) fleet supply to demand balancing; (iii) system-wide recommendations to account for emergency requirements; and (iv) act as a central observation point for the control team to react to events. The FMS intentionally does not provide direct control override for individual vehicles. The master control shutoff is located in the system Control Center and can quickly slow each vehicle to a stop in any emergency.

TMS: The TMS maintains a continuous flow of vehicles on a section of track called a trunkline. Under normal operating conditions, the velocity of a vehicle on a trunkline is 31 mph but even at maximum system capacity never falls below a minimum speed (e.g., 15.5.mph).

BMS: Vehicles enter and exit a trunkline to pick up passengers at boarding zones in a process called coordinated embarkation. This process is managed by the BMS.

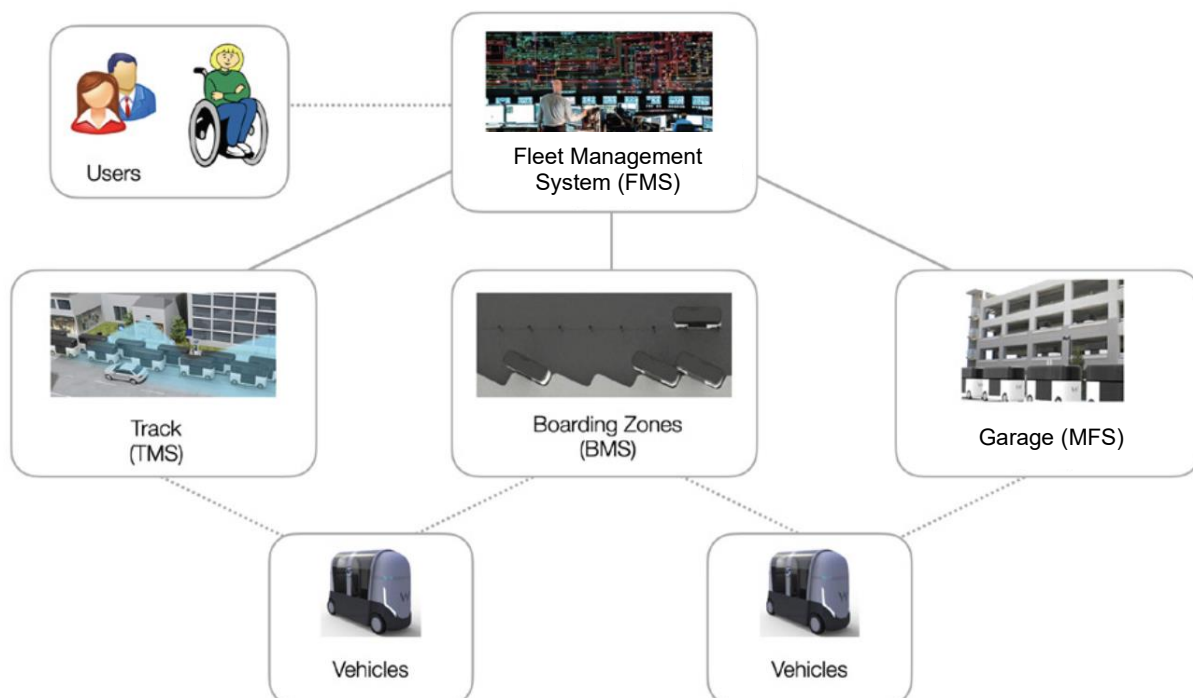


Figure 8: Continuous Flow System

CONCEPT OF OPERATION

This section explains how the Glydways System will be operated in various typical operational scenarios.

Operational Scenario 1: On-demand point-to-point service

Glydways' basic operating model is on-demand, point-to-point service. Passengers can request a ride through a smartphone app or a kiosk at the boarding zone. The request will be processed, and the passenger will be directed to a boarding bay, where identity-based boarding can take place.

Unlike traditional transit modes, Glydways passengers are treated to a personal vehicle with enough room to accommodate travel companions and luggage. The vehicle begins the journey at the indication of the passenger by the way of the "Go" button. Once the journey begins, the vehicle maneuvers from the boarding spot toward the service ramp leading to a continuous flow trunk lane on the main guideway. At the end of the journey, the vehicle maneuvers into a destination boarding with a flush, stable transition from vehicle floor to the boarding platform, which will allow the passenger to disembark easily when the doors open. Glydways' average wait time and boarding process is illustrated in Figure 9.

SCENARIO 1

POINT TO POINT SERVICE

- ▶ On-demand, fully accessible, point-to-point service.
- ▶ User requests service through smart phone app or kiosk at boarding zone.
- ▶ Personal vehicles with enough room to accommodate companions, wheelchair, bicycles, stroller, or luggage.
- ▶ Service via continuous flow trunk lane.
- ▶ Service ends at destination boarding zone.

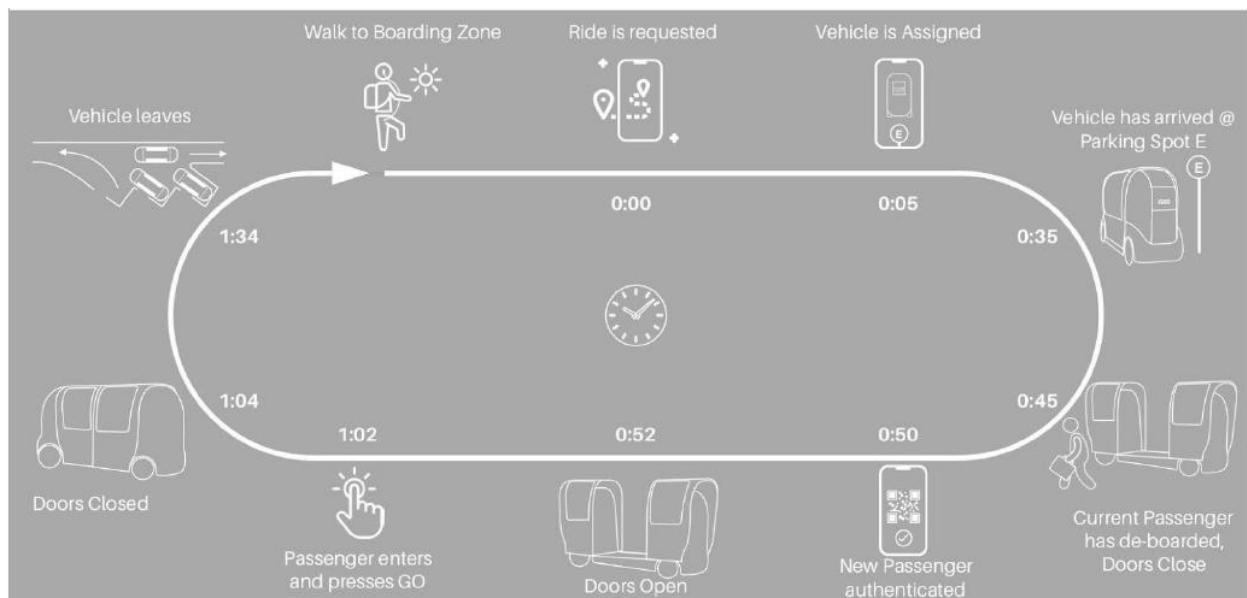


Figure 9: Glydways Boarding Process

Operational Scenario 2: Changing Destination Mid-Route

To maintain system efficiency, Glydways vehicles do not offer changes to the journey mid route if a ride is booked on a kiosk. If the user needs to change destinations, then they can request a stop by pressing the “Stop” button (system chooses the closest possible stop), exit the vehicle, and request a new ride from that station. If the user is using a phone app, the user can change the destination mid-route. If there is no direction change is involved, the vehicle continues to the changed destination. If a direction change is involved, the vehicle will be routed to the nearest boarding zone to accommodate the direction change.

Operational Scenario 3: Technical Problem in the Vehicle

Glydways vehicles are fully autonomous within the Glydways infrastructure and do not need any other system to safely arrive at their destination. Vehicles are equipped with proactive automatic (and continuous) self-checks and assessments to identify problems before they occur and manage them if they occur. Vehicles with any issues pull over into an auxiliary lane, and travel at reduced speed, either to a garage, or if with a passenger, to the nearest boarding zone. Vehicles that cannot travel further pull over into an auxiliary lane and stop, ultimately retrieved by a utility vehicle that can tow the vehicle at low speed to a garage or boarding zone. All vehicles are equipped with communications ability for two-way audio and one-way video. This service gives Glydways central control a way to help direct the outcome of any event. This is of utmost importance as the ideal course of action to an event may not be to exit the vehicle. If a vehicle escape is necessary, the door can be defeated through a top mounted release latch. The door can then be easily pushed back. If the vehicle is turned on its side, then the window gasketing can be removed and the window pushed out similar to a conventional bus window.

SYSTEM REQUIREMENTS

Infrastructure Requirements

- ▶ The elevated, side-by-side configuration can range from 24’ wide to 36’ wide (the width of two to three car lanes) where

SCENARIO 2 MID-ROUTE DESTINATION CHANGE

- ▶ User requests a stop, exits the vehicle, and requests a new ride.

SCENARIO 3 HANDLING TECHNICAL PROBLEMS IN VEHICLE

- assessments to identify problems before they occur.
- ▶ Problem vehicles reduce speed to pull over to auxiliary lane, garage, or boarding zone.
- ▶ Vehicles equipped with two-way audio and one-way video communication.
- ▶ Glydways central control determines ideal course of action to resolve event.

two ramps descend to the boarding zones or rise up to access a T-Junction.

- ▶ The elevated, vertically stacked configuration requires a min. of 17' wide profile which can range from 13' – 17'.

Vehicle Performance Requirements

- ▶ **Acceleration** | 3.43 m/s/s
- ▶ **Boarding Zone Arrival/Load Time** | 50 seconds average
- ▶ **Speed** | 31 mph (Average Speed)

System Maintenance Requirements

- ▶ **Guideways** | **Industry standard** Periodic structural inspections and track monitoring system and repair. Resurface the running surface every 15 years.
- ▶ **Vehicles** | Calibration, inspection, cleaning every time a vehicle enters the garage. Rigorous maintenance of battery and doors. Battery replaced after 250,000 miles. Tires replaced every 60,000 miles.
- ▶ **Garages** | Building maintenance like a regular office. Vehicle charging is facilitated through commercially available direct DC charging.
- ▶ **Central Control** | Periodic replacement of equipment like an IT server center.
- ▶ **Software** | Upgrades, maintenance, and protection by skilled technicians.

CONCEPTUAL LAYOUT

Conceptual route alignment was developed with the feedback received from stakeholder jurisdictions in East County. The feedback was collected through a series of meetings with individual cities and through a series of stakeholder workshops.

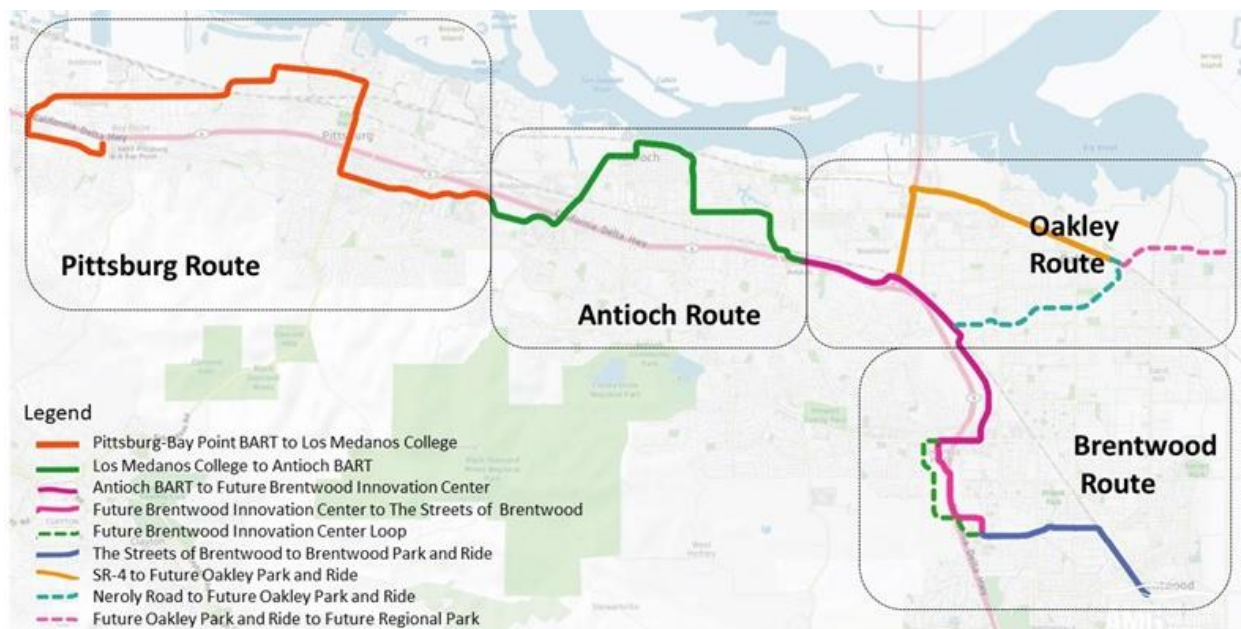


Figure 10: DPMT Proposed Alignment

Figure 10 shows the proposed route alignment through the cities of Pittsburg, Antioch, Oakley, and Brentwood. The alignment shown in dashed line in the figure represents routes for future considerations.

Figure 11 shows the transportation services in East County with an overlay of the proposed DPMT alignment which connects all the mass transit stations in the service area and complements the existing transit options. Table 1 lists the characteristics of the conceptual layout. Quantities in the Table 1 do not include information for the future route considerations.

The proposed alignment connects existing and planned residential, medical, institutional, business, and industrial developments/centers with multimodal transit stations in East County as a continuous route. The proposed route uses existing public right of way of roadway network, unused railway tracks, exiting water facility right of way, and through planned development areas. Note that the routing and station locations shown are not intended to be final and is subject to change as the engagement with individual jurisdictions, transit agencies, and other project stakeholders continues throughout the development of the project. DPMT has the capability to be scaled up or down to meet demand and locations. It would be possible to start with a simple demonstration system and to scale up from there in phases. It is also possible to add more connections to new neighborhoods and activity centers as they are developed. As new routes and boarding zones are added, the new boarding zones will be accessible from the existing system with no transfers necessary.

Table 1: DPMT Conceptual Layout Characteristics

Feature	Quantity
At-grade Segment (miles)	11.4 miles
Elevated Segment (miles)	17.3 miles
Total Length (miles)	28.7 miles
Boarding Zones	56
Average Speed of Glydways Vehicle (mph)	31 mph

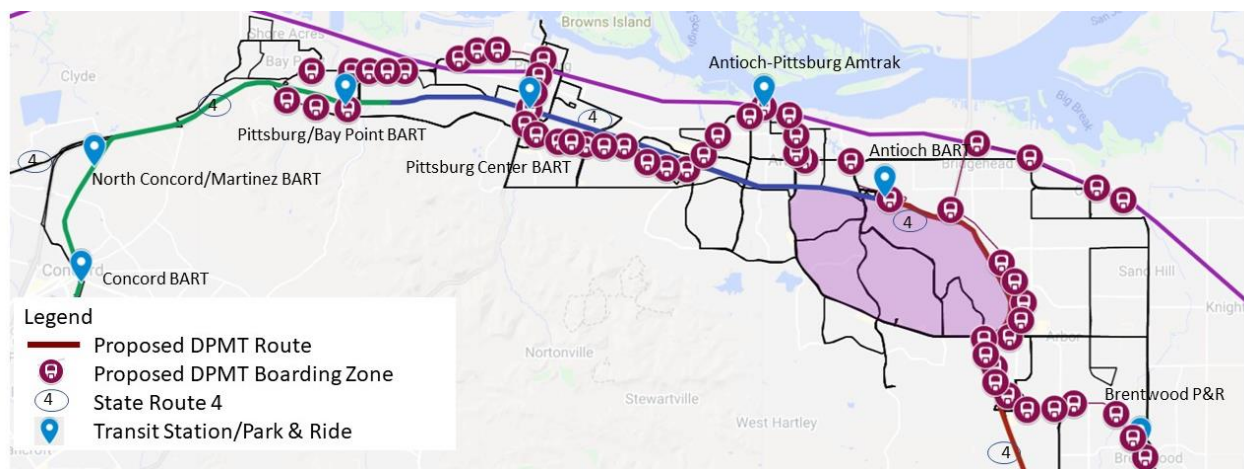


Figure 11: Transportation Services in East County with DPMT Route Overlay

POTENTIAL BENEFITS

Economic Development | Real estate and land values in areas served by boarding zones connecting the DPMT network are expected to rise. Easier access and connections to regional transit services are expected to attract businesses to East County which in turn will increase the need for additional housing development. With the potential of many trips to and from the DPMT boarding zones, ease of transit access is expected to shift users from cars to transit. This would potentially reduce the need for increased parking supply and expand local road capacity reducing road gridlock, travel times and environmental impacts.

In addition, DPMT fits within the vision and goals of the Northern Waterfront Economic Development Initiative (NWEDI), an effort by the County and East County cities to revitalize the north waterfront area of Contra Costa, create jobs, and invest in the local communities and human capital. DPMT would provide alternate commute mode with enhanced connectivity to northern waterfront area which would further enhance NWEDI's competitiveness of regional economy. Support investment in transportation projects is identified as one of the objectives in NWEDI to achieve the goal to enhance regional competitiveness.

Passenger Experience | For commuters in East County who desire reliable public transportation with direct connections to their destination, DPMT can provide on-demand transit options with shorter connection times. Users of the DPMT system can avoid delays associated with traffic signals, crowded transit vehicles, and long dwell times at intermediate stops. The ability of the DPMT system to provide service with approximately one minute wait times is not achievable with any other transit service or ridesharing services that are currently available for East County users. Additionally, with DPMT, youth, the elderly and disabled who are unable to drive, and those who do not own a vehicle, will have more transit options. Users will have the potential to save considerable time traveling within East County and the ability to connect with other regional transit services for travel to other parts of the Bay Area and beyond.

Environmental Benefits | As federal, state, and local agencies are moving towards cutting greenhouse gas emissions and moving towards a carbon-free economy, ATN can significantly contribute to reducing fuel consumption. Use of energy-efficient electric vehicles reduces emissions that contribute to climate change and impact air quality, improves public health, and reduces ecological damage. The modal shift from private cars to DPMT contribute to additional air quality and congestion relief benefits.

The use of DPMT technology provides users the ability to plan efficient routes to transport people from point to point and make trips only when there is passenger demand. By reducing the trips without any passengers DPMT has the potential to reduce the total Vehicle Miles Traveled (VMT) and make each mile traveled more efficient.

Roadway Congestion | East County residents experience significant congestion on local roads and the SR 4 freeway, especially during AM and PM peak weekday hours. Introduction of ATN like DPMT brings the potential to carry a significant number of people during peak hours thereby increasing the overall transportation capacity. Increased capacity reduces the burden of excess demand on congested road networks.

Safety Benefits | The system operates on a dedicated guideway and does not mix with other roadway users (vehicles, trucks, bicycles, and pedestrians) on city streets, decreasing the chances for vehicular or pedestrian conflicts.

Cost Benefits | The cost benefit potential of DPMT is multi-fold. Cost savings can be realized in construction with narrower and smaller infrastructure needs when compared to transit modes of similar capacity, lower operating costs resulting from automation, fuel cost reductions, and cost savings associated with increased safety.

Technology Evaluation

DPMT can be defined as a truly disruptive innovation, with the ability to change how East County residents' commute. The system involves permanent infrastructure that would become part of East County's transportation network. This section identifies various criteria to determine the feasibility of DPMT by assessing technology and implementation. Project delivery methods and financing options are discussed in the next section.

TECHNOLOGY READINESS

Transportation options such as BART, buses and automobiles are mature industries. Technology Readiness Levels (TRL) is a federal measurement system used to assess the maturity of a particular technology. Each technology is evaluated against the parameters for each technology level and is then assigned a TRL rating based on the project's progress. For the transportation industry there are nine technology readiness levels. TRL 1 is the lowest and TRL 9 is the highest. Currently, all aspects of the Glydways system have achieved TRL 3 while significant portions of both the hardware (vehicle, autonomy stack) and the software (vehicle and zone agents) have achieved TRL 4. TRL of specific components are included in Table 2. TRL 4 represents that the components are valid in a laboratory environment. The technology readiness of Glydways is considered emerging as the prototype needs to be demonstrated and proven in an operational environment to reach TRL 9. Technology with TRL 7 will provide a minimum viable product.

Glydways is in the process of building an outdoor full-scale Proof of Concept (PoC) at the GoMentum station. The DPMT prototype system is a half-mile long segment with all the components of a Glydways system: trunk, elevated and grade sections, garage, two boarding zones, form factor accurate vehicles and associated TMS, BMS, and FMS. Phase 1 will be completed by summer 2021.

EVALUATION CRITERIA

- ▶ Technology readiness
- ▶ Passenger convenience
- ▶ Scalability
- ▶ ADA compliant
- ▶ Environmental sustainability
- ▶ Ridership
- ▶ Costs
- ▶ Risks

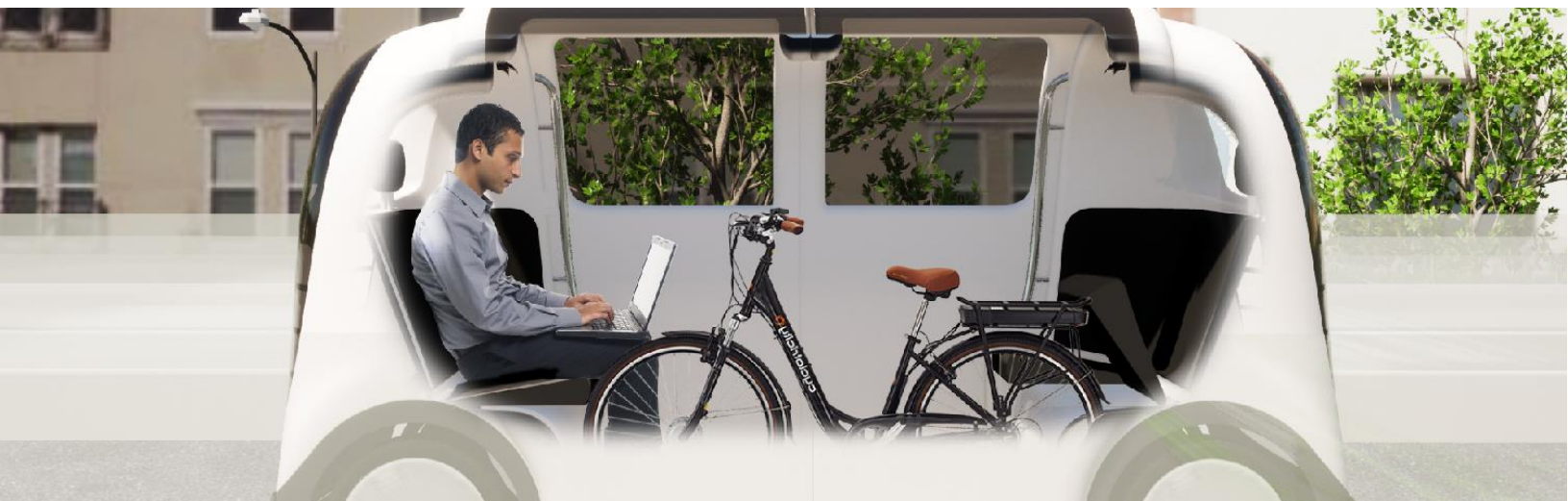
Table 2: Glydways Technology Readiness

System	Sub System	TRL	Demonstrated Capability
Infrastructure	All	3	Structural components have been designed using industry accepted practices.
Vehicle	Powertrain	3	Concept based on off-the-shelf hardware with known performance.
	Top Hat	4	Concept form factor validated with full-scale prototype model.
	Autonomy	4	Both software and hardware stack concept validated using 1/5 scaled vehicles.
Software	Vehicle	4	Both tracking and autonomy modules have been demonstrated using 1/5 scaled vehicles.
	Track & Boarding Zone	4	Track and Boarding Zone modules have been demonstrated using 1/10 scale systems.
	System-Level	3	Overall system functionality modeled, and performance validated using simulation.

PASSENGER CONVENIENCE

Most public transit service in East County operates on a fixed route and fixed schedule. Tri Delta Transit operates Tri MyRide, an on-demand micro transit service, with limited weekday hours. Wait time for transit depends on the transit schedule, stop delays, and delays associated with traffic and unforeseen conditions. These delays add to the total trip time. Rail transit has fewer stops than bus transit but there is rarely a non-stop trip when using any of these transit options. Traveling in a personal vehicle usually quicker than transit as transit riders typically experience unnecessary delays associated with wait time and stop frequency. However, traffic congestion, while experienced by both cars and transit, is especially stressful on vehicle drivers as the time spent in traffic requires mental focus that can be used for relaxing or other purposes while commuting on public transit or traveling via another shared mode of transportation.

DPMT can provide a 24/7 on-demand service depending on the ridership demand and economics of the solution. Vehicles are expected to be available in less than a minute from when a user requests it. The minimum time from when a vehicle arrives at a boarding zone to when it leaves is roughly 30 seconds,



with the average time expected to be around 50 seconds, comfortably enabling a boarding zone throughput of 70 events per hour per spot. Glydways operates on a dedicated right of way and can control vehicles and the infrastructure environment. This aids in an increased level of service reliability. Passengers will have the ability to use a phone app or a boarding zone kiosk to request a ride. Transit fare cards like Clipper card are redeemable at the boarding zone kiosk or through the Glydways phone app. These on demand vehicles and seamless ticketing services will provide a convenient and personalized routing experience for the users.

SCALABILITY

Glydways control envelope is disaggregated into vehicle, localized control, and overall fleet balancing. Each control component has been designed to be a discrete element without relying on the larger system to function safely. Because of this, a Glydways system can be built incrementally, boarding zone by boarding zone and commissioned by guideway extension individually, if needed, with unprecedented levels of customization. Similar to other network services, as the network expands, infrastructure is built to support it. These are separated into three aspects: Garage, Boarding Zones and Central Control. Flexibility and incremental expansion is a hallmark of a Glydways system. Ultimately, future expandability is constrained by existing peak trunkline capacity, ~10,000 ppl/hr. for a single lane. Trunkline capacity can always be increased by adding parallel/stacked lanes.

SAFETY

Bus transit and automobiles deal with crossing traffic that can increase the potential for accidents. The dedicated DPMT offers right of way with no crossing traffic, reducing potential conflicts.

Regulatory compliance, codes, and safety certifications are well defined for transit systems and cars. As no system such as Glydways has been certified in California, new standards will be established for the operation and construction of the system by the California Public Utilities Commission (CPUC). For vehicles, Glydways uses design and operations standards set forth in ANSI/ASCE/T&DI 21-13 as a guideline, which establishes the minimum requirements necessary to achieve an acceptable level of safety and performance for an automated people mover (APM) system.

Glydways will certify the system under the CPUC through the process of submission of a Safety Certification Plan (SCP) for the system deployed. The purpose of the SCP is to document the procedures, responsibilities, and processes for the certification and safe ongoing operation of the Glydways system. It provides a context for verifying that the appropriate safety and security-related activities are documented and performed in support of each Certificate of Conformance (CoC) issued. The SCP will document the design, manufacture, and commissioning of the Glydways system and ensure compliance with the SCP. The certification process will consist of five steps:

1. Create a list of certifiable factors
2. Define the conformance checklists and items to be tracked
3. Verify compliance with the requirements
4. Audit the compliance with requirements
5. Document the review and approval process

AMERICAN WITH DISABILITIES (ADA) REQUIREMENTS

Transit systems must comply with ADA requirements. BART stations require ADA ramps, fixed-route buses require lifts and service must be augmented with ADA paratransit accessible buses. The Glydways system has been designed and reviewed for conformance to ADA standards for public vehicles and facilities (boarding zones) listed below. In summary, Glydways system provides all the ADA features expected in public transit systems.

- ▶ **Overview of Requirements**
 - Rider information
 - Barrier-free movement
 - Seamless boarding transition
 - Service animals
- ▶ **Architectural Requirements:** As a fixed-route transportation system operating along a prescribed route, Glydways will provide:
 - Announcements at stops
 - Vehicle destination information
 - Lifts and ramps
 - Lighting and Tactile Surfaces
 - Turning room, hand-rails, and pull cords
- ▶ **Unique Glydways Accessibility Features**
 - Level, stable roll-in boarding
 - Fencing and tactile floor strips

ENVIRONMENTAL SUSTAINABILITY

Transit is generally considered more environment friendly than cars. However, the efficiency per passenger goes down if transit is running with few or no passengers. Glydways is designed to meet the environmental sustainability challenge of the next century. The low-profile nature of the infrastructure allows for faster and cheaper deployment without sacrificing capacity and system resiliency. There are ample opportunities within the Glydways clean-technology system to incorporate additional sustainability measures to save on costs, energy, and space. The disaggregated model translates to direct implications on the impact and carbon footprint of the system.

- ▶ **Streamlined Infrastructure |** Glydways can maintain a low visual and audible cross section through its low speed, and four-foot-wide vehicles. The width of the guideway at 24' to 30' feet for a two-way segment is narrower than a trackway of a typical light rail transit. This leaves more room for community essentials such as natural habitat and public space.
- ▶ **Limiting Emissions |** Carbon impact is in direct proportion to the energy required to move a single person. Carbon mitigations can be manifested through reduced VMT by automobile.
- ▶ **Carbon Efficiency |** Based on Glydways calculations, Glydways generates less carbon per mile than Urban rail, Bus Rapid Transit, and electric/gas/hybrid cars.
- ▶ **Technological Flexibility |** A Glydways system can leverage renewable resources through its use of electric vehicles, off-peak charging, and integrated solar options.

RIDERSHIP DEMAND

Before COVID-19, the average annual ridership of Tri Delta Transit was approximately 2.7 million and the average annual ridership of BART in East County was 2.2 million which represents the transit mode share in East County. In comparison, the annual traffic on SR 4 alone was 52 million vehicles/year, which represents the bulk of car mode share in East County. As part of the feasibility study, AMG conducted analysis to estimate potential ridership demand of DPMT.

The route alignment and boarding zones of proposed DPMT was overlaid on a census map (Figure 12) to determine population within 0.25-mile walking distance of boarding zones. Populations further than 0.25 miles from a boarding zone were not considered in the ridership demand forecasting as they may require another mode of transportation to reach the boarding zone. The census data included mode share split of workers' commuting trips. The Longitudinal Employer-Household Dynamics (LEHD) for the year 2018 within the census data was looked at to determine the number of workers who work in the selected area and live outside, the number of workers who live in the selected area and work outside, and the number of workers who work and live in the selected area. This data was used as a base to determine the number of potential work trips and home-based work trips that DPMT can capture.

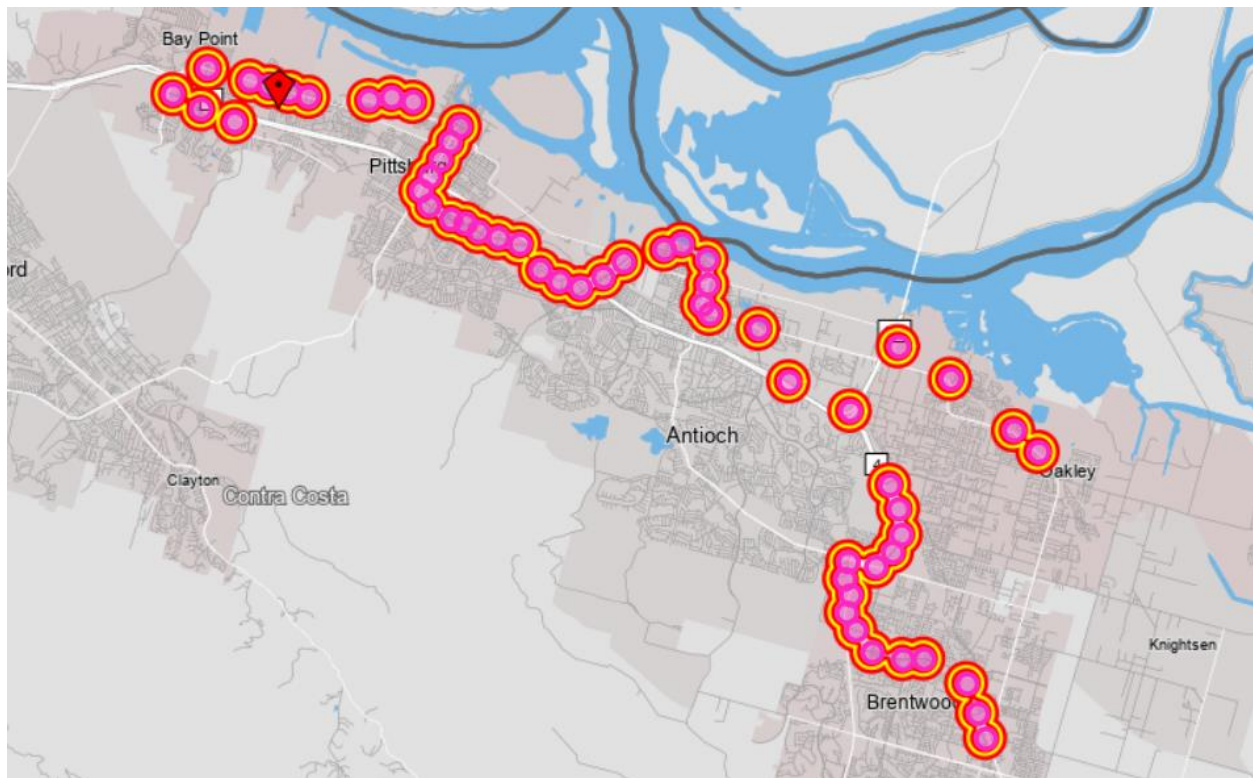


Figure 12: Proposed Glydways Boarding Zones within 0.25-mile buffer

The transit passenger profile based on MTC's 2019 Tri Delta Transit On-Board Survey indicates that nearly 60% of Tri Delta Transit trips are home/work related and 40% include social, recreational, shopping, school/college based, medical and other trips. The 2019 average daily ridership of Tri Delta Transit fixed routes indicate that weekend ridership is approximately 30% of weekday ridership. The census data and the current transit passenger profile were used to estimate the total number of annual

person trips for the analysis year 2021. Annual growth in number of workers, mode splits, and ridership patterns were considered to be fixed from 2018 to 2021. Although there were changes in commuting patterns due to COVID-19, these changes were considered temporary and the base conditions for the analysis were pre COVID-19 conditions.

It is assumed that the DPMT system will be in operation for 30 years starting in the year 2030. Ridership growth projections are based on 0.5% annual growth from 2021 to 2060 plus trip growth from planned projects (developments expected in the study area, which was determined based on the discussions with project stakeholders) from 2030 to 2060 with full development by the year 2060. Figure 13 shows the future planned development locations considered in the growth projections. Linear growth was assumed between 2021 to the end of 2060 to determine the opening year 2030 estimated annual person trips. The potential additional growth in the area resulting from the introduction of innovative transportation solutions like DPMT was not considered.

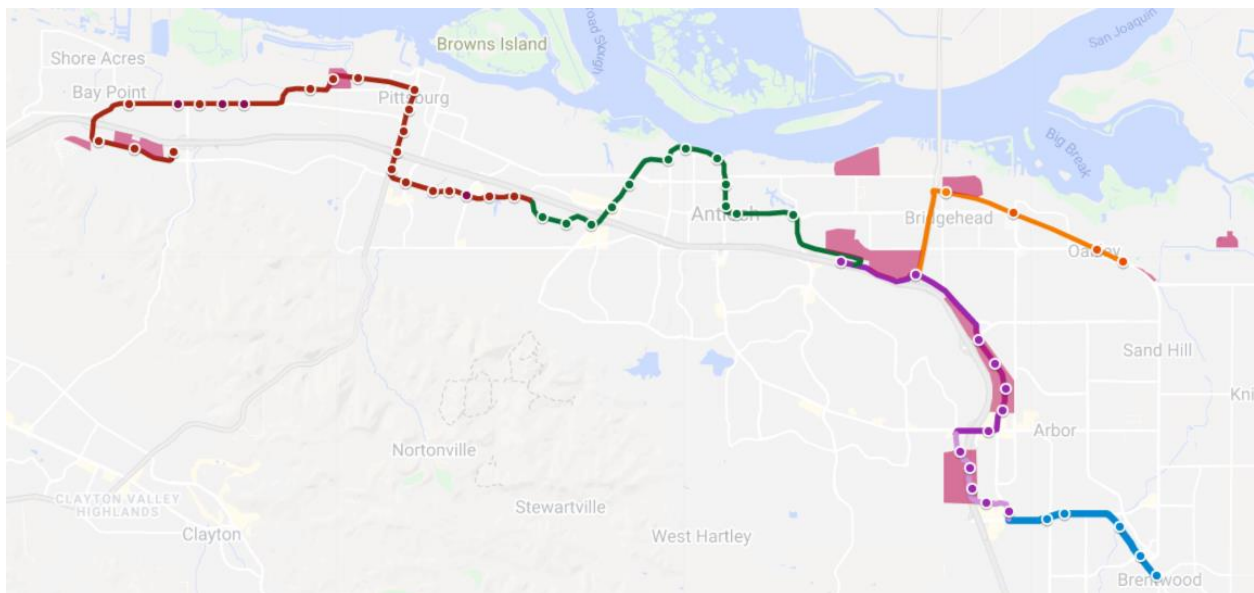


Figure 14: Future Planned Developments in East County – with DPMT overlay

The current mode choices available for commuters in East County are public transit, car (drive alone and carpool), bike, walk and ride-hailing options. Introduction of the proposed system will add DPMT to the available mode choices for commuting in the area. The shift from current modes to the DPMT mode was estimated using the logit model (Rongfang Liu, 1997) to determine mode share shift based on the travel costs and travel time. These factors are comprised of the in-vehicle travel time, out-of-vehicle walking, waiting times, and the anticipated travel costs.

1. **Mode Shift from Public Transit |** The proposed alignment of the DPMT system is designed to connect the existing multimodal stations and high activity centers that could use additional public transit services and future developments. Though in practice, DPMT will serve some of the trips included in current public transit mode share, these trips are considered complementary to the existing public transit and were not included in the estimated ridership for DPMT.
2. **Mode Shift from Walk and Bike |** Commuters walk or bike to workplaces, schools, and other activities when it is practical based on trip distance, weather, and route safety. Some

commuters choose these modes of transportation for health and environmental benefits. It is assumed that this will continue after the addition of DPMT as another choice for commute and these trips were not included in the estimated ridership for DPMT.

3. **Mode Shift from Ride-hailing Options** | In practice, there might be a shift from ride-hailing options to DPMT with increased convenience and safety when factored with a comparable or better fare structure. However, the percent of commuters currently using this mode as their primary commute choice is low and is not included in the DPMT estimated ridership.
4. **Mode Shift from Car** | Mode shift from car to DPMT was calculated using logit model using travel costs, waiting time, and travel time. The actual in-vehicle travel time and zero wait time was considered for car trips that drive alone. Waiting time was added to the carpool trips to account for the time waiting for the ride to arrive. Travel speeds of 31 mph, one minute wait time and five-minute walk time were used for the DPMT system consistent with the simulations performed by Glydways and other ATN studies. Usually, the perceived monetary costs are less than the actual costs for automobile trips as costs of ownership, insurance and automobile maintenance are often not considered by riders. There might be parking, and toll costs involved at the destination for trips using cars. There will be a fare structure to use the DPMT system and some of these trips might include parking fees at the origin. With all of these perceived monetary costs considered and with the fare structure of the DPMT system unknown, the monetary costs to use both modes is considered to be the same.

Based on the methodology and assumption mentioned above, the estimated 2030 annual DPMT trips capturing commuters within 0.25-mile distance of the boarding zones are around 13 million. Using conservative numbers for non-work trips (20% of work trips) and better travel speeds for cars because of reductions in car traffic due to DPMT ridership, the estimated 2030 annual Glydways DPMT estimated trips are around 8.8 million. The estimated trips were further reduced by 20% to estimate the low end of the ridership capture potential. Table 3 includes the low-end ridership demand estimates for the year 2030.

Table 3: Estimated DPMT Ridership -2030

DPMT Segment	Total Segment Length	Estimated Annual Ridership	Estimated Average Daily Ridership - Weekday	Estimated Average Daily Ridership - Weekend
Pittsburg	9.6 miles	2,956,352	10,796	1,848
Antioch	6.3 miles	2,069,235	7,609	1,173
Oakley and Brentwood	12.8 miles	2,051,713	7,577	1,088
Total	28.7 miles	7,077,300	33,559	5,196

The ridership estimates for the DPMT are projected trips shifting from current car share to transit share with the addition of DPMT to the transit modes. This kind of shift from private car use is feasible with the provision of convenient, efficient, affordable, and appealing alternatives like DPMT that commuters will choose to take especially on East County roads where congestion is continuously increasing. In

addition to the multi-modal network connectivity that DPMT is geared to achieve, introducing rewards and incentives, public relations campaigns, and smart ticketing will make DPMT more attractive. Promoting and implementing transit-oriented development along the DPMT alignment will achieve a longer-term and larger-scale modal shift.

COSTS

Capital Costs

Capital costs of the proposed DPMT alignment were based on the planning level unit costs provided by Glydways for at-grade and elevated segments for a two-way track. Projected planning level costs for the DPMT are shown in Table 4. Right of way costs are not included in the capital costs.

Table 4: Planning Level DPMT Capital Costs

DPMT Segment	At-Grade Segment Length	Elevated Segment Length	Guideway Cost (in millions)	Garage /Central Control Cost (in millions)	Vehicle/ Batteries Cost (in millions)	Development Costs (in millions)	Total Capital Cost (in millions)
Pittsburg	2.01 miles	7.6 miles	\$163.4	\$6.4	\$8.3	\$17.6	\$195.7
Antioch	1.7 miles	4.6 miles	\$101.6	\$3.3	\$4.3	\$12.0	\$121.2
Oakley and Brentwood	7.7 miles	5.1 miles	\$109.3	\$5.3	\$7.4	\$12.0	\$134.0
Total	11.41 miles	17.3 miles	\$374.3	\$15.0	\$20.0	\$41.6	\$450.9

eBART | The eBART extension in East County between Pittsburg/Bay Point Station and Antioch is 10 miles long and uses a different type of train called a Diesel Multiple Unit (DMU). The project cost was \$525 million and is considered 60% less expensive than conventional BART. The project was possible with approximately \$1 billion invested in the eBart corridor to widen SR 4. The 2014 eBART Next Segment Study included costs for a possible extension from the Antioch Station to a new station at six alternate locations along SR 4. The estimated construction cost of a 6.9-mile extension of eBART from Antioch Station to Balfour Road in Brentwood in 2012 dollars was \$355 million. With a 4% escalation rate it is approximately \$482.8 million in 2021 dollars. These capital costs include the cost of the trackwork and train control systems, the cost of the stations and parking, the cost of supporting facilities for train storage and maintenance and the cost of the additional vehicles to operate the extended service.

A similar Glydways alignment from Antioch BART Station to Brentwood is estimated to cost around \$89.5 million in 2021 dollars. Order of magnitude costs is presented in Table 5 for comparison.

Table 5: Order of Magnitude Costs (\$Millions-2021) eBART vs DPMT

Commute Mode / Cost Item	Highway Modifications (millions)	Trackwork/Guideway (millions)	Station Facilities and	Maintenance/ Control Facilities (millions)	Vehicles (millions)	Total (millions)
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	Parking (millions)					
eBART*	\$143	\$118	\$87	\$26	\$109	\$483
DPMT	\$0	\$67.5 (@ \$9.93/mile)	\$2.3	\$12.5	\$7.2	\$89.5

Source: eBART Next Segment Study, BART, 2014. Glydways 2021

Tri Delta Transit | On other hand, the annual capital budget of Tri Delta Transit in the Fiscal year 2014-2015 is \$13.6 million. The proposed DPMT system will require an annual budget of around \$19.3 million after fare box revenues.

In comparison, the estimated O&M costs of DPMT are considerably less than eBART and higher than Tri Delta Transit.

Operations and Maintenance Costs

Typical assumptions used in the O&M cost estimates of the DPMT are:

- ▶ **Vehicles:**
 - Vehicle lifecycle replacement: 500,000 miles
 - Battery lifecycle replacement: 250,000 miles
 - Maintenance Labor/parts: \$0.024/passenger mile
 - Cleaning/Inspection Labor: \$0.13/passenger mile
 - Standard Clean: 1.0 min / vehicle x 3 times a day
 - Deep Clean: 5 min / vehicle every 30 rides
 - Tire replacement: \$0.003/passenger mile - 60,000 miles
 - Energy: \$0.19 kwh wholesale
- ▶ **Infrastructure:**
 - Structural Maintenance Labor (\$8/ft/year)
 - TMS system Labor/parts (\$58.32/ft)
 - Emergency Services Labor (24-hour redundant service, 3 shifts 8 hours each): (\$25.6/ft)
 - Energy (\$4/ft \$0.19kwh wholesale)
 - Landscape Maintenance
- ▶ **Control Center:**
 - Maintenance: IT replacement - 5% of IT system per year
 - Personnel Labor
 - Energy: \$1.56/sqft. - \$0.19kwh wholesale
 - Administrative Costs
 - Other Direct Costs

The estimated planning level O&M costs based on these assumptions are presented in [Table 6](#).

Table 6: Planning Level DPMT O&M Costs

DPMT Segment	Total Segment Length	Total Annual O&M Cost (in millions)
Pittsburg	9.6 miles	\$12.0
Antioch	6.3 miles	\$7.0
Oakley and Brentwood	12.8 miles	\$10.0
Total	28.7 miles	\$29.0

eBART | The cost of operating and maintaining the eBART system includes costs of administration, service delivery, and maintenance of vehicles and facilities. The operating and maintenance costs of the eBART extension from Antioch Station to Balfour is estimated as \$8.1 million in 2013 dollars¹. With 4% escalation cost it is \$10.7 in 2021 dollars. Similar DPMT alignment from Antioch BART Station to Brentwood is estimated to cost around \$3.5 million in 2021 dollars.

Tri Delta Transit | The actual operating expenses of Tri Delta Transit are provided for relative comparison of O&M costs. In the year 2019, operating cost/passenger is \$9.80; operating cost/revenue hour is \$117.91, and operating cost/revenue mile is \$9.24 for fixed route transit. Tri Delta Transit total maintenance costs are approximately 20% of the operating costs. In comparison, the estimated operations and maintenance cost of DPMT is around \$3.80 per passenger using the estimated planning level O&M costs and 2030 ridership demand.

In summary, the estimated O&M costs of DPMT is less than eBART and Tri Delta Transit.

COST BENEFIT + RETURN ON INVESTMENT

Fare Policies

The transit provider in East County, Tri Delta Transit, offers a fare structure for single rides on both local and express buses, transfer from BART, day passes, monthly passes, regional trips, and discounted fares for seniors and persons with disabilities. The fare for single local route with no transfer is \$2.00. Tri Delta Transit is a partner in the Clipper card fare payment system and accepts fare payment by cash and Clipper card.

As part of Plan Bay Area, the Metropolitan Transportation Commission (MTC) projected that an integrated fare structure consisting of “a flat local fare with free transfers across operators and a distance or zone-based fare for regional trips” would be revenue-neutral over the long term due to “incentivized growth in transit trips.” MTC began efforts in early 2020 on a comprehensive study to identify steps to integrate fare structure and policies of the Bay Area’s transit agencies. The study, which is scheduled to be completed in summer 2021, will help design fare policies that make transit across the Bay Area easier to use and incentivize ridership.

¹ eBART Next Segment Study, BART, 2014

https://www.bart.gov/sites/default/files/docs/eBART%20Next%20Segment%20Final_013015_2.pdf

If DPMT system is led by an existing transit operator, such as the ECCTA Joint Powers Authority (JPA), or a new JPA agreement formed by an existing transit operator and Glydways, the fare policies and fare media must fit within the regional integrated fare structure.

DPMT offers two services: single ride, or a shared ride in Glydways vehicle. Average price of \$2.20 per single ride is used for calculating return on investment for DPMT.

Fare Box Revenue

With the assumption that the Glydways opening year is 2030 and the system is in operation for 30 years the farebox revenue is calculated with average annual ridership numbers for the year 2045. Using the average price of \$2.20 per single ride, Table 7 shows net costs over 30 years. As indicated by the table, farebox revenue is lower than total costs when the average price per single ride is \$2.20. The estimated average price per single ride needs to be more than \$5.80 to realize return on investment. Using the numbers shown the farebox recovery ratio of DPMT is estimated to be around 58%. This means that the potential portion of DPMT's operating expenses paid by passenger fares alone is around 58%.

Table 7: DPMT Estimated Farebox Revenue

DPMT Segment	Capital Costs (in millions)	O&M costs in 30 years (in millions)	Farebox Revenue in 30 years (in millions)	Net Cost over 30 years (in millions)	Subsidy per ride (in dollars)
Pittsburg	\$195.7	\$360.0	\$209.1	\$346.6	\$3.65
Antioch	\$121.2	\$210.0	\$146.4	\$184.8	\$2.78
Oakley and Brentwood	\$134.0	\$300.0	\$145.1	\$288.9	\$4.38
Total/Average	\$450.9	\$870.0	\$500.6	\$820.3	\$3.60

BART | Pre-pandemic, BART's farebox recovery ratio was 60% indicating a significant portion of the operating expenses are paid by fares. BART fare for rides between East County stations is similar to Tri Delta Transit's bus fare, and fare used to estimate farebox revenues for DPMT. The estimated farebox recovery ratio for DPMT is slightly lower than the farebox recovery ratio of BART.

Tri Delta Transit | The farebox recovery ratio of Tri Delta Transit was 25% (pre-COVID). The estimated farebox recovery ratio for DPMT is considerably higher than Tri Delta Transit.

In comparison, farebox recovery ratio of DPMT is projected to be better than fixed route bus transit and slightly less than BART in East County. It is also projected that the Tri Delta Transit's farebox recovery ratio will improve considerably after implementation of DPMT.

BARRIERS/ISSUES FOR IMPLEMENTATION

Barriers for bus transit and rail transit implementation often include insufficient funding and environmental constraints for construction. On the other hand, there are potential additional barriers/issues that could turn into obstacles that prevent or challenge the implementation of DPMT in East County. These are grouped into two categories for further investigation:

1. Technical Issues
2. Institutional and Societal Issues

Technical Issues

- ▶ **Technology** | As is the case with any new technology, DPMT technology might be perceived to be less mature and risky compared with traditional mass transit modes.
- ▶ **Complexity of Large Network** | The larger the network is, the more complex the trip scheduling and empty vehicle management will be. The complexity increases with the number of stations. The trunk line capacity must be planned and designed with ultimate system configuration and future growth in perspective even though in practice the system might be built in segments and further expanded in future. DPMT is extremely scalable and flexible in incremental implementation.

Institutional and Societal Issues

- ▶ **Aesthetics** | The aesthetic and environmental concerns related to guideway and stations can often be controversial. The planning process should involve public input and trained professionals to incorporate appropriate design elements, amenities, art, and landscaping to mitigate the concerns. Elevated structures of DPMT are much smaller than typical heavy rail transit like BART system.
- ▶ **Revenues** | With the DPMT system designed and built to link and complement existing transit, business models are not well defined for financial planning and revenue sharing. Micro transit systems like DPMT need to be included in the transit options mix when regional entities like MTC are planning a vision for integrated fares for all the Bay Area transit agencies.
- ▶ **Public Perception and Acceptance** | DPMT could be perceived as costly and trip planning not easily understandable. With effective public outreach and a competitive fare structure with similar discounts as the other transit modes for qualified users based on income, age, and disabilities, public acceptance of DPMT can be increased. Provision of wi-fi on Glydways cars can help users with limited or no data connection with their transit route planning.
- ▶ **Funding** | Constrained funding can prevent transportation and transit agencies from investing in DPMT, even if the system has potential for significant operating, economic, environmental, and safety benefits. Federal and State support and public-private partnerships have to be planned to secure funding needed for DPMT implementation.
- ▶ **Vehicle Procurement** | Buy America requires certain a percentage of transit vehicle components be sourced from American manufacturers. FTA policies will need to be assessed for potential regulatory barriers, including those regarding funding eligibility and technology procurement requirements. Glydways vehicles uses standard parts and technology currently available and built in the U.S.

- ▶ **Right of Way for Garages** | For the implementation of a demand-based ATN system, DPMT will require places to stage vehicles throughout the service area when compared to the current fixed-route service. The vehicles need to be on stand-by near high demand areas when they are not in use, requiring multiple garages throughout the service area. Local governments and communities need to be engaged to identify and plan locations for DPMT garages.
- ▶ **Workforce** | FTA requires transit agencies to protect certain worker rights in exchange for receiving federal funding. These regulations need to be assessed and monitored for funding eligibility as DPMT will operate with minimal workforce. A much larger labor workforce will be required during the guideway construction.

RISK MANAGEMENT

In general, the issues for DPMT implementation that are presented in the previous section, are foreseeable and manageable. However, there are many unpredictable risks that cannot be foreseen. These risks are present in any mode of transportation and the risk mitigation strategies in well-established bus and rail transit are also applicable. Specific risks related to DPMT and proposed strategies to mitigate those risks are included in Table 8. The risk mitigation strategies in place for DPMT are acceptable.

Table 8: Risk Management Summary

ID	Risk Category	Identified Risks	Glydways Mitigation Strategy
1	Software	Coordination between vehicles	- Issues are addressed at software design level. - Software testing at the 1/10 scale is proof of concept in a variety of loading and testing scenarios.
2	Vehicle	Drivetrain failure	- Run diagnostics of Glydways vehicle agents on the various critical components and develop appropriate responses as needed. - o Finish a trip if the issue is minor. - o Emergency stop in lane for more serious issues. - Disaggregated nature of the Glydways system allows it to be conservative in the diagnostics. Doing so minimizes the number of severe responses that impact the overall system. - In severe situations Glydways has a redundant lane for trunk operations.
3		Tire wear/Wheel lifespan	- Daily inspections and pre-failure replacement reduce tire failure during operations. Glydways is exploring solid tires and air suspension to mitigate flat tire situations. Redundant lane to minimize operation disruptions in these situations.
4	Weather	Service interruption due to weather conditions	- Glydways infrastructure is flexible to accommodate design modifications for severe weather conditions. - o Replace open railings with solid barriers for high wind events. - o Replace open railings with solar or regular roof for rain and snow.

EVALUATION CRITERIA MATRIX

The evaluation of Glydways technology in comparison with other transportation modes discussed in the previous sections is summarized in Table 9 and was also presented in the Executive Summary (Table ES2). As seen from the table, DPMT is better than other transportation modes or comparable in all the factors used for evaluation.

Table 9: Evaluation Criteria Matrix – Summary

Attribute	Bus Transit	Rail Transit	Private Car	Glydways DPMT
Technology Level	★	★	★	1
On-Demand 24/7	×	×	★	★
Total Trip Time	×	×	?	★
Non-Stop Travel	×	×	★	★
Scalability	+	×	—	★
Safety	+	+	×	★
ADA Compliant	+	+	—	+
Infrastructure Capital Costs	+	×	×	★
Environmental Sustainability	+	+	×	★
Ridership Demand	+	★	—	★
Operating Costs	×	+	×	+
Potential Savings in Accident Costs	+	+	×	★
Barriers in Implementation	2	3 2	—	2 3 4
Risk Management	+	+	—	+

★ Yes/Good	× No/Bad	+ Acceptable	? Varies	— N/A
1 Emerging	2 Funding	3 Environmental	4 Additional Technical, institutional and Societal Barriers	

Feasibility of DPMT Deployment Business Case

East County future economy and communities rely on an extensive infrastructure network of highways, commuter rail, transit, waterways, public buildings, energy, and wastewater systems. According to the Bay Area Economic Institute, on the current spending trajectory, California's infrastructure funding gap will reach \$1 trillion by 2050. All indication is that there is a business-as-usual approach to infrastructure delivery, which will fall short of addressing and strengthening the transportation needs in East County. Innovative projects and creative financing strategies are needed to support a vibrant economy, the growing population, and increased demand and congestion on SR 4 - the main commute and freight corridor in the area.

MODEL DEPLOYMENT



Delivery Options	Feasible ?	Explanation	Potential implications
Traditional Design- Bid-Build (DBB)	✗	- No private financing component involved - Does not meet criteria to pay for performance	- Cities are required to raise/or apply for financing on their own and to fund construction costs as and when they occur. - Lack of innovation or efficiency in the design and construction aspects.
Design-Build (DB)	✗	- No private financing component involved - Does not meet criteria to pay for performance	Cities are required to raise/or apply for financing on their own and pay as costs are incurred.
Design-Build-Operate-Maintain (DBOM)	✗	Same as above.	Same as above.
Design-Build-Finance (DB(F))	✓	- Would allow Cities/ public sector to maintain ownership and retain its operations. - Cities pay private sector at substantial completion based on inspection against specifications.	- Private sector will be responsible for raising construction financing. - Cities will need to obtain funding at substantial completion. - City will retain its operation and maintenance services.
Design-Build-Finance-Operate-Maintain (DBFOM)	✓	Similar to DB(f), with the exception that the Cities will pay private sector over time.	- Similar to DB(f), with the exception that the Cities will transfer the operation and maintenance aspects of the facility to the private sector. - City will need to obtain funding at substantial completion (if substantial completion payment is required).
Design-Build-Own-Operate (DBOO)	✗	Similar to DB(f), with the exception that the Cities will pay private sector over time.	Private sector would assume ownership of the facility.

Figure 15: Design-Build-Finance vs Design-Build-Finance-Operate-Maintain

Figure 15 above illustrates a comparison of the various delivery models with the cities'/county deployment needs applied to each. The project team recommends a DBFOM structured P3 strategy to address the proposed East Contra Costa County DPMT system infrastructure and model deployment needs. Although definitions of P3 vary widely, they most commonly refer to long-term performance-based contracts with public-sector entities in which the private sector shares the responsibility and risk

for the DBFOM elements of a public infrastructure project. While we are monitoring all potential public funding sources with a near-term time horizon, there is substantial potential for P3 private financing to deliver value through transit infrastructure investments and DBFOM demonstrates faster implementation, improved cost, and operational performance without major investment by all four East County cities.

Design-Build-Finance-Operate-Maintain (DBFOM) Option | Under this option, the final design, construction, and long-term maintenance responsibilities are all integrated with the private sector partner. However, the private sector partner is not fully paid for construction of the asset following completion of construction but is paid in installments over the length of the operating term (typically 15-30 years). Alternatively, the private-sector partner may be partially paid for construction during construction and/or at substantial completion, through milestone payments, with the remaining unpaid portion being repaid in installments over the term of the agreement. After the asset is constructed, the private sector's scope of work includes operation and maintenance. As noted above, the private sector partner will receive at least a portion of its payment via monthly Availability Payments (AP) throughout the length of the operation and maintenance term. The APs include:

- ▶ **A fixed capital repayment component**, which effectively repays the private sector's long-term debt and equity investors for their financing of the construction works; and
- ▶ **An O&M component to compensate the private sector partner for its ongoing operation and maintenance work, and lifecycle replacement costs.** The payment is typically performance-based and is subject to deductions for failing to meet contractually specified performance standards. If deductions are quite severe, they may reduce the capital repayment component as well.

Throughout the term of the project the private sector assumes long-term debt and equity capital risk, which results in enhanced oversight and due diligence from third party private capital investors, both during construction as well as operation. Upon construction completion, the private partner will be responsible for major and minor maintenance (which is secured by the fixed capital payment component), resulting in a more robust and quality asset. Although not a requirement, under this project delivery option, the public sector can maintain ownership of the asset.

BENEFITS OF P3 ENVIRONMENT

Risk transfer | Risks can be allocated to the party that is best able to manage them. Private financing helps secure risk transfer to the private sector as the payments from the cities/county will be deferred until substantial construction completion and then made over the life of the asset and linked with operational performance. APs from the cities/county will become at risk to the private partner if the construction and/or operational performance does not meet pre-agreed specifications.

Time and budget certainty | P3s provide greater certainty for the cities/county to budget its fiscal plan. The fixed price provided by the private partner to the cities/county means the private partner assumes all price uncertainties over the life of the contract. The private partner has a strong incentive to complete the project within committed timelines because they will not start getting any AP payments

until substantial construction completion. During operation, their AP payments will incur deductions if they do not perform as agreed. The cities'/county's budget is limited to the full AP.

Innovation | The cities'/county's requirements will be defined in output terms as part of the project development providing opportunity for innovation. For example, shifting long-term operation and maintenance responsibilities to the private sector creates incentive to ensure construction and operations quality and incorporate innovation to minimize long term costs as the private partner is responsible for those costs many years down the road.

Bring construction forward | P3 will enable the cities/county to build the project sooner, saving on cost escalation and to defer the cost of upfront infrastructure investment by spreading the cost over the lifetime of the asset, creating more budgetary room for the cities/county simultaneous capital projects.

Accountability | P3 will provide the cities/county with single point of accountability for the asset and its performance over the full construction, operation, and maintenance period, as well as the asset condition at the end of the term. Performance standards will be clearly defined, and cities'/county's payments are linked to the private partner's ability to deliver against these standards.

Un-deferred maintenance | P3s facilitate long-term maintenance of infrastructure by transferring maintenance requirements to the private partner, including the full life cycle of the project, reducing the possibility of maintenance deferrals if the cities/county were responsible for such long-term periodic costs.

Revenue sharing | The P3 can be incentivized to innovatively increase ridership through revenue sharing resulting in a lower net AP from the cities.

PUBLIC FUNDING OPPORTUNITIES

Identification of potential public funding streams is underway by the project team which include but are not limited to, regional, state, and federal discretionary grant programs to complement potential private financing options.

PRIVATE FINANCING

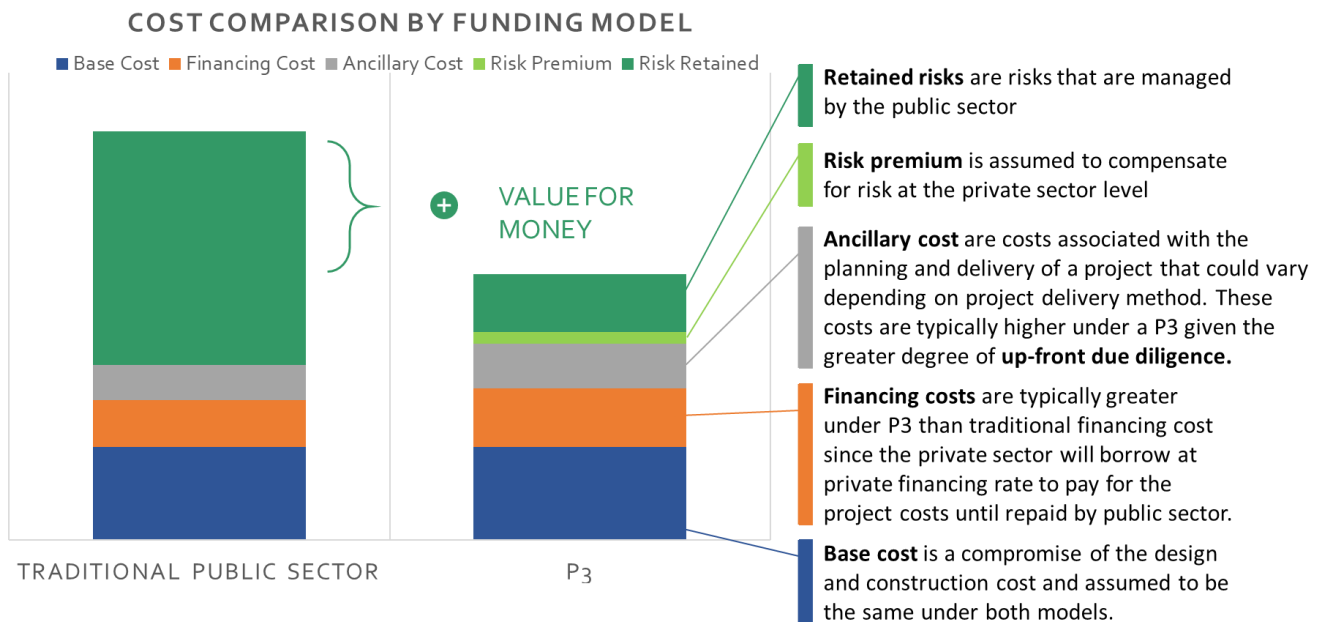
The private sector investment market has nearly unlimited investment capacity for projects that yield attractive risk adjusted returns. Properly developed and structured transportation P3s with APs meet these tests and because the risks are relatively low, the private sector financing costs are commensurately low.

Although private financing often comes with financing rates that are not as low as tax exempt bonds, the benefits of private-sector transportation development, design, construction, operation, and financing often outweigh the lower financing costs available to the public sector.

Private financing of transportation systems:

- ▶ **Provides additional sources of financing**
- ▶ **Reduces upfront costs** of the municipality for development, design, and engineering
- ▶ **Increases speed of project development**, resulting in lower cost and delivering benefits sooner

- ▶ **Provides risk transfer to the private sector**, maximizing each parties' expertise
- ▶ **Leverages third-party revenue** and development opportunities
- ▶ **Focuses on outcomes and accountability** through long-term contracting and partnerships
- ▶ **Provides contractual incentives and disincentives** to help ensure on time and on budget construction and a high level of operating service and performance
- ▶ **Reduces costs and accelerates project delivery** by consolidating responsibility for multiple project elements in one private entity
- ▶ **Incentives to incorporate innovations** upfront to reduce whole life costs (O&M and lifecycle costs) as well as implement improvements during the operating life



There is a long list of successful privately developed and financed transportation projects across the U.S., including light rail, bridges, roads, and others.

Glydways taps into both the approach and experience of successfully developed and financed transportation projects and the power of private investment and incentives to deliver a transportation system for East County that is cost attractive and operationally superior to other alternatives. Importantly, that means the private financing approach implemented by Glydways will be able to develop and deliver the East County transportation network much faster than any publicly funded approach, thus saving costs and delivering the service benefits much sooner.

REVENUE MODEL

The revenue model for DPMT will be developed in the next phases of the project.

POTENTIAL RECOMMENDED BUSINESS MODEL

A rapid deployment of a Glydways system represents opportunity for significant positive public impact for East County. Given the future challenges for the region, VMT mitigation, greenhouse gas reduction and equitable and safe connectivity, it is beneficial to focus on reducing the total deployment schedule and eliminating public funding hurdles.

Executing on a project of this magnitude requires overcoming a variety of challenges:

- ▶ **Funding** - Availability, timing, procedures, competition
- ▶ **Rapid deployment** - Ensuring cost and schedule
- ▶ **Technology innovation** - Benefits
- ▶ **Risks** - Procurement, development, financing, design, construction and operational

To address these challenges, P3 mechanisms are suggested to speed project delivery, bring innovation, and reduce risks:

- ▶ **Private financing**
- ▶ **Experienced and incentivized** project management
- ▶ **PDA** for efficient design
- ▶ **DBFOM AP structure** for deployment and ongoing operations

To facilitate execution of the aforementioned P3 mechanisms, Glydways may partner with experienced DBFOM developer and investors who have solid financial backing and have been involved in development of projects with similar complexity:

- ▶ **Plenary Americas** - A recognized infrastructure project development and investment firm is a candidate for the development and funding of the DPMT system.

The DBFOM structure proposed by Glydways for other Bay Area projects is applicable and works well for East County. In this structure, a bespoke entity for project execution would be created:

- ▶ **Special Purpose Vehicle (SPV) or Project Company** - Responsible for the design and construction, operations, and maintenance, as well as financing of the project for a negotiable period, usually a 30-to-50-year term

The process to implement this DBFOM structure would begin by entering into a PDA which sets out respective roles and responsibilities of the cities/county and the private partner in the project development period. The project is developed, led by the private partner but with full involvement of the cities/county through to financial close when project funding is achieved, and construction can begin. The PDA will include phases as the project is developed and where the cities/county will have different levels of involvement at each phase. The cities and SPV would develop a statement of project goals, priorities, challenges, and constraints, as well as a preliminary project development timetable and budget. Together, and along with the project engineers and designers, a reference concept design is advanced to a level that gives contractors an accurate sense of scope and scale, without prescribing final design solutions – in order to maximize potential for innovation. Risks are shared through a balance of private investment in the design and a project design purchase fee structure should the cities

choose to discontinue the effort with the SPV. The amount of the fee would increase the further advanced the project design and development.

Execution of the PDA is necessary for the comprehensive implementation of the proposed project. The key components are the negotiation of a design-build contract with fixed-price, date-certain design and construction solution, a services agreement (that sets forth the required performance of the system, the AP levels and penalties for performance shortfalls), and financing documents. The private development partner, such as Plenary Americas, will run an open book funding competition for the debt financing in order to achieve an efficient capital structure. With the execution of these project agreements, financial close is reached: financing flows, and final design and construction can begin. Adequate testing is conducted toward the end of the construction phase, followed by a soft launch before the operations period fully begins.

Glydways and Plenary Americas are partnering on other DPMT system deployment projects around the Bay Area currently which are in the project development and technology validation phases; including South San Francisco CalTrain – Oyster Pt. commuter and San Jose Airport-Diridon-Stevens Creek Transit Connection.

To facilitate the efficient deployment of Glydways technology the DBFOM project development approach structure leverages both conventional development mechanisms, funding efforts in parallel with technology development at the Glydways Demonstration Facility in Concord, CA. The roles and responsibilities of project stakeholders in the development and deployment of the project are included in [Table 10](#).

Table 10: Roles and Responsibilities

Agency	Pre -Development	Project Development	Project Implementation	Post Implementation
Glydways Team	- System design - Co-develop business model - SPV formation	- Design - System Certification - Assist agencies with securing funding	- Construction - Fleet Acquisition - System Certification - Private financing	- Operations and Maintenance - Own the facility
Cities/ County	- Facilitate Glydways as public transit option for residents and stakeholders - Assist with business model development - Implement PDA	- Support public and private funding opportunities - Right of way acquisition	- Supervise Construction	- Own the facility
CCTA	- Facilitate Glydways as public transit option	- Pursue and facilitate funding opportunities	- Program Sponsor	- Monitor Operations with KPIs

Conclusion

The assessment of various criteria in this feasibility study determines that the DPMT is feasible in East County. A phased, ATN-based DPMT solution will bring micro transit connectivity to East County to provide a faster, smoother, and higher quality mobility experience for its residents. Conceived as a “system of systems,” Glydways delivers high-capacity micro transit, up to 10,000 persons per hour per direction, through a given corridor in a private, safe, and on-demand experience, and in a way that is environmentally sustainable.

Glydways is designed using elevated or at-grade paved pathways and flexible implementation in mind to minimize many of the costs, potential environmental impacts, and scheduling pitfalls of large mass transportation systems. The Glydways system delivers a scalable transit solution by leveraging existing, off-the-shelf technologies and established construction techniques. Additionally, Glydways has proactively identified a path towards a regulatory certification framework. As a mass micro transit solution, Glydways will not only allow East County to meet the transit demand of today, but also prepare a sustainable pathway for future growth along the proposed corridor.

The low unit economics of the system’s construction and operations allows for incrementally scalable implementation, with a shared vehicle mode, as well as the option for a private journey experience that will entice riders to opt out of driving alone or reliance on Transit Network Companies such as Uber and Lyft. This will enable reduction of vehicles on roads and reduce congestion. Furthermore, the low-cost nature of Glydways system allows a sustainable business model from an operational perspective, which unlocks many layers of benefits to East County.

In DPMT implementation, there are additional barriers/issues beyond traditional transit system to overcome but these are foreseeable and manageable. DPMT implementation requires close cooperation from many kinds of local officials and may be best implemented through a carefully negotiated PDA and P3 approach.

To the extent of this feasibility study’s evaluation and analysis, DPMT implementation is feasible in East County and is recommended to decision makers to move forward to include DPMT as a sustainable urban transportation option in East County.

NEXT STEPS

This feasibility study concludes that the Glydways system is a viable public transit option for East County providing connectivity between the cities and access to regional transit services. To implement the proposed DBFOM structure for deployment of an exclusive right of way DPMT system in East County, the next steps would begin with a PDA which sets out respective roles and responsibilities of the project stakeholders in the project development period. Project stakeholders in East County will have flexibility to choose their level of involvement at each stage.

Execution of the PDA instigates a negotiating period during which project stakeholders are to negotiate and finalize the implementation agreements that are necessary for the comprehensive implementation of the Glydways System. The key components are the negotiation of (a) a design build contract with

fixed-price, date- certain design and construction solution, (b) a services agreement, and (c) project financing documents. With the execution of these implementation agreements, financial close is reached: financing flows, and final design and construction can begin. Adequate testing can be conducted toward the end of the construction phase, followed by a soft launch before the operations period fully begins.



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

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: By Minute Order Approve Expanding Scope of the Ad Hoc Committee
City Council Policy and Procedures Review

MEETING DATE:

EXECUTIVE SUMMARY

In accordance with the City of Pittsburg “Policy and Procedures for City Council” originally adopted by the City Council on September 4, 2001 by Resolution No. 01-9475, the Mayor and Vice-Mayor shall appoint individual Council Members to standing and ad hoc committees. The City Council Policy and Procedures Review ad hoc committee is a currently active committee and staff wishes to have this committee include review of the existing Handbook for City Advisory Bodies.

FISCAL IMPACT

There is no fiscal impact relative to this item.

RECOMMENDATION

By Minute Order, approve the expansion of the scope of the City Council Policy and Procedures Review Ad Hoc Committee to include modifications needed to the Handbook for City Advisory Bodies and if needed, any related Municipal Code changes or edits to maintain consistency.

BACKGROUND

On October 21, 2020, the City Council formed an ad hoc committee to conduct a review of the “Policy and Procedures for City Council.” On April 19, 2021, under Future Agenda Items, Council Member Banales requested modifying the scope of this ad hoc committee to include any modifications needed to the Handbook for City Advisory Bodies and if needed, any related Municipal Code changes or edits to maintain consistency. A motion was made by Member Banales, seconded by Member Scales-Preston, and carried unanimously to do so. Mayor Craft and Member Banales currently serve on this committee.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Uniform guidelines for the conduct of City Council and advisory body business facilitates orderly and efficient meeting procedures. A handbook that also addresses general protocols for both Council Members and advisory body members is a valuable reference tool, as well as setting the tone for those that represent the city in various capacities. This ad hoc committee will review and revise the current Council handbook to ensure it meets all statutory requirements and will include review and revision of the Handbook for City Advisory Bodies, by-laws, procedures and protocols.

ATTACHMENTS:

None

Report Prepared By:
Alice E. Evenson, City Clerk

**CITY OF PITTSBURG
CITY COUNCIL/AGENCY CONCURRENT MEETING MINUTES**

DATE: April 19, 2021

LOCATION: Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

CITY COUNCIL/AGENCY MEMBERS

Marilyn Craft, Mayor/Chair
Holland Barrett White, Vice-Mayor/Chair
Shanelle Scales-Preston, Council/Agency Member
Juan Antonio Banales, Council/Agency Member
Jelani Killings, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the City Council for April 19, 2021 was conducted electronically for Closed Session and through Zoom with broadcasting live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. Council Members participated electronically or through Zoom and were not physically present in the Council Chamber.

Mayor Craft called the meeting of the City Council to order at 7:04 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA after convening at 6:00 P.M. for Closed Session for the following items:

A Special Council Meeting was called for an additional Closed Session Item, to be combined with the previously posted Closed Session as follows:

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Section 54956.9(d)(2)

Number of cases: one

The City Council continued in Closed Session for the following items as originally posted:

1. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Section 54957.6:

Agency designated representatives: Stacy Shell, Mary Egan, Municipal Resource Group, LLC

Unrepresented employee: City Attorney

2. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Section 54957.6:

City designated representatives: Garrett Evans, Stacy Shell

Employee organizations: American Federation of State, County, and Municipal Employees Local 512 Management/Professional/Confidential Unit and Miscellaneous A Unit; Pittsburg Police Officers' Association; Pittsburg Police Managers Group; Teamsters Local 856, International Brotherhood of Electrical Workers Local 1295

Unrepresented employees: Management Group; Senior Executive Team

There was no reportable action taken in Closed Session.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATIONS

3. Anchor Award

A City Anchor Award was presented to Chad Joaquin, Public Works Supervisor in the Streets Division for his action when recognizing a pair of teenagers that were subject of an Amber Alert, and notifying the Police Department.

4. Homeless Outreach Efforts

Lt. Semas presented an overview of the homeless outreach efforts by the Police Department.

CITY MANAGER REPORTS/REMARKS

City Manager Evans gave an update on the COVID-19 health order for the City of Pittsburg.

PUBLIC COMMENTS

There were no public comments.

COMMITTEE REPORTS

Member Killings attended the Economic Development subcommittee meeting.

Member Banales attended the Land Use subcommittee and Finance subcommittee.

Mayor Craft attended the 2x2 subcommittee meeting.

CONSIDERATION

9. Adoption of a City Council Resolution Approving a Smart City Agreement between the City of Pittsburgh and SiFi Networks Pittsburgh LLC

On Motion by Vice-Mayor White, seconded by Member Scales-Preston to adopt and carried unanimously.

CONFLICT OF INTEREST STATEMENT

There were no conflicts of interest stated.

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

On Motion by Member Banales, seconded by Vice-Mayor/Chair White to adopt and carried unanimously.

10. Minutes of April 5, 2021

11. Adoption of a Pittsburgh Power Company Resolution Approving Fiscal Year 2020-2021 Budget Increases to Island Energy's Wholesale Electricity Procurement and Electricity Sales Revenue

12. Adoption of a City Council Resolution to Approve Designation of the City Manager as the Plan Administrator for the 401(a) Plans and Appoint Reliance Trust Company as Trustee and Empower as Recordkeeper of the City's 401(a) and 457(b) Deferred Compensation Plans

13. By Minute Order, Authorize the Mayor to Take the National Wildlife Federation's Mayor's Monarch Pledge

14. Adoption of a City Council Resolution Approving Addendum #2 to the Five-Year Capital Improvement Program

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Member Banales asked that we modify the scope of standing Policies and Procedures ad hoc to include any modifications needed to the Commissioner Handbook and if needed any related Municipal Code changes or edits to maintain consistency.

On Motion by Banales seconded by Member Scales-Preston and carried unanimously.

COUNCIL MEMBER REMARKS

Member Scales-Preston thanked PAL and the Police Department for the successful Fishing with a PAL event.

Member Killings asked for prayers for the Rosalez family who are healing after a drunk driving accident that claimed the lives of two.

Mayor Craft acknowledged the National Wildlife Federation's Mayor's Monarch Pledge and supported efforts to raise awareness of the butterfly's declining population.

ADJOURNMENT

The City Council adjourned at 8:43 P.M. to May 3, 2021.

Respectfully submitted,

Alice E. Evenson, City Clerk

**CITY OF PITTSBURG
HOUSING AUTHORITY MEETING MINUTES**

DATE: April 19, 2021

LOCATION: Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

CITY COUNCIL.AGENCY MEMBERS

Marilyn Craft, Mayor/Chair
Holland Barrett White, Vice-Mayor/Chair
Shanelle Scales-Preston, Council/Agency Member
Juan Antonio Banales, Council/Agency Member
Jelani Killings, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the City Council for April 19, 2021 was conducted electronically for Closed Session and through Zoom with broadcasting live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. Council Members participated electronically or through Zoom and were not physically present in the Council Chamber.

CALL TO ORDER

Chair Craft called the meeting of the Housing Authority to order at 8:05 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL

Member Herring was absent and excused.

PUBLIC HEARING

5. Adoption of a Housing Authority Resolution Approving the Public Housing Agency Annual Plan for 2021 and Authorizing the Executive Director to Submit the Public Housing Agency Annual Plan for 2021 to the U.S. Department of Housing and Urban Development

Chair Craft opened the Public Hearing. There being no one to speak to the item, Mayor Craft closed the Public Hearing.

On motion by Member Killings, seconded by Member Banales to adopt and carried by the following vote:

AYES: Banales, Floyd, Killings, Scales-Preston, White, Craft
ABSENT: Herring

CONSENT

On motion by Vice Chair White, seconded by Member Banales to adopt and carried by the following vote:

AYES: Banales, Floyd, Killings, Scales-Preston, White, Craft
ABSENT: Herring

6. Minutes of March 15, 2021
7. Disbursement List of January 31, 2021 and February 28, 2021
8. Adoption of a Housing Authority Resolution Approving the Housing Authority of the City of Pittsburgh Finance Policies and Procedures

HOUSING AUTHORITY MEMBER REMARKS

Member Floyd thanked Housing Manager Smargiasso for the presentation and for providing information to the Board and assisting all those in need at the present.

ADJOURNMENT

The Housing Authority was adjourned at 8:18 P.M.

Respectfully submitted,

Alice E. Evenson, Secretary



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

TO: Chair and Governing Board Members

FROM: Garrett Evans, Executive Director

SUBJECT: Adoption of a Pittsburg Arts and Community Foundation Resolution Approving the Amended and Restated Agreement Between Pittsburg Arts and Community Foundation Inc. and John H. and Regina K. Scully Foundation Regarding Donation

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

The Pittsburg Arts and Community Foundation Inc. (PACF) and John H. and Regina K. Scully Foundation LLC, a California limited liability company wholly owned by the Foundation (LLC) executed a donation agreement (Prior Agreement) dated November 2, 2020, whereby the LLC will donate up to \$1,000,000 (Donation) to PACF to complete renovations and improvements to the California Theatre (Project). The Project has since been named Project 1200, California Theatre Balcony Level Occupancy Project and is for the rehabilitation of the balcony level to include installation of incline lift from lower balcony to upper balcony, carpet with fixed and ADA seating, egress lighting at the balcony level, and related improvements. PACF and the LLC propose to enter into an Amended and Restated Donation Agreement (Agreement), renaming the LLC and amending certain terms of the Prior Agreement.

FISCAL IMPACT

Approval of the Agreement does not have a fiscal impact to the City's General Fund. The Donation will fund the Project.

RECOMMENDATION

Adopt the attached Resolution will approve the Agreement between PACF and the John H. and Regina K. Scully Foundation, nonprofit public benefit corporation (Foundation) and amend certain terms of the Prior Agreement.

BACKGROUND

On October 19, 2020, the Governing Board of the PACF adopted Resolution 20-077, approving the Prior Agreement and accepting the Donation to be used for the completion of the Project.

On December 21, 2020, the City Council adopted Resolution 20-13860 and the Governing Board of the PACF adopted Resolution 20-078, approving a financing agreement between the City and PACF for design revisions, and construction of the balcony and theater seating, installation of a lift and other improvements needed to provide the best possible theater experience.

SUBCOMMITTEE FINDINGS

This Agreement was not discussed in a subcommittee meeting.

STAFF ANALYSIS

The specific purpose of PACF is to increase, support, and encourage art, literacy, education and other community resources and programs to benefit the Pittsburg community. PACF has hosted children's theater camps, showcased local talent and plays, and featured celebrity acts in the California Theatre. Completion of the Project will benefit the California Theatre, the Pittsburg Community, and those who visit the theater.

The renovation efforts of the California Theatre have been on and off due to funding for almost two decades. In 2010, Phase I of the renovation formally commenced, enabling the California Theatre to reopen to the public in 2013. However, due to funding, the second-floor balcony was not completed.

As part of the dissolution of the LLC on February 5, 2021, all rights and obligations under the Prior Agreement were assigned to the John H. and Regina K. Scully Foundation, nonprofit public benefit Corporation including the right to amend the Prior Agreement.

In addition to the assignment from the LLC to the Foundation, the following amendments are made:

- The Foundation restates its commitment to donate up to \$1,000,0000 to PACF for the cost to complete the Project.
- Section 2 B (i) requiring the Foundation approval of the Construction Contract is removed.
- Section named Obligation to PACF is corrected as Section 3.
- References requiring the retention of Campus LLC is removed.
- The notices to be sent to the Foundation and the signatory were changed from Lori Kulvin Crawford to Kenneth J. Blum.

ATTACHMENTS: Resolution
Amended and Restated Agreement Between Pittsburg Arts
and Community Foundation Inc. and John H. and Regina K. Scully
Foundation Regarding Donation

Report Prepared By: Maria M. Aliotti, Interim Deputy City Manager

BEFORE THE GOVERNING BOARD OF THE PITTSBURG ARTS
AND COMMUNITY FOUNDATION

In the Matter of:

A Pittsburg Arts and Community Foundation)	
Resolution Approving the Amended and)	
Restated Agreement Between Pittsburg Arts)	
And Community Foundation Inc. and John H.)	RESOLUTION NO. 21-
And Regina K. Scully Foundation Regarding a)	
<u>Donation</u>)	

The Governing Board of the Pittsburg Arts and Community Foundation Inc. FINDS AND DETERMINES as follows:

WHEREAS, on October 19, 2020, the Governing Board of the Pittsburg Arts and Community Foundation Inc. (PACF) adopted Resolution 20-077, approving the donation agreement (Prior Agreement) between PACF and the John H. and Regina K. Scully Foundation LLC, a California limited liability company wholly owned by the Foundation (LLC) and accepting a donation from the LLC of up to \$1,000,000 (Donation) to complete renovations and improvements to the California Theatre, which has since been named Project 1200, California Theatre Balcony Level Occupancy Project (Project); and

WHEREAS, the Project consists of the rehabilitation of the balcony level to include installation of incline lift from lower balcony to upper balcony, carpet with fixed and ADA seating, egress lighting at the balcony level, and related improvements; and

WHEREAS, on December 21, 2020, the City Council adopted Resolution 20-13860 and the Governing Board of the PACF adopted Resolution 20-078, approving a financing agreement between the City and PACF for design revisions, and construction of the balcony and theater seating, installation of a lift and other improvements needed to provide the best possible theater experience; and

WHEREAS, as part of the dissolution of the LLC on February 5, 2021, all rights and obligations under the Prior Agreement were assigned to the John H. and Regina K. Scully Foundation, nonprofit public benefit corporation (Foundation) including the right to amend the Prior Agreement.

NOW, THEREFORE, the Governing Board of the Pittsburg Arts and Community Foundation Inc. DOES RESOLVE as follows:

Section 1. The Governing Board of the PACF hereby adopts this Resolution approving the Amended and Restated Donation Agreement (Agreement), renaming the LLC and amending certain terms of the Prior Agreement.

Section 2. The Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Governing Board's obligations pursuant to this Resolution.

Section 3. The Agency Secretary shall certify to the adoption of this Resolution.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Governing Board of the Pittsburgh Arts and Community Foundation at a regular meeting on the 3rd day of May 2021 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Merl Craft, Chair

ATTEST:

Alice E. Evenson, Agency Secretary

AMENDED AND RESTATED AGREEMENT BETWEEN PITTSBURG ARTS AND COMMUNITY FOUNDATION AND JOHN H. AND REGINA K. SCULLY FOUNDATION REGARDING DONATION

This Amended and Restated Agreement ("**Agreement**"), entered into effective as of May 3, 2021, by and between the Pittsburgh Arts and Community Foundation, Inc., a California 501(c)(3) non-profit corporation ("**PACF**") and John H. and Regina K. Scully Foundation, a California nonprofit public benefit corporation (the "**Foundation**"), (collectively referred to as the "**Parties**").

RECITALS

- A. PACF works to improve the quality of life in Pittsburgh through its support of literacy, art and performing arts, and promoting community pride.
- B. PACF manages and operates the California Theatre, providing live and film entertainment to the community. Through its partnerships, PACF also provides performing arts camps to children and community theater opportunities.
- C. The Foundation provides financial, intellectual and material resources to support Making Waves Academy and the College and Alumni Program operated by Making Waves Foundation.
- D. PACF previously entered into that certain Agreement Between Pittsburgh Arts and Community Foundation and John H. And Regina K. Scully Foundation Regarding Donation dated November 2, 2020 (the "**Prior Agreement**") with John H. and Regina K. Scully Foundation, LLC, a California limited liability company wholly owned by the Foundation (the "**LLC**").
- E. As part of the dissolution of the LLC on February 5, 2021, all rights and obligations under the Prior Agreement were assigned to the Foundation, including the right to amend the Prior Agreement. The Parties therefore desire to amend and restate the Prior Agreement to update the parties and adjust certain terms.
- F. In addition the Foundation desires to restate its commitment to donate up to \$1,000,000 to PACF for the costs to complete renovations to the second floor of the California Theatre, including but not limited to the design revisions and construction of the balcony and theater seating and installation of a Garaventa lift for accessibility, and other improvements needed to provide the best possible theater experience, as more particularly

set forth in Exhibit A (collectively, the "**Project**").

NOW, THEREFORE, the Parties desire to amend and restate the Prior Agreement in its entirety, in consideration of the foregoing recitals and for the purposes and in consideration of the mutual covenants hereinafter contained, and for the other good and valuable consideration, the receipt of which is hereby acknowledged, as follows:

1. Grant Purpose. The purpose of the grant described in this Agreement is to support the Project ("**Grant Purposes**").

2. Grant Installment Payments. The Foundation agrees to contribute up to \$1,000,000 (the "Committed Amount") for the construction of the Project subject to the following terms and conditions:

A. The Foundation funded an initial portion of the Committed Amount in the amount of \$100,000 on November 4, 2020.

B. The Foundation shall make an additional payment of the Committed Amount in the amount of \$400,000 within ten (10) business days all of the following having occurred: (i) approval by both PACF and the Foundation of a budget for the Project (the "**Budget**"); and (ii) if the total cost of the Project as shown in the Budget, described below, exceeds the Committed Amount, evidence that PACF's own funds or other external funding commitments ("**Committed Resources**") are sufficient to fund the total estimated cost of the Project.

C. The Foundation will fund another portion of the Committed Amount in the amount of \$400,000 within ten (10) business days following PACF providing the Foundation evidence reasonably satisfactory to the Foundation confirming that: (i) the construction work for the Project is fifty percent (50%) complete; and (ii) upon PACF's receipt and payment of this \$400,000 to the appropriate contractors, PACF shall have paid such contractors at least 50% of the total amount of the Construction Contract.

D. The Foundation will fund the final portion of the Committed Amount in the amount of \$100,000 within ten (10) business days following PACF providing the Foundation evidence reasonably satisfactory to the Foundation confirming that: (i) the construction work for the Project is 100% complete with passed final inspections; and (ii) upon PACF's receipt and payment of such \$100,000 to the appropriate contractors, PACF shall have paid such contractors 100% of the total amount of the Construction Contract.

3. Obligations of PACF

A. As soon as reasonably practicable, PACF shall provide the Foundation the following items for the Foundation's approval, which approval shall not be unreasonably withheld, conditioned or delayed: (i) final plans and specifications for the Project; and (ii) a

proposed preliminary Project budget (which shall include a minimum 10% construction contingency) (the "**Preliminary Budget**"). Once the Foundation and PACF have agreed on the Preliminary Budget, PACF, either directly or through the City of Pittsburgh, will put the Project out to bid. If such bids exceed the Committed Amount, then, unless PACF can prove to the Foundation that PACF has the Committed Resources to fund such excess to the reasonable satisfaction of the Foundation, PACF shall modify the scope of the Project and re-bid until the Project can be built for the Committed Amount. Once such bidding process is complete, PACF shall work to finalize the Budget (which Budget shall be subject to approval of the Foundation), and PACF, either directly or through the City of Pittsburgh, shall contract with the general contractor for work under a guaranteed maximum price or lump sum contract consistent with the Budget (the "**Construction Contract**").

B. While the Prior Agreement referenced PACF retaining Campus LLC to assist with cost estimating of the Project, the Parties agree that such retention has not yet occurred and that, as of the date of this Agreement Campus LLC has not yet rendered any services in connection with the Project and PACF is not required to retain Campus LLC for such services..

C. The Committed Amount may only be used to pay for hard and soft costs directly related to the construction of the Project as set forth in the Budget provided in no event shall the City of Pittsburgh include the time or cost of City staff in such Budget nor shall any portion of the Committed Amount be used to pay any costs or expenses (including, without limitation, salaries, wages or benefits) for any City of Pittsburgh staff. No portion of the Committed Amount may be used for any purpose not directly related to the construction of the Project and not specified in the Budget. PACF shall repay to Foundation any portion of the Committed Amount that is not used for the Project in accordance with the terms of this subsection. PACF may provide the Foundation with a list of desired additions to the Project scope above and beyond what is included in the Construction Contract for the approval of the Foundation (collectively, the "**Add-Ons**"). In the event that the Project is completed but the entire Committed Amount has not been expended, then the Foundation shall make the remaining amount of the Committed Amount available to fund the costs of the Add-Ons subject to such reasonable terms and conditions as the Foundation may require.

D. PACF will cause the Project to be constructed in accordance with the approved plans and specifications and the Budget. No material deviations from such approved plans and specifications or Budget shall be made without first obtaining the written approval of the Foundation.

4. Reports and Recordkeeping. PACF shall submit a full and complete report to Foundation as of the end of each of PACF's fiscal years during within which any portion of the Committed Amount is received or spent. PACF shall submit this report no later

than 90 days following the end of each such year. Each report shall contain a description of the progress that PACF (or, if appropriate, each subgrantee, if any) has made toward completing the Project; (2) a financial accounting of PACF's expenditure of Committed Amount funds; and (3) a report on PACF's compliance with the terms of this Agreement. If more than one report is required, the final report shall outline PACF's use of all Committed Amount funds from the date of the first disbursement of this Committed Amount until PACF expended the last of the Committed Amount funds. Each report must be signed by an authorized signatory of PACF.

5. No Earmarking; PACF Discretion and Control Over Selection of Contractor.

PACF retains full discretion and control over the process of selecting any contractor and shall have the unilateral right, independent of the Foundation, to select any contractor convenient or necessary to carry out the purposes of this grant. PACF, either directly or through the City of Pittsburgh, shall select a qualified general contractor through a public bid process, for the construction of the Project. The Foundation has not earmarked grant funds to any particular contractor, and there is no agreement, written or oral, by which Foundation may cause PACF to choose a particular contractor or other party performing work with respect to the Project. For each contractor, PACF is responsible for entering into a contractor agreement, distributing and recordkeeping of funds, and gathering relevant reports. PACF is responsible for all acts and omissions of any of PACF's trustees, directors, officers, and employees assisting with the Project and Committed Amount; and ensuring their compliance with the terms of this Agreement. PACF shall require the general contractor to obtain insurance and name PACF and the Foundation as an additional insured. All obligations of PACF to the Foundation under this Agreement shall remain in full force and effect for all Committed Amount funds, regardless of subgrants.

6. Prohibited Uses. No part of this grant may be spent for influencing legislation within the meaning of Internal Revenue Code ("IRC") Section 4945(e). PACF also shall not undertake activity for any purpose other than a religious, charitable, scientific, literary, educational, or other purpose specified in IRC Section 170(c)(2)(B), and shall not use any portion of the grant funds in a manner inconsistent with IRC Section 501(c)(3), including:

- a. Influencing the outcome of any specific election for candidates to public office;
- b. Inducing or encouraging violations of law or public policy; or
- c. Causing any private inurement or improper private benefit to occur.

7. Notice of Change in PACF Status. PACF shall immediately notify Foundation of any change in (a) PACF's tax-exempt status, or (b) PACF's executive staff or key staff responsible for completing the Project.

8. Announcements. PACF shall submit at least two weeks in advance to the Foundation, for review and revision at the reasonable discretion of the Foundation, any announcements PACF intends to make regarding this grant, and any publications referring to this grant PACF intends to publish, other than in its annual reports or tax returns. The Foundation may include information on this grant, including PACF's name, in its periodic public reports and may make such information available on Foundation's tax returns, and other public disclosures. PACF and its' subgrantees, subcontractors, contingent workers, agents, or affiliates may not state or otherwise imply to third parties that Foundation directly funds or otherwise endorses their activities.

9. Indemnification. PACF hereby irrevocably and unconditionally agrees, to the fullest extent permitted by law, to defend, indemnify and hold harmless the Foundation, its officers, directors, trustees, employees, and agents, from and against any and all claims, liabilities, losses, and expenses (including reasonable attorneys' fees), directly or indirectly, wholly or partially, arising from or in connection with any negligent, willful, or fraudulent act or omission of PACF, its officers, directors, employees, or agents, in applying for or accepting the Committed Amount, in expending or applying the proceeds of the Committed Amount, or in carrying out the program(s) or project(s) to be funded or financed by the Committed Amount.

10. Insurance. PACF will maintain insurance coverage sufficient to cover the activities, risks, and potential omissions of this grant and the Project in accordance with generally-accepted industry standards and as required by law. PACF will ensure its' subgrantees and subcontractors maintain insurance coverage consistent with this section.

11. Remedies. PACF shall immediately repay to the Foundation any portion of the grant funds which is spent or committed for any purpose other than the purpose for which this grant was made. If the Foundation in its reasonable discretion determines that PACF has substantially violated or failed to carry out any provision of this Agreement, including but not limited to failure to submit adequate reports when due, the Foundation may, in addition to any other legal remedies it may have, refuse to make any further grant payments to PACF under this or any other grant agreement, and the Foundation may demand the return of all or part of the grant funds not properly spent or committed to third parties, which PACF shall immediately repay to the Foundation. The Foundation may also avail itself of any other remedies available by law. This Agreement may be enforced by the Foundation by an action for specific performance and injunctive relief or by any other appropriate remedy by any court having jurisdiction. PACF acknowledges and agrees that the Foundation shall have the legal standing necessary to bring any suit it deems necessary to enforce the terms of this Agreement.

12. Miscellaneous

A. 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.

B. 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.

PACF : Pittsburg Arts and Community Foundation
 65 Civic Avenue
 Pittsburg, CA 94565
 Attn: Executive Director

Foundation: John H and Regina K Scully Foundation
 591 Redwood Highway, Suite 3250
 Mill Valley, CA 94941
 Attn: Kenneth J. Blum

with a copy to: Making Waves Foundation Inc.
 3045 Research Drive
 Richmond, CA 94806
 Attn: Jerold Ligon

C. Legal Representation. The Parties acknowledge and agree that: (i) each Party to this Agreement is of equal bargaining strength; (ii) the Foundation has consulted with its own, independent legal counsel, and such other professional advisors as the Foundation has deemed appropriate, regarding any and all matters contemplated under this Agreement; (iii) the Foundation's legal counsel and advisors have reviewed this Agreement; (iv) each party hereto has had an equivalent opportunity to participate in the drafting of this Agreement and/or to consult with legal counsel. Therefore, the usual construction of an agreement against the drafting party shall not apply hereto; (v) each Party has agreed to enter into this Agreement.

D. Relationship of Parties. Nothing contained in this Agreement shall be construed as creating the relationship of partnership, joint venture, employer and employee, or principal and agent between the PACF and the Foundation or the Foundation's agents or

employees, and the Foundation shall at all times be wholly responsible for the manner in which it or its agents, or both, perform under this Agreement.

E. Entire Agreement. This Agreement embodies the entire Agreement and understanding between the Parties relating to the subject matter of it. In case of conflict, the terms of the Agreement supersede any and all prior written or oral agreement, order or understanding. Neither this Agreement nor any of its provisions may be amended, modified, waived or discharged except in writing signed by both Parties.

G. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of California, as they apply to contracts executed in and to be carried out entirely within California.

H. 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.

I. Severability. If any term, provision, covenant or condition contained in this Agreement or the application thereof to any person, party, transaction or circumstance is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement of the application of such provision to other persons, parties, transactions or circumstance shall not be affected thereby.

J. Counterparts. This Agreement may be executed in one or more counterparts. All counterparts so executed shall constitute one amendment, binding on all parties, even though all parties are not signatory to the same counterpart.

K. No Pledge. Neither this Agreement nor any other statement, oral or written, nor the making of any contribution or grant to PACF, shall be interpreted to create any pledge or any commitment by the Foundation or by any related person or entity to make any other grant or contribution to PACF or any other entity, for this or any other project. This grant shall be a separate and independent transaction from any other transaction between the Foundation and PACF or any other entity.

[Signatures on following page]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year first above written.

**PITTSBURG ARTS AND
COMMUNITY FOUNDATION**

a 501(c)(3) public benefit corporation

By: _____
Garrett Evans, Executive Director

**JOHN H AND REGINA K SCULLY
FOUNDATION**

By: _____
Kenneth J. Blum, Secretary

Exhibit A

- Balcony seating occupancy (apx. 150 seats)
- Garaventa Lift
- Mop Sink
- ADA Drinking Fountain
- Lighting Improvements
- Sound attenuation improvements
- Flooring
- Railing
- Wall and trim finishes
- Painting
- Structural modifications for accessibility
- Electrical



**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 Allocate Funds and Award a Purchase Contract for a 2022 Peterbilt 348 Dump Truck

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

The City maintains a fleet of vehicles and equipment necessary for maintenance of the City's infrastructure, including a 2006 Sterling SLT 7500 Dump truck that needs replacement. If approved, this resolution will authorize a purchase contract for a new 2022 Peterbilt 348 Dump Truck.

FISCAL IMPACT

If approved, the Resolution approves the allocation of \$108,000 from the Water Operations Fund (Fund 501) and \$53,000 from the Sewer Maintenance Fund (Fund 521) for the purchase of a dump truck. Balances in each of these funds are sufficient to accommodate the allocations.

RECOMMENDATION

City Council adopt the attached Resolution approving the allocation of \$108,000 from the Water Operations Fund (Fund 501) and \$53,000 from the Sewer Maintenance Fund (Fund 521) and authorizing the City Manager to execute a contract with Western Truck Parts & Equipment in the amount of \$160,695.79, for purchase of a 2022 Peterbilt 348, 10-wheel dump truck and required special parts.

BACKGROUND

The Public Works Department Fleet Maintenance Division is responsible for the maintenance of a fleet of cars, trucks, heavy equipment, and other equipment necessary for police operations and maintenance of City facilities. The entire fleet has a replacement value of approximately \$6 million. These vehicles are necessary to maintain efficient operations of the City.

The current 2006 Sterling SLT 7500 Dump truck is no longer reliable or cost-effective to repair. If approved, the Resolution will allocate funds for purchase of its replacement.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

The dump truck is used by Public Works for hauling debris, asphalt, concrete, and rock for sewer and water line maintenance and repairs, clean-up projects, and street maintenance and repairs.

The current 2006 Sterling SLT 7500 Dump truck is well past its expected useful life and is no longer reliable or cost-effective to repair. Additionally, the truck manufacturer no longer exists, making after-market parts nearly impossible to obtain. If approved, the new truck will replace the 2006 Sterling Dump truck.

Staff sent requests for bids to four companies that sell dump trucks. All four vendors expressed interest in bidding, although only one company could meet the required dump truck specifications and time frame to deliver the bid, vehicle, and parts. Western Truck Parts & Equipment was the lowest responsive and responsible bidder that could meet all requirements.

There are sufficient funds for the purchase in the unallocated fund balance in the Water Operating Fund (Fund 501) and Sewer Operating Fund (Fund 521).

Staff recommends City Council approve the attached resolution to approve the allocation of \$161,000 and authorize the City Manager to execute a contract with Western Truck Parts & Equipment, in the amount of \$160,695.79, for the purchase of a new 2022 Peterbilt 348 Dump truck with required special equipment and parts.

ATTACHMENTS: Resolution
 Cost Proposal Results

Report Prepared By: Natasha Farmer, Public Works Administrative Analyst I

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter Of:

RESOLUTION NO. 21 - _____

Resolution to Approve Allocation of)
Funds and Approve Award of Purchase)
Contract for New Dump Truck)

The Pittsburgh City Council FINDS AND DETERMINES as follows:

WHEREAS, the City's Public Works Department is responsible for the maintenance of the City's Fleet of vehicles and equipment; and,

WHEREAS, the current 2006 Sterling SLT 7500 Dump truck is no longer reliable or cost-effective to repair; and,

WHEREAS, staff solicited price quotations from four vendors that sell dump trucks; and,

WHEREAS, Western Truck Parts and Equipment's bid was the lowest responsive and responsible cost proposal that could meet all the City's requirements; and,

WHEREAS, sufficient funds to accommodate the purchase are available in the fund balances for the Water Operations Fund (Fund 501) and Sewer Maintenance Fund (Fund 521).

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburgh hereby approves allocation of \$108,000 from the Water Operations Fund (Fund 501) and \$53,000 from the Sewer Maintenance Fund (Fund 521) and authorizes the City Manager to execute a Contract in the amount of \$160,695.79, with Western Truck Parts & Equipment for the purchase of a new 2022 Peterbilt 348 Dump truck with required special equipment and parts.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 3rd day of May 2021, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Merl Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk

Western Truck Parts & Equipment

CUSTOMER PURCHASE ORDER

- For New & Used Vehicles -

Contact: Mike Hoheisel - Phone: 916-224-7607 - Mobile: 916-224-7607 - Email: mike.hoheisel@dobbbspeterbilt.com

Date : 03/24/2021
 Seller : Western Truck Parts & Equipment
 Address: 825 Stillwater Road
 City/State/ZIP: West Sacramento, CA 95691

Purchaser : CITY OF PITTSBURG
 Address : 357 E 12TH ST.
 City/State/ZIP : PITTSBURG, CA 94565
 Phone/Contact : 9252506866

I hereby order from you, subject to all terms and conditions contained herein and the ADDITIONAL PROVISIONS printed on the last Page of this form, the following equipment for delivery on or about : 12/01/2021

Stock#: ON ORDER	2022 Peterbilt 348	Price:	\$94,955.00
VIN:			
	Enoven Installed Beau-Roc 15' Dump Quote 79518		\$46,989.00
	PX9 Engine and Aftertreatment PP1 6 Years 200k Miles		\$4,530.00
	Flooring for install		\$1,170.00
DOC Fee:	\$85.00	Title Fee: \$23.00	
Tire Tax:	\$17.50		
		Total fees:	\$125.50
		Sales Tax:	\$12,926.29
		Unit Price:	\$160,695.79
		Total Price	\$147,644.00
		Total Fees	\$125.50
		Total FET	\$0.00
		Total Licensing	\$0.00
		Sales Tax	\$12,926.29
		Total	\$160,695.79
		TOTAL DUE:	\$160,695.79

Tax Rate: 8.7500%, County Code:

2022 Peterbilt 348 10 wheel dump. Sourcewell Contract #060920-PMC

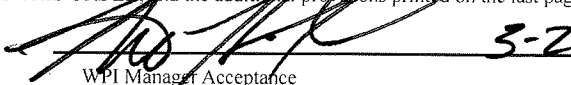
If the unpaid balance of cash price stated above is the proceeds of a time payment agreement as noted below, all items and conditions of that agreement are hereto made part of and an attachment to this order by this reference. _____

USED VEHICLES ARE SOLD "AS IS" WITH NO WARRANTY, unless otherwise certified by Seller in Writing.

If a trade-in is delivered to Dealer in a different condition than appraised, or its parts or attachments have been removed or substituted, then it shall be reappraised, and the difference in value shall be paid in cash to Dealer. Purchaser warrants that ownership, and titles of trade-ins are free and clear of all liens and encumbrances except as noted and will pay in cash to Dealer any undisclosed amounts owed. If any such cash adjustment is not paid on demand, purchaser authorizes Dealer to repossess the vehicle.

PURCHASER ACKNOWLEDGES RECEIPT OF AN EXACT COPY OF THIS ORDER, and the additional provisions printed on the last page.

 _____
 Customer Acceptance Date

 _____ 3-24-2021
 WPI Manager Acceptance Date

This order is subject to written acceptance of the Seller by a manager as indicated below. Purchaser's deposit will be refunded if not accepted, otherwise, deposit is nonrefundable.

DE-29667 - 2021-25973



Peterbilt Motors Company

SOURCEWELL CONTRACT #060920-PMC - CY2021-2024

FILL IN ALL BLUE CELLS

Dobbs Peterbilt		City of Pittsburg	
357 E 12th St. Pittsburg CA 94565		Sourcewell # 86776	
PETERBILT MODEL		CHASSIS #	
348		TBD	
CAB & CHASSIS LIST PRICE		PETERBILT MODEL	
\$146,085		220	
SOURCEWELL DISCOUNT %		220EV	
35.00%		23.00%	
SOURCEWELL DISCOUNT \$		325	
\$51,130		27.00%	
CAB & CHASSIS PRICE		330	
\$94,955		31.00%	
BODY SUPPLIER (if applicable) OEM-name only (not distributor/dealer)		337	
Enoven		32.00%	
BODY PRICE (if applicable)		348	
46989		35.00%	
TOTAL PRICE FOR ALL SOURCED GOODS/SERVICES (other than body)		365	
\$5,700		43.00%	
TOTAL PRICE FOR CAB & CHASSIS, BODY, AND ALL SOURCED GOODS/SERVICES		367	
\$147,644		43.00%	
		567	
		43.00%	
		579	
		44.00%	
		389	
		44.00%	
		520	
		42.00%	

Notes: Price listed is for a Peterbilt 348 with Customer Specs quote R5R2K6 dated 3/22/2021 and Enoven Body Quote 79518 for a 15' Dump Box installed. Price includes 6 Year 200,000 Mile PP1 Engine and aftertreatment warranty. Price includes flooring for body install time. Estimated build date Early October, truck to be completed by End of Year.

X



Dobbs Peterbilt - West Sacramento (T301)
825 Stillwater Road
West Sacramento, California 95605

City Of Pittsburg
357 E 12Th St
Pittsburg, California 94565
United States of America

Mike Hoheisel
Cell Phone:
Office Phone:
Email: mike.hoheisel@dobbspeterbilt.com

Greg Justice

Vehicle Summary

Unit		Chassis	
Model:	Model 348	Fr Axle Load (lbs):	13200
Type:	Full Truck	Rr Axle Load (lbs):	40000
Description 1:	348 Dump	G.C.W. (lbs):	54600
Description 2:	348-PX9 330-RDS-14-40		
Application		Road Conditions:	
Intended Serv.:	Construction Dump-On/Off Highway	Class A (Highway)	100
Commodity:	Construction Materials	Class B (Hwy/Mtn)	0
		Class C (Off-Hwy)	0
		Class D (Off-Road)	0
Body		Maximum Grade:	6
Type:	End Dump	Wheelbase (in):	202
Length (ft):	15	Overhang (in):	62.8
Height (ft):	11	Fr Axle to BOC (in):	69.8
Max Laden Weight (lbs):	2500		
		Cab to Axle (in):	132.2
Trailer		Cab to EOF (in):	195
No. of Trailer Axles:	0	Overall Comb. Length (in):	303
Type:			
Length (ft):	0	Special Req.	
Height (ft):	0		
Kingpin Inset (in):	0		
Corner Radius (in):	0		
Restrictions			
Length (ft):	65		
Width (in):	102		
Height (ft):	13.5		

Approved by:

Date:

Note: All sales are F.O.B. designated plant of manufacture.



Sales Code	Std/ Opt	Description	\$ List	Weight
Base Model				
0003481	S	Model 348	110,721	10,610
0091070	O	Construction Materials	0	0
0093060	O	Construction Dump-On/Off Highway	0	0
0095170	O	End Dump	0	0
0098010	O	California Registry	0	0
Configuration				
0200700	S	Not Applicable	0	0
Frame & Equipment				
0514000	O	10-3/4" Steel Rails To 354"	572	367
0612230	O	Custom Wheelbase or Overhang	365	0
0613090	S	Three-Piece Crossmembers	0	0
0644090	S	EOF Square without Crossmember	0	0
0651090	S	Omit Rear Mudflaps and Hangers	0	0
Front Axle & Equipment				
1012160	O	Meritor MFS+13B 13,200 lb, 3.5 in. Drop	297	43
1111200	O	Taper Leaf Springs, Shocks 13,200 lb	201	9
1233050	O	Power Steering TRW TAS85	504	7
1250180	S	Power Steering Reservoir Frame Mounted	0	0
1354845	S	PHP10 Iron PreSet Hubs	0	0
1380070	O	Greasable Front Spring Pins	65	0
1380260	S	Bendix Air Cam Front Drum Brakes 16.5x5	0	0
1380470	O	Meritor Wide Track IPO Standard, Front Axle	0	15
1390540	O	Dust Shields, Cam Brakes, Front Axle	38	4
1391410	S	Gusseted Cam Brackets, Steer Axle	0	0

Price Level: April 1, 2021
Deal: 348 Dump
Printed On: 3/24/2021 11:07:46 AM

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Quote Number: QUO-795312-R5R2K6



Sales Code	Std/ Opt	Description	\$ List	Weight
1392970	O	Heavy Duty Cam Bushings, Steer Axle	26	0
Rear Axle & Equipment				
1526150	O	Meritor MT40-14X 40,000 lb	7,297	2,103
1616370	S	PHP10 Iron PreSet Hubs	0	0
1660000	O	Dust Shields For Cam Brakes, Drive Axle(s)	29	15
1680150	O	Asphalt Dump Brake Chamber Clearance	186	0
1680450	O	Rear Brake Camshaft Reinforcement	93	9
1680460	O	Heavy Wall, Drive Axle(s)	647	88
1680490	O	Gusseted Cam Brackets, Drive Axle(s)	24	2
1680500	S	SBM Valve	0	0
1680950	S	Stability System Not Selected Or Not Available	0	0
1682430	S	Anti-Lock Braking System (ABS) 4S4M	0	0
1684200	S	Synthetic Axle Lubricant All Axles	0	0
1687010	S	Bendix Air Cam Rear Drum Brakes 16.5x7	0	0
1687348	O	Tandem Drive Axle (Model 348)	0	0
1705290	O	Ratio 5.29 Rear Axle	0	0
1826050	O	Reyco 102 Multi Leaf 40,000 lb, 52in Axle Spacing	1,413	505
Engine & Equipment				
2074407	O	PACCAR PX-9 330@2000 GOV@2200 1000@1200 N21350 C121 64....Maximum Accelerator Pedal Ve N21370 C128 64....Maximum Cruise Speed (P059) N21460 C132 1400..Max PTO Speed (P046) N21520 C133 5.....Timer Setting (P030) N21610 C188 39....Low Ambient Temperature Thre N21620 C189 60....Intermediate Ambient Tempera N21630 C190 80....High Ambient Temperature Thr N21550 C206 35....Engine Load Threshold (P516) N21340 C209 120...Hard Maximum Speed Limit (P1 N21510 C225 NO....Enable Idle Shutdown Park Br N21450 C231 NO....Gear Down Protection (P026) N21570 C233 NO....Idle Shutdown Manual Overrul N21440 C234 NO....Engine Protection Shutdown (	2,883	0

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Sales Code	Std/ Opt	Description	\$ List	Weight
		N21480 C238 NO....Auto Engine Brake in Cruise		
		N21470 C239 NO....Cruise Control Auto Resume (		
		N21430 C333 0.....Reserve Speed Limit Offset (		
		N21410 C334 0.....Maximum Cycle Distance (N202		
		N21590 C382 YES...Enable Hot Ambient Automatic		
		N21500 C395 0.....Expiration Distance (N209)		
		N21530 C396 YES...Enable Impending Shutdown Wa		
		N21540 C397 60....Timer For Impending Shutdown		
		N21320 C399 120...Standard Maximum Speed Limit		
		N21400 C400 252...Reserve Speed Function Reset		
		N21420 C401 10....Maximum Active Distance (N20		
		N21330 C402 0.....Expiration Distance (N207)		
2091310	O	Engine Idle Shutdown Timer Disabled	0	0
2091315	O	Enable EIST Ambient Temp Overrule	0	0
2091372		Eff EIST NA Expiration Miles	0	0
2091640		Effective VSL Setting NA	0	0
2092016	O	Typical Operating Speed 62 MPH	0	0
2092031	O	Powertrain Optimized for Fuel Economy	0	0
2140150	O	Remote PTO and Throttle Provision	17	0
2140200	S	CARB Engine Idling Compliance	0	0
2513060	S	PACCAR 160 Amp Alternator, Brushed	0	0
2521090	O	Immersion Type Block Heater 110-120V	86	2
2522110	S	PACCAR 12V Starter, N/A PACCAR MX Engines	0	0
2538030	S	2 PACCAR Premium 12V Starting Batteries 2000 CCA	0	0
2621000	O	2-Speed Fan Clutch For Frequent Start/Stops	374	0
2723210	S	18.7 CFM Air Compressor	0	0
2812210	O	VGT Exhaust Brake	66	0
2921160	S	Spin-On Fuel/Water Separator	0	0
2921210	S	No Fluid Heat Option for Fuel Filter	0	0
2921310	S	No Electric Heat Option for Fuel Filter	0	0

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Sales Code	Std/ Opt	Description	\$ List	Weight
3114270	S	High Efficiency Cooling System	0	0
3211120	S	Radial Seal, Dry Type Air Cleaner, Frontal	0	0
3365270	O	Exhaust Single RH Side of Cab	351	29
3387870	O	24" Ht, 5" Dia Chrome, Clear Coat Standpipe(s)	497	0
Transmission & Equipment				
4052110	O	Allison 3000 RDS-P Transmission, Gen 5	10,737	195
4210080	S	1710 HD Driveline, 1 Midship Bearing	0	0
4250650	O	LH PTO Access Dipstick Tube Routing, Allison Trans	0	0
4252890	O	Allison FuelSense 2.0 Not Desired	0	0
4252940	O	Allison Neutral At Stop	0	0
4256640	O	Allison 6-Speed Configuration, Close Ratio Gears	0	0
4256920	O	Dash Mounted Push Button Shifter	626	0
Air & Trailer Equipment				
4510210	O	Bendix AD-HF EP Air Dryer, Heater	186	-2
4519130	O	Mount Air Dryer Inside Rail LH	0	0
4520420	O	Pull Cords All Air Tanks	7	0
4540420	S	Nylon Chassis Hose	0	0
4543320	S	Steel Painted Air Tanks	0	0
4611930	O	Body Connections 5' BOC	134	4
4612780	O	AE Connection EOF, 7-Way Socket, 4' Additional	238	0
Tires & Wheels				
5030740	O	FF: GY 16ply 11R22.5 Endurance LHS	173	-8
5130600	O	RR: GY 14ply 11R22.5 Endurance LHD	968	64
5190008	O	Code-rear Tire Qty 08	0	0
5220410	O	FF: Alcoa 885657 22.5X8.25 High Polish	426	-34

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Sales Code	Std/ Opt	Description	\$ List	Weight
5320410	O	RR: Alcoa 885657 22.5X8.25 High Polish	1,704	-136
5390008	O	Code-rear Rim Qty 08	0	0
5409680	O	Schrader 1126 Double Seating Extensions	29	0
Fuel Tanks				
5554070	O	26" Aluminum 60 Gallon Fuel Tank LH U/C	207	9
5602060	O	Location LH U/C 60 Gallon	0	0
5652890	S	DEF Tank Mounted LH BOC	0	0
5652980	S	DEF To Fuel Ratio Between 1:1 And 2:1	0	0
5655019	S	DEF Tank Small	0	0
Battery Box & Bumper				
6010670	O	Aluminum Space Saver Battery Box LH BOC	209	-84
6030150	O	Rubber Battery Pad In Bottom of (1) Battery Box	9	4
6040550	S	Aftertreatment Aluminum Non-Slip Cab Entry	0	0
6121180	S	Steel Styled Aero Bumper Painted Cab Color	0	0
Cab & Equipment				
6510110	S	Alum Cab 108in BBC Metton Hood w/Bright Crown	0	0
6540120	O	Severe Service Cab Package #1	155	39
6540160	O	Thermal Insulation Package in Cab	19	2
6911700	S	National Driver Seat	0	0
6921700	S	National Passenger Seat	0	0
6930500	O	Drivers Armrest - RH Only	35	2
6939400	S	Air Ride Driver	0	0
6939420	S	High Back Driver	0	0
6939470	S	Vinyl Driver	0	0
6939510	S	Non-Air Ride Passenger	0	0

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Sales Code	Std/ Opt	Description	\$ List	Weight
6939520	S	High Back Passenger	0	0
6939570	S	Vinyl Passenger	0	0
7001520	O	Adjustable Steering Column - Tilt/Telescope	114	11
7001620	S	Steering Wheel With Peterbilt Logo	0	0
7036120	S	Interior Gray/Black	0	0
7210430	O	Extended Rear Window ipo Std Window-Day Cab	69	18
7210540	S	Day Cab Rear Window	0	0
7230060	S	1-Piece Curved Windshield	0	0
7322010	S	Combo Fresh Air Heater/Air Conditioner	0	0
7330700	O	Peterbilt Comfort Control - Cab	21	6
7410040	O	Outside Sunvisor - Stainless Steel	223	4
7511010	O	Stainless Steel Mirrors 7 x 16 with Heat Element	71	2
7560850	O	(2) Convex 8 Inch SSTL Mirrors	109	4
7564110	S	Power Package	0	0
7620620	O	(2) Air Horns 24.5" Chrome - Round w/Horn Shields	465	16
7722120	O	ConcertClass, AM/FM, Weatherband, 3.5 Aux	317	10
7725710	O	Standard Speaker Package For Cab	117	4
7728040	O	Bluetooth Phone and Audio	54	0
7728050	O	USB Port	54	0
7748140	O	CB Terminals/Wiring Mounted Under Header	48	0
7748500	O	CB Antenna Mounting, LH Mirror	46	1
7788140	O	Radio Antenna Mounted on LH Mirror Bracket	34	0
7850015	O	Rear Wall Deep Record/Map Pocket	107	2
7850210	O	Plug-In Auto Reset Circuit Breaker	40	0

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Sales Code	Std/ Opt	Description	\$ List	Weight
7851480	S	Peterbilt Electric Windshield Wipers	0	0
7851780	O	CabMate Cab Air Suspension	1,297	15
7900090	O	Triangle Reflector Kit, Ship Loose	17	13
7900270	O	Fire Extinguisher, Cab Mounted	54	8
7901130	O	Backup Alarm (107 DB)	52	3
8011400	O	Main Transmission Oil Temperature Gauge	19	0
8021015	O	Air Application Gauge	0	0
8021380	S	Air Restriction Indicator	0	0
8071870	S	Main Instrumentation Panel, Graphics Display	0	0
8072560	O	(1) Additional Dash Switch With Wiring	47	0
8111110	S	Headlights Composite Fender Mounted	0	0
8120980	S	(5) Marker Lights, Aero LED	0	0
8133470	O	Switch & Wiring for F/O Beacon/Strobe	68	2
8140080	O	LED Stop/Turn/Tail/Backup	140	-7
8140850	O	Moveable EOF Crossmember For Mounting Tail Lights	80	1
8151140	O	(2) Load Lights, Flush Mounted Low Outboard Loc B	77	4
8153100	O	(1) F/O Load Light, Switch, 10' Wire Coil	45	2

Paint

8500710	S	Standard Paint Color Selection	-200	0
8530770	S	(1) Color Axalta Two Stage - Cab/Hood N85020 A - L0006EY WHITE N85700 BUMPER L0006EY WHITE N85500 CAB ROOF L0006EY WHITE N85300 FENDER L0006EY WHITE N85200 FRAME L0001EA BLACK N85400 HOOD TOP L0006EY WHITE	0	0

Shipping Destination

Options Not Subject To Discount

Price Level: April 1, 2021
Deal: 348 Dump
Printed On: 3/24/2021 11:07:46 AM

Date: March 23, 2021
Quote Number: QUO-795312-R5R2K6



Sales Code	Std/ Opt	Description	\$ List	Weight
9400091	S	Peterbilt Class 7 Standard Coverage	0	0
9400094	S	PACCAR PX-9 Standard Coverage	0	0
Miscellaneous				
9409831	O	2021 EPA Emissions Engine	0	0
9409843	O	Peterbilt Sourcewell Program Code	0	0
9481981	O	PACCAR 2021 PX-9 Protection Plan 1	3,250	0
9481993	O	PACCAR 2021 PX-9 Aftertreatment Coverage (6/200)	1,280	0

Promotions

Order Comments



Total List Price (W/O Freight & Warranty & Surcharges)

\$146,085

\$146,199

Marketing and Service Support Fee

\$875

Prepaid Freight

\$2,450

Total Surcharge/Options Not Subject To Discount

\$4,530

Total Weight

13,982

Prices and Specifications Subject to Change Without Notice.

Unpublished options may require review/approval.

Dimensional and performance data for unpublished options may vary from that displayed in CRM.

PRICING DISCLAIMER

While we make every effort to maintain the web site to preserve pricing accuracy, prices are subject to change without notice. Although the information in this price list is presented in good faith and believed to be correct at the time of printing, we make no representations or warranties as to the completeness or accuracy of this information. We reserve the right to change, delete or otherwise modify the pricing information which is represented herein without any prior notice. We carefully check pricing specifications, but occasionally errors can occur, therefore we reserve the right to change such prices without notice. We disclaim all liability for any errors or omissions in the materials. In no event will we be responsible for any damages of any nature whatsoever from the reliance upon information from these materials. Please check your order prebills to confirm your pricing information



Enoven Truck Body + Equipment

2904 Duluth St
West Sacramento, CA 95691
916-372-9692

Quote #: 79518

Date: 3/18/2021
CustID: 32202

Thank you for the opportunity to quote your business, please call if you have any questions.

City of Pittsburg
357 East 12th Street
Pittsburg, CA 94565

City of Pittsburg
357 East 12th Street
Pittsburg, CA 94565

Attn: Greg Justice
925-250-6866
gjustice@ci.pittsburg.ca.us

Qty>=	Description	Unit Price	Ext Price
1	Dump Body: 15', Beau-Roc CSS, 15-3642HL (REQUIRES 132" C/T) - 11.9 to 13.9 cu.yd. - Floor: 1/4" HARDOX 450 with radius to sides and 8" formed trapezoidal long sills, NO CROSSMEMBERS - Sides: 36", 3/16" Hi-Tensile Steel, (1) formed horizontal brace, cheater board slots - 2" X 6" cheater boards, installed - Fold down ladder mounted to side of body, driver side front - Tailgate: 42", 3/16" Hi-Tensile Steel, (1) formed horizontal brace, (3) patch gate, Air Release from OEM dash switch, Air Highlift from OEM dash switch - 8" X 1/4" spreader apron with spreader chains - Headboard: 68", 3/16" Hi-Tensile Steel with 18" X 10ga cab protector - (2) shovel holders mounted to front of headboard, one per side - Front Trunnion, Base Mount Mailhot G3 150-5-4 Telescopic Cylinder giving 44.6 tons at 50 degree dump angle and 12" overhang - Hotshift PTO wired to OEM dash switch with direct mount dump pump - Cable Control console in cab between seats - 25gal steel frame rail mounted reservoir with internal return line filter and 1/4 turn valves mounted to driver side frame rail - Red LED Clearance lamp at top of rear posts - 6" Oval Red LED S/T/T and Clear LED B/U lamps mounted in rear posts - Red LED Marker lamp in side of rear posts - OEM S/T/T/BU lamps at end of frame - Red LED ID lamp bar on hitch plate - "ENOVEN" mudflaps aft of tires with plastic splash guards in front - Body up lamp - Body props - Back up alarm - Vibrator mounted under front of body with safety chains wired to momentary switch in cab - Wheel chock holder with rubber wheel chock mounted under fender, one per side at trunnion	\$37,768.00	\$37,768.00

Qty>=	Description	Unit Price	Ext Price
	- Painted WHITE TO MATCH CAB - Installed and Certified		
1	Accessories: 5/8" Buck Plate with Hitch	\$2,028.00	\$2,028.00
	- Premier 580 Pintle Hitch (26" hitch height) - (2) 5/8" D-Rings - 7-Way Trailer Socket mounted to top of plate, driver side - Glad hands split mount at top of plate with 45 degree bulkheads - LED license plate lamp - Red LED ID lamp bar - Underride protection - Painted Black		
1	Accessories: Electric Arm Tarping System	\$3,235.00	\$3,235.00
	- Tarp housing mounted to front of body above cheater board slots - Asphalt vinyl tarp - Arms attached to sides of body - Control switch mounted in dash		
1	Accessories: Toolbox, 36"	\$625.00	\$625.00
	- 36" X 18" X 18" steel toolbox mounted to frame rail, passenger side - Powdercoated Black		
1	Accessories: Cone Holder	\$465.00	\$465.00
	- Pipe style holder mounted to frame rail, driver side aft of toolbox - Painted Black		
1	Accessories: Emergency Lighting	\$1,559.00	\$1,559.00
	- (6) ECCO ED3706A Amber LED Strobe lamps, (2) mounted to rear posts, (2) mounted to front grill, and (1) per side wired to OEM dash switch		
1	Accessories: Backup Camera System	\$1,309.00	\$1,309.00
	- ECCO Gemineye camera system with 7" LCD monitor mounted to dash and camera mounted at end of truck		

Qty>= Description

Unit Price

Ext Price

TOTAL

\$46,989.00

This Quote is good for 30 days. Acceptance of this Quote is confirmed and accepted by issuance of a Purchase Order, signing and returning this Quote, and/or delivery of a truck chassis to Enoven. This quotation was made expressly upon your request and is confidential and non transferable. If provided, estimated delivery dates are estimates only; actual delivery dates depend on a variety of factors that may/may not be within the direct control of Enoven. FUEL SERVICE CHARGE - IF A TRUCK IS DELIVERED WITH LESS THAN 1/4 TANK OF DIESEL/GASOLINE OR LESS THAN 1,500PSI CNG, A \$100.00 FUEL SERVICE CHARGE WILL BE ADDED TO THE FINAL INVOICE. For complete Terms and Conditions please go to www.enoven.com.

Terms of Sale:

Net10

Enoven Truck Body + Equipment

Authorized by: senochian

Date: 3/23/2021

Printed: 3/23/2021 11:51:33 AM

X



**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 Local Enforcement Agency Assistance Grant Application for FY 2021/2022 through FY 2025/2026

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

The State Department of Resources Recycling and Recovery (CalRecycle) maintains a grant program to support the Local Enforcement Agency's (LEA) solid waste facilities permit and inspection programs. The Local Enforcement Assistance Grant application requires an updated City Council Resolution as part of its grant application.

FISCAL IMPACT

Approval of this Resolution will provide the City annual grants ranging from \$10,000 to \$17,000 each over the next five years to supplement the LEA's budget for equipment, supplies, training, technical support, outreach and education related to solid waste facilities permit and inspection programs.

RECOMMENDATION

City Council adopt the attached Resolution authorizing the submittal of the annual grant application through FY 2025/2026, authorizing the City Manager or his designee to execute the applications in the name of the City and the Director of Finance to receive these funds.

BACKGROUND

The City's Local Enforcement Agency, the enforcement agency for local, state, and federal solid waste facilities permit and inspection programs within the City, is eligible to apply for Enforcement Assistance Grant funds administered by the Department of Resources Recycling and Recovery. These funds are intended to supplement existing LEA budgets for equipment, supplies, training, and technical support. In addition, the grant funds can be used on projects and programs related to solid waste facilities education and outreach.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

This grant application from CalRecycle will be for Grant Cycle EA-32, FY 2021/2022. The LEA is eligible for a grant award of approximately \$10,000 to \$17,000 for each grant cycle plus additional grant funds based on population and the number of active solid waste facilities. The amount of grant funds available to the City will depend on the number of grant applications received by CalRecycle, as well as the total funding available from the State.

CalRecycle regulations require that funds be used only to support permitting and inspection activities and be subject to record keeping per the Procedures and Requirement Guidelines.

The grant funds are intended to supplement, not replace, the existing Pittsburg LEA budget approved by CalRecycle to maintain state certification of Pittsburg's LEA Program. Enforcement Assistance Grants are meant to enhance LEA permitting and inspection programs by acquiring materials and equipment not otherwise possible.

The attached Resolution authorizes staff to complete and file the application for grant fund EA-32 and subsequent grant applications through FY 2025-2026 and to implement and carry out the purposes specified in the Enforcement Assistance Grant.

ATTACHMENTS: Resolution

Report Prepared By: Laura L. Wright, Environmental Affairs Manager

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing Local Enforcement Agency)
Assistance Grant Application for FY)
2021/2021 to and including the FY)
2025/2026)

RESOLUTION NO. 21-

The Pittsburg City Council FINDS AND DETERMINES as follows:

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs in furtherance of the State of California's efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, the people of the State of California have authorized the issuance of grants to individual and regional Local Enforcement Agencies (LEA) to carry out the Solid Waste Facilities Permit and Inspection Program pursuant to Public Resources Code sections 44001 et seq.; and

WHEREAS, CalRecycle has been delegated the responsibility for administering the LEA Grant, which includes procedures governing the application by and payment of grant funds to LEAs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, Grant Application procedures require an Applicant's governing body to authorize by resolution its approval for submittal of the Grant Application(s) identified below, and the designation by job title of the individual authorized to execute all Grant documents on behalf of City of Pittsburg; and

WHEREAS, the City of Pittsburg is the LEA responsible for permitting, inspection, and enforcement duties within its jurisdiction.

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

Section 1. Findings

- A. The recitals set forth are true and correct statements.
- B. The City Council authorizes the City of Pittsburg to apply for, receive funding for, and administer the LEA Enforcement Assistance Grant for the period commencing with the Fiscal Year 2021/2022 LEA Grant to and including the Fiscal Year 2025/2026 LEA Grant from the Department of Resources Recycling and Recovery for as long as the City of Pittsburg maintains a certified and designated Local Enforcement Agency.

Section 2. Authorization

- A. The City Manager or his or her designee, is hereby authorized to execute in the name of the City of Pittsburg all necessary applications, agreements and amendments for the purpose of securing grant funds and to implement and carry out the purposes specified in the application.
- B. The Director of Finance is hereby authorized to receive the grant funds in the name of the City of Pittsburg for the purpose of administering this program and be subject to the record keeping guidelines per the Procedure and Requirement documents provided by CalRecycle.

PASSED AND ADOPTED by the City Council of the City of Pittsburg, at a regular meeting on the third day of May 2021, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Merl Craft, 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: By Minute Order, Authorize Letter of Support for AB 332 Hazardous Waste: Treated Wood Waste: Management Standards

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

Since January 1, 2021, handling and disposal of treated wood waste has been governed by alternative management standards found in Title 22 of the California Code of Regulations. AB 332 seeks to make these temporary alternative standards more permanent by codifying them in the code.

FISCAL IMPACT

There is no direct fiscal impact.

RECOMMENDATION

Authorize the Mayor to sign the letter of support on behalf of the City in support for AB 332 Hazardous Waste: Treated Wood Waste: Management Standards to the State of California's Chair of the Environmental Safety and Toxic Materials Committee, local State Senators and Assemblymen, and the League of California Cities.

BACKGROUND

Treated wood is a common building material in many industries, from agriculture to construction. Fencing material is one of the most common types of treated wood. The material is treated with preservatives to resist decay related to moisture, pests, and exposure to the environment. The preservatives contain hazardous chemicals.

Until January 1, 2021, treated wood material could be disposed of in either a Class I hazardous waste landfill, or a composite-lined portion of a solid waste landfill. It also did not need to be transported by a registered hazardous waste hauler.

Senate Bill 68 was passed by the Legislature and would have repealed the sunset date for the management of treated wood waste. On September 29, 2020, Governor Newsom vetoed this bill, thereby requiring residential and commercial customers to pay the added costs and handle the complexities of managing and transporting these materials as a hazardous waste, for disposal at a Class 1 landfill.

SUBCOMMITTEE FINDINGS

This item was not presented to a Subcommittee.

STAFF ANALYSIS

The sunset of the previous regulations has left residents, businesses, and public entities with only one option of managing this waste material: transporting the material to the only Class 1 facility in Bakersfield, California. The lack of alternative management of treated wood waste has increased illegal dumping of these materials.

The Department of Toxic Substances Control developed a temporary, short-term fix by issuing variances to generators, transporters, handlers, and disposal facilities for the management and disposal of treated wood waste, but this variance system is not a permanent solution with its limitations.

If passed into law, AB 332 will re-establish the Alternative Management Standards by codifying the proper handling and disposal of Treated Wood Waste (TWW) within Title 22. Staff recommends support for AB 332.

ATTACHMENTS: Letter of Support
Joint Letter of Support dated March 30, 2021

Report Prepared By: Laura L. Wright, Environmental Affairs Manager

May 3, 2021

The Honorable Bill Quirk
Chair, Environmental Safety and Toxic Materials Committee
1020 N Street, Room 171
Sacramento, CA 95814

RE: AB 332 (Committee on Environmental Safety and Toxic Materials) Hazardous Waste: Treated Wood Waste: Management Standards
Notice of SUPPORT *(As Amended 03/26/21)*

Dear Assembly Member Quirk,

The City of Pittsburg pleased to **support** Assembly Bill 332 concerning treated wood waste (TWW).

Treated wood is commonly used as a building material in many construction, agricultural, and aquatic settings, as it has been specifically treated with preservatives to resist decay related to moisture, pests, and exposure to the environment. Because TWW contains hazardous chemicals, it must be carefully managed and disposed. Until January 1, 2021, TWW could be disposed of in either a Class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill and did not have to be transported by a registered hazardous waste hauler.

On September 29, 2020, Governor Newsom vetoed Senate Bill 68 (Galgiani), which sought to repeal the sunset date allowing the alternative management of TWW. This left residential and commercial customers with no practical disposal options because of the significantly greater costs and complexities of managing and transporting these materials as hazardous wastes to a Class I hazardous waste disposal facility.

Over the last several months, the Department of Toxic Substances Control has worked diligently to develop a temporary, short-term fix by issuing variances to generators, transporters, handlers, and disposal facilities for the management and disposal of TWW. This variance system was not intended to be a permanent solution, but instead facilitates the proper management and disposal of TWW while the Legislature crafts a long-term approach.

AB 332 facilitates the safe and proper handling and disposal of TWW by codifying the Alternative Management Standards found in 22 CCR 67386.1 et seq. that sunset on January 1, 2021. Those standards significantly eased the burdens associated with proper transportation, management, and disposal of TWW.

The City of Pittsburg supports AB 332 because it establishes a clear and reasonable path for the proper management and disposal of TWW while protecting the environment. Management and disposal of TWW as a hazardous waste is unreasonable because of the

extremely limited transportation and disposal opportunities, the massive cost increases that accompany such special treatment, and the volumes involved. Without the alternative management options for TWW that AB 332 establishes, the City of Pittsburg is particularly concerned that costs for management and disposal of TWW will remain at unsustainable levels.

The need to reestablish Alternative Management Standards is critical for the well-being of the community at large. It is causing a hardship to residents and businesses which is increasing illegal dumping of these materials throughout our City. The City is now burdened with the clean up of these extras materials as well as the cost of disposal to the only class 1 facility that can accept TWW, which is in Bakerfield, California. AB 332 will allow for the proper and safe handling of these materials again and reduce the illegal and improper management of TWW.

For these reasons, the City of Pittsburg **supports** AB 332.

Sincerely,

Merl Craft
Mayor

cc: Senator Steve Glaser, District 7 – senator.glaser@senate.ca.gov
Assembly Member Jim Frazier, 11th District – assemblymember.frazier@assembly.ca.gov
Assembly Member Tim Grayson, 14th District – assemblymember.grayson@assembly.ca.gov
Sam Caygill, East Bay Division, League of California Cities, scaygill@cacities.org
League of California Cities, cityletters@cacities.org



March 30, 2021

The Honorable Bill Quirk
 Chair, Environmental Safety & Toxic Materials Committee
 State Capitol, Room 2163
 Sacramento, CA 95814

**RE: Assembly Bill 332 – SUPPORT
 As Amended March 25, 2021**

Dear Assembly Member Quirk:

On behalf of the local government and solid waste organizations listed above, we are writing to express our strong support for your Assembly Bill 332 concerning treated wood waste (TWW).

Treated wood is commonly used as a building material in many construction, agricultural, and aquatic settings, as it has been specifically treated with preservatives to resist decay related to moisture, pests, and exposure to the environment. Because TWW contains hazardous chemicals, it must be carefully managed and disposed. Until January 1, 2021, TWW could be disposed of in either a Class I hazardous waste landfill or in a

composite-lined portion of a solid waste landfill and did not have to be transported by a registered hazardous waste hauler.

On September 29, 2020, Governor Newsom vetoed Senate Bill 68 (Galgiani), which sought to repeal the sunset date allowing the alternative management of TWW. This left residential and commercial customers with no practical disposal options because of the significantly greater costs and complexities of managing and transporting these materials as hazardous wastes to a Class I hazardous waste disposal facility.

Over the last several months, the Department of Toxic Substances Control has worked diligently to develop a temporary, short-term fix by issuing variances to generators, transporters, handlers, and disposal facilities for the management and disposal of TWW. This variance system was not intended to be a permanent solution, but instead facilitates the proper management and disposal of TWW while the Legislature crafts a long-term approach.

AB 332 facilitates the safe and proper handling and disposal of TWW by codifying the Alternative Management Standards found in 22 CCR 67386.1 et seq. that sunset on January 1, 2021. Those standards significantly eased the burdens associated with proper transportation, management, and disposal of TWW.

We support AB 332 because it establishes a clear and reasonable path for the proper management and disposal of TWW while protecting the environment. Management and disposal of TWW as a hazardous waste is unreasonable because of the extremely limited transportation and disposal opportunities, the massive cost increases that accompany such special treatment, and the volumes involved. Without the alternative management options for TWW that AB 332 establishes, we are particularly concerned that costs for management and disposal of TWW will remain at unsustainable levels and we will continue to experience the increase in illegal dumping and burning, which has led to even greater costs on state and local governments to clean up that waste.

For the reasons stated above, we appreciate your attention to this urgent matter of statewide concern and support AB 332.

Sincerely,



JOHN KENNEDY
Legislative Advocate
RCRC



CATHERINE FREEMAN
Legislative Representative
CSAC



DOUG KOBOLD
Executive Director
CPSC



NATASHA DRANE
Governmental Relations & Legislative
Officer
Sacramento County



Chuck Helget, Director Government Affairs
Republic Services

LESLIE LUKACS
Executive Director
Zero Waste Sonoma



CHRISTINE WOLFE
Public Policy Manager
Recology



ALEX OSEGUERA
Director of Government Affairs
Waste Management

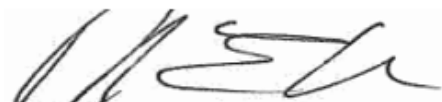
MICHAEL RIVERA
Solid Waste Division Manager
City of Watsonville



DEREK DOLFIE
Legislative Representative
League of California Cities



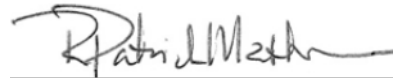
JENNIFER LOMBARDI
General Manager
Mendo Recycle



DAVID E. FAHRION
CEO
CWRA



RACHEL ROSS-DONALDSON
Agency Manager
Tehama County Solid Waste
Management Agency



PATRICK MATHEWS
General Manager/CAO
Salinas Valley Solid Waste Authority



PETER HOLTZCLAW
Executive Director
RecycleMore



KRISTA BERNASCONI
Mayor
City of Roseville



LAURA FERRANTE
Government Affairs Advocate
Resource Recovery Coalition of
California



WENDY SOMMER
Executive Director
StopWaste



JOE LA MARIANA
Executive Director
RethinkWaste



KEVIN BELL, P.E.
Deputy Executive Director
Western Placer Waste Management
Authority



LESLIE ROBINSON
Program Manager
Santa Barbara County
Resource Recovery & Waste
Management Division

DIANE BURGIS
Chair of the Board
Contra Costa County



JOHN KELLY ASTOR
General Counsel, Legislative and
Regulatory Affairs
California Waste Haulers Council



CAROL J. HUCHINGSON, M.A.
County Administrative Officer
Lake County



ROBERT C. FERRANTE
Chief Engineer & General Manager
Los Angeles County Sanitation Districts

cc: Members of the Assembly Environmental Safety & Toxic Materials Committee
Josh Tooker, Chief Consultant, Assembly Environmental Safety & Toxic
Materials Committee
Gregory Melkonian, Consultant, Assembly Republican Caucus



**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 Attorney to Execute Second Amendment to Outside Counsel Services Agreement with Best, Best & Krieger

MEETING DATE: 5/3/21

EXECUTIVE SUMMARY

The City Attorney proposes a second amendment to an Outside Counsel Services Agreement with the law firm Best, Best & Krieger, to increase the compensation and extend the duration, for legal services in connection with employment benefits.

FISCAL IMPACT

The amendment would add \$75,000 to the contract, which would be funded by the Human Resources Department.

RECOMMENDATION

Adopt the Resolution authorizing the City Attorney to execute a second amendment to the Outside Counsel Services Agreement with the law firm Best, Best & Krieger, LLP.

BACKGROUND

In 2019, the City Attorney retained the law firm Best, Best & Krieger, LLP, for purposes of providing specialized legal services regarding employment benefits. The contract provided for a maximum of \$20,000 in compensation. Since that time, the Human Resources Department identified that certain changes would be required for several of the City's employment benefits plans. In July 2020, the City Attorney entered into the First Amendment to the agreement, to increase the compensation maximum to \$75,000 to provide for legal services for the consolidation and transition of the City's plans.

SUBCOMMITTEE FINDINGS

This item was not submitted to a subcommittee.

STAFF ANALYSIS

The City of Pittsburg currently sponsors and maintains the City of Pittsburg Management 401(a) Plan and the City of Pittsburg City Manager 401(a) Plan (the “401(a) Plans”) and Newport Group has been the service provider and recordkeeper of these plans. The City also currently sponsors and maintains the City of Pittsburg Deferred Compensation Plan (“457(b) Plan”), and MassMutual is the primary service provider. MassMutual has recently been acquired by Empower Retirement (“Empower”), requiring the 457(b) Plan to migrate to Empower. With this migration, the City will also consolidate: (a) the two 401(a) Plans to one plan serviced by Empower and (b) the portions of the 457(b) Plan currently serviced by each of Newport and MassMutual into a single 457(b) plan serviced by Empower.

The City’s Purchasing Policy provides the City Attorney with authority to enter into contracts for professional services in the amount of \$75,000 or less. City Council authorization is required to amend the contract to increase the maximum compensation above \$75,000. The City Attorney recommends increasing the maximum to \$150,000 and extending the duration through calendar year 2023. The proposed amendment will cover the ongoing legal services for the consolidation and transition of the plans. Additional legal work on the matter is needed, beyond what was originally estimated, in part because of the unforeseen acquisition of MassMutual by Empower. The extension of the contract term for another two years, and the increase in compensation, will allow City staff to obtain specialized legal services regarding employment benefits as the need arises through 2023. The dollar maximum in the amendment is not a guarantee of work for the law firm and will not necessarily be expended by the City. The law firm charges hourly rates up to \$625 depending on the expertise of the individual consultant or lawyer employed by the firm. The contract may be terminated at any time on short notice.

ATTACHMENTS:

Second Amendment

Report Prepared By:
Donna Mooney, City Attorney

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing City Attorney to Execute Second)
Amendment to Outside Counsel Services) RESOLUTION NO. 20-
Agreement with Best, Best & Krieger, LLP)

WHEREAS, the City Attorney entered into an Agreement for Outside Counsel Services ("Agreement") with the law firm Best, Best & Krieger, LLP, in July 2019 for specialized legal services regarding employment benefits, with a maximum compensation of \$20,000 and a term through June 30, 2021, and;

WHEREAS, the parties entered into a First Amendment to the Agreement in July 2020 to increase the compensation to \$75,000 in light of legal services needed for the consolidation of City employment benefits plans; and

WHEREAS, additional legal work is needed for the completion of the consolidation and transition of the plans, in part because of an unforeseen acquisition within the market affecting the City's 457(b) plan; and

WHEREAS, the City expects the need for specialized legal services regarding employment benefits from time to time through 2023; and

WHEREAS, the City Attorney seeks to amend the Agreement to add \$75,000 to the maximum compensation for a total of \$150,000, and extend the duration through December 31, 2023.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburgh hereby authorizes the City Attorney to execute the Second Amendment to the Outside Counsel Services Agreement with the law firm Best, Best & Krieger, LLP.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 3rd day of May, 2021, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Merl Craft, Mayor

ATTEST:

Alice E. Evenson, City Clerk

**SECOND AMENDMENT TO
OUTSIDE COUNSEL SERVICES AGREEMENT BETWEEN
CITY OF PITTSBURG
AND BEST, BEST & KRIEGER LLP**

This Second Amendment to the Agreement For Outside Counsel Services made and entered into on July 1, 2019, hereafter referred to as Agreement, between Best, Best & Krieger, a California limited liability company, therein referred to as Outside Counsel, and the City of Pittsburgh, a municipal corporation, therein referred to as City, is made and entered into on this ____ day of May, 2021.

WHEREAS, the parties entered into the Agreement on July 1, 2019, and;

WHEREAS, on July 1, 2020, the parties entered into the First Amendment to the Agreement to increase the compensation for the purposes of receiving legal services regarding the transition of certain employment benefit accounts; and

WHEREAS, the parties desire to amend the contract to increase the compensation due to unforeseen additional work regarding the transition, and for employment benefits legal services that may be needed by the City in the next two years, and to extend the duration accordingly.

Outside Counsel and City do mutually agree as follows:

1. Term. Section 3 of the Agreement is hereby amended to read as follows:
Unless earlier terminated or extended, the term of this Agreement will be from the date first written above until December 31, 2023.

2. Compensation. Section 5 of the Agreement is hereby amended to read as follows:
City shall compensate Outside Counsel for the performance of Services at the rates shown on Exhibit "A." No attorney other than as named in Exhibit A is authorized to perform work for City. No other compensation for the Services will be allowed. Moreover, not more than One Hundred and Fifty Thousand Dollars (\$150,000) shall be paid for services and reimbursable costs incurred under this Agreement. Outside counsel shall not bill City for duplicate services, i.e. services performed by more than one person.

3. Integration. This Second 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 Second Amendment. This Second 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, and Outside Counsel shall perform all duties, obligations and conditions required under the Agreement.

4. Inconsistencies. In the event of any conflict or inconsistency between the provisions of this Second Amendment and the Agreement, the provisions of this Second

Amendment shall control in all respects.

5. Ambiguities. The parties have each carefully reviewed this Second Amendment and have agreed to each term of this Second Amendment. No ambiguity shall be presumed to be construed against either party.

6. Counterparts. This Second Amendment may be executed by the parties in one or more counterparts all of which collectively shall constitute one document and agreement.

7. Authority. The person signing this Second Amendment for Outside Counsel hereby represents and warrants that he or she is fully authorized to sign this Second Amendment on behalf of Outside Counsel.

IN WITNESS WHEREOF, the parties have entered into this Second Amendment on the day and year first hereinabove appearing.

OUTSIDE COUNSEL:

BEST, BEST & KRIEGER, a California
limited liability company

By: _____
Jeff Chang, Principal

CITY:

CITY OF PITTSBURG, a municipal
corporation of the State of California

By: _____
Donna Mooney, City Attorney

ATTEST:

By: _____
Alice Evenson, City Clerk

APPROVED AS TO FORM:

By: _____
Donna Mooney, City Attorney



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

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: By Minute Order, Authorize the Mayor to Sign a Letter Supporting AB 988 on Behalf of the City of Pittsburg

MEETING DATE: May 3, 2021

EXECUTIVE SUMMARY

California is facing a mental health crisis with suicide rates climbing over the last twenty years. The State has relied heavily on law enforcement for emergency mental health care, despite a lack of proper mental health training among most law enforcement personnel. Support of AB 988 would provide resources and a framework for providing emergency mental health care through trained mental illness professionals and networks.

FISCAL IMPACT

There is no direct fiscal impact.

RECOMMENDATION

Authorize the Mayor to sign a Letter of Support for AB 988 on behalf of the City of Pittsburg.

BACKGROUND

According to the Miles Hall Foundation, one in six Californians live with a mental illness, and suicides have been steadily climbing by 35% nationally over the last two decades. This tragic trend has only been exacerbated by COVID-19.

In October 2020, the federal government passed the National Suicide Hotline Designation Act establishing a new phone line (9-8-8) for suicide prevention and immediate mental health crisis response nationwide. Under the Act, before July 2022 states must create a framework to receive and respond to calls.

AB 988 implements the national 988 system in California so that all people experiencing a mental health crisis can receive care.

SUBCOMMITTEE FINDINGS

This item was not presented to a Subcommittee.

STAFF ANALYSIS

Throughout California, police and the criminal justice system often serve as the default mental health provider. According to the Miles Hall Foundation, 10% of statewide law enforcement agencies' budgets and 20% of staff time are currently spent responding to individuals with mental illness.

As a consequence of an overreliance on law enforcement responses to a public health crisis, about 25% of all individuals killed in police-involved shootings since 2015 had a known mental illness, with African American men dying disproportionately higher.

AB 988 will designate crisis hotline centers to provide intervention through call, chat, and text. These call centers will deploy crisis services such as mobile crisis teams and crisis stabilization services.

To ensure long-term success, centers will follow up with callers to ensure they receive ongoing care. The crisis hotline centers will also work with the National Suicide Hotline to provide over the phone immediate support for individuals calling in with suicidal thoughts. Lastly, this bill will establish a monthly fee on mobile phone and landline bills, similar 911 charges, to fund the 988 system.

If supportive of AB 988, Pittsburg will join over 100 entities in favor including local supporters like Contra Costa County and Cities of Concord, Danville, Lafayette, Richmond, San Pablo, and Walnut Creek.

ATTACHMENTS: Letter of Support for AB 988

Report Prepared By: Sara Bellafronte, Administrative Analyst II

To be Printed on City Letterhead

May 3, 2021

The Honorable Jim Wood, Chair
Assembly Committee on Health
California State Capitol, Room 6005
Sacramento, CA 95814

The Honorable Miguel Santiago, Chair
Assembly Committee on Communications and Conveyance
California State Capitol, Room 6027
Sacramento, CA 95814

RE: Support for AB 988 (Bauer-Kahan) The Miles Hall Lifeline Act

Dear Chairs Wood and Santiago:

On behalf of the City of Pittsburg, I write to express strong support of Assembly Bill 988 to implement the national 988 mental health emergency response system in California so that all Californians experiencing a mental health crisis can access life-saving care.

In 2020, the federal government established "988" as the new three-digit number for mental health crisis hotlines. Switching to an easy-to-remember 988 as the "911" for suicide prevention and mental health crisis services will ensure Americans in crisis have access to the help they need. 988 will connect callers with around-the-clock intervention, including mobile crisis support teams staffed by mental health professionals and trained peers instead of police officers.

With calls to existing suicide prevention call centers skyrocketing as a result of the COVID-19 pandemic - including 22,869 calls to the Contra Costa Crisis Center between July 1, 2020 and March 31, 2021 alone - AB 988 will ensure the state is prepared to answer the calls of all Californians in need.

The current mental health crisis response system relies on law enforcement and puts people suffering from mental illness through an expensive and traumatizing revolving-door as they shuttle between jails, emergency rooms, and the street. A comprehensive crisis response system can prevent these tragedies, save money, and increase access to appropriate care.

AB 988 takes a monumental step forward in addressing these systemic inequities in our mental health system by creating a crisis response system that provides support to help individuals and communities thrive. It is for these reasons that we strongly support AB 988.

Sincerely,

Merl Craft, Mayor