



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 for June 8, 2020 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.

Comments can be submitted via email to meetingcomments@ci.pittsburg.ca.us. If you wish to have your comments read to the Council Members during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON AGENDA." Comments that you want read to the Council will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted. Just as in a live meeting inside the Council Chamber, only one comment per agenda item per person is allowed. If you comment more than once on a particular topic, only the first email will be read aloud.

The City of Pittsburg thanks you in advance for taking all precautions to prevent the spread of the COVID 19 virus.

**CITY OF PITTSBURG
AGENDA**

JUNE 08, 2020

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

**BUDGET WORKSHOP
6:00 P.M.**

**SPECIAL MEETING
7:00 P.M.**

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

PRESIDING

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

6:00 P.M. - BUDGET WORKSHOP

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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 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

Please see Public Advisory attached.

CITY COUNCIL MEETING

PUBLIC HEARING

1. Adoption of a City Council Resolution Approving the Substantial Amendment to the Community Development Block Grant 2019-2020 Annual Action Plan to Add the CDBG-CV Allocation

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed by President Trump on March 27, 2020 to respond to the growing effects of coronavirus, also referred to as COVID-19. The US Department of Housing and Urban Development (HUD) will be allocating \$2 billion in the initial phase of funding under the CARES Act to Community Development Block Grant (CDBG) grantees. Grantees may use these funds, also referred to as CDBG-CV funds, for a range of activities to prevent, prepare for, and respond to the coronavirus.

2. Adoption of a City Council Resolution Approving the Amended Community Development Block Grant Citizen Participation Plan Related to the CARES Act

The Housing and Community Development Act of 1974, as amended, requires all Community Development Block Grant (CDBG) entitlement jurisdictions to have a Citizen Participation Plan (CPP). The CPP sets forth the City's policies and procedures for citizen participation for the CDBG program. The CPP is being amended to allow for virtual public meetings due to the social distancing requirements and to shorten the public comment period to a minimum of 5 days related to funding from the Coronavirus Aid, Relief and Economic Security Act (CARES Act).

CONSIDERATION

3. Adoption of a Minute Order Accepting Senior Executive Team Salary and Benefits Reductions for Fiscal Year 2020/2021

With the onset of the COVID-19 pandemic and resulting economic impacts, members of the Senior Executive Team have agreed to reduce salary and benefits during Fiscal Year 2020/2021.

4. Consideration of a City Council Request for a Future Agenda Item Related to Reckless Driving and Sideshows

At the May 18, 2020 City Council meeting, Councilmember Banales requested a future agenda item related to development of a coordinated plan to address reckless driving (such as doing “donuts”) and sideshows on City streets. As part of this item, the City Council will receive a report on identified and implemented measures to address these issues, and consider directing staff to work with the Infrastructure and Transportation Subcommittee to further evaluate the scope, cost, and steps necessary to enact longer-term solutions.

CONFLICT OF INTEREST STATEMENT

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

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

5. Minutes of May 18, 2020 and June 3, 2020
6. By Minute Order, Direct Review of City’s Conflict Of Interest Code

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the code-reviewing body no later than October 1 of even-numbered years.

7. Adoption of a City Council Resolution Requesting the Consolidation of the Municipal Election with Other Elections to be Held on Tuesday, November 3, 2020 General Election Date for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities and Levying a Charge and Establishing Word Limitation for Candidates’ Statements

Pursuant to Elections Code Section 10400, et. seq., the City must, at least 88 days prior to the date of the election, file with the Board of Supervisors a Resolution of its governing board requesting the consolidation of elections and setting forth the exact form of any office to be voted upon at the election and establishing the word limitation for candidates’ statements.

8. Adoption of a City Council Resolution Accepting Plans and Specifications, Awarding Contract 2016-09, 2017 Sewer and Waterline Rehabilitation Project to Garney Pacific Inc.

Contract 2016-09, 2017 Sewer and Waterline Rehabilitation Project (the “Project”) consists in general of the rehabilitation of sanitary sewer and water facilities at various locations throughout the City where chronic problem areas require a significant amount of maintenance and repairs. Adoption of the attached Resolution will accept the plans and specifications for the Project, and authorize the City Manager to

execute a construction contract for the Base Bid and the Bid Additives A and B in the amount of \$7,291,889.50, with Garney Pacific, Inc. of Tracy.

9. Adoption of a City Council Resolution Approving a Consultant Agreement and Authorizing Funds for Contract 2020-08, Supervisory Control and Data Acquisition (SCADA) Upgrade Project

The City is in need of upgrading the SCADA system for the operation of the Water Treatment Plant. Contract 2020-08, SCADA Upgrade Project (the "Project") includes equipment and a back-up system, and technical support. This resolution will allocate funds and approve a Consultant Agreement with CB Pacific for the Project.

10. Adoption of a City Council Resolution to Amend Senior Executive Team Salary and Benefit Schedules

The City Council is being asked to adopt the proposed amendment to the Senior Executive Team Salary and Benefits Schedule by removing reference to the City Attorney classification designated as part of the Senior Executive Team.

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.

11. Adoption of a Resolution Condemning Police Actions in the Death of George Floyd in Minneapolis, Expressing Support for the Floyd Family, and Committing to Address the Systemic Inequities and Adoption of a Minute Order Approving a Letter and Public Statement

The City Council will consider the adoption of a Resolution addressing the recent tragic death of George Floyd following his arrest by the Minneapolis Police Department, expressing support for the Floyd family, and requesting a commitment to addressing systemic inequities.

COUNCIL MEMBER REMARKS

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

ADJOURNMENT to June 15, 2020

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 taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

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

DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones, and 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 - 2020

Updated February 3, 2020

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Jelani Killings / Merl Craft Alternate	Standing	Annual	G. Evans
Delta Diablo**	Juan Banales / Shanelle Scales-Preston Alt.	Standing	2 nd Wednesday	F. McKinley
East Co. Co. County Habitat Conservancy	Juan Banales / Holland White Alternate	Standing	Monthly	K. Pollot
East County Water Management	Merl Craft / Holland White Alternate	Standing	Annual	F. McKinley
MCE Clean Energy Board	Shanelle Scales-Preston / Juan Banales Alt.	Standing	4 Per Year	D. Buchanan
TRANSPLAN / ECCRFFA	Juan Banales / Holland White 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	Jelani Killings / Juan Banales Alt.	Standing	3 rd Thursday	*Rotational
Mayor's Conference	Juan Banales / Jelani Killings Alt.	Standing	1 st Thursday	G. Evans
School Districts Committee (2x2)	Holland White & Jelani Killings / Merl Craft Alt.	Standing	4 th 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
Camp Stoneman Anniversary Celebration	Merl Craft & Shanelle Scales-Preston	Ad Hoc	As needed	Evans/Simonton
City Infrastructure and Transportation	Juan Banales & S. Scales-Preston / Holland White Alt.	Standing	TBD	G. Evans
Community Services Subcommittee	Juan Banales & Holland White	Ad Hoc	As needed	G. Evans/M. Aliotti
Flag Protocols	Holland White & Shanelle Scales-Preston	Ad Hoc	As needed	J. Davis
Hills Committee	Juan Banales & Holland White / Merl Craft Alt.	Ad Hoc	As needed	G. Evans
Pittsburg Recognition Committee	Merl Craft / Juan Banales Alt.	Ad Hoc	As needed	J. Hecht
Economic Develop/Waterfront Subcommittee	Jelani Killings & Holland White / Juan Banales Alt.	Standing	Quarterly	K. Simonton
Finance Subcommittee	Jelani Killings & Juan Banales / Merl Craft Alt.	Standing	As needed	B. Farmer
Land Use Subcommittee	Juan Banales & Holland White / Merl Craft Alt.	Ad Hoc	As needed	K. Pollot
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 / Merl Craft Alt.	Standing	As needed	D. Buchanan
Sister City Committee	Jelani Killings & Merl Craft / Holland White Alt.	Ad Hoc	As needed	K. Simonton
Successor Agency Subcommittee	Merl Craft & Jelani Killings / S. Scales-Preston Alt.	Standing	As needed	M. Aliotti

*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.



**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 Substantial Amendment to the Community Development Block Grant 2019-2020 Annual Action Plan to Add the CDBG-CV Allocation

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed by President Trump on March 27, 2020 to respond to the growing effects of coronavirus, also referred to as COVID-19. The US Department of Housing and Urban Development (HUD) will be allocating \$2 billion in the initial phase of funding under the CARES Act to Community Development Block Grant (CDBG) grantees. Grantees may use these funds, also referred to as CDBG-CV funds, for a range of activities to prevent, prepare for, and respond to the coronavirus.

FISCAL IMPACT

The City will receive \$358,320 in CDBG-CV funds. The funding allocation 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 Substantial Amendment to the 2019-2020 Annual Action Plan to add the CDBG-CV allocation and approve the funding recommendations.

BACKGROUND

The CARES Act provides supplemental CDBG funding to prevent, prepare for and respond to the coronavirus. The CARES Act provides grantees with flexibilities that make it easier to use the funds in fiscal year 2019-2020 and authorizes HUD to grant certain waivers and alternative requirements. The anticipated funding amount for CDBG-CV was stated on an award letter received from HUD in early April 2020.

SUBCOMMITTEE FINDINGS

On May 4, 2020, the CDBG Subcommittee met to make funding recommendations for the CDBG-CV funds for City Council consideration and approval.

STAFF ANALYSIS

HUD's distribution plan for the supplemental funding includes multiple phases. This is the initial phase that allows for quick access to funding to address the immediate crisis resulting from this historical health pandemic. The later phases will support post-pandemic community recovery. The 2019-2020 Annual Action Plan will be amended to add the additional funding from this initial phase.

As permitted in the CARES Act, HUD has allowed for the following waivers to the typical CDBG regulations due to the urgency of utilizing these funds:

- The City is not required to update the Needs Analysis sections in 2015-2020 Consolidated Plan and the 2019-2020 Annual Action Plan.
- The 30-day public comment period has been shortened to a minimum of 5 days.
- The 15% Public Service cap is not a requirement.

Grantees will be required to document that the activities funded through CDBG-CV are in response to COVID-19. The CDBG Subcommittee recommends funding the following activities:

- Emergency Rental/Mortgage/Utility Assistance – In support of the City's Ordinance 20-1473 adopted on April 6, 2020 regarding residential evictions during the Covid-19 local emergency, the CDBG Subcommittee acknowledges the need to provide financial assistance to eligible households so they can remain in their homes and avoid homelessness. Shelter Inc. will be the service provider administering the program and has created a dedicated hotline for residents to call.
- Food Insecurity – As the economic toll of COVID-19 hits the community, hunger is a growing concern. Local food programs have experienced an increase in the number of people needing food. The CDBG Subcommittee acknowledges the need to ensure residents have access to food to reduce hunger. Loaves and Fishes currently administers the Nourishing Lives program in the City and since the Shelter in Place Ordinance started, it has seen a 60% increase in the number of meals distributed. With the additional funding, Loaves and Fishes will be able to extend its services at the Pittsburg facility through the weekend by serving a meal on Saturdays and Sundays in addition to its weekday distribution.
- Homeless Encampment Cleanup – In support of the State of California's Project Roomkey initiative, Contra Costa Health Services has secured motel rooms for people who live in encampments and who are considered at high risk due to age or health condition. As individuals are moved to the motels from encampments, cleanup of the encampments is necessary to minimize the spread of the coronavirus and other potential diseases.

As shown in Exhibit A, the proposed allocation for the Homeless Encampment Cleanup is \$24,999. Staff has reached out to HUD to confirm if this proposed use is allowed. If after 90 days from the approval date of the CDBG-CV allocation staff has not yet received HUD's published guidelines or has not yet received a response to its inquiry on the use of these funds for the Homeless Encampment Cleanup, then the funds will be reallocated to assist in with the Emergency Rental/Mortgage/Utility Assistance.

ATTACHMENTS: Resolution
Exhibit A

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 the Substantial Amendment)
to the Community Development Block)
2019-2020 Annual Action Plan to Add)
the CDBG-CV Allocation)

RESOLUTION NO. 20-

The Pittsburgh City Council FINDS AND DETERMINES as follows:

WHEREAS, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed by President Trump on March 27, 2020 to respond to the growing effects of the coronavirus, also known as COVID-19. The US Department of Housing and Urban Development (HUD) will be allocating \$2 billion in the initial phase of funding under the CARES Act to Community Development Block Grant (CDBG) grantees; and

WHEREAS, grantees may use the CDBG-CV funds for a range of activities to prevent, prepare for, and respond to the coronavirus; and

WHEREAS, the CARES Act provides grantees with flexibilities that make it easier to use the funds in fiscal year 2019-2020 and authorizes HUD to grant certain waivers and alternative requirements. The anticipated funding amount for CDBG-CV was stated on an award letter received from HUD in early April 2020; and

WHEREAS, on May 4, 2020, the CDBG Subcommittee met to make funding recommendations for the CDBG-CV funds for City Council consideration and approval; and

WHEREAS, the City solicited comments from May 26, 2020 through May 31, 2020 and conducted a public hearing on June 1, 2020 to receive testimony and close the comment period.

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

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City Council hereby adopts the Resolution approving the Substantial Amendment to the 2019-2020 Annual Action Plan, which includes the CDBG-CV application form SF-424 and the required certifications, to add the CDBG-CV allocation and approve the funding recommendations as listed in Exhibit A of the Staff Report.

Section 3. The City Council authorizes the reallocation of the Homeless Encampment Cleanup to the Emergency Rental/Mortgage/Utility Assistance if after 90 days from the approval date of the CDBG-CV allocation staff has not yet received HUD's published guidelines or has not yet received a response to its inquiry on the use of these funds for the Homeless Encampment Cleanup.

Section 4. The public comment period on the Substantial Amendment to the 2019-2020 Annual Action Plan, which includes the funding recommendations for CDBG-CV is hereby closed.

Section 5. The City Manager or his/her designee will submit to HUD the Substantial Amendment to the 2019-2020 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 6. 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 7. The City Clerk shall certify to the adoption of this Resolution.

Section 8. This Resolution becomes effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a special meeting on the 8th day of June 2020 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Jelani Killings, Mayor

ATTEST:

Alice E. Evenson, City Clerk

EXHIBIT A

CDBG-CV

SUBRECIPIENT – PROGRAM		AWARD AMOUNT
1	Shelter Inc. – Emergency Rental/Mortgage/Utility Assistance	\$ 200,000.00
2	Loaves and Fishes –Extended Weekend Services	\$ 61,657.00
3	Code Enforcement – Homeless Encampment Clean Up	\$ 24,999.00
	PROGRAM ADMINISTRATION:	\$ 71,664.00
	CDBG–CV PROGRAM BUDGET:	\$ 358,320.00

CITY OF PITTSBURG



COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT (CDBG-CV) Substantial Amendment to 2019-2020 Annual Action Plan

65 Civic Avenue
Pittsburg, CA 94565

Annual Action Plan
2019

1

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

CDBG-CV Prevent, prepare for and respond to COVID-19.

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed by President Trump on March 27, 2020 to respond to the growing effects of the Novel Coronavirus, also referred to as COVID-19. The US Department of Housing and Urban Development (HUD) will be allocating \$2 billion in the initial phase of funding under the CARES Act to Community Development Block Grant (CDBG) grantees. Grantees may use these funds, also referred to as CDBG-CV funds, for a range of activities to prevent, prepare for, and respond to the coronavirus.

HUD's distribution plan for the supplemental funding includes multiple phases. This is the initial phase that allows for quick access to funding to address the immediate crisis resulting from this historical health pandemic. The later phases will support post-pandemic community recovery. The 2019-2020 Annual Action Plan will be amended to add the additional funding from this initial phase.

As permitted in the CARES Act, HUD has allowed for the following waivers to the typical CDBG regulations due to the urgency of utilizing these funds:

- The City is not required to update the Needs Analysis sections in 2015-2020 Consolidated Plan and the 2019-2020 Annual Action Plan.
- The 30-day public comment period has been shortened to a minimum of 5 days.
- The 15% Public Service cap is not a requirement.

The City of Pittsburgh (City) is submitting a Substantial Amendment for the 2019-2020 Annual Action Plan (Substantial Amendment) to include the plan for expending CDBG-CV funds.

2. Summarize the objectives and outcomes identified in the Plan

CDBG-CV funds will be utilized for a range of activities to prevent, prepare for, and respond to the coronavirus.

Expected Resources

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

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	Federal	Admin Public Services	\$358,320	0	0	\$358,320	0	CDBG-CV

Table 1 - Expected Resources – Priority Table

AP-35 Projects - 91.420, 91.220(d)

Introduction

2019-20 CDBG-CV Program Budget

Amount for allocation: \$286,656

Planning & Administration (20%): \$ 71,664

Total CDBG-CV Entitlement: \$358,320

#	CDBG-CV Project Name
1	CDBG-CV Program Administration
2	CDBG-CV Shelter Inc. Emergency Mortgage, Rental and Utility Assistance
3	CDBG-CV Loaves and Fishes of Contra Costa Nourishing Lives
4	CDBG-CV Code Enforcement Homeless Encampment Cleanup

Table 2 – Project Information

1	Project Name	CDBG-CV Program Administration
	Target Area	City of Pittsburg
	Goals Supported	CD-8 Administration
	Needs Addressed	Program Administration
	Funding	CDBG-CV: \$71,664

Annual Action Plan

2019

3

	Description	CDBG-CV 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	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable
	Location Description	Citywide
	Planned Activities	Program administration
2	Project Name	CDBG-CV Shelter Inc. Emergency Mortgage, Rental and Utility Assistance
	Target Area	City of Pittsburg
	Goals Supported	H2 - Services for Homeless (Non-Shelter Related)
	Needs Addressed	Homeless Prevention
	Funding	CDBG-CV \$200,000
	Description	Shelter Inc.'s mission is to prevent and end homelessness for low-income, homeless, and disadvantaged families and individuals by providing housing, services, support, and resources that lead to self-sufficiency. The program seeks to prevent or end homelessness by providing recipients with short-term (up to three months) financial assistance to avoid becoming homeless.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	Estimated to help approximately 33 Pittsburg households. The target population is low-income households facing a housing crisis due to COVID-19.
	Location Description	Citywide

	Planned Activities	Shelter Inc. has created a dedicated COVID-19 hotline for residents seeking mortgage, rental, and utility assistance. A case manager will analyze the impacts due to COVID-19 affecting the household's income and funding decisions will be based on individual needs and funding availability.
3	Project Name	CDBG-CV Loaves and Fishes of Contra Costa Nourishing Lives
	Target Area	City of Pittsburg
	Goals Supported	CD-1 General Public Services
	Needs Addressed	Food Insecurity
	Funding	CDBG-CV: \$61,657
	Description	As the economic toll of COVID-19 hits the community, hunger is a growing concern. Local food programs have experienced an increase in the number of people needing food. Since the Shelter in Place Order started, Loaves and Fishes has seen a 60% increase in the number of meals distributed. With the additional funding, Loaves and Fishes will be able to extend its services at the Pittsburg facility through the weekend by serving a meal on Saturdays and Sundays in addition to its weekday distribution.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	Estimated to serve 800 Pittsburg residents.
	Location Description	Pittsburg Dining Room-1415 Simpson Court Pittsburg, CA 94565
	Planned Activities	Loaves and Fishes will be able to extend its services at the Pittsburg facility through the weekend by serving a meal on Saturdays and Sundays in addition to its weekday distribution. A bag of produce and other food items will also be distributed to each person while supplies last.

4	Project Name	CDBG-CV Code Enforcement Homeless Encampment Clean Up
	Target Area	City of Pittsburg
	Goals Supported	AH 2 - Code Enforcement
	Needs Addressed	Affordable Housing
	Funding	CDBG-CV: \$24,999
	Description	In support of the State of California's Project Roomkey initiative, Contra Costa Health Services has secured motel rooms for people who live in encampments and who are considered at high risk due to age or health condition. As individuals are moved to the motels from encampments, cleanup of the encampments is necessary to minimize the spread of the coronavirus and other potential diseases.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	Estimated to clean up 5 encampments.
	Location Description	Citywide
	Planned Activities	As individuals are moved to the motels from encampments, cleanup of the encampments is necessary to minimize the spread of the coronavirus and other potential diseases.



City of
Pittsburgh

Community Development Block Grant
Amending the Citizen Participation Plan
Coronavirus CDBG-CV



Amending the Citizen Participation Plan

Amending the Citizen Participation Plan



- CDBG entitlement jurisdictions must have a Citizen Participation Plan (CPP)
 - Sets forth the City's policies and procedures for citizen participation
- The CPP is being amended to allow
 - Virtual public meetings
 - Shorten the public comment period to a minimum of 5 days



Coronavirus CDBG-CV

HUD Waivers for CDBG-CV Funds



- Not required to update the Needs Analysis sections in Consolidated Plan & Annual Action Plan
- 30 day public comment period has been shortened to a minimum 5 days
- 15% Public Service cap is not a requirement

CDBG-CV Funding Availability



Amount for allocation	\$286,656
Planning & Administration (20%)	\$71,664
Total HUD CDBG-CV Entitlement	\$358,320

Eligible Activities Under CDBG-CV



1. Public Services

- Hotel/motel stays
- Emergency rental/mortgage/utility assistance
- Provide testing, diagnosis or other services at a fixed or mobile location
- Provide equipment, supplies, and materials necessary to carry-out a public service

Eligible Activities Under CDBG-CV



Public Services Continued –

- Deliver meals to quarantined individuals or individuals that need to maintain social distancing
- Carry out job training to expand pool of health workers
- Increase the capacity of health services for infectious disease response within existing health facilities



2. Public Facilities

- Construct a facility for testing, diagnosis or treatment
- Rehabilitate a community facility to establish an infectious disease treatment clinic
- Acquire and rehabilitate or construct a group Living facility for patients undergoing treatment

Eligible Activities Under CDBG-CV



Public Facilities - Continued

- Rehabilitate a commercial building or closed school to establish a treatment clinic (i.e. replace HVAC)
- Acquire and quickly rehabilitate a motel/hotel to expand capacity of hospitals
- Make interim improvements to private properties to enable an individual to remain quarantined

Eligible Activities Under CDBG-CV



3. Economic Development

- Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies
- Provide short term working capital to small businesses to retain low to moderate income employees
- Provide technical assistance, grants or loans to microenterprises that provide medical, food delivery, cleaning and other services to support home health & quarantine

Eligible Activities Under CDBG-CV



4. Code Enforcement

- Clean up homeless encampments once individuals are relocated into a motel

Proposed Activities to Fund



- Emergency rent/mortgage/utility assistance
- Extend meal distribution services through the weekends and provide funding for food supplies
- Homeless encampment cleanup

Emergency Rent/Mortgage/ Utility Assistance



- 8,857 housing units paying mortgages and 8,961 housing units paying rent
- Median household income - \$70,770 (Pittsburg); \$101,618 (County)
- Median Pittsburg - \$1,997 (mortgage) and \$1,649 (rent)

Emergency Rent/Mortgage/ Utility Assistance



- Recommended funding allocation - \$200,000
- Average assistance – up to \$2,000/month for up to 3 months = up to \$6,000 per household
- Projected number of households to be assisted = 33

Extend Meal Distribution Services



- Recommended funding allocation - \$61,657
- Extend meal distribution services through the weekends
- Provide funding for food supplies

Code Enforcement - Homeless Encampment Clean Up



- Recommended funding allocation - \$24,999
- Average cleanup cost = \$5,000
- Number of encampments that may be cleaned
= 5

Proposed Activities and Timeline



- Selected activities:
 - Emergency rental/mortgage/utility assistance
 - Extend meal services through the weekends and provide funding for food supplies
 - Homeless encampment cleanup
- Public comment period - 5/26/20 to 5/31/20



Open the public hearing, receive and consider testimonies, close the public hearing, and approve:

1. The amended Citizen Participation Plan to include
 - Virtual meetings
 - Shorten the public comment period to a minimum of 5 days
2. The substantial amendment to the 2019-2020 Annual Action Plan to add CDBG-CV allocation



**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 Amended Community Development Block Grant Citizen Participation Plan Related to the CARES Act

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

The Housing and Community Development Act of 1974, as amended, requires all Community Development Block Grant (CDBG) entitlement jurisdictions to have a Citizen Participation Plan (CPP). The CPP sets forth the City's policies and procedures for citizen participation for the CDBG program. The CPP is being amended to allow for virtual public meetings due to the social distancing requirements and to shorten the public comment period to a minimum of 5 days related to funding from the Coronavirus Aid, Relief and Economic Security Act (CARES Act).

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

City Council adopt the Resolution approving the amended CPP.

BACKGROUND

The CARES Act was signed by President Trump on March 27, 2020 to respond to the growing effects of the Novel Coronavirus 2019, also referred to as COVID-19. The City will be receiving funding under the CARES Act referred to as CDBG-CV for a range of activities to prevent, prepare for, and respond to COVID-19.

On May 14, 2020, the Contra Costa Consortium, which is comprised of the entitlement jurisdictions of Antioch, Concord, Pittsburg, Walnut Creek and the Urban County (all other cities and the unincorporated areas) (collectively, the "Consortium"), was informed that the CPP requires amending to include virtual meetings.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

The CPP is revised periodically to reflect changes in programs and/or regulations. The CDBG process will now include virtual meetings for subcommittee and City Council meetings in order to comply with the social distancing orders issued by the State and County.

The CARES Act provides flexibility for CDBG-CV grants during these unprecedented times. Grantees may use virtual public meetings due to the social distancing requirements and the public comment period is reduced to a minimum of 5 days to allow expeditious use of these funds.

As required, the public comment period commenced on May 26, 2020 and ended on May 31, 2020. Copies of the amended CPP are on the City's website. Interested parties were given the opportunity to send comments on the amended CPP during the comment period.

ATTACHMENTS: Resolution
Amended Citizen Participation 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 the Amended Community)
Development Block Grant Citizen)
Participation Plan Related to the)
CARES Act)

RESOLUTION NO. 20-

The Pittsburgh City Council FINDS AND DETERMINES as follows:

WHEREAS, the Housing and Community Development Act of 1974, as amended, requires all Community Development Block Grant (CDBG) entitlement jurisdictions to have a Citizen Participation Plan (CPP); and

WHEREAS, the CPP sets forth the City's policies and procedures for citizen participation for the CDBG program; and

WHEREAS, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed by President Trump on March 27, 2020 to respond to the growing effects of the Novel Coronavirus 2019, also referred to as COVID-19; and

WHEREAS, the City will be receiving funding under the CARES Act referred to as CDBG-CV for a range of activities to prevent, prepare for, and respond to the COVID-19; and

WHEREAS, the CPP is amended periodically to reflect changes in programs and/or regulations; and

WHEREAS, the City solicited comments from May 26, 2020 through May 31, 2020.

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

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City Council hereby adopts this Resolution approving the amended CPP which allows for virtual public meetings due to the social distancing requirements and shortens the public comment period to a minimum of 5 days related to funding from the CARES Act.

Section 3. The public comment period on the amended CPP is hereby closed.

Section 4. The City Manager or his 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 5. The City Clerk shall certify to the adoption of this Resolution.

Section 6. This Resolution becomes effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a special meeting on the 8th day of June 2020 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Jelani Killings, Mayor

ATTEST:

Alice E. Evenson, City Clerk

Community Development Block Grant

Citizen Participation Plan



City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565
Duns Number: 1979275128

**Revised June 2020
CARES Act CDBG-CV**

CITY OF PITTSBURG

Community Development Block Grant Program

Citizen Participation Plan

Consistent with the U.S. Department of Housing and Urban Development (HUD) Consolidated Plan requirements, the City of Pittsburgh (the “City”) has revised its Citizen Participation Plan (CPP). The CPP provides an opportunity for the community to work in partnership with the City to identify needs and discuss how the proposed allocation of federal funds can address those needs.

Through the CPP, the City hopes to obtain a broad perspective of housing and community development needs from citizens and organizations involved in affordable housing and community development activities. It is intended to provide for and encourage citizen participation with particular emphasis on participation by persons of low- and very low-income who reside in the city.

The City has the responsibility for administration of the Fair Housing Planning process and the Consolidated Plan process, which includes all activities related to development and dissemination of Assessments of Fair Housing (AFH), Five-Year Consolidated Plans (Con Plan), Annual Action Plans, and Consolidated Annual Performance Evaluation Reports (CAPER).

I. Goals

The five major goals of the City citizen participation process are as follows:

1. To provide citizens with adequate and timely information about the range of activities that may be undertaken through its Community Development Block Grant (CDBG) program, the types of activities previously funded in the city, the level of funding available to carry out these activities, and the estimated amount of funds that will benefit low- and very low-income persons;
2. To provide and encourage an appropriate means to ensure public participation, especially the involvement of low and very low-income residents most likely to be affected by the CDBG program and to provide reasonable efforts to ensure continuity of involvement of citizens or citizen organizations throughout all stages of the program;

3. To provide citizens with an adequate opportunity to articulate needs, express preferences about proposed activities, assist in the selection of priorities, and the development the AFH, the Con Plan, the Annual Action Plan, and the CAPER;
4. To provide citizens with the opportunity to assess and submit comments on all aspects of program performance; and
5. To conduct meetings and respond to information requests in a manner consistent with the CPP.

II. Process

The City, in its citizen participation process, has instituted a variety of activities to accomplish the above-stated goals:

A. Assessment of Fair Housing

The City will present a proposed five-year AFH in a public hearing held by the City Council. This AFH will assist the City through incorporation of the purpose and policies of the Fair Housing Act in its planning processes. The Fair Housing Act prohibits discrimination and mandates that HUD funded programs and participants “take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice and foster inclusive communities that are free from discrimination,” per Affirmatively Furthering Fair Housing rules and regulations.

The following general steps will be followed in developing the AFH:

1. At least three citizen/community and/or focus group meetings will be held. The citizen/community/focus group meetings may be held in conjunction with the Con Plan process described below in Section II.B.

At these citizen/community/focus group meetings, citizens are encouraged to participate in the development and any revisions to the AFH. Particularly, participation by moderate- and low- income persons and by residents of predominately low- and very-low income neighborhoods, as may be defined by HUD and/or the City. The City shall take appropriate action to encourage all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities, to participate.

2. The City shall encourage the participation of local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofits, philanthropic organizations and community-based and faith-based organizations) during the development and implementation of the AFH.

3. The City shall encourage participation with public housing agencies (PHA) and residents of public housing and assisted housing developments, resident advisory boards, resident councils and resident management corporations, along with other low-income residents of targeted revitalization areas in which the developments are located, during the development of the AFH. The City shall make an effort to provide information regarding the AFH, Affirmatively Furthering Fair Housing strategy activities related to its developments and any surrounding communities so that the PHA may make this information available at the annual public hearing(s) for the PHA Plan.
4. The City shall take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English speaking residents of the community. The City assesses language needs through its Language Access Plan (LAP) and its four-factor analysis, which considers: a) the number of or proportion of Limited-English Proficient (LEP) persons served or encountered in the eligible service population; b) the frequency with which LEP persons come into contact with the program; c) the nature and importance of the program; and d) the resources available and costs to the City.
5. As soon as feasible following the start of the public participation process, the City shall make the HUD-provided data available and any other supplemental information the City plans to incorporate into its AFH available to its residents, public agencies and other interested parties. The City may make the HUD-provided data available to the public by cross-referencing to the data on HUD's web site.
6. A notice of the draft AFH and summary of the contents shall be published in a newspaper of general circulation and posted to the City's website at least thirty (30) days prior to the date of the public hearing at the City Council meeting. The notice will also announce the date of the public hearing; the date, time and address to send written public comments on the draft AFH; and the locations where a reasonable number of free copies of the proposed AFH may be reviewed. The summary shall describe the content and purpose of AFH.
7. After a 30-day public comment period, City staff will consider any comments received in writing, or orally at the public hearing, and if necessary, make appropriate changes to the draft AFH. A summary of these comments or views and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AFH.
8. The final AFH is sent to HUD. Copies of the final AFH are published on the City's website and a reasonable number of free copies are available to the public and in a form accessible to persons with disabilities, upon request.

B. Five-Year Consolidated Plan

The City will present a draft Con Plan for the allocation of CDBG program resources at a public hearing at a City Council Meeting. The Con Plan must be completed in a timely manner for submission to HUD. The Con Plan is considered by the City Council for approval. The following steps will be followed in developing the Con Plan:

1. The first stage of Con Plan development is the analysis of the AFH and the determination of needs based upon input from the general public, neighborhood associations, and other interested parties. City staff will set a timetable with benchmarks to ensure that work on the Con Plan is accomplished in a timely manner.
2. During this process at least three citizen/community and/or focus group meetings will be held. Citizens are encouraged to discuss community needs in various areas such as affordable housing, economic development, infrastructure/public facilities, and public services. The discussions are structured to identify unmet needs of low- and very low-income households that can be addressed through CDBG, and to identify appropriate projects and programs to meet those needs.
 - a. Citizens are encouraged to participate in the development and any Substantial Amendments to the Con Plan. Particularly, participation by moderate- and low-income persons, especially those persons living in predominately low- and very low-income neighborhoods, as may be defined by HUD and/or the City. The City shall take appropriate action to encourage all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities, to participate.
 - b. The City shall encourage the participation of local and regional institutions, Continuum of Care, and other organizations (including businesses, developers, nonprofits, philanthropic organizations and community-based and faith-based organizations) during the development and implementation of the Con Plan.
 - c. The City shall encourage participation with PHAs and residents of public housing and assisted housing developments, resident advisory boards, resident councils and resident management corporations, along with other low-income residents of targeted revitalization areas in which the developments are located, during the development of the Con Plan. The City shall make an effort to provide information regarding the Con Plan activities related to its developments and any surrounding communities so that the PHA may make this information available at the annual public hearing(s) for the PHA Plan.

3. The second stage of Con Plan development is the review of all input. City staff will conduct a preliminary review to assess feasibility and eligibility. City staff shall then prepare a listing of the priority needs based on all input. City staff will use this listing to recommend a broad range of strategies by category based upon identified needs and input at public meetings, hearing(s) and other forums.
4. During the third stage of Con Plan development, the CDBG subcommittee recommends the range of programs and the appropriate percentage of the estimated total funds to be allocated to each eligible subprogram (for example, public facilities and improvements, housing, public services, and economic development). This document becomes the draft Con Plan. A notice announcing the availability of the draft Con Plan for public review and comment will be posted in a newspaper of general circulation at least thirty (30) days prior to the proposed City Council public hearing to consider the draft Con Plan for approval.
5. Staff will consider any written comments received during the comment period or oral comments received during the public hearing, and if necessary, make appropriate changes to the draft Con Plan.
6. The final Con Plan is sent to HUD for approval. Copies of the final Con Plan are published on the City's website and a reasonable number of free copies are available to the public and in a form accessible to persons with disabilities, upon request.

C. Annual Action Plan

1. The Annual Action Plan process begins with a Notice of Funding Availability (NOFA) for CDBG. The NOFA is posted on the City's website, distributed to the City's interested parties list, and published in the non-legal section of a newspaper of general circulation. The NOFA announces an annual public "kickoff" meeting for the CDBG funds. This meeting is designed to encourage low- and very low-income persons, members of minority groups, members of non-English speaking groups, and other residents to express their views and ideas of what they perceive as the community development and housing needs are in the city. The public meeting is held to advise the audience of program requirements, describe the range of activities that may be undertaken, and the application review and approval process.
2. To facilitate the involvement of low- and very low-income persons, non-English speaking persons, and residents in areas most likely to be affected by the programs, staff provides technical assistance in developing project proposals to residents, agencies and community organizations upon request.
3. Additional public meetings may be held at various stages of the Annual Action Plan process, if necessary. Meetings are scheduled at times and locations that permit broad participation by very low and low-income persons. When needed or

upon request, translators are made available for non-English speaking attendees and the hearing-impaired.

4. The City has a formal proposal and evaluation process to guide the evaluation, prioritization and selection of project proposals for funding. This process is used by staff to evaluate each proposal according to the following criteria: (1) eligibility, (2) ability to meet one of the national objectives, (3) target population and demonstrated need, (4) financial analysis, (5) experience and capacity, (6) project readiness and timeliness, (7) past performance, and (8) environmental, historical preservation, relocation, and prevailing wage issues. Upon the posting of the City Council meeting agenda, staff reports are made available to all applicants prior to consideration of the CDBG Subcommittee's funding recommendations.
5. A notice for the draft Annual Action Plan and summary of the available funding for each program will be published in a newspaper of general circulation and posted to the City's website at least thirty (30) days prior to the City Council public hearing date to consider the draft Annual Action Plan. The notice will also announce the dates of the public comment period; the date, time and address of the public hearing; and the location where a reasonable number of free copies may be reviewed.
6. Staff will consider any written comments received during the comment period or oral comments received during the public hearing, and if necessary, make appropriate changes to the draft Annual Action Plan.
7. The adopted Annual Action Plan is sent to HUD for approval. Copies of the adopted Annual Action Plan are published on the City's website and a reasonable number of free copies are available to the public and in a form accessible to persons with disabilities, upon request.

D. Consolidated Annual Performance and Evaluation Report

Every year, the City must submit the CAPER to HUD within 90 days of the close of the program year; by September 30th. In general, the CAPER describes how funds were actually spent and the extent to which these funds were used for activities that benefited low and very low-income people. The purpose of the CAPER is to account for CDBG funded activity in each program year, until the project is "closed-out" in accordance with program requirements.

1. The CAPER shall be made available for review and comment. Notice, public review, and public comments will be made in accordance with the following procedures:
 - a. The City shall provide at least fifteen (15) days advanced notice and availability of a draft CAPER before there is a public hearing. The CAPER

notice will be published in the non-legal section of an area newspaper of general circulation in addition to being posted on the City's website.

- b. The notice will also announce the dates of the public comment period; the date, time and address of the public hearing; and the location where a reasonable number of free copies of the draft CAPER may be reviewed.
- c. A City Council public hearing will be held to consider accepting the draft CAPER. Public comments will be accepted during a fifteen (15) day comment period prior to the public hearing as described in the public notice.
- d. Staff will consider any written comments received during the comment period or oral comments received during the public hearing and include them in the "public comment" section of the CAPER.
- e. The adopted CAPER is submitted to HUD for approval.

E. Coronavirus Aid, Relief and Economic Security Act (CARES Act)

The CARES Act was signed by President Trump on March 27, 2020 to respond to the growing effects of coronavirus. HUD allocated \$2 billion in the initial phase of funding under the CARES Act to grantees. Grantees may use these funds, also referred to as CDBG-CV funds, for a range of activities to prevent, prepare for, and respond to the coronavirus.

The CARES Act provides flexibility for CDBG-CV grants during these unprecedented times. Grantees may use virtual public hearings due to the social distancing requirements and the public comment period is reduced to a minimum 5 days to allow expeditious use of these funds. During this time, the public will have an opportunity to submit comments orally, in writing, or via electronic methods, as directed in the notice.

Virtual public hearings are allowed under the following circumstances:

- National/local health authorities recommend social distancing and limiting public gatherings for public health reasons;
- Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

A formal notice of the public hearing will be published in at least one local newspaper with general circulation no less than five days prior to the hearing. The same notice will be published to City's website.

III. Accessibility of Information

The following information will be available to the public at City Hall during normal working hours:

- a. All mailing and promotional materials.
- b. Records of public meetings.
- c. All key documents, including applications, letters of approval, performance reports, and any other reports required by HUD.
- d. Copies of the regulations and issuances governing the Programs.
- e. Explanation of important program requirements, such as contracting and operations procedures, environmental policies, fair housing, and other equal opportunity requirements, and relocation provisions.
- f. A copy of the CPP.
- g. Copies of each written comment or complaint about the program's performance and a description of any actions taken and/or written response.

Copies of the AFH, Con Plan, Annual Action Plan, Substantial Amendments to the Annual Action Plan and CAPER shall also be made available at the Pittsburg library. A summary of the public meetings, noticing, and publishing schedule is attached in Appendix A. A sample calendar is attached in Appendix B.

VI. Substantial Amendments to the AFH, Con Plan or Annual Action Plan

If after the AFH, Con Plan, or Annual Action Plan has been submitted and approved by HUD, changes are proposed in the use of program funds (provided the proposed change in funding is greater than \$25,000 from one eligible activity to another, this shall constitute a Substantial Amendment. A change in project/program scope, location and/or beneficiaries will be considered a change in eligible activity. Citizens will be given reasonable notice and an opportunity to comment on Substantial Amendments made to the AFH, Con Plan, or Annual Action Plan.

There will be a public review period of thirty (30) days during which written or verbal comments on the Substantial Amendment may be made before the City Council takes action. A public notice will be published in the non-legal section of at least one local newspaper and posted at City Hall thirty (30) days prior to the meeting. The notice shall describe the proposed amendment and provide the date for the public hearing. Any comments received will be presented to the City Council for consideration. A summary of the comments will be attached to the Substantial Amendment upon submission to HUD.

Examples of actions that are not considered by the City to meet the threshold of "substantial" include:

- An increase or decrease in the number of persons to be served;

- Changes in the program/project scope;
- Changes in how the beneficiaries are viewed (presumed benefit populations or low/mod clientele that require different documentation standards);
- A less than \$25,000 increase or decreases in the amount of funds allocated to an approved project or activity to achieve the original purpose of the activity;
- Changes in the agency performing the work due to merger with another agency if the new agency is already being funded by the Contra Costa Consortium and is performing in a satisfactory manner.

Examples of action that are considered to meet the threshold of "substantial" include:

- Any deletion or addition of an activity, or change in the use of CDBG funds from one eligible activity to another;
- Changes in an agency performing the work due to merger if the new agency is not currently being funded by the Consortium with CDBG funds; and/or
- A greater than \$25,000 increase or decrease to an activity or the movement of over \$25,000 (singularly or in aggregate) from one activity to another.

VII. Eligible Activities within Con Plan

The Con Plan established the following goals for programs and projects funded with CDBG.

Non-housing Community Development

- (a) CD-1: General Public Services: Ensure that opportunities and services are provided to improve the quality of life and independence for lower-income persons, and ensure access to programs that promote prevention and early intervention related to a variety of social concerns such as substance abuse, hunger and other issues.
- (b) CD-2: Non-Homeless Special Needs Population: Ensure that opportunities and services are provided to improve the quality of life and independence for persons with special needs, such as elderly/frail elderly, persons with disabilities, battered spouses, abused children, persons with HIV/AIDS, illiterate adults, and migrant farmworkers.

- (c) CD-3: Youth: Increase opportunities for children/youth to be healthy, succeed in school, and prepare for productive adulthood.
- (d) CD-4: Fair Housing: Continue to promote fair housing activities and affirmatively further fair housing.
- (e) CD-5: Tenant/Landlord Counseling: Support the investigation and resolution of disagreements between tenants and landlords and to educate both their rights and responsibilities, so as to help prevent people from becoming homeless and to ensure fair housing opportunity.
- (f) CD-6: Economic Development: Reduce the number of persons with incomes below the poverty level, expand economic opportunities for low- and very low- income residents and increase the viability of neighborhood commercial areas.
- (g) CD-7: Infrastructure and Accessibility: Maintain quality public facilities and adequate infrastructure, and ensure access for the mobility-impaired by addressing physical access barriers to public facilities.
- (h) CD-8: Administration/Planning: Support development of viable urban communities through extending and strengthening partnership among all levels of government and the private sector and administer federal grant programs in a fiscally prudent manner.

Affordable Housing

- (a) AH-1: Maintain and Preserve Affordable Housing. Maintain and preserve the existing affordable housing stock, including single family units, multi-family units at risk of loss to the market and housing in deteriorated lower income neighborhoods.
- (b) AH-2: Increase Affordable Rental Housing Supply. Expand housing opportunities for low-income to extremely low-income households by increasing the supply of decent, safe, and affordable rental housing.
- (c) AH-3: Increase Affordable Supportive Housing Supply. Expand housing opportunities for persons with special needs, including seniors, persons with disabilities, persons with HIV/AIDS, veterans and the homeless by increasing appropriate and supportive housing.
- (d) AH-4: Increase homeownership opportunities for moderate- to low- income households. Increase homeownership opportunities via the construction, acquisition, and/or rehabilitation of housing units; and/or direct financial assistance.

Homelessness

- (a) H-1: Permanent Housing for Homeless. Assist the homeless and those at risk of becoming homeless by providing emergency, transitional, and permanent affordable housing with appropriate supportive services.
- (b) H-2: Prevention of Homelessness. Expand existing prevention services including emergency rental assistance, case management, housing search assistance, legal assistance, landlord mediation, money management and credit counseling.

VIII. Residential Anti-displacement and Relocation Assistance Plan

The City has established the **Residential Anti-displacement and Relocation Assistance Plan** to minimize displacement of persons or businesses as a result of projects funded with CDBG funds.

IX. Complaint Process

Citizens have an opportunity to register complaints by letter, telephone, email or in person directly to the City at the following address: City of Pittsburg, CDBG Program, 65 Civic Avenue, Pittsburg, CA California, 94565; by calling (925) 252-4155; or emailing mvenenciano@ci.pittsburg.ca.us.

All written complaints will be answered in writing within 15 working days. Citizens are encouraged to initially register complaints by telephone, directly to the program staff involved in the relevant program, since oftentimes complaints can be resolved satisfactorily at this level. Staff will investigate complaints and respond as quickly as possible.

Citizens not satisfied by the response of the City staff may request further review of their complaint by the Community Services Director. The Community Services Director will respond in writing to all written complaints within thirty (30) working days of their receipt, where practicable.

Citizens may also file complaints directly to HUD. Per HUD procedures, HUD will forward the complaint to the City Manager's Office. A copy of the letter accompanying the complaint will be sent to complainant. The City Manager's Office has fifteen (15) working days from the date of the HUD letter to respond directly to the complainant and must forward a copy of the response to HUD for its review.

All documentation including final disposition of the complaint will be retained by the City for a period of no less than three years from the date of disposition.

APPENDIX A

Summary of Public Meetings, Noticing, and Publishing

1. Five-Year Con Plan

(a) At least three citizen/community and/or focus group meetings

Noticing: By invitation and published in non-legal section of at least one local newspaper of general circulation at least thirty (30) days prior to the first meeting. The notice is also posted on the City's website.

(b) At least two public meetings

i. During development

Noticing: Letters (regular U.S. mail and/or email) are sent to interested party mailing list and posted on the City's website and at City of Pittsburg, 65 Civic Avenue, Pittsburg, CA 94565 at least ninety-six (96) hours prior to the date of the meeting.

ii. City Council Meeting to consider Con Plan

Noticing: Published in the non-legal section of at least one local newspaper at least thirty (30) days prior to the date of the meeting. The notice posted on the City's website and at City Hall located at 65 Civic Avenue, Pittsburg, CA 94565. The notice includes a summary of the proposed Con Plan.

(c) Publishing: A copy of the Con Plan will be made available at the Pittsburg library, at the City Clerk's Office at City Hall and on the City's website.

2. Annual Action Plan – 1st Year of Two-Year and Three-Year Funding Cycles ("Non-housing" and "Housing" Community Development priorities)

(a) Notice of funding availability (NOFA)

Noticing: Letters (regular U.S. mail and/or email) are sent to interested party mailing list and published in non-legal section of at least one local newspaper at least thirty (30) days prior to application due date.

(b) At least two public meetings

i. During development

Noticing: Letters (regular U.S. mail and/or email) are sent to all CDBG applicants and meeting notice posted on the City's website and at City Hall, 65 Civic Avenue, Pittsburg, CA 94565 at least ninety-six (96) hours prior to the date of the meeting.

ii. City Council Meeting to consider Annual Action Plan

Noticing: A notice is published in the non-legal section of at least one local newspaper at least thirty (30) days prior to the date of

the meeting, and the notice is posted on the City's website and at City Hall, 65 Civic Avenue, Pittsburg, CA 94565.

- (c) Publishing: A copy of the Annual Action Plan will be made available at the Pittsburg library, at the City Clerk's Office at City Hall and on the City's website.

3. Annual Action Plan – Renewal Years of the Two-Year and Three-Year Funding Cycles

No new grant proposals are solicited or accepted for the renewal years of the Two-year and Three-Year funding cycles, unless necessary. Instead, numerous factors are considered that might lead to changes in the level of funding for existing subrecipients. These may include changes in the economic conditions, changes in demographics, program performance, compliance issues, or results of a grant monitoring. Public input is sought on these and any other issues pertaining to the CDBG program that may be of interest to the public.

If new grant proposals are necessary during the renewal years, the process includes:

- (a) Notice of funding availability (NOFA)

Noticing: Letters (regular U.S mail and/or email) are sent to interested party mailing list and published in non-legal section of at least one local newspaper at least thirty (30) days prior to application due date.

- (b) At least two public meetings

- i. During development

Noticing: Letters (regular U.S mail and/or email) are sent to all CDBG applicants and meeting notice posted on the City's website and at City Hall, 65 Civic Avenue, Pittsburg, CA 94565 at least ninety-six (96) hours prior to the date of the meeting.

- ii. City Council Meeting to approve Annual Action Plan

Noticing: A notice is published in the non-legal section of at least one local newspaper at least thirty (30) days prior to the date of the meeting and the notice is posted on the City's website and at City Hall, 65 Civic Avenue, Pittsburg, CA 94565.

- (c) Publishing: A copy of the Annual Action Plan will be made available at the Pittsburg library, at the City Clerk's Office at City Hall and on the City's website.

4. Substantial Amendment

- (a) At least one public meeting

- i. City Council Meeting to approve the Substantial Amendment

Noticing: Published in the non-legal section of at least one local newspaper, posted on the City's website and at City Hall, 65 Civic Avenue, Pittsburg, CA 94565 at least thirty (30) days prior to the date of the meeting.

- (b) Publishing: A copy of the Substantial Amendment will be made available at the Pittsburg library, at the City Clerk's Office at City Hall, and on the City's website.

5. CAPER

- (a) City Council Meeting to approve CAPER

Noticing: Published in non-legal section of at least one local newspaper at least fifteen (15) days prior to the date of the meeting. The notice will be posted on the City's website and at City Hall, 65 Civic Avenue, Pittsburg, CA 94565 at least ninety-six (96) hours prior to the date of the meeting.

- (b) Publishing: A copy of the CAPER will be made available at the Pittsburg library, at the City Clerk's Office at City Hall and on the City's website.

APPENDIX B

Sample Calendar

September	Issue Notice of Funding Availability (NOFA)
October/November	Conduct Funding Kickoff Meeting
December	Applications due
January/February	Applicant Interviews
March/April	Applications / Staff Recommendations considered by Committees
May	City Council review and approval of Annual Action Plan Submit Annual Action Plan to HUD before May 30th
June	Subrecipient Meeting, and Contract Negotiations
July	Start of new Fiscal Year
August	Program monitoring (ongoing through May) CAPER Public Notice
September	CAPER submitted to HUD by September 30 th
October	Semi-annual labor standards report MBE/WBE Report



City of
Pittsburgh

Community Development Block Grant
Amending the Citizen Participation Plan
Coronavirus CDBG-CV



Amending the Citizen Participation Plan

Amending the Citizen Participation Plan



- CDBG entitlement jurisdictions must have a Citizen Participation Plan (CPP)
 - Sets forth the City's policies and procedures for citizen participation
- The CPP is being amended to allow
 - Virtual public meetings
 - Shorten the public comment period to a minimum of 5 days



Coronavirus CDBG-CV

HUD Waivers for CDBG-CV Funds



- Not required to update the Needs Analysis sections in Consolidated Plan & Annual Action Plan
- 30 day public comment period has been shortened to a minimum 5 days
- 15% Public Service cap is not a requirement

CDBG-CV Funding Availability



Amount for allocation	\$286,656
Planning & Administration (20%)	\$71,664
Total HUD CDBG-CV Entitlement	\$358,320

Eligible Activities Under CDBG-CV



1. Public Services

- Hotel/motel stays
- Emergency rental/mortgage/utility assistance
- Provide testing, diagnosis or other services at a fixed or mobile location
- Provide equipment, supplies, and materials necessary to carry-out a public service

Eligible Activities Under CDBG-CV



Public Services Continued –

- Deliver meals to quarantined individuals or individuals that need to maintain social distancing
- Carry out job training to expand pool of health workers
- Increase the capacity of health services for infectious disease response within existing health facilities



2. Public Facilities

- Construct a facility for testing, diagnosis or treatment
- Rehabilitate a community facility to establish an infectious disease treatment clinic
- Acquire and rehabilitate or construct a group Living facility for patients undergoing treatment

Eligible Activities Under CDBG-CV



Public Facilities - Continued

- Rehabilitate a commercial building or closed school to establish a treatment clinic (i.e. replace HVAC)
- Acquire and quickly rehabilitate a motel/hotel to expand capacity of hospitals
- Make interim improvements to private properties to enable an individual to remain quarantined

Eligible Activities Under CDBG-CV



3. Economic Development

- Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies
- Provide short term working capital to small businesses to retain low to moderate income employees
- Provide technical assistance, grants or loans to microenterprises that provide medical, food delivery, cleaning and other services to support home health & quarantine

Eligible Activities Under CDBG-CV



4. Code Enforcement

- Clean up homeless encampments once individuals are relocated into a motel

Proposed Activities to Fund



- Emergency rent/mortgage/utility assistance
- Extend meal distribution services through the weekends and provide funding for food supplies
- Homeless encampment cleanup

Emergency Rent/Mortgage/ Utility Assistance



- 8,857 housing units paying mortgages and 8,961 housing units paying rent
- Median household income - \$70,770 (Pittsburg); \$101,618 (County)
- Median Pittsburg - \$1,997 (mortgage) and \$1,649 (rent)

Emergency Rent/Mortgage/ Utility Assistance



- Recommended funding allocation - \$200,000
- Average assistance – up to \$2,000/month for up to 3 months = up to \$6,000 per household
- Projected number of households to be assisted = 33

Extend Meal Distribution Services



- Recommended funding allocation - \$61,657
- Extend meal distribution services through the weekends
- Provide funding for food supplies

Code Enforcement - Homeless Encampment Clean Up



- Recommended funding allocation - \$24,999
- Average cleanup cost = \$5,000
- Number of encampments that may be cleaned
= 5

Proposed Activities and Timeline



- Selected activities:
 - Emergency rental/mortgage/utility assistance
 - Extend meal services through the weekends and provide funding for food supplies
 - Homeless encampment cleanup
- Public comment period - 5/26/20 to 5/31/20



Open the public hearing, receive and consider testimonies, close the public hearing, and approve:

1. The amended Citizen Participation Plan to include
 - Virtual meetings
 - Shorten the public comment period to a minimum of 5 days
2. The substantial amendment to the 2019-2020 Annual Action Plan to add CDBG-CV allocation



**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 Minute Order Accepting Senior Executive Team Salary and Benefits Reductions for Fiscal Year 2020/2021

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

With the onset of the COVID-19 pandemic and resulting economic impacts, members of the Senior Executive Team have agreed to reduce salary and benefits during Fiscal Year 2020/2021.

FISCAL IMPACT

If approved, the amendments to the Senior Executive Team salary and benefits will result in a savings of approximately \$125,860 for Fiscal Year 2020/2021.

RECOMMENDATION

It is recommended that the City Council move to adopt a minute order to accept the Senior Executive Team salary and benefits reductions for Fiscal Year 2020/2021.

BACKGROUND

With the onset of the COVID-19 pandemic and resulting economic impacts, the City expects a marked decrease in revenue for Fiscal Year 2020/2021. In response to the financial challenges ahead, on April 13, 2020, the Senior Executive Team met collectively with the City Manager to discuss salary and benefit reductions for the unrepresented employee group. On May 4, 2020, the Senior Executive Team proposed salary and benefit reductions for Fiscal Year 2020/2021 to the City Manager for consideration.

SUBCOMMITTEE FINDINGS

This item was presented to the Finance subcommittee on May 15, 2020.

STAFF ANALYSIS

In response to the COVID-19 pandemic and resulting economic impacts, the Senior Executive Team has proposed a temporary reduction in salary and benefits, which includes a five day furlough or one point nine two five percent (1.925%) wage reduction, a delay of any salary increase, including merit and cost-of-living adjustments, suspension of the 401(a) Plan City contributions, addition of one percent (1%) CalPERS cost sharing, and suspension of auto allowances for Fiscal Year 2020/2021.

Furthermore, the City Manager agrees to review the financial status of the City in December 2020 and may eliminate some or all of the temporary salary and benefit reductions if, in the City Manager's sole determination, the City's budget is sufficiently improved.

Upon adoption of the Minute Order by City Council, Senior Executive Team Members will execute individual employment agreement amendments with the City Manager to confirm and endorse agreement to the salary and benefit reductions for Fiscal Year 2020/2021.

ATTACHMENTS: None

Report Prepared By: Griselda Clift, Senior Human Resources Analyst



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

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Consideration of a City Council Request for a Future Agenda Item
Related to Reckless Driving and Sideshows

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

At the May 18, 2020 City Council meeting, Councilmember Banales requested a future agenda item related to development of a coordinated plan to address reckless driving (such as doing “donuts”) and sideshows on City streets. As part of this item, the City Council will receive a report on identified and implemented measures to address these issues, and consider directing staff to work with the Infrastructure and Transportation Subcommittee to further evaluate the scope, cost, and steps necessary to enact longer-term solutions.

FISCAL IMPACT

There is a minor fiscal impact associated with providing a report and identifying potential actions to address this issue. Staff from the Police Department, Public Works Department, and Engineering Division will be impacted, and it is estimated the amount of staff time dedicated to the initial effort to be a combined maximum of 80 hours (excluding ongoing traffic enforcement activities). If staff is directed to implement a specific action item, the associated costs and staff time dedicated could vary significantly.

RECOMMENDATION

City Council accept the report and move to direct staff to further evaluate the scope, cost, and steps necessary to curb reckless driving and sideshows.

BACKGROUND

Pursuant to the City Council Handbook, if an individual Councilmember wishes to have an agenda item placed on a future agenda, a Councilmember may make a request under the Requests for Future Agenda Items section of the agenda. At the next regularly scheduled City Council meeting, the requested item will be listed on the agenda under “Request for Future Agenda Items.”

The item will identify the Councilmember making the request and briefly describe the nature of the request. Staff will not spend time on the requested item except to provide assistance to the Councilmember to frame the issue so that the City Council and public clearly understand the request. Should the issue be an item that staff has already researched, or is in the process of researching, an informational report may accompany the request on the agenda. Additionally, if the City Manager feels there is information that should be shared in order to productively evaluate next steps, brief information regarding the request may be included on the subsequent agenda.

When the item is called, the Councilmember making the request will describe the request and the Council may have a brief discussion of the requested item. Upon concurrence by the majority of the membership of the City Council present that staff time and City resources be spent on an item, it shall be scheduled for a future meeting. The City Manager may make a recommendation on the potential future meeting date for a requested item to be brought before the City Council in consideration of the scope of work related to the requested item, cost, availability of staff, future agenda schedule(s), and/or other reasons. City Council discussion will be limited to whether staff time and City resources should be spent on the item. The City Council will take no other action on the item itself. City Council concurrence that staff time or City resources be spent on an item does not signify approval of the item, just that the City Council wishes to have it studied further and the Council may, at any time, decide not to pursue the item further.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Staff has recently identified or deployed several strategies intended to help reduce reckless driving and sideshows. Notable measures include recent deployment of video cameras and other investigative technology to quickly respond to calls regarding reckless driving and identify suspected vehicles. The Police Department has sought and received grant funds for additional traffic enforcement activities, and has increased public education and outreach via social media and other means regarding the dangers of reckless driving, highlighting enforcement efforts. These posts have been very well received.

Additionally, staff continues to look for engineering and design measures that can be implemented relatively quickly to curb the violations, such as traffic calming measures. As part of this effort, the Engineering Division will work with the Infrastructure and Transportation Subcommittee to identify potential funding mechanisms.

Staff will analyze potential further actions that may be implemented long-term to reduce reckless driving and sideshows. These actions will be brought to the Infrastructure and Transportation Subcommittee for discussion. In order to address ongoing concerns in a timely manner, the City Manager or Chief of Police will implement any interim actions or pilot initiatives deemed appropriate upon direction of the Subcommittee. A subsequent report and update will be provided to the City Council within 90 days, at which time the City Council may provide additional direction.

Report Prepared By: Jordan Davis, Assistant to the City Manager



Pittsburg

Consideration of a
Future Agenda Item Related to
Reckless Driving and Sideshows

1

Current Response

- Recent deployment of video cameras and other investigative technology Allows PD to quickly respond to calls regarding reckless driving and identify suspected vehicles.
- PD has sought and received grant funds for additional traffic enforcement activities.
- Increased public education and outreach via social media regarding the dangers of reckless driving, highlighting enforcement efforts.

Engineering & Design

- Staff continues to look for engineering and design measures that can be implemented relatively quickly to curb the violations
 - These include temporary and/or permanent changes
 - Roundabouts, bulbouts, other traffic calming measures
- Engineering Division working to identify potential funding mechanisms.

Next Steps

- Staff will analyze potential further actions
 - Focus on long-term actions to address issue
- Actions will be brought to the Subcommittee for discussion
- To act in a timely manner, interim actions or pilot initiatives deemed appropriate will be implemented by City Manager and/or Chief of Police
- A subsequent report and update will be provided to the City Council within 90 days

Recommendation

City Council accept the report and move to direct staff to further evaluate the scope, cost, and steps necessary to curb reckless driving and sideshows.

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

DATE: May 18, 2020

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

CITY COUNCIL.AGENCY MEMBERS

Jelani Killings, Mayor/Chair
Marilyn Craft, Vice-Mayor/Chair
Holland Barrett White, Council/Agency Member
Shanelle Scales-Preston, Council/Agency Member
Juan Antonio Banales, 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 May 18, 2020 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 Killings called the meeting of the City Council to order at 7:10 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA after convening in Closed Session at 6:30 P.M. for the following items:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Section 54956.8):

Property: 311-319 Railroad Ave. (085-108-001) and 415 Railroad Ave. (085-109-009); Negotiator for the City of Pittsburg: Garrett Evans and Maria Aliotti; Negotiating Parties: Abu-Safieh Amal Mohammed I; Under Negotiation: Both price and terms of payment

2. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Section 54957.6:

City designated representatives: Garrett Evans, Stacy Shell, Fritz McKinley, Brad Farmer

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

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.

CITY MANAGER REPORTS/REMARKS

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

COMMITTEE REPORTS

Member Banales, along with Mayor Killings attended the Finance Subcommittee meeting.

Mayor Killings attended the Mayors Conference.

PUBLIC COMMENTS

Comments were received and read aloud regarding the current rise in reckless driving throughout the city from the following residents:

Hugo Mayoral
Jane Pinkos
Joanne Fanucchi
Leslie Fuentes
Barbara Williams
Angela Carmouche
Peter Wilson
Kelly Attebery
Shannon Turner
Vil Si
Farrell Carmouche
Tiffany Strohm
Heidi Buitrago
Annette Benton
Roland Fernandez

Dianna Schepers, Pittsburg, sent a comment regarding maintenance work in the California Theater that could be completed at this time.

The following item was taken out of order.

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Member Banales noted the number of comments regarding reckless driving that has recently become more of an issue throughout the City. He asked that the issue be taken up at the Infrastructure and Transportation Subcommittee and returned to Council for possible solutions.

On Motion by Member Banales, seconded by Member White to adopt and carried unanimously.

PITTSBURG ARTS AND COMMUNITY FOUNDATION

CONSIDERATION

3. Adoption of a PACF Resolution to Approve an Agreement with the U.S. Department of the Treasury for a Forgivable Loan from the Paycheck Protection Program

On Motion by Vice-Chair Craft, seconded by Member Scales-Preston to adopt and carried by the following vote:

AYES:	Banales, Craft, Scales-Preston, White
NOES:	Killings

CITY COUNCIL

CONSIDERATION

4. Introduction and Waive First Reading of an Ordinance Amending Pittsburg Municipal Code Title 18.84, Article VII, "Landscaping, Irrigation and Hydroseeding."

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

5. Adoption of a Minute Order Approving City Goals and Priorities for Fiscal Year 2020-21

Joanne Fanucchi, Pittsburg, send comments regarding several areas of the Goals in Environmental Services.

On Motion by Vice-Mayor Craft, seconded by Member White to adopt with the inclusion of the following: Innovation funding for employees for Human Resources and Identify and analyze resources for open data and technology projects that improve city service delivery for City Clerk, and carried unanimously.

CONFLICT OF INTEREST STATEMENT

There were no conflict of interest statements.

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

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

6. Minutes of May 4, 2020
7. Adoption of a City Council Resolution Approving a Consultant Agreement for Design of Contract 2019-01, Traffic Signal Improvement Project
8. Adoption of a City Council Resolution Approving a List of Projects to be Funded by SB 1, the Road Repair and Accountability Act of 2017 for Fiscal Year 2020-21
9. Receive and File the Treasurer's Report for the Quarter Ending March 31, 2020
10. Adoption of a City Council Resolution Approving a License Agreement with Diablo Energy Storage for Installation of an Electric Tie Line Within the Public Right-of-Way

COUNCIL MEMBER REPORTS AND REMARKS

Vice-Mayor Craft noted that as the shelter in place lifts she would like people to be respectful and continue to wear masks and practice social distancing for the protection of others.

Member Scales-Preston attended the food truck event and was pleased with the social distancing that was practiced during the event.

ADJOURNMENT

The City Council meeting adjourned at 8:30 P.M. to June 1, 2020 in memory of Ramona Anderson and Annette Landry-Washington.

Respectfully submitted,

Alice E. Evenson, City Clerk

**CITY OF PITTSBURG
CITY COUNCIL SPECIAL MEETING MINUTES**

DATE: June 3, 2020

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

CITY COUNCIL AGENCY MEMBERS

Jelani Killings, Mayor/Chair
Marilyn Craft, Vice-Mayor/Chair
Holland Barrett White, Council/Agency Member
Shanelle Scales-Preston, Council/Agency Member
Juan Antonio Banales, 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 June 3, 2020 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 Killings called the special meeting of the City Council to order at 3:06 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, CA.

ROLL CALL

All Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

COUNCIL MEMBER REMARKS

The City Council Members all made statements regarding the reason for this special meeting.

PUBLIC COMMENTS

There were no comments on non-agenda items.

CONSIDERATION

1. Adoption of a City Council Resolution Ratifying the Proclamation of a Local Emergency and Imposition of a Curfew

Comments were read from Selene Prado and Heliodoro Moreno.

On Motion by Member Scales-Preston, seconded by Vice-Mayor Craft to adopt a Resolution to terminate the local emergency and curfew and carried unanimously.

2. Adoption of a Minute Order Authorizing the Submittal of a Letter of Support

Comments were read from Sara Foster, Manisha Rattu, Mohammed Azeel, Karam Samplay, Shyreen Azeel, Beatriz Israde, Clarisse Carpio, Daniel Sheppard, Fatima Salgado-Ortiz, Christine Carpio, Leslie Navas, Claudia Paz, Graciela Munoz, Hope Cuxeva, Selene Prado, Delaney, Sedan Erwin, Mikey Tumbaga, Sarai Herrera, Crystal Covarrubias, Jared Jurado, Billy Gutierrez, Nyat Araya, Destiny Tillery, Justin Lozano, Amy Carias.

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

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

On Motion by Member Scales-Preston, seconded by Member White to hold a special meeting the week of June 8 to report on current Police Department tactics and training, and adopted unanimously.

On Motion by Mayor Killings, seconded by Member White to adopt a resolution on June 8 memorializing the condemnation of action taken in Minneapolis, and adopted unanimously.

On Motion by Member Banales, seconded by Vice-Mayor Craft to schedule a digital town hall or forum as soon as possible, and adopted unanimously.

ADJOURNMENT

The City Council meeting adjourned at 5:36 P.M. to June 18, 2020.

Respectfully submitted,

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, Direct Review of City's Conflict Of Interest Code
MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the code-reviewing body no later than October 1 of even-numbered years.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Direct the City Attorney and City Clerk to prepare revisions to the City's Conflict of Interest Code.

BACKGROUND

The City Council is the code reviewing body for City agencies. The City Council must, no later than July 1, 2020, notify each City agency to review its code and submit a notice to the City Council that either amendments are required or that no amendments are necessary.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

Revisions to the Conflict of Interest Code are necessary. The revised Code must be forwarded to the City Council for approval within 90 days.

ATTACHMENTS:
Local Biennial Notice
Instructions

Report Prepared By: Alice E. Evenson, City Clerk

2020 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

☐ **An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other (*describe*) _____

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(*PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE*)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

2020 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

By **July 1, 2020**: The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

By **October 1, 2020**: The biennial notice must be filed with the agency's code reviewing body.

The FPPC has prepared a 2020 Local Agency Biennial Notice form for local agencies to complete or send to agencies within its jurisdiction to complete before submitting to the code reviewing body. The City Council is the code reviewing body for city agencies. The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts, including certain charter schools). The FPPC is the code reviewing body for any agency with jurisdiction in **more than one county** and will contact them.

The Local Agency Biennial Notice is not forwarded to the FPPC.

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

If you answer yes, to any of the questions below, your agency's code probably needs to be amended.

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you have any questions or are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC. Additional information including an online webinar regarding how to amend a conflict of interest code is available on [FPPC's website](https://www.fppc.ca.gov).



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

TO: Mayor and Council Members

FROM: Alice E. Evenson, City Clerk

SUBJECT: Adoption of a City Council Resolution Requesting the Consolidation of the Municipal Election with Other Elections to be Held on Tuesday, November 3, 2020 General Election Date for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities and Levying a Charge and Establishing Word Limitation for Candidates' Statements

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

Pursuant to Elections Code Section 10400, et. seq., the City must, at least 88 days prior to the date of the election, file with the Board of Supervisors a Resolution of its governing board requesting the consolidation of elections and setting forth the exact form of any office to be voted upon at the election and establishing the word limitation for candidates' statements.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Adopt the attached Resolution requesting the Board of Supervisors to consolidate the municipal elections with other elections on November 3, 2020 and establishing the word limit and fee for the candidates' statement. The candidate statement will be directly paid for by the respective candidates wishing to submit statements.

BACKGROUND

In accordance with Elections Code Section 10400, et seq. the City Council is authorized to request consolidation of special elections with other elections to be held at the same time.

SUBCOMMITTEE FINDINGS

This item was not submitted to a subcommittee.

STAFF ANALYSIS

On November 3, 2020, the offices up for election are:

Two (2) City Council seats

The recommended word limit for the candidates is 250 words and the fee, as established by the County Elections Office, for printing of the statement, is \$735.60, which includes the State mandated Spanish, Mandarin and Chinese translations. Candidate statements over 250 words will double in price. The candidate statement will be directly paid for by the respective candidates wishing to submit statements.

ATTACHMENTS:

Resolution

Report Prepared By:
Alice E. Evenson, City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Requesting and Consenting to Consolidation)
of Elections; and Setting Specifications of the)
Election Order)

RESOLUTION NO. 20-

The Pittsburgh City Council FINDS AND DETERMINES as follows:

WHEREAS, the City Council has ordered a Municipal Election to be held on Tuesday, November 3, 2020, to fill certain municipal offices; and

WHEREAS, other elections may be held in whole or in part of the territory of the City and it is to the advantage of the City to consolidate pursuant to Elections Code Section 10002; and

WHEREAS, Elections Code Section 10242 provides that the governing body shall determine the hours of opening and closing the polls; and

WHEREAS, Elections Code Section 10002 requires the City to reimburse the county in full for the services performed upon presentation of an invoice to the City by the County Elections Official; and

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and may establish the cost; and determine whether the cost must be paid in advance; and

WHEREAS, Elections Code Section 13307 allows establishment of a word limitation for candidates' statements; and

WHEREAS, Elections Code Section 12101 requires the publication of a notice of the election once in a newspaper of general circulation in the City; and

WHEREAS, tie votes shall be determined by lot unless the City Council adopts the provisions of Elections Code 15651(b) prior to the conduct of the election resulting in the tie vote.

NOW, THEREFORE, IT IS ORDERED AND RESOLVED THAT an election be held in accordance with the following specifications:

1. The Election shall be held on Tuesday, the 3rd day of November, 2020. The purpose of the election is to choose successors for the following offices whose terms expire November 2020:

Two (2) City Council Members

4 Year Term

2. The City Council hereby requests and consents to the consolidation of this

election with other elections which may be held in whole or in part of the territory of the City, as provided in Elections Code Section 10400.

3. The City hereby designates the hours the polls are to be kept open shall be from 7:00 A.M. to 8:00 P.M.

4. The City will reimburse the County for the actual cost incurred in conducting the election upon receipt of an invoice stating the amount due as determined by the elections official.

5. The City Council has determined that the Candidate will pay for the Candidate's Statement. The Candidate's Statement will be limited to 250 words. As a condition of having the Candidate's Statement published, the Candidate shall pay the cost at the time of filing. The City Council hereby establishes the cost for a Candidate Statement as \$735.60. Candidate statements over 250 words will double in price.

6. The City of Pittsburg is to publish the Notice of Election in the *East County Times*, which is a newspaper of general circulation that is published daily in the City.

7. The City Council hereby determines that in the event of a tie vote the winner shall be determined by lot.

8. The City Council has determined there have been no boundary changes for the district. A shapefile has been forwarded to the County.

9. The City Council directs that a certified copy of this Resolution be forwarded to the Registrar of Voters and to the Board of Supervisors of Contra Costa County.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a special meeting on the 8th day of June 2020, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Jelani Killings, Mayor

ATTEST:

Alice E. Evenson, City Clerk



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

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Plans and Specifications and Awarding Contract 2016-09, 2017 Sewer and Waterline Rehabilitation Project

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

Contract 2016-09, 2017 Sewer and Waterline Rehabilitation Project (the "Project") consists of the rehabilitation of sanitary sewer and water facilities at various problem areas throughout the City that require a significant amount of maintenance and repairs. Adoption of this resolution will accept the plans and specifications for the Project and award a construction contract to Garney Pacific, Inc. of Tracy, California.

FISCAL IMPACT

The Project is currently funded with \$4,427,365 from Water Operations Fund (WOF) (Fund 501), \$77,500 from Water Facility Reserves (WFR) (Fund 503), \$5,506,000 from Sewer Operations Funds (SOF) (Fund 521), \$460,000 from Sewer Facility Reserves (SFR) (Fund 522) and a \$940,000 Water Bond (Fund 500). The total Project budget is \$11,410,865 (Project 5205).

The current cost estimate shows a surplus in the Project of \$2,329,446. Upon completion of the Project, any remaining funds will be returned to the source fund. A Project Budget Summary is attached to this report.

RECOMMENDATION

City Council adopt the attached Resolution accepting the plans and specifications, authorizing the City Manager to execute Contract 2016-09 for the Base Bid and Bid Additives A and B in the amount totaling \$7,291,889.50 with Garney Pacific, Inc. for construction of the Project. Staff further recommends that the City Council adopt the attached Resolution establishing a construction contingency of \$1,100,000, approximately 15% of the contract amount, for unanticipated costs and construction change orders.

Staff further recommends that the City Engineer be authorized to approve contract change orders for the Project for a total amount not to exceed 50% of the contingency and the City Manager be authorized to approve change orders for this Project for a total amount not to exceed 100% of the contingency amount.

BACKGROUND

The Project includes rehabilitation of water and sewer facilities in the Cornwall Subdivision and sewer facilities on Willow Pass Road and in the Bayside Knolls Subdivision. This work will help alleviate lingering problem areas that require a significant amount of maintenance and repairs by the Public Works Department.

On May 19, 2014, the City Council adopted Resolution 14-12132 adopting the City's Five-Year Capital Improvement Program for Fiscal Year 2014/15 through 2018/19 and allocating \$500,000 of Sewer Operation Funds (SOF) (Fund 521), to the Project. On June 20, 2016, the City Council adopted Resolution 16-13199, allocating an additional \$3,000,000 from SOF (Fund 521) to the Project.

On January 20, 2017, the City Manager issued a task order to Harrison Engineering Inc., under the 2017 on-call agreement, for design of the Project in the amount of \$200,000. On September 12, 2018, and February 11, 2020, the City approved amendments that increased the total design cost to \$250,000.

On June 6, 2018, the City Council adopted Resolution 18-13499, which allocated \$1,350,000 from SOF (Fund 521), \$460,000 Sewer Facility Reserve (SFR) (Fund 522), \$5,300,000 Water Operation Funds (WOF) (Fund 501), \$77,500 Water Facility Reserve (Fund 503), and \$940,000 Water Bond Proceeds (Fund 500) to the Project.

On June 17, 2019, the City Council adopted Resolution 19-13643, which allocated \$1,400,000 from SOF (Fund 521) to the Project. The Project budget was adjusted with City Council approval on February 3, 2020, and on April 20, 2020, as portions of the scope of work were accomplished by other water line projects already underway.

Advertising for the Project began on March 25, 2020. Bids for the Project were opened on May 6, 2020. Garney Pacific, Inc. was the lowest responsive, and responsible bid in the amount of \$7,291,889.50, which includes the Base Bid (Cornwall Subdivision) and Bid Additive A (Willow Pass Road) and Bid Additive B (Bayside Knolls).

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Staff received six (6) bid proposals for the construction of the Project. The bids received have been checked for arithmetical errors, completeness, and conformance with the bid requirements. The bid proposal submitted by Garney Pacific, Inc. was the lowest responsive, responsible bid and is approximately 30 percent less than the Engineer's estimate. A Bid Summary is attached to this report.

Staff recommends award of Bid Additives A (Willow Pass Road Sewer) and B (Bayside Knolls Subdivision Sewer), to take advantage of fair bid prices and eliminate the maintenance hours spent at these locations due to failing sewer infrastructure.

The recommended construction contingency of \$1,100,000 is approximately 15% of the construction contract and will provide funding for unanticipated change orders that are often required with work that involves excavation.

ATTACHMENTS: Resolution
 Project Budget Summary
 Bid Summary

Report Prepared By: Gina Haynes, Senior Civil Engineer

Project Budget Summary (Project 5205)**SS-34 Contract 2016-09 2017 Citywide Sewer and Waterline Rehabilitation Project****Project Funding**

Sewer Operations Funds (Fund 521)	\$5,506,000
Sewer Facility Reserves (Fund 522)	\$460,000
Water Operations Funds (Fund 501)	\$4,427,365
Water Facility Reserves (Fund 503)	\$77,500
Water Bond Proceeds (Fund 500)	\$940,000
Funding Total	\$11,410,865

Project Expenditures:

Design:	Harrison Engineering - Task Order	\$200,000
	Harrison Eng Amendment No. 1	\$30,000
(Code 2122)	Harrison Eng Amendment No. 2	\$20,000
	Misc. Design Expenses	\$6,030
	Subtotal	\$256,030

Miscellaneous:	Advertising	\$1,500
(Code 1399)	Reproduction	\$2,000
	Subtotal	\$3,500

Construction:	Location 3 (Base Bid) Cornwall Subdivision	\$4,986,166
(Code 2281)	Location 1 (Add. A) Willow Pass Road	\$536,493
	Location 2 (Add. B) Bayside Knolls	\$1,769,231
	Subtotal	\$7,291,890

Material Testing	\$100,000
Contingency (approx. 15%)	\$1,100,000
Subtotal	\$1,200,000

Staff Time:	Staff Time for Design	\$65,000
(Code 1101)	Staff Time for Construction Management	\$100,000
	Subtotal	\$165,000

Administrative Overhead:	Overhead Staff Time for Design	\$65,000
(Code 2372)	Overhead Staff Time for Construction Management	\$100,000
	Subtotal	\$165,000

Expenditures Total \$9,081,420

Projected to Remain After Completion \$2,329,446

Bid Summary Contract 2016-09 2017 Sewer and Waterline Rehabilitation Proje

Bid Opening Results for Contract 2016-09 "2017 Sewer and Wate			
<u>Rank:</u>	<u>Contractor:</u>	<u>Base Bid:</u>	<u>Additive A:</u>
1	Garney Pacific, Inc.	\$ 4,986,166.00	\$ 536,493.00
2	Cratus Inc.	\$ 5,696,329.95	\$ 568,693.00
3	Ranger Pipelines	\$ 6,090,685.85	\$ 730,103.00
4	Teichert	\$ 6,499,570.70	\$ 555,638.95
5	Mountain Cascade	\$ 9,926,533.00	\$ 979,848.00
Unresponsive	KJ Woods	\$ 8,191,975.00	\$ 627,727.00

ect

erline Rehabilitation Project"	
Additive B:	Base Bid + A + B
\$ 1,769,230.50	\$ 7,291,889.50
\$ 1,630,502.00	\$ 7,895,524.95
\$ 1,840,505.50	\$ 8,661,294.35
\$ 1,923,682.25	\$ 8,978,891.90
\$ 3,057,748.00	\$ 13,964,129.00
\$ 2,069,687.00	



**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 a Consultant Agreement and Authorizing Funds for Contract 2020-08, Supervisory Control and Data Acquisition (SCADA) Upgrade Project

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

The City is in need of upgrading the SCADA system for the operation of the Water Treatment Plant. Contract 2020-08, SCADA Upgrade Project (the "Project") includes equipment and a back-up system, and technical support. This resolution will allocate funds and approve a Consultant Agreement with CB Pacific for the Project.

FISCAL IMPACT

Approval of a re-allocation from Project 5050, 2013/14 Water Treatment Project Capital Repairs and Improvements Project is needed for funding the total project budget of \$120,000. There are sufficient funds in Project 5050 for this allocation. This is an appropriate use of these funds.

RECOMMENDATION

City Council adopt the attached resolution authorizing execution of a consultant agreement with CB Pacific for completion of the Project, allocating funds and approving a Project budget in the amount \$120,000.

BACKGROUND

The City provides potable water service to approximately 18,500 residential, commercial, industrial, and institutional customers. The current SCADA system serving the City was last updated about 10 years ago. The software and hardware components currently being used at the Water Treatment Plant are no longer supported by any vendor. This has increased the chances of system unreliability. The City has maintained the current SCADA system well beyond its originally projected life.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

The Project includes replacing the SCADA server, providing new desktop systems and a back-up system, and implementation of a seven-year support contract that will work with the current hardware and software. The system will provide fault tolerant technology, full operating system, and uninterrupted technical support.

Two vendors submitted quotations for the Project. CB Pacific had the lowest responsive and responsible proposal. References for CB Pacific have been checked by staff and were found to be satisfactory.

The total cost of the consultant agreement is \$85,311 which includes implementing the upgrades and providing labor, equipment and a seven-year support contract. The remaining project budget will cover the cost of additional equipment (\$20,000) and a project contingency of \$14,689 for unforeseen expenses. The total project budget is \$120,000.

These funds are available in the 2013/14 WTP Capital Repairs and Improvements Project (Project 5050). Staff anticipates the Project will be completed within three months.

ATTACHMENTS: Resolution
 Contract
 Budget Summary

Report Prepared By: Jason Moser, Water Treatment Plant Superintendent

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Consultant Agreement)
and Authorizing Funds for Contract 2020-08,)
Supervisory Control and Data Acquisition)
(SCADA) Upgrade Project)

RESOLUTION NO. 20-

The Pittsburgh City Council FINDS AND DETERMINES as follows:

WHEREAS, the City's Water Treatment Plant is in need of upgrades to the Supervisory Control and Data Acquisition ("SCADA") system for the operation of the water system; and

WHEREAS, Contract 2020-08, Supervisory Control and Data Acquisition (SCADA) Upgrade Project ("the Project") includes replacing the SCADA server, providing new desktop systems and a back-up system, and a seven-year technical support contract; and

WHEREAS, two vendors provided cost proposals for the Project and CB Pacific submitted the lowest responsive and responsible proposal at \$85,311; and

WHEREAS, sufficient funds are available in the 2013/14 WTP Capital Repairs and Improvements Project (Project 5050); and

WHEREAS, in addition to the consultant cost and service contract, the project also includes purchase and installation of equipment and a contingency amount for unforeseen expenses for a total Project budget of \$120,000; and

WHEREAS, sufficient funds are available in the 2013/14 WTP Capital Repairs and Improvements Project (Project 5050).

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburgh hereby approves and authorizes the City Manager to execute a Consultant Agreement with CB Pacific in the amount of \$85,311 for Contract 2020-08 SCADA Upgrade Project, allocates funds and approves a Project budget of \$120,000.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a special meeting on the 8th day of June 2020, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Jelani Killings, Mayor

ATTEST:

Alice E. Evenson, City Clerk

**Contract 2020-08, SCADA Upgrade
Project Budget Summary**

Project Funding:

2013/14 WTP Capital Repairs (Project 5050)	\$120,000
Funding Total	\$120,000

Project Expenditures:

Contractual & Professional Services		\$85,311
(Code 2199)	Subtotal	\$85,311
Construction (Code 2281)	Additional Equipment & installation	\$20,000
	Contingency	\$14,689
	Subtotal	\$34,689

Expenditures Total \$120,000

Project Budget Total \$120,000



**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 Amend Senior Executive Team Salary and Benefit Schedules

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

The City Council is being asked to adopt the proposed amendment to the Senior Executive Team Salary and Benefits Schedule by removing reference to the City Attorney classification designated as part of the Senior Executive Team.

FISCAL IMPACT

There is no fiscal impact for the proposed amendments to the Senior Executive Team Salary and Benefits Schedules.

RECOMMENDATION

The City Council adopt a resolution to amend the Senior Executive Team Salary and Benefits Schedules by removing the reference to the City Attorney classification within the document.

BACKGROUND

In July of 2018, staff added the new classification of City Attorney to the Senior Executive Team Salary and Benefits Schedule as a classification designated as part of the Senior Executive Team. However, the City Attorney reports to and contracts directly with the City Council as the City Manager does. Therefore, it is recommended the City Attorney classification be removed from being designated as part of the Senior Executive Team Salary and Benefits Schedule unit

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

The Senior Executive Team Salary and Benefits Schedule lists all classifications designated as the City Senior Executive Team. The covered positions are at-will appointments, and serve at the pleasure of the City Manager. There are two positions that serve at the pleasure of City Council: the City Manager and City Attorney. The City Manager position is not listed as a position within the Senior Executive Team, and therefore the City Attorney position should not be listed.

ATTACHMENTS

Resolution
Amended Senior Executive Team Benefits and Salary Schedule

Report Prepared By: Griselda Clift, Senior Human Resources Analyst

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of a City Council Resolution to)
Amend the Senior Executive Team) RESOLUTION NO. 20-
Salary and Benefits Schedules)

The City Council of the City of Pittsburgh FINDS AND DETERMINES:

WHEREAS, the City Council is asked to adopt the amended Senior Executive Team Salary and Benefits Schedule; and

WHEREAS, the amended Senior Executive Team Salary and Benefits Schedule removes reference to the City Attorney classification.

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

Section 1.

The recitals set forth above are true and correct statements and are hereby incorporated in conjunction with the staff report.

Section 2.

The City Council adopt this Resolution approving the proposed amendments removing the reference to the City Attorney classification from the Senior Executive Team Salary and Benefits Schedules.

Section 3.

This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 8th day of June 2020, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Jelani Killings, Mayor

ATTEST:

Alice E. Evenson, City Clerk

City of Pittsburgh
Senior Executive Team Salary & Benefits Schedule
Effective ~~March 16~~ June 1, 2020

1.	POSITIONS COVERED.....	3
2.	SALARIES.....	3
2.1	Winter Closure	3
3.	BENEFITS	4
3.1	Medical.....	4
3.2	Retiree Medical – hired before January 1, 2012	4
3.3	Dental.....	6
3.4	Medical and/or Dental Alternative	6
3.5	Flexible Benefits Plan.....	7
3.6	Life Insurance	7
3.7	Long-Term Disability	7
3.8	Deferred Compensation	7
3.9	Retirement	7
3.10	Social Security	9
3.11	Education Reimbursement	9
3.12	Employee Assistance Program	9
3.13	Professional Association Dues	9
3.14	Service Awards	10
3.15	Uniform Allowance	10
4.	LEAVES	10
4.1	Administrative Leave.....	10
4.2	Vacation Accrual & Usage	10
4.2.1	Accruals.....	10
4.2.2	Use of Vacation.....	11
4.2.3	Minimum Use	11
4.2.4	Vacation Buyback.....	11
4.2.5	Vacation Conversion to 401(a) Contribution	12
4.2.6	Holidays Falling During Vacations	12
4.3	Sick Leave Accrual & Usage.....	12
4.3.2	Limitations.....	13
4.3.3	Accruals.....	14
4.3.4	Unused Sick Leave	14
4.3.6	Verifications	14
4.3.7	Notifications	15
4.3.8	Compensation.....	15
4.3.9	Unearned Sick Leave.....	15
4.4	Personal Necessity Leave.....	15
4.5	Holidays/Holiday Pay/Floating Holidays.....	15
4.6	Catastrophic Leave.....	15
4.6.1	Definitions	16
4.6.2	Eligibility.....	17
4.6.3	Procedures	17
4.7	Bereavement Leave	17

4.8	Compensation (Workers' Comp Salary Continuation) Leave	18
4.9	Leave without Pay.....	18
5.	STANDARD HOURS OF WORK & OVERTIME	18
Appendix A.		19

1. POSITIONS COVERED

This Booklet includes a summary of benefits for all classifications designated as the City Senior Executive Team. All covered positions are at-will appointments, serving at the pleasure of the City Manager.

Whenever there exists a conflict between this document and an employment contract, if any, then said employment contract shall prevail.

Positions within this unit include:

Assistant City Manager

~~City Attorney⁴~~

Chief of Police

Director of Community Development

Director of Community Services

Director of Finance

Director of Human Resources

Director of Public Works

Director of Records and Council Services

2. SALARIES

Salary ranges for covered positions shall be as set forth in Appendix A, which is attached hereto and made a part hereof.

In accordance with Personnel Rule 12.1, Salary Plan, no person may be paid less than the minimum, nor more than the maximum of the salary range for the class in which employed. Further, because the Senior Executive Team has a salary range, and not salary steps, no person's salary automatically changes when the salary range changes. Advancement within a salary range is based on performance and requires the approval of the City Manager.

2.1 Winter Closure

Beginning July 5, 2015, the City shall implement a winter closure in each fiscal year. The Winter Closure shall take place sometime during the period of December 1 and January 31 of each fiscal year and shall consist of forty (40) hours of time off during that time frame. The City shall determine the actual winter closure schedule for each employee in the unit based on the service needs of their department. This winter closure shall become the status quo. All positions within this unit, with the exception of the Chief of Police, will be required to use vacation, vacation reserve, or administrative leave banks to supplement their pay during the Winter Closure.

With the exception of the Chief of Police, an employee who is called in to work on an unplanned or emergency basis during his or her scheduled winter closure time shall be paid straight-time pay for any work performed.

⁴~~Excluded from Senior Executive Team salary ranges. Appointed and serves at the pleasure of the City Council.~~

3. BENEFITS

3.1 Medical

The City will provide a medical insurance plan through Kaiser Permanente and will make every reasonable effort to maintain a second option through a Non-Kaiser HMO plan that allows members to choose their physician based on that physician's ability to accept coverage through said plan.

City's contribution toward medical insurance Effective January 1, 2018 the City's contribution for a full-time employee and his/her eligible dependents for each level of benefit (single, dual, and family) for Kaiser Permanente medical insurance shall be set at one hundred percent (100%) of the actual premium costs.

Effective January 1, 2019, the City's contribution for a full-time employee and his/her eligible dependents for each level of benefit (single, dual, and family) for medical insurance shall be set at one hundred percent (100%) of the Kaiser Permanente premium rate. Employees electing to enroll in a medical insurance plan with premium rates higher than the Kaiser Permanente premium rate shall be required to pay the difference in premium rates between the Kaiser Permanente premium rate and the higher plan premium rate selected by the employee.

Effective January 1, 2018 through December 31, 2018, the City's contribution for a full-time employee and his/her eligible dependents for each level of benefit (single, dual, and family) for Non-Kaiser HMO Plan medical insurance shall be set at:

Employee only (single)	\$955.79 per month
Employee plus one (dual)	\$1,911.55 per month
Employee plus two or more (family)	\$2,704.87 per month

City's contribution toward regular part-time employees

Employees working a minimum of one thousand (1,000) hours per fiscal year, but working less than full-time, and their eligible dependents, shall receive pro-rata medical benefits based on scheduled work hours. The remaining medical premium shall be deducted from the employee's paycheck. The City's contribution rate will be the above rate regardless of which of the City's group health plans (Kaiser or Non-Kaiser HMO Plan) employees and their dependents participate in.

3.2 Retiree Medical – hired before January 1, 2012

A. Effective January 1, 2012 and only for those regular employees hired before January 1, 2012 the City provides contribution/reimbursement toward retiree medical insurance as provided below:

1. Retired employee with a minimum of fifteen (15) but fewer than twenty (20) years of full-time regular City service shall receive the lesser of his/her actual premium amount or fifty percent (50%) of the active employee Kaiser premium per month for the retiree only; or
2. Retired employee with a minimum of twenty (20) but fewer than twenty-five (25) years of full-time regular City service shall receive the lesser of his/her actual premium amount or seventy-five percent (75%) of the active employee Kaiser premium per month for the retiree only; or
3. Retired employee with a minimum of twenty-five (25) years of full-time regular City service shall receive the lesser of his/her actual premium amount or one hundred percent (100%) of the active employee Kaiser premium (retiree only or retiree and spouse, whichever is applicable) per month for the retiree and retiree's spouse.
4. Within the confines of Retiree Medical Insurance, the term "full-time regular City service" shall also include hourly service for those full-time employees who transitioned from hourly status to regular status during the period of 1994 through 1998.
5. A retired employee's spouse (spouse at time of retirement only) who receives no City contribution for spousal health insurance is eligible to participate in the City's offered retiree health insurance program; provided, however, that the retired employee and spouse agree to fully pay the monthly premium plus an additional two percent (2%) of the monthly premium as a City administrative fee.
6. The City's contribution toward retiree health insurance, and the retiree and/or retiree's spouse's participation in the City's offered retiree health insurance, shall end at the end of the month following the retired employee's sixty-fifth (65th) birthday. In the event the retiree passed away before his/her sixty-fifth (65th) birthday then the City's contribution toward the surviving spouse's monthly premium shall continue until the end of the month following what would have been the retired employee's sixty-fifth (65th) birthday.
7. Exclusions – The benefits described above shall apply to all current and future retirees except for the following exclusions:
 - a. Retirees who do not retire directly from City service; or
 - b. Retirees and their spouses who are included in the Pittsburgh Municipal Employees Retirement System of 1948; or
 - c. Spouses of deceased retirees who remarry an individual not eligible for benefits under this provision; or

- d. Retirees who fail to comply with any requirements as described in 'verifications'; or
 - e. Spousal benefits described in this provision shall only apply to the spouse married to the retiree at the time of retirement. Spousal benefits cannot be acquired after retirement nor can they be transferred to a different spouse as in the case of death or divorce and remarriage; or
8. Verification – Retired employees who do not purchase medical insurance plan made available to retired employees/spouses by the City must submit annually proof of medical insurance. Retired employees and spouses of deceased employees must submit annually verification, on a form furnished by City, of continued eligibility.
- B. Employees hired on or after January 1, 2012 will be provided a Retirement Health Savings (RHS) plan, to which the City and Employee shall both contribute \$75 per month. Participation in the plan is required by the employee.

3.3 Dental

The City contributes one hundred percent (100%) of the dental insurance premium for a full-time employee and his/her eligible dependents.

Employees working a minimum of one thousand (1,000) hours per fiscal year, but working less than full-time, and their eligible dependents, shall receive pro-rata medical benefits based on scheduled work hours. The remaining medical premium shall be deducted from the employee's paycheck.

3.4 Medical and/or Dental Alternative

An employee eligible for the City's sponsored medical insurance and who opts to waive participation because the employee has provided documentation verifying that they are receiving medical insurance coverage from a source other than the City shall have a City monthly contribution of either two-hundred (\$200) for single coverage, three-hundred (\$300) for dual coverage or five-hundred dollars (\$500) for family coverage.

An employee eligible for the City's sponsored dental insurance and who opts to waive participation because the employee has provided documentation verifying that they are receiving dental insurance coverage from a source other than the City shall have a City monthly contribution of twenty-five dollars (\$25.00).

A regular part-time employee represented by this bargaining unit and who elects either the medical alternative and/or dental alternative shall receive one-half (1/2) of the monthly contribution provided to a full-time employee.

3.5 Flexible Benefits Plan

The City offers an Internal Revenue Code Section 125 Plan that contains the components of premium conversion, health care reimbursement account, and dependent care reimbursement account. Employee participation is on an optional basis. The City shall provide and pay all costs of administering the plan.

Effective January 1, 2018, the City shall make an annual contribution (January 1 of each year) of \$100.00 to a health care reimbursement flexible spending account for each medical plan subscriber. The City shall also make an annual “matching” contribution (January 1 of each year) of up to \$100.00 to the flexible spending account for each medical plan subscriber for a maximum annual City contribution of \$200.00. Any employee enrolling into a medical plan after January 1 shall have a prorated amount contributed into the account.

3.6 Life Insurance

The City provides, at its expense, a Life Insurance/Accidental Death & Dismemberment policy for each employee, including the Chief of Police at the coverage amount of 1½ times their annual salary to a maximum benefit of two hundred fifty thousand dollars (\$250,000).

3.7 Long-Term Disability

The City provides, at its expense, long-term disability benefits for covered positions. This plan provides a benefit of 60% of the monthly salary to a maximum salary of fifteen thousand dollars (\$15,000) a month to a maximum benefit of nine thousand dollars (\$9,000) a month, after a one hundred eighty (180) day waiting period.

3.8 Deferred Compensation

Effective September 9, 2018 the City will make a “matching” contribution to the 457 deferred compensation plan for participating regular full-time employees up to a maximum of one-hundred twenty-five dollars and zero cents (\$125.00) per month. The City will make a “matching” contribution to the 457 deferred compensation plan for participating regular part-time employees up to a maximum of sixty-two dollars and fifty cents (\$62.50) per month.

3.9 Retirement

All current and new employees will be covered by the Public Employees’ Retirement System (PERS) plans in accordance with the California Public Employees’ Pension Reform Act of 2013 (PEPRA).

- A. For all represented employees hired by the City of Pittsburg before July 10, 2011 and enrolled in the City's non-safety PERS benefit with an effective date before July 10, 2011 the employee shall be covered by a pension program provided by the State of California Public Employees' Retirement System (PERS) to the City through a contract. This system, known as the 2% at 55 formula, is described periodically in brochures distributed by PERS.

The City agrees to provide PERS retirement benefits and maintain the following enhancements to the basic PERS 2% at 55 formula:

- a. One Year Final Compensation (Section 20042)
 - b. Annual Cost-of-Living Increase at 3% (Section 21335)
 - c. Military Service Credit as Public Service (Section 21024)
 - d. Credit for Unused Sick Leave (Section 20965)
 - e. EPMC as Additional Compensation (Section 20691)
- B. For all represented employees hired by the City of Pittsburg on or following July 10, 2011 and enrolled in the City's non-safety PERS benefit with an effective date of July 10, 2011 or later the employee shall be covered by a pension program provided by the State of California Public Employees' Retirement System (PERS) to the City through a contract under the 2% at 60 formula, based on the average monthly pay over a thirty-six month period ("3 year average") with a 2% annual cost-of-living increase and as is described periodically in brochures distributed by PERS. The City agrees to provide and maintain the following enhancements to the basic PERS 2% at 60 formula:
- a) Military Service Credit as Public Service (Section 21024)
 - b) Credit for Unused Sick Leave (Section 20965)
 - c) EPMC as Additional Compensation (Section 20691)

Employees enrolled in the 2% at 55 formula or the 2% at 60 formula shall contribute the entire seven percent (7%) employee share.

- C. For all represented employees hired on or after January 1, 2013, who are considered "new members" under California Government Code Section 7522.04(f) shall be in the 2% at 62 CalPERS retirement formula described in Government Code Section 7522.20(a). In addition, "new members" shall be subject to the equal sharing and contribution requirements in Section 7522.30(a) and (c) and shall pay at least 50% of the normal costs.

Effective for Fiscal Year 2017/18 and implemented on July 2, 2017 all employees within the unit except for the Chief of Police will contribute an additional 1% of salary towards pension costs for a total of 8%.

Effective July 1, 2018, all classic employee within the unit shall contribute an additional one-half of one percent (.5%) of salary towards CalPERS unfunded accrued liability pension costs for a total of 8.5%.

Effective July 14, 2019 all classic employees within the unit shall contribute an additional one-half of one percent (.5%) of salary towards CalPERS unfunded accrued liability pension costs for a total of 9%.

Effective July 1, 2018, the Chief of Police will contribute an additional 1% of salary towards pension costs for a total of 12% contribution of salary.

Effective July 14, 2019, the Chief of Police will contribute an additional 1% of salary towards pension cost for a total of 13% contribution of salary.

3.10 Social Security

All non-safety employees shall have coverage under Federal Social Security in accordance with the provisions of law. This program requires contributions by both the employee and the employer in accordance with schedules provided by the Federal Government.

3.11 Education Reimbursement

When, in the opinion of the City Manager, a training course to be taken by an employee will be of benefit to the City, the City Manager may authorize payment by the City of 100% of tuition charges, fees, the cost of textbooks and supplies or twenty-four hundred dollars (\$2400), whichever is lower, each calendar year the employee is enrolled in approved training.

Additionally, the City will reimburse 50% of the direct cost of tuition, books, and supplies, or three hundred dollars (\$300), whichever is lower, annually for approved direct costs between \$2400 and \$3000.

Reimbursement of costs associated with training/education will only be made if the employee receives a letter grade of "C", or better or in cases of courses offered as pass/fail, a grade of pass.

Costs for education reimbursement come from each individual departmental budget.

3.12 Employee Assistance Program

The City contracts and pays for an employee assistance program providing each employee and their household members with up to eight (8) visits per incident per year.

3.13 Professional Association Dues

The City pays for membership dues in applicable professional associations, subject to approval of the City Manager.

3.14 Service Awards

Effective July 1, 2018, the City shall discontinue issuing service awards and implement the Service Achievement Incentive Plan outlined in Section 4.2.7 Vacation Accrual & Usage. Upon implementation, employees eligible for service award pay between January 1, 2018 and June 30, 2018, shall receive a bank of reserve vacation hours in accordance with the provisions of the Service Achievement Incentive Plan, in lieu of receiving the pay associated with the service award in this section.

A regular full-time employee shall receive in December, if currently employed, service award pay based upon his/her total years of continuous City service, based on the following timetable and amounts:

<u>Years of City Service</u>	<u>Service Award Amount</u>
10 years	\$200
15 years	\$300
20 years	\$400
25 years	\$500
30 years	\$600
35 years	\$700
40 years	\$800
45 years	\$900

3.15 Exclusions

The Chief of Police receives benefits outlined in Section 3 - Benefits of this Schedule in accordance with the benefits provided to the members of the Police Captain class within the Police Managers Group, unless detailed otherwise herein.

4. LEAVES

4.1 Administrative Leave

Exempt employees receive a maximum of ninety-six (96) hours Administrative Leave each calendar year. Said hours are credited to the employee's Administrative Leave time bank each January 1st such that the January 1st balance is exactly ninety-six (96) hours. This benefit is made available on a "use or lose" basis and as such may not be carried from one calendar year to the next. All requests for Administrative Leave are to be reviewed and approved by the City Manager.

4.2 Vacation Accrual & Usage

4.2.1 Accruals

The vacation accrual rate shall be:

<u>Years of Continuous Public Sector Service</u>	<u>Accrual Rate</u>
0-5 Years	Accrue 4.00 hours per pay period (13 days)
6-10 Years	Accrue 5.54 hours per pay period (18 days)

11 Years	Accrue 5.85 hours per pay period (19 days)
12 Years	Accrue 6.15 hours per pay period (20 days)
13 Years	Accrue 6.47 hours per pay period (21 days)
14 Years	Accrue 6.77 hours per pay period (22 days)
15-19 Years	Accrue 7.08 hours per pay period (23 days)
20 and more years	Accrue 8.62 hours per pay period (28 days)

4.2.1.1 The Chief of Police shall accrue vacation in accordance with Section 8.1 – Vacation Accrual of the Police Managers Group MOU.

4.2.2 Use of Vacation

Vacation shall be taken at such time as is mutually convenient for the department and the employee.

1. Maximum Accumulation: The maximum accrual allowed is two times annual accrual to a maximum of 380 hours. Accruals will be monitored by the Finance Department. Once the maximum accrual has been reached, an employee will not accrue additional vacation until his/her accrual balance is reduced, by either use or buyback.

During the declared local emergency for COVID-19, the maximum vacation accrual limit shall be suspended temporarily and reinstated 12 months follow the end of the declared emergency. During the declared local emergency and prior to the reinstatement of the maximum vacation accrual limit, accrued vacation hours above three hundred eighty (380) hours will have no cash value upon separation of employment. Upon reinstatement of the maximum vacation accrual limit, unused accrued vacation hours in excess of three hundred eighty (380) hours will be lost.

2. Double Compensation Prohibited: Employees shall not work for the City during their vacation.

4.2.3 Minimum Use

Employees must use a minimum of 40 hours of vacation per year. Any exception to this rule must be approved by the City Manager to be eligible for vacation buyback.

4.2.4 Vacation Buyback

Employees may receive vacation pay in lieu of paid time-off. Buyback shall only be made at the request of the employee and upon the approval of the City Manager. Approvals will be granted if it is determined that “buyback” will result in increased cost-effectiveness and efficiency to the City as determined by the City Manager. Employees are only eligible for one such approval in a 12-month period and only one buyback per fiscal year. Each vacation buyback shall be limited to a maximum of 40 hours and will be at

the employee's regular rate of pay. Vacation hours bought back shall be paid at the employee's normal hourly rate of pay at the time of the buyback, excluding any enhancements such as out of class pay.

Effective July 1, 2014 the total City-wide allocation for the buyback program will be \$160,000 per fiscal year. The City shall establish an annual window period for the receipt of vacation buyback requests (November 1 – 21). At the conclusion of the window period, the City will tabulate the total dollar value of the buyback requests. If the total dollar value is less than or equal to \$160,000 employee will receive, upon the City Manager's approval, payment as noted above. If the total dollar value of the requests exceeds \$160,000, request hours will be pro-rated and employees paid accordingly. (Payment shall be made with the first paycheck of December.) Should this occur, employee will be credited with vacation hours in excess of those hours determined eligible for the buyback program.

4.2.5 Vacation Conversion to 401(a) Contribution

Employees within this bargaining unit will convert an equal dollar amount of vacation towards a contribution to a 401(a) plan. All members of this bargaining unit will be required to contribute an amount equal to eighty (80) hours of vacation for the lowest paid member of the unit. Employees with a higher hourly rate will convert however many hours that equate to the same dollar amount as 80 hours for the lowest paid member.

4.2.6 Holidays Falling During Vacations

When a day designated and observed by the City as a holiday occurs on a day on which an employee is taking vacation, such employee shall not be charged as using vacation for that day. The employee's compensation for that day shall be holiday and shall not be paid or charged as vacation.

4.2.7 Service Achievement Incentive Plan

The City acknowledges the value of retaining experienced employees. In recognition of previous years of full-time continuous service with the City, the City shall implement a Service Achievement Incentive Plan as follows:

1. At the completion of five (5) years of service, the employee shall receive 40 hours of vacation to be added to the employee's reserve vacation bank.
2. At the completion of 10 years of service, the employee shall receive 50 hours of vacation to be added to the employee's reserve vacation bank.
3. At the completion of 15 years of service, the employee shall receive 60 hours of vacation to be added to the employee's reserve vacation bank.

4. At the completion of 20 years of service, the employee shall receive 70 hours of vacation to be added to the employee's reserve vacation bank.
5. At the completion of 25 years of service, the employee shall receive 80 hours of vacation to be added to the employee's reserve vacation bank.
6. At the completion of 30 years of service, the employee shall receive 80 hours of vacation to be added to the employee's reserve vacation bank.
7. At the completion of 35 years of service, the employee shall receive 80 hours of vacation to be added to the employee's reserve vacation bank.
8. At the completion of 40 years of service, the employee shall receive 80 hours of vacation to be added to the employee's reserve vacation bank.
9. Upon initial implementation of the Service Achievement Incentive Plan, effective July 1, 2018:
 - a. Employees with at least 5 years, but less than 10 years of full-time continuous service with the City shall receive a preliminary reserve vacation bank of 20 hours.
 - b. Employees with 10 years or more of full-time continuous service with the City shall receive a preliminary reserve vacation bank of 40 hours.
10. The Service Achievement Incentive Plan bank shall not have a vacation leave accrual limit. Employees may utilize the reserve vacation bank accrued hours in accordance with section 4.2.2 - Use of Vacation.

4.3 Sick Leave Accrual & Usage

4.3.1 Definitions

"Sick leave" shall apply only to instances wherein an employee, because of sickness or injury, is unable to perform their regular duties.

4.3.2 Limitations

Sick leave with pay shall be granted to all employees as provided for below. Sick leave may be used for sickness or injury arising out of an employee's work for the City, as well as for sickness or injuries which are not work connected. Sick leave shall not be considered as a right which an employee

may use at their discretion but shall be allowed only in case of necessity and actual personal sickness, disability; provided, however, that any employee who engages in any gainful business or employment while on sick leave shall be subject to dismissal. Provided further, that sick leave may not be used if the sickness or injury results from an employee's outside employment.

4.3.3 Accruals

Regular full-time employees shall accrue sick leave at the rate of eight (8) hours per month.

Regular part-time employees shall accrue sick leave in the amount proportionate to the ratio of scheduled hours of work per week to the standard work week, but in no case shall the number of sick leave hours accrued each month exceed eight (8).

4.3.4 Unused Sick Leave

Unused sick leave may be accumulated. There are no maximum accrual limits for sick leave. No payment shall be made for accumulated sick leave at the time of separation from employment. Upon retirement, unused sick leave is converted to service credit.

4.3.5 Sick Leave Incentive

Employees who use no sick leave in any fiscal quarter shall have four (4) hours credited towards vacation with a maximum accrual during any one (1) year to be sixteen (16) hours.

Any hours taken under the Emergency Paid Sick Leave Act (up to 80 hours of paid sick leave for COVID-19 related events) will not disqualify an employee from this sick leave incentive.

4.3.6 Verifications

Sick leave for consecutive periods of time exceeding three working days will be allowed only upon presentation to the employee's supervisor of a certificate from a licensed physician stating the nature of the illness and acknowledging the employee's inability to work for the period involved.

Notwithstanding the above language, an employee who has been on sick leave for less than three working days may be required to present medical verification of their sickness in the event that the supervisor demonstrates that the employee has a demonstrated pattern of possible sick leave abuse, which includes the use of numerous sick days in conjunction with days off, or establishes that the employee has used a disproportionate number of sick days in comparison to other similarly situated employees, and said illnesses/injuries do not appear to be job-related.

4.3.7 Notifications

Employees must notify their supervisor prior to the beginning of any working shift at which they will not report for work and for which they desire to use sick leave.

4.3.8 Compensation

Full pay and allowances will accrue to employees during periods of authorized sick leave.

4.3.9 Unearned Sick Leave

Employees may not "borrow" on unearned sick leave.

4.4 Personal Necessity Leave

Employees may use a maximum of 32 hours of accrued sick leave per calendar year for reasons of personal necessity. For purposes of this section, personal necessity shall mean the employee requests leave from their work to attend to personal business that cannot be dispensed with off duty. Personal necessity leave is to be requested in advance and shall be reviewed and (dis)approved by the City Manager. Personal necessity leave is considered use of sick leave.

4.5 Holidays/Holiday Pay/Floating Holidays

All employees shall be entitled to the following paid holidays each year:

1. January 1st – New Year's Day
2. Third Monday in January – Martin Luther King
3. February 12th – Lincoln's Day
4. Third Monday in February – Washington's Day
5. March 31st – Cesar Chavez Day
6. Last Monday in May – Memorial Day
7. July 4th – Independence Day
8. First Monday in September – Labor Day
9. Second Monday in October – Columbus Day
10. November 11th – Veteran's Day
11. Fourth Thursday in November – Thanksgiving Day
12. Day Following Thanksgiving – Friday following Thanksgiving
13. December 25th – Christmas Day
14. Sixteen (16) hours of floating holiday.

Holidays falling on a Saturday will be observed on the preceding Friday. Holidays falling on a Sunday will be observed on the following Monday. Holidays falling during the week will be observed on the actual day.

4.6 Catastrophic Leave

The Catastrophic Leave Program is designed to assist employees who have exhausted paid time credits due to an employee's or their immediate family member's serious or catastrophic illness or injury. This program allows other employees to donate time to the affected employee so that he/she can

remain in a paid status for a longer period of time, thus partially reducing the financial impact of the illness or injury.

4.6.1 Definitions

1. Catastrophic Illness or Injury – A medically certified illness, injury impairment, physical or mental condition of an employee or an employee's immediate family member that prevents an employee from returning to work for a period of thirty (30) calendar days or more.
The term "immediate family member" shall mean spouse or domestic partner, child, stepchild, adopted or foster child, parent or parent-in-law.
2. Leave to be donated – Vacation or sick leave.

4.6.2 Eligibility

1. Donors
 - a. Only regular employees are eligible to donate accrued vacation or sick leave.
 - b. Donating employees may not reduce their balance of earned vacation or sick leave below forty (40) hours by reason of such donation.
2. Recipients
 - a. Only regular employees may participate in the Catastrophic Leave program.
 - b. Certification from a physician that the illness/injury will preclude the employee from returning to work for at least thirty (30) calendar days must be submitted to the Human Resources Department with the application.
 - c. All accumulated time, sick leave, vacation time and administrative leave must have been exhausted.
 - d. A request for a leave of absence without pay for medical reasons has been submitted and approved.
 - e. Request for participation in the program shall be made on an Application for Catastrophic Leave Program form (available in Human Resources).

4.6.3 Procedures

1. Donations must be a minimum of one day at a time and submitted on the appropriate donation form.
2. Time donated will be converted from the type of time donated to sick leave and credited to the recipient employee's sick leave balance on an hour-for-hour basis and shall be paid at the rate of pay of the recipient employee.
3. Donations, once made, are irrevocable.
4. Any period of donated leave may be counted as Family and Medical Leave time.
5. Employees may not remain on catastrophic leave or receive leave donations for a continuous period exceeding six (6) calendar months.
6. Verification of catastrophic illness must be submitted by a licensed physician to Human Resources.
7. Employees are eligible for this benefit only once during their employment with the City.
8. Employees must have accumulated a minimum of 120 hours of sick leave or 80 hours of vacation time before a donation can be made.

4.7 Bereavement Leave

Employees shall be entitled to three (3) working days off with pay whenever there is a death in their immediate family. For purposes of this section, the immediate family shall consist of spouse, domestic partner, children, parents, grandparents, grandchildren, brothers, sisters, step-children, step-parents, half-brothers, half-sisters, fathers-in-law and mothers-in-law.

Time off for funerals or bereavement leave must be taken within six (6) months of the death of the immediate family member. In the event an employee desires to take additional time off with pay in excess of that provided for a death in the immediate family, or in the event the employee desires to attend the actual funeral or service of active or retired City officials, employees, or other family members not covered in this section, and if the employee has unused vacation or sick leave, the employee may take such additional time off or, the time necessary to attend such funeral, and charge it against his/her unused vacation, compensatory time, and/or sick leave.

4.8 Compensation (Workers' Comp Salary Continuation) Leave

Employees are covered by Workers' Compensation benefits pursuant to the statutes of the State of California. For non-safety employees, over and above the Workers' Compensation statutory benefits, the City shall pay full salary on the first day of work loss due to an on-the-job injury/illness and will continue to provide said benefits through the employees' 60th calendar day of work loss. After the 60th calendar day, benefits shall be paid pursuant to the statutes of the State of California.

4.9 Leave without Pay

Employees may receive authorization for an unpaid leave of absence for up to six (6) months, with the approval of the City Manager.

5. STANDARD HOURS OF WORK & OVERTIME

The City has determined that all classifications within this unit are exempt and are therefore not eligible for overtime in accordance with Title 29, Part 541 of the Code of Federal Regulations, FLSA.

During a labor dispute, a natural or war-caused disaster, or other emergency situation, the City Council, by motion, or the City Manager may authorize overtime pay for members of this unit who are customarily not entitled thereto. The City's standard work week is forty (40) hours.

Appendix A.

A. FY 2018/19 monthly full-time salary ranges are:

Effective July 1, 2018		
Position	Minimum	Maximum
Assistant City Manager	14,384	18,356
Chief of Police	14,656	18,528
Director of Community Development	12,300	15,547
Director of Community Services	12,300	15,547
Director of Finance	12,300	15,547
Director of Human Resources	12,300	15,547
Director of Public Works	13,292	16,158
Director of Records and Council Services	10,027	12,187

Effective July 14, 2019		
Position	Minimum	Maximum
Assistant City Manager	14,744	18,815
Chief of Police	15,022	18,991
Director of Community Development	12,608	15,936
Director of Community Services	12,608	15,936
Director of Finance	12,608	15,936
Director of Human Resources	12,608	15,936
Director of Public Works	13,624	16,562
Director of Records and Council Services	10,278	12,492

B. Whenever an individual is employed in a listed classification with a monthly salary listed, at less than full-time, then said employee shall receive a pro-rata equivalent of the stated monthly salary.

C. Off Salary Range One-Time-Only Payment

Should the City realize up to four hundred and fifty thousand dollars (\$450,000) in non-budgeted one-time general fund revenue between July 1, 2018 and June 30, 2020, the City shall pay each bargaining unit member, excluding the Chief of Police, up to two thousand dollars (\$2,000) following the receipt of the one-time funds. If amounts less than the full four hundred and fifty thousand dollars (\$450,000) are received, proportionate payments will be made to employees based upon the funds received. Proportionate payments will occur on the following quarter basis or as soon as possible.



**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 Resolution Condemning Police Actions in the Death of George Floyd in Minneapolis, Expressing Support for the Floyd Family, and Committing to Address the Systemic Inequities and Adoption of Minute Order Approving a Letter and Public Statement

MEETING DATE: June 8, 2020

EXECUTIVE SUMMARY

The City Council will consider the adoption of a Resolution addressing the recent tragic death of George Floyd following his arrest by the Minneapolis Police Department, expressing support for the Floyd family, and requesting a commitment to addressing systemic inequities. The City Council will also consider adoption of a minute order approving a letter to be sent to the Contra Costa Mayors and a public statement on the death of George Floyd.

FISCAL IMPACT

There is no impact to the General Fund related to the adoption of the proposed Resolution and minute order.

RECOMMENDATION

City Council adopt a Resolution addressing the recent death of George Floyd following his arrest by the Minneapolis Police Department, expressing support for the Floyd family, and committing to address the systemic inequities.

City Council adopt a minute order approving a letter to be sent to the Contra Costa Mayors and a public statement on the death of George Floyd.

BACKGROUND

On May 25, 2020, George Floyd tragically died in Minneapolis, Minnesota, shortly following his arrest in which an officer of the Minneapolis Police Department knelt on his neck to detain him during the arrest. Since Mr. Floyd's death, multiple protests have taken place throughout Contra Costa County and the larger Bay Area, calling for a change in how governments and law enforcement entities acknowledge and address systemic inequities, trauma, and economic hardships that have been caused.

On June 2, 2020, at a special meeting, the City Council voted unanimously to direct staff to bring back a resolution condemning the actions of the police officers responsible for the death of George Floyd, expressing support for the Floyd family, and memorializing the City Council's commitment to addressing systemic inequities.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

On May 25, 2020, George Floyd, an African-American man, was killed in the Powderhorn community of Minneapolis, Minnesota. While Floyd was handcuffed and lying face down on a city street during an arrest, Derek Chauvin, a white American Minneapolis police officer, kept his knee on the right side of Floyd's neck for 8 minutes and 46 seconds, resulting in Floyd's death.

Since the incident occurred, the community and nation has seen growing civic unrest, and demands for justice and reform. From peaceful protests to disruptive riots, the voices of those groups that have historically been underrepresented are seeking to bring attention to the perpetual injustices and racism taking place in our society. At the June 3 meeting, the City Council acknowledged that racism is evident and communities of color have for too long felt the pain, hurt, anger, and fear caused by the institutions that fail to listen, acknowledge them, or address the trauma and economic hardships brought on by centuries of inequality.

The City Council has voiced support for taking a stand in solidarity with the African American community and other communities of color to address the injustices of racism in America, inequities and disparities in our education system, disenfranchised communities, and unjust policing practices.

ATTACHMENTS:

Resolution
Letter to Contra Costa Mayors
Public Statement

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	)	
Condemning Police Actions in the Death of	)	
George Floyd in Minneapolis, Expressing	)	RESOLUTION NO. 20-
Support for the Floyd Family, and Committing	)	
<u>to Address the Systemic Inequities</u>	)	

The City Council of the City of Pittsburgh FINDS AND DETERMINES as follows:

WHEREAS, on May 25, 2020, George Floyd was detained by Minneapolis police officers after being accused of using counterfeit currency; and

WHEREAS, police officer actions during the arrest included kneeling on Mr. Floyd's neck for nearly nine minutes until he became unresponsive, leading to his death; and

WHEREAS, while the actions and senseless use of excessive force by the four Minneapolis Police Officers is not reflective of the Pittsburgh Police Department and the majority of officers in the country, their actions impact all communities and undermining the public's confidence in law enforcement; and

WHEREAS, racism that persists in our country is appalling. Communities of color have for too long felt the pain, hurt, anger, and fear caused by the institutions that fail to listen, acknowledge them, or address the trauma and economic hardships brought on by centuries of inequality; and

WHEREAS, we must address both the obvious wrongdoings – those that are seen and heard, captured on video, and posted to social media – as well as the less-obvious but no less harmful implicit behaviors borne from years of oppression; and

WHEREAS, from peaceful protests to disruptive riots, the voice of the unheard is rising and bringing attention to the perpetual injustices taking place. As a nation, we must decide what our Country stands for and how to uphold and implement those values; that effort starts here, at the local level; and

WHEREAS, the City of Pittsburgh will not sit silently while these issues continue to plague our society. The Pittsburgh City Council is committed to taking a leadership role in making the changes that are long overdue. We will work to restore and earn the confidence of our residents in their government and law enforcement.

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 grieves with the family of George Floyd for their loss and joins the family in its call for justice and peace following this incident.

- Section 3. The City Council declares that they will not sit silently, but will act in leadership to restore the confidence of all of this City's residents that their safety and equality is our top priority.
- Section 4. The City Council recognizes that racism continues to curse our society and commits to begin conversations to address the institutional actions that contribute to this plague.
- Section 5. The City Council, along with the City Manager and Chief of Police, commits to stand in solidarity and address the injustices of racism in America, inequities and disparities in our education system, disenfranchised communities, and policing practices.
- Section 6. The City Council calls on all the people of Pittsburg to join us in looking introspectively regarding how we can be better neighbors, employers, civil servants, and overall members of our community.
- Section 7. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a special meeting on the 8th day of June 2020, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Jelani Killings, Mayor

ATTEST:

Alice E. Evenson, City Clerk



June 8, 2020

Contra Costa Mayors and City Councils

Dear Contra Costa County Mayors and City Councils,

Over the last two weeks, we have seen families, friends, and communities come to a place of unrest. Following the inexcusable murder of Mr. George Floyd by a Minneapolis Police Officer a growing number of Americans have demonstrated that they will no longer remain silent. We, the Pittsburg City Council, grieve for Mr. Floyd along with his family and friends, our community, and the multitude of people in this country that have declared that enough is enough.

We also declare that we will not sit silently, but will act in leadership to restore the confidence of all of this City's residents that their safety and equality is our top priority.

In the words of Dr. Martin Luther King Jr., "[w]hatever affects one directly, affects all indirectly." Protests are transpiring in cities across America, including right here in Contra Costa County, as people empathize with the pain, hurt, anger, and fear experienced by the African American community. From peaceful protests to disruptive riots, the voice of the unheard is rising and bringing attention to the perpetual injustices taking place. We must respond with compassion and courage.

We challenge all Contra Costa County Mayors and City Councils, along with their respective police chiefs, to stand in solidarity and commit to addressing the injustices of racism in America, inequities and disparities in our education system and disenfranchised communities by taking the following actions:

1. Bring forth a resolution to your City Council condemning the actions of the officers involved in Mr. Floyd's murder and request the Minnesota Attorney General and Hennepin County District Attorney to swiftly and appropriately charge and prosecute them.
2. Host a virtual town hall or community meeting with your City Manager and Chief of Police to **LISTEN** to and **ACKNOWLEDGE** the concerns of community members related to policing practices, recognize that racism continues to curse our society and begin conversations to address the institutional actions that contribute to this plague.
3. Commit to addressing systemic inequities created by governmental and law enforcement policies and engage the African American community and other communities of color to address the trauma and economic hardships caused by them.

4. Encourage the Executive Committee of the Mayor's Conference and League of California Cities to form subcommittees to continue the dialogue regarding measures that should be taken to address the issues of equity and injustice.

The time for change is now. It is in difficult times like these that strong leadership is needed to take a stance and protect the people we were elected to serve. We ask that you join us in taking these steps to begin restoring public trust and chart a new path of accountability for public officials. Our communities are watching, and their well-being hinges on our ability to effectively address the civil unrest that stems from years of neglecting the plight of marginalized groups.

Sincerely,

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

STATEMENT BY THE CITY COUNCIL OF THE CITY OF PITTSBURG

The Pittsburgh City Council is saddened, horrified, and angry over the murder of George Floyd on May 25, 2020, at the hands of a Minneapolis police officer and the recurring disparities and injustices that afflict our society. We grieve for Mr. Floyd along with his family and friends, our community, and the multitude of people in this country that have declared that enough is enough. We also grieve for Ahmaud Arbery, Breonna Taylor, and the countless other African Americans who have unjustly been killed.

The racism that persists in America is appalling. Communities of color have for too long felt the pain, hurt, anger, and fear caused by the institutions that fail to listen, acknowledge them, or address the trauma and economic hardships brought on by centuries of inequality. The fact that African American men, women, and children are being killed by those sworn to serve and protect them is deplorable. We must address both the obvious wrongdoings – those that are seen and heard, captured on video, and posted to social media – as well as the less-obvious but no less harmful implicit behaviors borne from years of oppression.

From peaceful protests to disruptive riots, the voice of the unheard is rising and bringing attention to the perpetual injustices taking place. As a nation, we must decide what our Country stands for and how to uphold and implement those values; that effort starts here, at the local level. We know you are demanding change, that you be heard, and that your City reflect the diverse and proud people that make it special.

The City of Pittsburgh will not sit silently while these issues continue to plague our society. The Pittsburgh City Council is committed to taking a leadership role in making the changes that are long overdue. We will work to restore and earn the confidence of our residents in their government and law enforcement.

The City Council supports our public safety personnel in the goal of keeping our City safe. Many of our law enforcement officers are current or former residents of Pittsburgh and part of the very fabric of our community. For transparency, our officers are required to wear body worn cameras and record all public interactions. They work hard, and often face difficult and potentially dangerous situations. We strive to continue to work with the Police Department to increase the level of respect within our community.

The City has or will be taking the following steps immediately:

- On June 3, 2020, a special meeting of the City Council was held to discuss the events that had transpired to date, along with needed actions to fully address the ongoing issues facing our City, State, and nation. At this meeting, the City Council also directed staff to draft a letter to be sent to all Contra Costa County Mayors, calling for solidarity and commitment to addressing the injustices of racism in America.
- On June 8, 2020 and June 10, 2020, special meetings of the City Council will be held to review policing practices within the City of Pittsburgh. At these meetings, the City Council will also be voting on a resolution condemning the actions of the officers involved in Mr. Floyd's murder and requesting they be swiftly and appropriately charged and prosecuted.
- On June 13, 2020, the City Council will be holding a virtual town hall with the Chief of Police to discuss community needs and concerns.

As we move forward, we must recognize that racism continues to curse our society. We hope to begin conversations to address the institutional actions that contribute to this plague. We are committed to addressing systemic inequities created by governmental and law enforcement policies, as well as the trauma and economic hardships caused by them. As we move forward, the dialogue between our residents, business owners, educators, and City officials will be critical. We do not pretend to have all the answers, but we will listen, and we will act.

Change is difficult, but it is in times like these that we can come together as residents of Pittsburg, of Contra Costa County, of California, and of the United States of America. We ask that all the people of Pittsburg join us in reflecting on how we can be better neighbors, better employers, better civil servants, and how we can work to remedy the ills that sicken our society.

Jelani Killings, Mayor

Merl Craft, Vice Mayor

Holland Barrett White, City Council Member

Shanelle Scales Preston, City Council Member

Juan Antonio Banales, City Council Member