

**CORONAVIRUS ADVISORY
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CITY COUNCIL

Roy Swearingen, Mayor
Norma Martinez-Rubin, Mayor Pro Tem
Peter Murray, Council Member
Vincent Salimi, Council Member
Anthony Tave, Council Member

**PINOLE CITY COUNCIL
MEETING AGENDA**

**TUESDAY
SEPTEMBER 1, 2020
VIA ZOOM TELECONFERENCE**

5:00 P.M.

Please note early start time

**DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS
MEETING IS BEING HELD PURSUANT TO AUTHORIZATION FROM GOVERNOR
NEWSOM'S EXECUTIVE ORDERS – CITY COUNCIL AND COMMISSION MEETINGS ARE
NO LONGER OPEN TO IN-PERSON ATTENDANCE.**

SUBMIT PUBLIC COMMENTS TO CITY CLERK BEFORE OR DURING THE MEETING VIA EMAIL

hiopu@ci.pinole.ca.us

Comments received before the close of the public comment period for that item will be read into the record and limited to 3 minutes. Please include your full name, city of residence and agenda item you are commenting on. Any comments received after the close of the public comment period will be distributed to Council and relevant staff after the meeting and filed with the agenda packet.

WAYS TO WATCH THE MEETING

LIVE ON CHANNEL 26. They are retelecast the following Thursday at 6:00 p.m. The Community TV Channel 26 schedule is published on the city's website at www.ci.pinole.ca.us.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinole.ca.us. and remain archived on the site for five (5) years.

If none of these options are available to you, or you need assistance with public comment, please contact the City Clerk, Heather Iopu at (510) 724-8928 or hiopu@ci.pinole.ca.us.

Americans With Disabilities Act: In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a City Meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the City Clerk's Office at (510) 724-8928. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hiopu@ci.pinole.ca.us.

Ralph M. Brown Act. Gov. Code § 54950. In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT

An official who has a conflict must, prior to consideration of the decision: (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself /herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov't Code § 87105.

3. CONVENE TO A CLOSED SESSION

Citizens may address the Council regarding a Closed Session item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Gov. Code § 54957

Title: City Manager

4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

5. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes, and is subject to modification by the Mayor. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

B. Presentations / Recognitions

1. Caltrans Presentation by Nicolas Singh, David Man, and Maria Hionides

2. City of Pinole Camera Program by Police Lieutenant Gene Alameda

7. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Council member(s) wishes to comment on an item, they may do so before action is taken on the Consent Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

A. Approve the Minutes of the Meeting of June 16, 2020

B. Receive the August 15, 2020 – August 28, 2020 List of Warrants in the Amount of \$334,022.35 and the August 21, 2020 Payroll in the Amount of \$414,459.32

C. Resolution Confirming Continued Existence Of Local Emergency [Action: Adopt Resolution per Staff Recommendation (Casher)]

D. Approve An Amendment To City Clerk Heather Iopu's Employment Agreement To Ratify A Merit Increase Salary Adjustment [Action: Adopt Resolution per Staff Recommendation (De La Rosa)]

- E. Amendment to Section 17.70 Accessory Dwelling Unit Ordinance of the Pinole Municipal Code [Action: Adopt Ordinance on Second Reading (Casher)]

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

- A. Determination Of Public Convenience Or Necessity (PCN) For Grocery Outlet At 1460 Fitzgerald Drive (CUP 20-05) [Action: Conduct Public Hearing and Adopt Resolution per Staff Recommendation (Hanham)]

9. OLD BUSINESS

- A. Discussion Regarding Installation Of Benches On Galbreth Road [Action: Discuss and Provide Direction (Miller)]

10. NEW BUSINESS

- A. Adopt A Resolution Authorizing The City Manager To Execute A Contract With Carollo Engineers To Prepare A Sanitary Sewer Collection System Master Plan In An Amount Not To Exceed \$449,000 [Action: Adopt Resolution per Staff Recommendation (Miller)]
- B. Resolution Supporting The Contra Costa County Jurisdictions' Support For The "Plan Bay Area 2050 Baseline Data Methodology" For The Regional Housing Needs Allocation (RHNA) Process [Action: Review and Consider Adoption of Resolution per Staff Recommendation (Murray)]
- C. Appoint A Councilmember And Up To Two Alternative Voting Delegates To Vote On The League Of California Cities Annual Conference Resolution and Provide Direction Regarding League's Proposed Resolution [Action: Make Appointment of Delegate and Provide Voting Direction (De La Rosa)]

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
- B. Mayoral & Council Appointments
- C. City Council Committee Reports & Communications
- D. Council Requests For Future Agenda Items
- E. City Manager Report / Department Staff
- F. City Attorney Report

12. ADJOURNMENT to the Regular City Council Meeting of September 15, 2020 In Remembrance of Amber Swartz.

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

POSTED: August 27, 2020 at 4:00 P.M.

Heather Iopu, CMC
City Clerk

**CITY COUNCIL MEETING
MINUTES
June 16, 2020**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

The City Council Meeting was held via Zoom teleconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the Regular Meeting of the City Council to order **6:03** p.m. and led the Pledge of Allegiance.

2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT

A. COUNCILMEMBERS PRESENT

Roy Swearingen, Mayor
Norma Martinez-Rubin, Mayor Pro Tem
Peter Murray, Councilmember
Vincent Salimi, Councilmember
Anthony Tave, Councilmember

B. STAFF PRESENT

Andrew Murray, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Tamara Miller, Development Services Director/City Engineer
Neil Gang, Police Chief
Chris Wynkoop, Fire Chief

City Clerk Iopu announced the agenda was posted on June 11, 2020 at 4:00 p.m. All legally required notice was provided.

Following an inquiry to the Council, the Council reported there were no conflicts with any items on the agenda.

Mayor Swearingen gave a report highlighting current local information relating to the COVID-19 pandemic and civil unrest in the Bay Area.

3. CONVENE TO A CLOSED SESSION

Citizens may address the Council regarding a Closed Session item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.

NO CLOSED SESSION

4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

5. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes, and is subject to modification by the Mayor. Pursuant to provisions of the Brown Act, no action may be taken on a matter

unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **David Rupert, Irma Rupert, Ivette Ricco, Tim Banuelos, Sarah Flashman, Rafael Menis, Jim Neighbors & Friends**

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

- A. Proclamations
- B. Presentations / Recognitions

7. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Council member(s) wishes to comment on an item, they may do so before action is taken on the Consent Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

- A. Approve the Minutes of the Meeting of April 14, 2020
- B. Receive the May 30, 2020 – June 17, 2020 List of Warrants in the Amount of \$427,675.73 and the June 12, 2020 Payroll in the Amount of \$524,356.65
- C. Resolution Confirming Continued Existence Of Local Emergency [**Action: Adopt Resolution per Staff Recommendation (Casher)**]
- D. Call Election For Council And City Treasurer Candidates, Request Consolidation Of The Pinole Municipal Election On November 3, 2020 With Contra Costa County, And Set Specifications Of The Election Order [**Action: Adopt Resolution per Staff Recommendation (Iopu)**]
- E. Local Early Acton Planning Grants Program (LEAP) [**Action: Adopt Resolution per Staff Recommendation (Hanham)**]
- F. Adopt A Resolution Authorizing The City Manager To Execute Contract Change Order No. 147 For The Pinole-Hercules Water Pollution Control Plant (WPCP) Upgrade Project [**Action: Adopt Resolution per Staff Recommendation (T. Miller)**]
- H. Adopt A Resolution Establishing The FY 2020-21 Appropriations Limit [**Action: Adopt Resolution Per Staff Recommendation (A. Miller)**]

ACTION: Motion by Councilmembers Martinez-Rubin/Murray to Approve Consent Calendar Items A-F and H.

Vote:	Passed	5-0
	Ayes:	Swearingen, Murray, Martinez-Rubin, Salimi, Tave
	Noes:	None

Abstain: None
Absent: None

The following Consent Calendar Item 7G was pulled for further discussion:

- G. Authorize The City Manager To Execute Agreements To Provide Television Production And Broadcasting Services To Various Other Public Agencies [**Action: Adopt Resolution per Staff Recommendation (De La Rosa)**]

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport & Rafael Menis**

ACTION: Motion by Councilmembers Tave/Swearingen to approve item 7G

Vote: Passed 5-0
Ayes: Swearingen, Murray, Martinez-Rubin, Salimi, Tave
Noes: None
Abstain: None
Absent: None

Council member Salimi asked for the Council to reconsider Item 7F to record his abstention.

ACTION: Motion by Councilmembers Swearingen/Murray to reconsider Item 7F

Vote: Passed 5-0
Ayes: Swearingen, Murray, Martinez-Rubin, Salimi, Tave
Noes: None
Abstain: None
Absent: None

ACTION: Motion by Councilmembers Swearingen/Murray to approve item 7F

Vote: Passed 4-1
Ayes: Swearingen, Murray, Martinez-Rubin, Tave
Noes: None
Abstain: Salimi
Absent: None

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

- A. FY 2019-20 Annual Review Of Utility Users Tax, And Adoption Of A Resolution Modifying Household Income Eligibility Thresholds For Utility Users Tax Exemptions For FY 2020-21 [**Action: Conduct Public Hearing and Adopt Resolution Per Staff Recommendation (A. Miller)**]

Finance Director Miller presented a report and overview of the item.

At 6:42 p.m. Mayor Swearingen opened and closed the public hearing. There were no public speakers.

Council members asked questions of staff regarding the details of the report. Staff responded to questions.

ACTION: Motion by Councilmembers Martinez-Rubin/Salimi to Adopt Resolution Modifying Household Income Eligibility Thresholds For Utility Users Tax Exemptions For FY 2020-21

Vote:	Passed	5-0
	Ayes:	Swearingen, Murray, Martinez-Rubin, Salimi, Tave
	Noes:	None
	Abstain:	None
	Absent:	None

- B. Approve The Redevelopment Of Pinole Square (Aka Appian 80) Shopping Center [Action: Conduct Public Hearing and Adopt Resolutions Per Staff Recommendation (T. Miller)]

Planning Manager Hanham presented a report and highlighted details of the redevelopment plan. Development Services Director/City Engineer Miller made additional comments and introduced the project proponents. Todd Green of Hillsboro Properties and Eric Price of Lowney Architecture presented a powerpoint with details and visual representations of the project plan.

At 7:21 p.m. Mayor Swearingen opened the public hearing.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Ann Moriarty, Daniel Allen, David Kurrent, Maureen Toms, Sarah Flashman, Jim Neighbors & Friends**

At 7:40 p.m. Mayor Swearingen closed the public hearing.

Staff and project applicants responded to the public questions.

Council members asked questions of staff and project applicants. City staff and project proponents answered questions.

ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to Approve Resolutions Approving The Redevelopment Of Pinole Square (Aka Appian 80) Shopping Center

Vote:	Passed	5-0
	Ayes:	Swearingen, Murray, Martinez-Rubin, Salimi, Tave
	Noes:	None
	Abstain:	None
	Absent:	None

9. OLD BUSINESS

- A. Adopt The City Of Pinole Proposed FY 2020-21 Operating Budget **[Action: Adopt Resolution Per Staff Recommendation (A. Miller)]**

Finance Director Miller introduced the item and presented an overview of the Budget. City Manager made additional comments to provide context to the presentation of the budget document.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport, Rafael Menis, Sal Spataro**

Staff responded to the public questions.

Council members made comments and asked questions of staff regarding the Budget. Staff answered Council's questions.

ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to Adopt The City Of Pinole Proposed FY 2020-21 Operating Budget

Vote:	Passed	5-0
	Ayes:	Swearingen, Murray, Martinez-Rubin, Salimi, Tave
	Noes:	None
	Abstain:	None
	Absent:	None

10. NEW BUSINESS

None.

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
1. Announcements
- B. Mayoral & Council Appointments
1. Resolution Forming The Faria House Ad Hoc Committee To Provide Guidance To City Staff On The Renovation Of The Faria House For Use As A Local History Museum **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

The Mayor introduced the item.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport, Ivette Ricco, Jeff Rubin, Maria Alegria, Sal Spataro**

Council members made comments and held discussion regarding the history of the use of the the Faria House.

ACTION: Motion by Councilmembers Swearingen/Salimi Approving the Resolution Forming The Faria House Ad Hoc Committee To Provide Guidance To City Staff On The Renovation Of The Faria House For Use As A Local History Museum, Appointing Councilmembers Tave and Murray as Members and Directing Committee to Bring Back a Report to the Council at November 17th, 2020 Council Meeting

Vote: **Passed** **5-0**
 Ayes: **Swearingen, Murray, Salimi, Tave**
 Noes: **None**
 Abstain: **None**
 Absent: **None**

B. City Council Committee Reports & Communications

Mayor Pro Tem reported attending June 11th ABAG meeting and announced an increase in membership dues and highlighted items of discussion. Encouraged the public to stay healthy through the COVID-19 health crisis. Reported out most recent Census data for Pinole.

Council member Murray reported that he will be attending June WCCIMA meeting.

C. Council Requests For Future Agenda Items

Council member Tave requested a future agenda item for the School Board to bring back a presentation with an update on School Resource Officers. Consensus given.

Council member Tave requested a future agenda item for a presentation from the County regarding Animal Control Services. Consensus given.

E. City Manager Report / Department Staff

City Manager Murray announced the reopening of the public safety building and that City Hall will be reopening in the next week with safety protocols in place.

F. City Attorney Report

12. **ADJOURNMENT to the Regular City Council Meeting of July 7, 2020 In Remembrance of Amber Swartz.**

At 10:59 p.m. Mayor Swearingen adjourned to the Regular City Council Meeting of July 7, 2020 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council:



City of Pinole, CA

7B WARRANT LISTING

By Vendor Name

Payment Dates 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 4LE00 - 4LEAF, INC.					
J1909A26	94656	08/21/2020	212-462-42101	BUILDING INSPECTION - JULY 2020	15,708.46
J3681U	94685	08/28/2020	100-231-42101	FIRE INSPECTIONS - JULY 2020	18,480.00
Vendor 4LE00 - 4LEAF, INC. Total:					34,188.46
Vendor: 2018 - ABRAHAM URBINA					
08212020	94657	08/21/2020	209-554-36402	INSTRUCTOR WINTER 2020 CLASS REFUND	405.00
Vendor 2018 - ABRAHAM URBINA Total:					405.00
Vendor: AIR10 - AIRGAS USA, LLC					
9972928868	94686	08/28/2020	100-231-42107	FIRE RENT CYL MED LARGE AIR	76.57
Vendor AIR10 - AIRGAS USA, LLC Total:					76.57
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
5025519	94687	08/28/2020	500-641-42201	WPCP WATER JULY 2020	148.74
5025531 080620	94687	08/28/2020	100-343-42108	CY WATER FOR JULY	81.23
Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:					229.97
Vendor: ALL14 - ALLSTAR FIRE EQUIPMENT, INC.					
225851	94688	08/28/2020	100-231-42107	FIRE-ADE 2000 A/B FOAM	2,381.65
Vendor ALL14 - ALLSTAR FIRE EQUIPMENT, INC. Total:					2,381.65
Vendor: 2005 - ANIMAL DAMAGE MANAGEMENT, INC					
3263C	94658	08/21/2020	100-345-42108	PEST CONTROL - FERNANDEZ & PINOLE VALLEY FIELDS	250.00
Vendor 2005 - ANIMAL DAMAGE MANAGEMENT, INC Total:					250.00
Vendor: ARA01 - ARAMARK UNIFORM SERVICES					
704979751	94689	08/28/2020	100-343-44410	CY LAUNDRY SERVICE	249.40
704979751	94689	08/28/2020	500-642-44410	CY LAUNDRY SERVICE	23.26
704989752	94689	08/28/2020	100-343-44410	CY LAUNDRY SERVICE	249.40
704989752	94689	08/28/2020	500-642-44410	CY LAUNDRY SERVICE	23.26
704998957	94689	08/28/2020	100-343-44410	CY LAUNDRY SERVICE	249.40
704998957	94689	08/28/2020	500-642-44410	CY LAUNDRY SERVICE	23.26
705008126	94689	08/28/2020	100-343-44410	CY LAUNDRY SERVICE	263.30
705008126	94689	08/28/2020	500-642-44410	CY LAUNDRY SERVICE	26.85
Vendor ARA01 - ARAMARK UNIFORM SERVICES Total:					1,108.13
Vendor: ATT01 - AT&T					
000015068937	94691	08/28/2020	525-118-43101	IT ATT PHONE BILL	1,984.65
000015155542	94691	08/28/2020	525-118-43101	IT ATT MIS PHONE BILL	1,137.09
000015157643	94691	08/28/2020	525-118-43101	IT ATT PHONE FIRE DEPT	673.96
000015157652	94691	08/28/2020	525-118-43101	IT CDD PHONE BILL	224.15
000015157654	94691	08/28/2020	525-118-43101	IT ATT EOC PHONE BILL	169.19
08082020-2820	94690	08/28/2020	525-118-43101	TINY TOTS SOLAR JULY 2020	62.75
Vendor ATT01 - AT&T Total:					4,251.79
Vendor: BAR42 - BARNEY & RUSSUM ANIMAL CLINIC					
324906	94659	08/21/2020	100-221-42514	PD MEDICAL SERVICES - MILO	10.54
Vendor BAR42 - BARNEY & RUSSUM ANIMAL CLINIC Total:					10.54
Vendor: ESP01 - BELINDA ESPINOSA					
08192020	94692	08/28/2020	100-117-41101	2020 RETIREE MEDICARE REIMBURSEMENT 8/1 - 11/30	485.47
Vendor ESP01 - BELINDA ESPINOSA Total:					485.47
Vendor: BLU03 - BLUE LAGOON POOL SERVICE					
15235	94660	08/21/2020	209-557-42108	WINTER POOL SERVICE - APRIL 2020	220.00

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
15378	94660	08/21/2020	209-557-42108	SUMMER POOL SERVICE - JULY 2020	1,265.00
Vendor BLU03 - BLUE LAGOON POOL SERVICE Total:					1,485.00
Vendor: LOW01 - BRIAN LOWRY					
08282020	94693	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	1.49
Vendor LOW01 - BRIAN LOWRY Total:					1.49
Vendor: CAL04 - CALCON SYSTEMS, INC.					
47218	94661	08/21/2020	500-641-42107	SERVICE CALLS - TP	5,796.95
Vendor CAL04 - CALCON SYSTEMS, INC. Total:					5,796.95
Vendor: CAL01 - CALTEST ANALYTICAL LAB					
613098	94694	08/28/2020	500-641-44305	CENTRIFUGE SLUDGE	118.75
Vendor CAL01 - CALTEST ANALYTICAL LAB Total:					118.75
Vendor: 2019 - CENTURYLINK COMMUNICATIONS, LLC.					
08282020	94695	08/28/2020	100-000-31301	REFUND UTILITY CHECK CASHED IN ERROR	3,948.12
Vendor 2019 - CENTURYLINK COMMUNICATIONS, LLC. Total:					3,948.12
Vendor: CHR05 - CHRISP COMPANY					
12823	94662	08/21/2020	200-342-47205	MOBILIZATION INSTALL THERMOPLASTIC	6,316.00
Vendor CHR05 - CHRISP COMPANY Total:					6,316.00
Vendor: CIT08 - CITY MECHANICAL, INC					
65804	94663	08/21/2020	209-558-42108	WORK ORDER 42130 HVAC - APRIL 2020	439.59
65805	94663	08/21/2020	209-552-42108	WORK ORDER 42328 HVAC SENIOR CTR	594.59
65806	94663	08/21/2020	209-554-42108	WORK ORDER 42131 HVAC YOUTH CTR	402.30
65806	94663	08/21/2020	505-119-42108	WORK ORDER 42131 HVAC YOUTH CTR	402.30
66457	94663	08/21/2020	209-553-42108	WORK ORDER 41323 HVAC	274.44
Vendor CIT08 - CITY MECHANICAL, INC Total:					2,113.22
Vendor: COM20 - COMCAST					
08092020-3131	94696	08/28/2020	100-231-43105	FIRE - COMCAST BIZ SVCS	10.68
AUG 01 2020 3450	94664	08/21/2020	215-341-43101	I80 MOBILITY PROJECT	240.99
Vendor COM20 - COMCAST Total:					251.67
Vendor: CON56 - CONCENTRA MEDICAL CENTERS					
68705437	94697	08/28/2020	100-116-42101	HR DOT RECERTS - BROWN & BULL-LOUIS	159.00
Vendor CON56 - CONCENTRA MEDICAL CENTERS Total:					159.00
Vendor: COR12 - CORELOGIC SOLUTIONS LLC					
82036677	94698	08/28/2020	525-118-42510	REALQUEST FOR JULY 2020	710.41
Vendor COR12 - CORELOGIC SOLUTIONS LLC Total:					710.41
Vendor: COO13 - DANA COOK					
08282020	94699	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	353.28
Vendor COO13 - DANA COOK Total:					353.28
Vendor: HUG01 - DANNY HUGHES					
08282020	94700	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	0.48
Vendor HUG01 - DANNY HUGHES Total:					0.48
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
83677701	94665	08/21/2020	100-10601	CY GASOLINE	1,619.33
83697071	94701	08/28/2020	100-10601	CY GASOLINE	1,611.33
83700768	94701	08/28/2020	100-10601	CY GASOLINE	1,359.50
Vendor 1443 - DIESEL DIRECT WEST, INC. Total:					4,590.16

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 2020 - DOCUSIGN, INC.					
INV18920794	94702	08/28/2020	100-117-42514	ESIGNATURE SEATS/PREMIER SUPPORT	3,105.00
Vendor 2020 - DOCUSIGN, INC. Total:					3,105.00
Vendor: EAS15 - EAST BAY MUNICIPAL UTILITY DISTRICT					
08032020-52057	94666	08/21/2020	100-345-43102	2948 VON DOOLEN CT-IRRIGATION USE ONLY	113.13
Vendor EAS15 - EAST BAY MUNICIPAL UTILITY DISTRICT Total:					113.13
Vendor: EBM01 - EBMUD					
53919072420	94703	08/28/2020	500-642-43102	05005 HYDRAND PERMIT-CONSTRUCTION	609.49
Vendor EBM01 - EBMUD Total:					609.49
Vendor: EDD01 - EDD- EMPLOYMENT DEVELOPMENT DEPT.					
L1719337440	94704	08/28/2020	100-221-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	3,600.00
L1719337440	94704	08/28/2020	100-222-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	5,508.00
L1719337440	94704	08/28/2020	105-231-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	3,619.00
L1719337440	94704	08/28/2020	209-552-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	8,114.00
L1719337440	94704	08/28/2020	209-553-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	3,148.00
L1719337440	94704	08/28/2020	209-554-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	636.00
L1719337440	94704	08/28/2020	505-119-41012	EMPLOYMENT TAX PERIOD ENDING JUNE 30 2020	708.00
Vendor EDD01 - EDD- EMPLOYMENT DEVELOPMENT DEPT. Total:					25,333.00
Vendor: FIS01 - FISHER SCIENTIFIC					
4609587	94705	08/28/2020	500-641-42107	SUPPLIES -TP SLUDGE JUDGE	280.02
Vendor FIS01 - FISHER SCIENTIFIC Total:					280.02
Vendor: FOS01 - FOSTER FLOW CONTROL					
20-3412	94706	08/28/2020	500-641-42107	WPCP - PLUG VALVE	833.58
Vendor FOS01 - FOSTER FLOW CONTROL Total:					833.58
Vendor: GAL02 - GALLS, LLC					
016213064	94707	08/28/2020	100-231-44410	FIRE UNIFORM COTTON PANTS	219.18
Vendor GAL02 - GALLS, LLC Total:					219.18
Vendor: GAT07 - GATEWAY PINOLE VISTA, LLC					
SEPT 2020	94708	08/28/2020	201-343-42513	GATEWAY RENT SEPT 2020	100.00
Vendor GAT07 - GATEWAY PINOLE VISTA, LLC Total:					100.00
Vendor: GRA03 - GRAINGER					
9618070669	94709	08/28/2020	500-641-42107	WWTP MOLDED GRATING	378.01
Vendor GRA03 - GRAINGER Total:					378.01
Vendor: HAC01 - HACH COMPANY					
12026275	94667	08/21/2020	500-641-44305	WPCP CABLE ASST, THERMAL	180.92
12044341	94667	08/21/2020	500-641-44305	WPCP - BUFFER SOLN	171.52
12065862	94710	08/28/2020	500-641-44305	SUPPLIES - TP	156.43
Vendor HAC01 - HACH COMPANY Total:					508.87
Vendor: HAR01 - HARRINGTON INDUSTRIAL PLASTIC, LLC					
006L9331	94668	08/21/2020	500-641-42107	WPCP - PARTS	230.04
Vendor HAR01 - HARRINGTON INDUSTRIAL PLASTIC, LLC Total:					230.04
Vendor: HDL01 - HDL COREN AND CONE					
SIN002620	94669	08/21/2020	100-115-42101	CONTRACT SVCS PTY TAX - JUL-SEP 2020	2,125.00
Vendor HDL01 - HDL COREN AND CONE Total:					2,125.00
Vendor: HOM01 - HOME DEPOT CREDIT SERVICE					
JULY 21 2020	94670	08/21/2020	100-343-42108	JULY 2020 STATEMENT	576.80
JULY 21 2020	94670	08/21/2020	500-641-42107	JULY 2020 STATEMENT	161.31

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
JULY 21 2020	94670	08/21/2020	500-642-42107	JULY 2020 STATEMENT	22.53
Vendor HOM01 - HOME DEPOT CREDIT SERVICE Total:					760.64
Vendor: HOR05 - HORIZON					
1R266321	94711	08/28/2020	100-345-42108	PARTS - PW	341.39
Vendor HOR05 - HORIZON Total:					341.39
Vendor: IDE04 - IDEXX DISTRIBUTION, INC.					
3068977393	94712	08/28/2020	500-641-44305	SUPPLIES - TP	2,346.39
Vendor IDE04 - IDEXX DISTRIBUTION, INC. Total:					2,346.39
Vendor: 1368 - INTERACTIVE RESOURCES, INC.					
182076	94713	08/28/2020	100-117-42101	FARIA HOUSE PERIOD JULY 2020	560.00
Vendor 1368 - INTERACTIVE RESOURCES, INC. Total:					560.00
Vendor: MEL05 - JAMES MELVIN					
08282020	94714	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	138.60
Vendor MEL05 - JAMES MELVIN Total:					138.60
Vendor: PAR01 - JAMES PARROTT					
08282020	94715	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	0.24
Vendor PAR01 - JAMES PARROTT Total:					0.24
Vendor: JAN92 - JAN-PRO OF THE GREATER BAY AREA					
1599	94671	08/21/2020	209-554-42108	YC JANITORAL SERVICE AUGUST	179.70
1600	94671	08/21/2020	209-552-42108	SC JANITORAL SERVICE AUGUST	166.60
1601	94671	08/21/2020	209-552-43810	SC JANITORAL SERVICE - KITCHEN AUGUST	155.75
1602	94671	08/21/2020	209-553-42108	TINY TOTS JANITORIAL SERVICE AUGUST	192.00
Vendor JAN92 - JAN-PRO OF THE GREATER BAY AREA Total:					694.05
Vendor: HAR29 - JOHN HARDESTER					
08282020	94716	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	0.48
Vendor HAR29 - JOHN HARDESTER Total:					0.48
Vendor: 1799 - JOSHUE E SHAVIES					
08132020	94717	08/28/2020	100-117-41101	2020 ADVANCED DISABILITY PENSION PYMY SEPT	3,251.30
Vendor 1799 - JOSHUE E SHAVIES Total:					3,251.30
Vendor: MIS01 - JULIAN MISRA					
08282020	94718	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	376.00
Vendor MIS01 - JULIAN MISRA Total:					376.00
Vendor: KEL09 - KELLER CANYON LANDFILL					
4212-000029348	94672	08/21/2020	500-641-44302	WPCC - SLUDGE REMOVAL	5,521.82
Vendor KEL09 - KELLER CANYON LANDFILL Total:					5,521.82
Vendor: COP02 - KENETH COPPO					
08282020	94719	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	1,204.19
Vendor COP02 - KENETH COPPO Total:					1,204.19
Vendor: 2017 - KIYANNA MURPHY					
08212020	94673	08/21/2020	209-20309	REFUND FOR FACILITY RENTAL	300.00
08212020	94673	08/21/2020	209-554-38112	REFUND FOR FACILITY RENTAL	830.00
Vendor 2017 - KIYANNA MURPHY Total:					1,130.00
Vendor: KUB00 - KUBWATER RESOURCES, INC.					
09741	94720	08/28/2020	500-641-44303	ZETAG TOTE - TP	11,464.71
Vendor KUB00 - KUBWATER RESOURCES, INC. Total:					11,464.71

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: LAN01 - LANER ELECTRIC SUPPLY,INC					
908358	94674	08/21/2020	100-343-42108	STREET LIGHTS	53.53
Vendor LAN01 - LANER ELECTRIC SUPPLY,INC Total:					53.53
Vendor: LAR04 - LARRY WALKER ASSOCIATES					
00243.10-32	94675	08/21/2020	500-641-42101	NPDES PERMIT	502.00
Vendor LAR04 - LARRY WALKER ASSOCIATES Total:					502.00
Vendor: BRU10 - LINDA BRUNS					
08282020	94721	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	102.17
Vendor BRU10 - LINDA BRUNS Total:					102.17
Vendor: CUR03 - LN CURTIS & SONS					
INV411342	94722	08/28/2020	100-231-42107	FIRE GENERAL PURPOSE CUTTER 30"	155.21
INV411694	94722	08/28/2020	100-231-42107	FIRE GENERAL PURPOSE CUTTER 18"	111.87
Vendor CUR03 - LN CURTIS & SONS Total:					267.08
Vendor: DRA01 - MARY DRAZBA					
08282020	94723	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	201.46
Vendor DRA01 - MARY DRAZBA Total:					201.46
Vendor: ROB21 - MARY ROBERTS					
08282020	94724	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	320.70
Vendor ROB21 - MARY ROBERTS Total:					320.70
Vendor: MCM05 - MCMASTER-CARR SUPPLY CO.					
43352424	94676	08/21/2020	500-641-42107	SUPPLIES/PARTS - WPCP	1,007.71
Vendor MCM05 - MCMASTER-CARR SUPPLY CO. Total:					1,007.71
Vendor: 1115 - MICHELLE FITZER					
08262020-1	94725	08/28/2020	100-117-41101	2020 RETIREE RX DRUG COVERAGE	12.20
08282020-2	94725	08/28/2020	100-117-41101	2020 RETIREE MEDICARE REIMBURSEMENT	202.40
08282020-3	94725	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	36.49
Vendor 1115 - MICHELLE FITZER Total:					251.09
Vendor: ROG02 - MILES ROGERS					
08282020	94726	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	204.34
Vendor ROG02 - MILES ROGERS Total:					204.34
Vendor: MUN07 - MUNICIPAL POOLING AUTH.					
INV001285	94727	08/28/2020	100-116-42101	DRUG & ALCOHOL TESTING OCT 19 - JUN 20	625.50
Vendor MUN07 - MUNICIPAL POOLING AUTH. Total:					625.50
Vendor: MYE01 - MYERS STEVENS & TOOHEY CO					
1346209	94728	08/28/2020	100-221-41008	LONG TERM DIABILITY	475.20
1346209	94728	08/28/2020	100-223-41008	LONG TERM DIABILITY	258.00
1346209	94728	08/28/2020	105-221-41008	LONG TERM DIABILITY	148.50
1346209	94728	08/28/2020	204-227-41008	LONG TERM DIABILITY	29.70
Vendor MYE01 - MYERS STEVENS & TOOHEY CO Total:					911.40
Vendor: PAC41 - PACIFIC ECORISK					
16592	94677	08/21/2020	500-641-44305	NPDES TOXICITY TESTING - WPCP	1,046.00
Vendor PAC41 - PACIFIC ECORISK Total:					1,046.00
Vendor: PAC55 - PACIFIC SITE MANAGEMENT					
59644	94678	08/21/2020	100-222-42108	MONTHLY LANDSCAPE MAINTENANCE	122.50
59644	94678	08/21/2020	100-231-42108	MONTHLY LANDSCAPE MAINTENANCE	327.50

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
59644	94678	08/21/2020	100-343-42108	MONTHLY LANDSCAPE MAINTENANCE	174.40
59644	94678	08/21/2020	100-345-42108	MONTHLY LANDSCAPE MAINTENANCE	5,619.33
59644	94678	08/21/2020	200-342-42108	MONTHLY LANDSCAPE MAINTENANCE	326.00
59644	94678	08/21/2020	201-343-42108	MONTHLY LANDSCAPE MAINTENANCE	532.60
59644	94678	08/21/2020	209-552-42108	MONTHLY LANDSCAPE MAINTENANCE	198.00
59644	94678	08/21/2020	209-553-42108	MONTHLY LANDSCAPE MAINTENANCE	206.00
59644	94678	08/21/2020	209-557-42108	MONTHLY LANDSCAPE MAINTENANCE	206.00
59644	94678	08/21/2020	310-347-42108	MONTHLY LANDSCAPE MAINTENANCE	60.00
59644	94678	08/21/2020	310-348-42108	MONTHLY LANDSCAPE MAINTENANCE	65.00
Vendor PAC55 - PACIFIC SITE MANAGEMENT Total:					7,837.33
Vendor: ATH02 - PATRICIA ATHENOUR					
08192020	94729	08/28/2020	100-117-41101	2020 MEDICARE RETIREE REIMBURSEMENT - SEPT	144.60
Vendor ATH02 - PATRICIA ATHENOUR Total:					144.60
Vendor: CLA17 - PAUL CLANCY					
08282020	94730	08/28/2020	100-117-41101	2020 RETIREE MEDICAL REIMBURSEMENT	401.13
Vendor CLA17 - PAUL CLANCY Total:					401.13
Vendor: PGE01 - PG&E					
021708172020	94731	08/28/2020	100-345-43103	TENNENT & PARK ST CLUB HOUSE	17.20
049808102020	94731	08/28/2020	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	476.67
081308172020	94731	08/28/2020	200-342-43103	2149 1/2 APPIAN WAY TRAFFIC SIGNAL	30.74
088308122020	94731	08/28/2020	100-222-43103	880 TENNENT AVE PUBLI C SAFETY FACILITY	675.76
088308122020	94731	08/28/2020	100-223-43103	880 TENNENT AVE PUBLI C SAFETY FACILITY	135.15
088308122020	94731	08/28/2020	100-231-43103	880 TENNENT AVE PUBLI C SAFETY FACILITY	540.60
0887073020	94679	08/21/2020	200-342-43103	PINON AVE & SAN PABLO AVE TRAFFIC SIGNAL	65.94
092308172020	94731	08/28/2020	100-110-43103	2131 PEAR ST	116.48
092308172020	94731	08/28/2020	100-111-43103	2131 PEAR ST	153.26
092308172020	94731	08/28/2020	100-112-43103	2131 PEAR ST	168.58
092308172020	94731	08/28/2020	100-115-43103	2131 PEAR ST	419.93
092308172020	94731	08/28/2020	100-116-43103	2131 PEAR ST	122.61
092308172020	94731	08/28/2020	100-117-43103	2131 PEAR ST	1,364.01
092308172020	94731	08/28/2020	100-343-43103	2131 PEAR ST	2,541.04
092308172020	94731	08/28/2020	200-342-43103	2131 PEAR ST	444.45
092308172020	94731	08/28/2020	212-461-43103	2131 PEAR ST	183.91
092308172020	94731	08/28/2020	212-462-43103	2131 PEAR ST	462.84
092308172020	94731	08/28/2020	285-464-43103	2131 PEAR ST	153.26
1093073020	94679	08/21/2020	500-642-43103	W END/HAZEL AVE SEWAGE PLANT	623.52
115608122020	94731	08/28/2020	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	28.82
115608122020	94731	08/28/2020	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	43.22
146208122020	94731	08/28/2020	209-552-43103	2500 CHARLES ST SENIOR CENTER	94.99

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
180108092020	94731	08/28/2020	209-553-43103	2454 SIMAS AVE REC CTR & POOL	13.38
2182073020	94679	08/21/2020	200-342-43103	OAKRIDGE/SAN PABLO AVE TRAFFIC SIGNAL	58.35
250608172020	94731	08/28/2020	215-341-43103	701 Pinon/2489 San Pablo-Electric CHGS	32.39
296908172020	94731	08/28/2020	201-343-43103	600 TENNENT AVE BLACKIES STORAGE	21.02
302908122020	94731	08/28/2020	100-345-43103	1270 ADOBE RD @ OUTSIDE BATHROOMS	52.58
353708172020	94731	08/28/2020	100-343-43103	659 TENNENT AVE PARKING LOT LIGHTS	77.21
383408052020	94731	08/28/2020	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	23.49
385008172020	94731	08/28/2020	100-345-43103	601 TENNENT AVE CARETAKER'S SHED	145.69
391408172020	94731	08/28/2020	100-345-43103	FERNANDEZ PARK BALLPARK LIGHTING	86.90
406508172020	94731	08/28/2020	209-559-43103	2937 PINOLE VALLEY RD TENNIS CT LIGHTS	402.39
415708112020	94731	08/28/2020	100-222-43103	809 CITY HALL	14.94
4256072720	94679	08/21/2020	500-641-43103	11 TENNANT AVE	56,509.15
436808172020	94731	08/28/2020	200-342-43103	APPIAN WAY & TARA HILLS TRAFFIC SIGNAL	119.09
4430072720	94679	08/21/2020	100-345-43103	S/O MARLESTA 1ST POLE-SPRINKLER CONTROLLER	10.38
461208172020	94731	08/28/2020	201-343-43103	2100 SAN PABLO AVE FARIA HOUSE	43.56
513708142020	94731	08/28/2020	209-557-43103	2450 SIMAS AVE SWIM CTR	800.84
527408172020	94731	08/28/2020	201-343-43103	2361 SAN PABLO AVE OLD BANK BUILDING	50.45
6521072820	94679	08/21/2020	200-342-43103	IFO 971 SAN PABLO AVE-TRAFFIC SIGNAL CONTROL	91.67
674708052020	94731	08/28/2020	200-342-43103	RAMONA & PINOLE VALLEY-TRAFFIC SIGNAL & ST LIGHT	140.71
6897072820	94679	08/21/2020	200-342-43103	PINOLE VALLEY RD & ESTATES AVE-TRAFFIC LIGHT CTRL	56.56
696908172020	94731	08/28/2020	201-343-43103	2361 SAN PABLO AVE PARKING LOT LIGHTS	83.89
718608122020	94731	08/28/2020	209-558-43103	601 TENNENT AVE PUBLIC MEETING HALL	8.66
750908172020	94731	08/28/2020	200-342-43103	TARA HILLS DR 500 FT APPIAN WAY TRAFFIC SIGNAL	55.46
754707272020	94679	08/21/2020	100-222-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	3,934.66
754707272020	94679	08/21/2020	100-223-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	786.93
754707272020	94679	08/21/2020	100-231-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	3,147.73
796408172020	94731	08/28/2020	310-348-43103	2680 PINOLE VALLEY RD MEDIAN IRRIGATION SHOPPING C	11.35
851107242020	94731	08/28/2020	100-345-43103	W/S PINOLE SHORES DR-SPRINKLER CONTROLLER	12.16
871608122020	94731	08/28/2020	500-641-43103	SEWAGE PLNT-FT OF TENNENT	2,205.04
996107272020	94679	08/21/2020	209-552-43103	2500 CHARLES ST SENIOR CENTER	1,624.65
998508172020	94731	08/28/2020	201-343-43103	NEAR 795 FERNANDEZ PARKING LOT LIGHTS	135.94
				Vendor PGE01 - PG&E Total:	79,620.20
Vendor: PRO18 - PROTECTION 1 / ADT					
07302020-0999	94680	08/21/2020	209-553-42108	TINY TOTS SECURITY SYSTEM	78.45
				Vendor PRO18 - PROTECTION 1 / ADT Total:	78.45

WARRANT LISTING

Payment Dates: 8/15/2020 - 8/28/2020

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: QUI11 - QUINCY ENGINEERING, INC.					
20-2830.00 - 2	94733	08/28/2020	325-342-47205	PROFESSIONAL ENGINEERING SVCS - SAN PABLO BRIDGE	38,981.03
Vendor QUI11 - QUINCY ENGINEERING, INC. Total:					38,981.03
Vendor: REP03 - REPUBLIC SERVICES					
05182020	94734	08/28/2020	100-20021	GARBAGE LEVY SUMMARY	46,579.99
Vendor REP03 - REPUBLIC SERVICES Total:					46,579.99
Vendor: OFF11 - THE OFFICE CITY					
IN-1649360	94681	08/21/2020	100-117-42201	CITY HALL CLEANING SUPPLIES	37.98
IN-1650554	94681	08/21/2020	500-641-42201	WPCP OFFICE SUPPLIES	44.38
IN-1652246	94735	08/28/2020	500-641-42201	WPCP OFFICE SUPPLIES	108.11
IN-1652574	94735	08/28/2020	500-641-42201	WPCP OFFICE SUPPLIES - SPEAKERS	26.21
IN-1652852	94735	08/28/2020	500-641-42201	CH OFFICE SUPPLIES	62.59
IN-1655549	94735	08/28/2020	100-117-42201	CY COVID OFFICE SUPPLIES	46.98
Vendor OFF11 - THE OFFICE CITY Total:					326.25
Vendor: UND01 - UNDERGROUND SERVICE ALERT					
2020124265	94736	08/28/2020	500-642-42514	2020 MEMBERSHIP FEE	1,783.96
Vendor UND01 - UNDERGROUND SERVICE ALERT Total:					1,783.96
Vendor: UNI38 - UNIVAR USA INC					
48686244	94737	08/28/2020	500-641-44303	WPCP SOD BISULFITE	6,182.29
Vendor UNI38 - UNIVAR USA INC Total:					6,182.29
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
478892	94682	08/21/2020	100-343-42108	CH JANITORIAL SERVICE	1,070.00
478893	94682	08/21/2020	100-222-42108	PD AND FIRE JANITORIAL SERVICE	1,176.00
478893	94682	08/21/2020	100-223-42108	PD AND FIRE JANITORIAL SERVICE	1,176.00
478894	94682	08/21/2020	209-557-42108	SWIM CTR MONTHLY JANITORIAL SVC	644.85
Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:					4,066.85
Vendor: VER02 - VERIZON WIRELESS					
9858768619	94738	08/28/2020	525-118-43101	IT WIRELESS PHONE BILL	4,859.35
Vendor VER02 - VERIZON WIRELESS Total:					4,859.35
Vendor: VWR01 - VWR INTERNATIONAL, LLC.					
8801831699	94739	08/28/2020	500-641-44305	LAB SUPPLIES TP	179.78
Vendor VWR01 - VWR INTERNATIONAL, LLC. Total:					179.78
Vendor: WEC01 - WECO INDUSTRIES LLC					
0046123-IN	94683	08/21/2020	500-641-42107	GAS DETECTORS	2,717.33
0046123-IN	94683	08/21/2020	500-642-42514	GAS DETECTORS	2,717.34
Vendor WEC01 - WECO INDUSTRIES LLC Total:					5,434.67
Vendor: XER01 - XEROX CORPORATION					
010846978	94740	08/28/2020	525-118-42107	IT - METER USAGE CH JUNE 2020	288.02
010846979	94740	08/28/2020	525-118-42107	IT - METER USAGE SC JUNE 2020	213.68
010871404	94684	08/21/2020	525-118-42107	METER USAGE JUNE 2020 - YOUTH CTR	192.85
011108643	94740	08/28/2020	525-118-42107	IT METER USAGE CITY HALL JULY 2020	288.02
011108644	94740	08/28/2020	525-118-42107	IT METER USAGE SR CTR JULY 2020	213.68
Vendor XER01 - XEROX CORPORATION Total:					1,196.25
Grand Total:					334,022.35

Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	127,618.92
105 - Measure S -2006	3,767.50
200 - Gas Tax Fund	7,704.97
201 - Restricted Real Estate Maintenance Fund	967.46
204 - Police Grants	29.70
209 - Recreation Fund	21,630.00
212 - Building & Planning	16,355.21
215 - Measure C and J Fund	273.38
285 - Housing Land Held for Resale	153.26
310 - Lighting & Landscape Districts	136.35
325 - City Street Improvements	38,981.03
500 - Sewer Enterprise Fund	104,233.25
505 - Cable Access TV	1,153.52
525 - Information Systems	11,017.80
Grand Total:	334,022.35

Account Summary

Account Number	Account Name	Payment Amount
100-000-31301	UUT/Telecommunication	3,948.12
100-10601	Gas Tanks/Corp Yard	4,590.16
100-110-43103	Utilities/Electricity & Pow...	116.48
100-111-43103	Utilities/Electricity & Pow...	153.26
100-112-43103	Utilities/Electricity & Pow...	168.58
100-115-42101	Prof Svcs/Professional Ser...	2,125.00
100-115-43103	Utilities/Electricity & Pow...	419.93
100-116-42101	Prof Svcs/Professional Ser...	784.50
100-116-43103	Utilities/Electricity & Pow...	122.61
100-117-41101	Retiree Benefits/Medical...	7,437.02
100-117-42101	Prof Svcs/Professional Ser...	560.00
100-117-42201	Office Expense	84.96
100-117-42514	Admin Exp/Special Depart	3,105.00
100-117-43103	Utilities/Electricity & Pow...	1,364.01
100-20021	Accounts Payable/Garbag...	46,579.99
100-221-41008	Emp Benefits/Long Term ...	475.20
100-221-41012	Emp Benefits/Unemploy...	3,600.00
100-221-42514	Admin Exp/Special Depart	10.54
100-222-41012	Emp Benefits/Unemploy...	5,508.00
100-222-42108	Prof Svcs/Building-Structu...	1,298.50
100-222-43103	Utilities/Electricity & Pow...	4,625.36
100-223-41008	Emp Benefits/Long Term ...	258.00
100-223-42108	Prof Svcs/Building-Structu...	1,176.00
100-223-43103	Utilities/Electricity & Pow...	922.08
100-231-42101	Prof Svcs/Professional Ser...	18,480.00
100-231-42107	Prof Svcs/Equipment Mai...	2,725.30
100-231-42108	Prof Svcs/Building-Structu...	327.50
100-231-43103	Utilities/Electricity & Pow...	4,188.49
100-231-43105	Utilities/Cable	10.68
100-231-44410	Safety Clothing	219.18
100-343-42108	Prof Svcs/Building-Structu...	1,955.96
100-343-43103	Utilities/Electricity & Pow...	2,618.25
100-343-44410	Safety Clothing	1,011.50
100-345-42108	Prof Svcs/Building-Structu...	6,210.72
100-345-43102	Utilities/Water	113.13
100-345-43103	Utilities/Electricity & Pow...	324.91
105-221-41008	Emp Benefits/Long Term ...	148.50
105-231-41012	Emp Benefits/Unemploy...	3,619.00
200-342-42108	Prof Svcs/Building-Structu...	326.00

Account Summary

Account Number	Account Name	Payment Amount
200-342-43103	Utilities/Electricity & Pow...	1,062.97
200-342-47205	Improvements/Streets	6,316.00
201-343-42108	Prof Svcs/Building-Structu...	532.60
201-343-42513	Admin Exp/Rent	100.00
201-343-43103	Utilities/Electricity & Pow...	334.86
204-227-41008	Emp Benefits/Long Term ...	29.70
209-20309	Deposits Payable/Recreat...	300.00
209-552-41012	Emp Benefits/Unemploy...	8,114.00
209-552-42108	Prof Svcs/Building-Structu...	959.19
209-552-43103	Utilities/Electricity & Pow...	1,719.64
209-552-43810	Program Cost/Center Mai...	155.75
209-553-41012	Emp Benefits/Unemploy...	3,148.00
209-553-42108	Prof Svcs/Building-Structu...	750.89
209-553-43103	Utilities/Electricity & Pow...	13.38
209-554-36402	Recreation Chg/Members...	405.00
209-554-38112	Rental Income/Facility Re...	830.00
209-554-41012	Emp Benefits/Unemploy...	636.00
209-554-42108	Prof Svcs/Building-Structu...	582.00
209-554-43103	Utilities/Electricity & Pow...	28.82
209-557-42108	Prof Svcs/Building-Structu...	2,335.85
209-557-43103	Utilities/Electricity & Pow...	800.84
209-558-42108	Prof Svcs/Building-Structu...	439.59
209-558-43103	Utilities/Electricity & Pow...	8.66
209-559-43103	Utilities/Electricity & Pow...	402.39
212-461-43103	Utilities/Electricity & Pow...	183.91
212-462-42101	Prof Svcs/Professional Ser...	15,708.46
212-462-43103	Utilities/Electricity & Pow...	462.84
215-341-43101	Utilities/Telephone	240.99
215-341-43103	Utilities/Electricity & Pow...	32.39
285-464-43103	Utilities/Electricity & Pow...	153.26
310-347-42108	Prof Svcs/Building-Structu...	60.00
310-348-42108	Prof Svcs/Building-Structu...	65.00
310-348-43103	Utilities/Electricity & Pow...	11.35
325-342-47205	Improvements/Streets	38,981.03
500-641-42101	Prof Svcs/Professional Ser...	502.00
500-641-42107	Prof Svcs/Equipment Mai...	11,404.95
500-641-42201	Office Expense	390.03
500-641-43103	Utilities/Electricity & Pow...	58,714.19
500-641-44302	Other Materials Supp/Slu...	5,521.82
500-641-44303	Other Materials Supp/Ch...	17,647.00
500-641-44305	Other Materials Supp/Lab...	4,199.79
500-642-42107	Prof Svcs/Equipment Mai...	22.53
500-642-42514	Admin Exp/Special Depart	4,501.30
500-642-43102	Utilities/Water	609.49
500-642-43103	Utilities/Electricity & Pow...	623.52
500-642-44410	Safety Clothing	96.63
505-119-41012	Emp Benefits/Unemploy...	708.00
505-119-42108	Prof Svcs/Building-Structu...	402.30
505-119-43103	Utilities/Electricity & Pow...	43.22
525-118-42107	Prof Svcs/Equipment Mai...	1,196.25
525-118-42510	Admin Exp/Software Purch	710.41
525-118-43101	Utilities/Telephone	9,111.14
Grand Total:		334,022.35

Project Account Summary

Project Account Key	Payment Amount
None	334,022.35

Project Account Summary

Project Account Key

None

Payment Amount

Grand Total:

334,022.35Approved by:  Date: 8/27/2020



CITY COUNCIL REPORT

7C

DATE: SEPTEMBER 1, 2020

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: ERIC CASHER, CITY ATTORNEY

BY: ALEX MOG, ASSISTANT CITY ATTORNEY

**SUBJECT: RESOLUTION CONFIRMING CONTINUED EXISTENCE OF LOCAL
EMERGENCY**

RECOMMENDATION

Staff recommends that the City Council adopt a resolution confirming the continued existence of a local emergency.

BACKGROUND & DISCUSSION

On March 18, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The emergency declaration was based on public health and safety concerns for persons and property within the City as a consequence of the global spread of novel coronavirus 2019 ("COVID-19"), including confirmed cases in Contra Costa County, as well as, the Contra Costa County Department of Health's shelter in place order dated March 16, 2020. The City Council subsequently adopted a resolution affirming the City Manager's emergency declaration.

The California Emergency Services Act requires the City Council to review the need for continuing the local emergency at least once every 60 days. Although the local emergency does not end until terminated by the City Council, the Pinole Municipal Code requires the City Council to periodically review the need for continuing the local emergency. The City Council has confirmed the continued existence of the local emergency multiple times since the emergency was first declared, most recently on August 18, 2020.

Community transmission of COVID-19 continues to occur, and the number of cases within Contra Costa County has continued to rise. In July there was a significant increase of occurrence of new cases per day and hospitalization rates. While those worrisome trends have reversed, the rate of occurrence of new cases is still above recommended levels. There have now been over 11,500 cases of COVID-19 within the County and approximately 157 deaths. There have been over 3,000 new cases in the last 2 weeks alone. Public health and safety concerns for persons and

property within the City as a consequence of the global spread of novel coronavirus 2019 continue to exist.

If the proposed resolution is adopted, the City Council will confirm the continued existence of the local emergency. In accordance with state law and the Municipal Code, the City Council will review the emergency declaration periodically until the conditions warrant a termination of the emergency declaration.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of the resolution ratifying a local emergency. However, the City will consider all options available to seek reimbursement for indirect expenses and fiscal impacts through the appropriate authorities.

ATTACHMENTS

- A. Resolution Confirming Continued Existence of Local Emergency

CITY OF PINOLE

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE
CONFIRMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY DUE
TO COVID-19**

WHEREAS, Government Code Section 8630 and Pinole Municipal Code Section 2.32.060 authorize the Director of Emergency Service to proclaim a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist if the City Council is not in session and provides that the City Council shall ratify the proclamation within seven days thereafter; and

WHEREAS, in accordance with Government Code Section 8630 and Pinole Code Section 2.32.060, the Director of Emergency Services proclaimed the existence of a local emergency caused by the Novel Coronavirus (COVID-19), a respiratory disease first identified in China that may result in serious illness or death that is easily transmissible from person to person, on March 18; and

WHEREAS, on March 24, the City Council ratified and confirmed the proclamation of the existence of a local emergency issued by the Director of Emergency Services; and

WHEREAS, pursuant to Government Code Section 8630 and Pinole Municipal Code Section 2.32.060, the City Council must periodically review the need for continuing the local emergency; and

WHEREAS, the conditions that prompted the original declaration of a local emergency continue to exist; and

WHEREAS, the recitals contained in Resolution No. 2020-13, adopted by the City Council on March 24, are incorporated into this Resolution as if stated herein; and

WHEREAS, the Contra Costa Health Officer reported in July that the rate of occurrence of new cases per day and hospitalization rates had been steadily rising; and

WHEREAS, over the last month the rate of occurrence of new cases has decreased, but is still above recommended levels; and

WHEREAS, there have now been over 11,500 cases of COVID-19 and approximately 157 deaths within the County, and over 3,000 cases in the last 2 weeks alone; and

WHEREAS, the public health and safety concerns for persons and property within the City as a consequence of the global spread of COVID-19 continue to exist; and

WHEREAS, the health, safety, and welfare of Pinole residents, businesses, visitors, and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, the City may require additional assistance in the future, and a formal declaration of emergency allows the City to access resources in a timely manner in a timely fashion; and

WHEREAS, the City Council finds that conditions of extreme peril to the safety of persons and property within the territorial limits of the City related to COVID-19 pandemic continue in existence; and

WHEREAS, the City Council finds that extraordinary measures are required to protect the public health, safety, and of persons and property within the City that are or are likely to be beyond the control or capability of the services, personnel, equipment, and facilities of the City; and

WHEREAS, the City Council have continued existence of a local emergency periodically since it was first declared on March 18, 2020; and

WHEREAS, the City Council desires to confirm the continued existence of a local emergency within Pinole due to COVID-19.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pinole hereby declares as follows:

1. The local emergency declared by Resolution No. 2020-13 due to the COVID-19 Pandemic continues to exist within the City of Pinole.
2. During the existence of the declared local emergency, the powers, functions, and duties of the City Manager, acting as Director of Emergency Services, and the emergency organization of this City shall be those prescribed by State law and by ordinances and resolutions of the City of Pinole.
3. The declaration of local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated.



CITY COUNCIL REPORT

7D

DATE: SEPTEMBER 1, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: HECTOR DE LA ROSA, ASSISTANT CITY MANAGER

**SUBJECT: APPROVE AN AMENDMENT TO CITY CLERK HEATHER IOPU'S
EMPLOYMENT AGREEMENT TO RATIFY A MERIT INCREASE
SALARY ADJUSTMENT**

RECOMMENDATION

Staff recommends that the City Council approve an amendment to City Clerk Heather Iopu's employment agreement to ratify a merit increase salary adjustment and authorize the Mayor to execute the Amendment.

BACKGROUND

On March 18, 2019, Ms. Iopu was hired as the City of Pinole's City Clerk. The City Clerk has now been in her current position for over twelve months. In accordance with Ms. Iopu's employment agreement, the City Council is to review and evaluate her performance every twelve months.

The City Council conducted an annual performance evaluation of the City Clerk, during meetings on April 14, 2020 and July 21, 2020, in accordance with the terms of her employment agreement. Subsequently, on August 18, 2020, the City Council appointed City Attorney Eric Casher as the City's negotiator to negotiate a merit increase percentage for Ms. Iopu.

REVIEW AND ANALYSIS

Based on the City Clerk's performance evaluation, the parties have agreed to a merit increase to be paid in the following form:

- A bonus in the amount of \$703.87 for the pay period commencing on the pay period beginning July 20, 2020 and ending on August 30, 2020, and
- A 5% merit based salary increase effective August 31, 2020.

In compliance with SB 1436 and AB 1344, the local agency's legislative body must receive an oral report summarizing any adjustment to the compensation of a local agency executive before taking final action. Additionally, the oral report must be made during the same open meeting in which final action on the compensation is to be taken.

FISCAL IMPACT

For FY 2020/21, the fiscal impact to the General Fund attributed to the City Clerk's bonus and merit increase is approximately \$5,630.93.

The City Clerk's monthly salary effective August 31, 2020 will be \$10,675.30, or \$128,103.60 a year.

ATTACHMENTS

- A. Resolution
- B. Amendment to Agreement

RESOLUTION NO. 2020-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO CITY CLERK HEATHER IOPU'S EMPLOYMENT AGREEMENT TO RATIFY A MERIT INCREASE SALARY ADJUSTMENT

WHEREAS, the City Clerk was hired in her current capacity on March 18, 2019; and

WHEREAS, on April 14, 2020, July 21, 2020 and August 18, 2020, the City Council provided the City Clerk with an annual performance evaluation, in accordance with the terms of her employment agreement; and

WHEREAS, based on the City Clerk's performance evaluation, the City Council agreed to provide the City Clerk with a five percent (5%) merit increase paid in the following form:

- A bonus in the amount of \$703.87 for the pay period commencing on the pay period beginning July 20, 2020 and ending on August 30, 2020, and
- A 5% merit based salary increase effective August 31, 2020.

WHEREAS, Council's approval of an amendment to the City Clerk employment agreement is required to implement the bonus and merit based salary increase.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Pinole hereby approves an amendment to the City Clerk employment agreement to provide a five percent (5%) bonus and merit based salary increase bringing her annual salary to \$128,130.60, and authorizing the Mayor to execute said Amendment.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of September 2020, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of September, 2020.

Hector De La Rosa
Deputy City Clerk

**AMENDMENT # 2-2020 TO THE AGREEMENT FOR EMPLOYMENT OF
HEATHER IOPU**

The Employment Agreement dated March 2019 made and entered into by and between the City of Pinole ("the City"), a general law city, and Heather Iopu ("Iopu" or "Employee") is being amended to reflect a five percent (5%) bonus from July 20, 2020 through August 30, 2020, and a five percent (5%) merit increase commencing August 31, 2020.

The Parties hereby agree to Amendment of the following sections of the Employment Agreement to read:

Section 6 Compensation

a. IOPU shall receive a one-time bonus \$703.87 for the period of July 20, 2020 through August 30, 2020, less all applicable federal, state and local withholding.

Thereafter, effective the pay period commencing August 31, 2020, IOPU shall be paid an annual base salary of \$128,103.66 or \$10,675.30 per month, less all applicable federal, state and local withholding. IOPU shall be considered for a merit increase annually in conjunction with the completion of her performance evaluation, as outlined in paragraph 11. Merit increases shall subject to the City's ability to pay for a salary increase.

All other terms and conditions of the March 2019 Employment Agreement shall remain in full force and effect.

Heather Iopu

DATED:

August 1, 2020

CITY

DATED:

Roy Swearingen, Mayor

ATTEST:

APPROVED AS TO FORM:

Hector De La Rosa
Assistant City Manager

Eric S. Casher
City Attorney



CITY COUNCIL REPORT

7E

DATE: SEPTEMBER 1, 2020

TO: MAYOR AND COUNCIL MEMBERS

**FROM: ERIC CASHER, CITY ATTORNEY
DAVID HANHAM, PLANNING MANAGER**

**SUBJECT: AMENDMENT TO SECTION 17.70 ACCESSORY DWELLING UNIT
ORDINANCE OF THE PINOLE MUNICIPAL CODE**

RECOMMENDATION

The Planning Commission and Staff recommends that the City Council waive the full second reading of and adopt an ordinance amending Chapter 17.70 Accessory Dwelling Units (ADUs) with minor changes to Chapters 17.20, 17.22, 17.30, 17.48, and 17.98.

BACKGROUND

In 2019, the Legislature enacted a number of bills that amended California law regarding accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”). ADUs and JADUs are types of living units that may be developed on the same lot as another primary residential structure, and are sometimes referred to as in-law units or granny units. The recent legislation further limited local jurisdictions’ ability to restrict or regulate ADUs and JADUs, and further streamlined the process for approval.

Staff has prepared proposed amendments to Title 17 Zoning Code of the Pinole Municipal Code to update the ADU ordinance and related chapters within the code, to reflect the changes proposed in State Law. The Planning Commission considered the proposed amendments at its June meeting and recommended approval by the City Council. The City Council held a public hearing to consider the proposed ordinance on July 7. That hearing was continued to July 21, at which time a first reading of the ordinance occurred.

A second reading of the ordinance was agendized for the City Council’s August 18 meeting. However, on August 18 the group “Californians for Homeownership” sent the City a letter alleging that certain aspects of the proposed ordinance violated state law. In order to give staff and the City Attorney’s Office time to review the letter, the City Council continued the second reading of the Ordinance to the next City Council meeting.

REVIEW & ANALYSIS

Staff and the City Attorney's Office reviewed the letter from Californians for Homeownership and have concluded that the proposed ordinance complies with state law. This determination was made after reviewing state law and current published guidance from the Department of Housing and Community Development (HCD).

Some of the concerns raised by the letter appear to not consider the entirety of the proposed ordinance. For example, the letter expressed concern that the ordinance limits the size of detached ADUs to 50% of the size of the primary dwelling unit. However, the ordinance already provided that this restriction does not apply if it would prevent an ADU of 800 square feet from being built. This exception makes the 50% restriction permissible under state law.

The Letter from California's for Homeownership requested two changes that were actually already contained in the ordinance. However, to avoid any confusion in the future, two minor changes were made to the ordinance to clarify the scope of existing language:

1. Language was added to clarify that the parking exception for an ADU constructed as part of a primary residence applies to both existing and proposed primary residences.
2. As required by state law, the ordinance does not require a setback when an existing legal structure is converted to an ADU, or an ADU is built in the same location and to the same dimensions as an existing legal structure. The language in the ordinance was slightly modified to clarify this requirement.

Except for the changes identified above, the proposed ordinance remains the same as the version previously considered by the City Council. A more detailed discussion of the proposed ordinance is included in a staff report dated August 18, that is included as Exhibit B.

FISCAL IMPACT

Approving this Ordinance will have a small direct impact to the City in the collection of building fees and a potential small bump in property tax.

ATTACHMENT(S)

- A. Draft City Council ordinance with Exhibit A
- B. August 18, 2020 Staff Report

CITY COUNCIL ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA AMENDING CHAPTERS 17.20, 17.22, 17.30, 17.48, 17.70 AND 17.98 OF THE PINOLE MUNICIPAL CODE TO ALLOW ACCESSORY DWELLING UNITS IN THE CITY OF PINOLE CONSISTENT WITH STATE LAW (ZCA 20-02as)

WHEREAS, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) provide a unique opportunity to address a variety of housing needs and contribute to housing options;

WHEREAS, Senate Bill (SB) 13, Assembly Bill (AB) 68, and Assembly Bill (AB) 881, which took effect on January 1, 2020, made several changes to State law regarding ADU and JADU regulations;

WHEREAS, the City General Plan Housing Element (Goal H.4, Policy H.4.1, Policy H.4.4, and Action 4.4.4) calls for providing a mix of housing types, sizes and prices including second units to meet local population housing needs including the City's share of regional housing needs; maintaining appropriate land use regulations to encourage development of affordable housing opportunities throughout the City; and maintain a Second Dwelling Unit Ordinance that encourages the development of well-designed secondary housing units in established residential areas; and

WHEREAS, the City adopted a Second Dwelling Unit Ordinance in 2010 that requires modification to be consistent with State legal requirements currently in effect; and

WHEREAS, the Planning Commission held a duly noticed public hearing related to the proposed Zoning Code amendment on June 22, 2020; and

WHEREAS, after close of the public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by city staff, the staff report, and all other pertinent documents regarding the proposed zoning code amendments, and recommended that the City Council adopt the proposed amendments to the Zoning Code; and

WHEREAS, the City Council held a duly noticed public hearing related to the proposed Zoning Code amendment on July 7, 2020, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the proposed ordinance amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resource Code section 21080.17, which exempts ordinances adopted to implement state laws regarding ADUs and JADUs from CEQA.

NOW THEREFORE, BE IT RESOLVED, that the Pinole City Council does here ordain as follows made a part of this Ordinance.

Section 1. Recitals

The above recitals are true and correct and made a part of this ordinance

Section 2 -- Municipal Code Amendments

Chapters 17.20, 17.22, 17.30, 17.48, 17.70 and 17.98 of the Pinole Municipal Code are hereby amended to read as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 3. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Pinole hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 4. Effective Date.

In accordance with California Government Code Section 36937, this Ordinance shall take effect and be in force on the thirty-first day after adoption.

Section 5. Publication.

Within fifteen (15) days after the passage of this Ordinance the City Clerk shall cause this Ordinance or a summary thereof to be published or to be posted in at least three public places in the City of Pinole in accordance with the requirements of California Government Code Section 36933.

PASSED AND ADOPTED by the City Council of the City of Pinole on this 1stth day of September, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Roy Swearingen , Mayor 2019-2020

ATTEST:

Heather Iopu City Clerk

Exhibit A
COUNCIL ORDINANCE No.20-XX

EXCERPT

Added text shown in underscore; deleted text shown in strike-through, and all other text of Chapter 17.70 unchanged

CHAPTER 17.70

ACCESSORY DWELLING UNITS **AND JUNIOR ACCESSORY DWELLING UNITS**

Sections:

- 17.70.010 Purpose.
- 17.70.020 Applicability.
- 17.70.030 Permit requirements.
- 17.70.040 Performance standards.
- 17.70.050 ~~Owner occupancy compliance.~~ **Declaration of Restrictions**
- 17.70.060 Affordable housing incentive.

17.70.010 PURPOSE.

The purpose of this chapter is to establish procedures for reviewing the placement of accessory dwelling units **and junior accessory dwelling units** in residential **and mixed-use** zoning districts, address the state's accessory dwelling unit **(ADU) and junior accessory dwelling unit (JADU)** requirements, as set forth in California Government Code § 65852.2 **and 65852.22** and implement the general plan policies which encourage more affordable rental housing, while maintaining the quality of existing residential neighborhoods.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2010-02 § 1 (part), 2010)

17.70.020 APPLICABILITY.

The regulations and standards contained in this chapter shall apply to all new accessory dwelling units **(ADU) and junior accessory dwelling units (JADU)** in the city, **including previously unpermitted ADUs that are legalized,** and shall be in addition to any other development standards and regulations contained elsewhere within ~~the~~ **Title 17** Zoning Code that apply to primary dwelling units (e.g., lighting). **ADUs are permitted on all lots zoned to allow single family and multifamily residences that have an existing or proposed single family or multifamily residence. JADUs are permitted on lots with an existing or proposed single family residence.** ~~Accessory dwelling units are permitted in single-family residential zoning districts as listed in Article II. (Zoning Districts, Allowed Uses, and Development Standards), subject to compliance with the standards of this chapter and other relevant requirements of this title or as otherwise provided by state law. For the~~

purposes of this title, **ADUs and JADUs** ~~accessory dwelling units~~ are not considered accessory structures as otherwise regulated in Chapter 17.30.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2010-02 § 1 (part), 2010)

17.70.030 PERMIT REQUIREMENTS.

~~Applications for accessory dwelling units may only be submitted by an owner-occupant of the property.~~ All accessory dwelling units **(ADU) and junior accessory dwelling units (JADU) require review and approval through the plan check process** ~~are required to secure plan check approval, pursuant to the requirements of Section 17.12.030 (Plan Check).~~ **Applications for ADUs and JADUs shall be ministerially reviewed by the City within sixty (60) days from the date a complete application is submitted. If the permit application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling. The application to create the ADU or JADU shall still be considered ministerially without discretionary review or a hearing.**

All plan check applications for **ADUS and JADUs** ~~accessory dwelling units~~ shall include, but are not limited to, the following:

- A. A completed building permit application ~~that shall not be approved until plan check approval for the accessory dwelling unit;~~
- B. Proof of ownership of the property **or permission from the property owner;**
- C. A plot plan showing the location of any and all easements, structures, parking for both the primary and ~~accessory~~**secondary** dwelling units, other improvements, and trees over four (4) inches in diameter;
- D. Floor plan ~~of the accessory dwelling unit~~ showing the square footage of the structure, the floor area, the lot, and the percentage of the lot area covered by the foundations of the accessory and primary dwelling units;
- E. Elevations showing all sides of the ~~ADU accessory dwelling unit~~ or changes being made to the single-family home in order to add an **ADU or JADU** ~~accessory dwelling unit;~~
- F. Colors and materials board, **or aesthetic details noted in plan sets;**
- G. Such other information which the Community Development Director determines is necessary to evaluate the proposed project.
- H. Completed **declaration of restriction**~~owner occupancy agreement~~, as required in Section 17.70.050, signed and ready for recordation.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2010-02 § 1 (part), 2010)

17.70.040 PERFORMANCE STANDARDS.

An accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) shall meet all of the applicable zoning regulations for the specific zoning district in which it is located, except as provided in this chapter. An ADU or JADU that ~~An accessory dwelling unit which~~ conforms to the requirements of this chapter, **and any other applicable development standards and regulations contained in Title 17 Zoning Code,** shall not be considered to exceed the allowable density for the lot upon which such unit is proposed to be established and shall be deemed a residential use which is consistent with the existing general plan and zoning designations for the lot. ~~Accessory dwelling~~

units may be permitted, pursuant to the requirements of this chapter, on any lot zoned residential on which there is a single family house, subject to the following regulations:

A. **Unit Definitions** A maximum of one (1) accessory dwelling unit may be allowed on a lot containing one (1) single family dwelling.

1. An ADU shall consist of complete independent living facilities including permanent facilities for sleeping, living, eating, cooking, and sanitation. The ADU shall include independent heating and cooling controls, its own kitchen and sink and standard built-in or freestanding appliances, its own bathroom with bathtub or shower, and a separate exterior entrance.

a. The ADU may either be within an existing structure, attached to the primary dwelling, or detached from the primary dwelling.

2. A JADU shall consist of a unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

B. The accessory dwelling unit is not intended for separate sale, but may be rented. No more than one (1) dwelling unit on a residential property with an accessory residential dwelling unit parcel may be rented at one (1) time. The accessory dwelling unit **ADUs an JADUS** may not be sold separately from the primary residential dwelling on the lot.

C. Maximum Number of ADUs and JADUs.

Any of the following shall be permitted in a residential or mixed-use zone:

1. One (1) ADU or JADU per lot with a proposed or existing single-family dwelling.

2. One (1) detached, new construction, ADU that does not exceed four (4) foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The proposal may be combined with a JADU, for one (1) ADU and one (1) JADU on the single family lot. The ADU shall not exceed eight hundred (800) square feet and sixteen (16) feet high.

3. Within existing multifamily dwelling structures, at least one (1) ADU and not more than twenty-five percent (25%) of the number of existing multifamily dwelling units if all of the following apply:

a. The unit is within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

b. The unit complies with state building standards for dwellings.

4. Not more than two (2) ADUs that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of sixteen (16) feet and four (4) foot rear and side yard setbacks.

C. The accessory dwelling unit meets all of the applicable zoning regulations for the specific zoning district in which it is located. The accessory dwelling unit shall be located on a lot which was legally created. Requirements for building height, setbacks, yards, and similar design standards that apply to the single family dwelling unit shall apply to the accessory dwelling unit, except as provided for within this chapter.

D. Accessory dwelling units are permitted on legally created lots with a minimum area of five thousand (5,000) square feet.

E. The accessory dwelling unit may either be within the living area of the existing dwelling, attached to the existing dwelling, or detached from the existing dwelling.

~~—F. The accessory dwelling unit shall be compatible with the existing primary dwelling unit as to height, style, materials, and colors.~~

~~—G. Maximum Allowed Area. Attached accessory dwelling units shall not exceed fifty percent (50%) of the existing living area of the primary dwelling unit, as defined in Chapter 17.98 (Glossary of Terms), and shall not exceed six hundred (600) square feet in floor space, excluding any attached garage area. Detached accessory dwelling units shall not exceed fifty percent (50%) of the existing living area of the primary dwelling unit and shall not exceed six hundred (600) square feet in floor space. An accessory attached or detached dwelling unit larger than six hundred (600) square feet in floor space and up to nine hundred and ninety nine (999) square feet in floor space may be approved with an administrative use permit request pursuant to Section 17.12.060 (Administrative Use Permit).~~

~~—H. Detached accessory dwelling units shall:~~

D. Development Standards and Requirements for Accessory Dwelling Units

1. Maximum floor area for attached or detached ADUs;

a. Fifty percent (50%) of the existing living area of the primary dwelling unit, with a limit of eight hundred fifty (850) square feet for an ADU with one or fewer bedrooms or one thousand (1,000) square feet for an ADU with two or more bedrooms.

b. Where fifty percent (50%) of the existing living area does not allow for an eight hundred (800) square foot ADU, an ADU of up to eight hundred (800) square feet may be allowed;

2. New ADUs shall have a minimum setback of four (4) feet from the side and rear property lines, and setbacks shall be sufficient for fire and safety;

~~**3.1. Be eligible to receive a twenty percent (20%) setback reduction for the otherwise required rear, side, and street side setbacks for the residential district when not abutting a creek or other protected open space area. Furthermore, no**~~**No** setback shall be required for an existing **legal structure** garage that is converted to an **ADU** accessory dwelling unit, and a setback of no more than five (5) feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage;

~~**4.2. Detached ADUs shall not**~~**Not** be less than eight (8) feet from the primary dwelling unit, **except if this would prohibit the construction of an eight hundred (800) square foot ADU with four (4) foot rear and side setbacks;**

~~**5.3. Detach ADUs shall not exceed sixteen (16) feet in height, unless the ADU is located within an existing structure. Attached ADUs shall not exceed the maximum allowable height of the zoning district**~~**Not exceed two (2) stories or thirty five (35) feet in height;**

~~—4. Not exceed fifty percent (50%) of the required rear and side yard when considered with all other accessory structures; and~~

6. The ADU shall have its own exterior access, and no exterior stairs to a second story ADU shall be visible from the public right-of-way;

~~**7.5. Detached ADUs shall be**~~**Be** constructed at the rear or side of an existing single-family residence, and otherwise appear secondary in nature, and not be constructed in front of the primary dwelling unit;

8. The ADU should be compatible with the primary dwelling unit, and should use similar style, materials, and colors;

9. No passageway shall be required in conjunction with the construction of an ADU;

10. If ADUs are rented, rental must be for terms longer than thirty (30) days; and

11. No setback shall be required for an ADU constructed within an existing legal structure, or in the same location and to the dimensions of an existing legal structure. Such ADUs may include an expansion of not more than one hundred fifty (150) square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

~~—1. An accessory dwelling unit shall consist of complete independent living facilities including permanent facilities for sleeping, living, eating, cooking, and sanitation. The accessory dwelling unit shall include independent heating and cooling controls, its own kitchen and sink and standard built-in or freestanding appliances, its own bathroom with bathtub or shower, and a separate exterior entrance.~~

E. Development Standards and Requirements for Junior Accessory Dwelling Units

1. The JADU shall be constructed within the walls of the proposed or existing single-family residence and shall not exceed five hundred (500) square feet.

2. The owner shall occupy the primary residence or JADU.

3. The JADU shall include a separate entrance from the main entrance to the proposed or existing single-family residence.

4. The JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.

5. The JADU shall include an efficiency kitchen, which shall include all of the following:

a. A cooking facility with appliances.

b. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

~~F.J. Parking and Vehicle Access The accessory dwelling unit shall utilize the same vehicular access which serves the primary dwelling unit. If the parcel is a through lot, access for both the single-family home and the accessory dwelling unit shall be limited to one (1) point or side of the lot for both dwelling units.~~

~~K.1. The ADU accessory dwelling unit shall be provided with one (1) additional off-street parking space per ADU or bedroom, whichever is less. However, no additional parking spaces shall be required for an ADU accessory dwelling unit which is:~~

~~1-a. Part of the existing or proposed primary residence or an existing accessory structure;~~

~~2-b. Located within one-half mile of a public transit stop;~~

~~3-c. Located within an architecturally and historically significant historic district;~~

~~4-d. Is located within one (1) block of a car share vehicle; or~~

~~5-e. In a location where on-street parking permits are required, but not provided to the occupant of the ADU accessory dwelling unit.~~

2. Replacement parking shall not be required where a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU.

3. The parking spaces required for the accessory dwelling unit can be in tandem to the required parking of the primary dwelling unit, may be uncovered, and can be located within the front setback if it can be demonstrated that no other option exists.

4. The ADU shall utilize the same vehicular access that serves the primary dwelling unit. If the parcel is a through lot, access for both the single-family home and the ADU shall be limited to one (1) point or side of the lot for both dwelling units.

5. No additional parking spaces shall be required for a JADU.

G. Construction and Utilities

~~L.1.~~ The **ADU** accessory dwelling unit shall meet all applicable building and construction requirements as adopted by the city that apply to the construction of single-family detached dwellings, as appropriate, including but not limited to sewer and utility services.

2. An ADU within a primary dwelling unit or an existing accessory structure, or a JADU, is not required to install a new or separate utility connection directly between the ADU and the utility, unless the ADU was constructed with a new single-family home.

a. For purposes of providing service for water, sewer, or power, including a connection fee, a JADU is not be considered a separate or new dwelling unit from the single-family residence.

~~M.3.~~ **The ADU** Accessory dwelling units shall be served by public water and sewer and shall have access to an improved street.

4. Impact fees shall not be charged for ADUs less than seven hundred fifty (750) square feet. Any impact fees charged for an ADU of seven hundred fifty (750) square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2010-02 § 1 (part), 2010)

17.70.050 DECLARATION OF RESTRICTIONS~~OWNER OCCUPANCY COMPLIANCE.~~

Prior to issuance of a building permit, all property owners of record shall sign and record Declaration of Restrictions with the County Recorder in a form satisfactory to the Zoning Administrator stating, **as applicable, that 1) the ADU or JADU** ~~that 1) the accessory dwelling unit shall not be sold separately from the primary residential unit on the lot, 2) the ADU shall only be rented for rental terms longer than 30 days although the accessory dwelling unit or primary unit may be rented at the time of sale; 2) no more than one (1) dwelling unit on a residential property with an accessory residential dwelling unit shall be rented at one (1) time, and 3) an owner of the property shall live in either the primary residence or JADU, if there is a JADU on the property or accessory dwelling unit as their principal residence.~~ The **ADU or JADU** accessory dwelling unit shall be found to be in non-compliance with the Zoning Code if the City finds the Declaration of Restrictions has been breached.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2010-02 § 1 (part), 2010)

17.70.060 AFFORDABLE HOUSING INCENTIVE.

The city ~~shall~~ **may, subject to the availability of funds and approval of the City Council,** allow any applicable city development impact fees for accessory dwelling units to be paid from the city's available affordable housing fund for any new accessory dwelling unit rented to eligible very low and low income households after recording a Housing Affordability Control Agreement, subject to the review and approval of the City Attorney that shall run with the property for fifty five (55) years. Owners of accessory dwelling units affordable to very low income households shall be eligible for complete reimbursement of city development impact fees upon recordation of the Affordability Control Agreement. Owners of accessory dwelling units affordable to low income households shall

be eligible for reimbursement of seventy-five percent (75%) of the city development impact fees based on the available balance of the city's affordable housing fund established by the City Council for this purpose. Maximum annual rents, adjusted for accessory dwelling unit household size, shall be calculated by the City Manager or his/her designee annually based on published Contra Costa County income limits provided by the State Department of Housing and Community Development. Any reimbursement payment shall be repaid, along with five percent (5%) monthly interest charge, as well as the city's housing affordability monitoring expenses if an affordability control agreement is violated during the affordability period.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2, 2017)

EXCERPT

Added text shown in underscore; deleted text shown in strike-through, and all other text of Chapter 17.20 unchanged

CHAPTER 17.20

ALLOWED LAND USES AND REQUIREMENTS

TABLE 17.20.030-1:

ALLOWED USES AND REQUIRED ENTITLEMENTS FOR CITY OF PINOLE BASE ZONING DISTRICTS

<i>Land Use \ Zoning District</i>	<i>LD R</i>	<i>R- 1</i>	<i>R- 2</i>	<i>R- 3</i>	<i>R-4</i>	<i>R</i>	<i>R C</i>	<i>R M U</i>	<i>C M U</i>	<i>OP MU</i>	<i>OIM U</i>	<i>O S</i>	<i>P R</i>	<i>P QI</i>	<i>SPB CA</i>
Residential Uses															
Adult Day Care Home	P	P	P	P	P	P	N	P	P	P	P	N	N	N	N
Caretaker Housing	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N
Dwelling, Accessory/ <u>Junior Accessory Unit</u> ⁽¹⁾	P	P	P	P	P	P	N	P	<u>P</u> N	<u>P</u> N	<u>P</u> N	N	N	N	N
Dwelling, Multifamily	N	N	P	P	P	N	N	P	P	N	N	N	N	N	N
Dwelling, Single Family	P	P	P	P	N	P	N	P	N	N	N	N	N	N	N

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Notes:

- (1) See additional regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units in Chapter 17.70.

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(**Ord. 2020-xx (part), 2020;** Ord. 2019-03 § 4, 2019; Ord. 2017-14 § 2 (part), 2017; Ord. 2017-11 § 2, 2017; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-04 § 6, 2016; Ord. 2016-03 § 2 (part), 2016; Ord. 2014-02 § 4, 2014; Ord. 2012-05 § 2, 2012; Ord. 2011-02; Ord. 2010-02 § 1 (part), 2010)

EXCERPT

Added text shown in underscore; deleted text shown in strike-through, and all other text of Chapter 17.22 unchanged

CHAPTER 17.22

ALLOWED USE DEFINITIONS

17.22.020 ALLOWED USE DEFINITIONS.

A. The following list represents the complete list of allowed uses and corresponding definitions as used in Table 17.20.030-1 and throughout this title. Individual use classifications describe one (1) or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. Additional definitions are found in Article VI (Glossary). Allowed uses are organized into the following seven (7) use categories as follows:

1. Residential uses.
2. Agriculture, resource, and open space uses.
3. Recreation, education, and public assembly uses.
4. Utility, transportation, and communication uses.
5. Retail, service, and office uses.
6. Automobile and vehicle uses.
7. Industrial, manufacturing, and processing uses.

B. Residential Uses.

1. ADULT DAY CARE HOME. Defined by state law as the provision of non-medical care to six (6) or fewer adults, including seniors, in the provider's own home, for a period of less than twenty-four (24) hours at a time. Homes serving more than six (6) adults are included in "Adult Day Care Facility."

2. CARETAKER HOUSING. A residence that is accessory to a site with a non-residential primary use and that is needed for security, twenty-four (24)-hour care or supervision, or monitoring of facilities, equipment, or other conditions on the site.

3. DWELLING, ACCESSORY UNIT/**JUNIOR ACCESSORY**. ~~An attached or detached dwelling unit which provides complete independent living facilities for one (1) or more persons, with permanent provisions for living, sleeping, eating, cooking, and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats, efficiency units and manufactured homes, pursuant to Government Code Section 65852.2(i)(4).~~

a. ACCESSORY DWELLING UNIT. An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

b. JUNIOR ACCESSORY DWELLING UNIT. A unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence. A junior accessory

dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

4. DWELLING, MULTI-FAMILY. A building designed and intended for occupancy by three (3) or more households living independently of each other, each in a separate dwelling unit, which may be owned individually or by a single landlord (e.g., apartment, apartment house, townhouse, condominium).

5. DWELLING, SINGLE-FAMILY. A building designed exclusively for occupancy by one (1) household on a single lot. This classification includes manufactured homes (defined in California Health and Safety Code Section 18007) and model homes for the first sale of homes within the subdivision.

6. DWELLING, TWO-FAMILY. An attached building (e.g., duplex) designed for occupancy by two (2) households living independently of each other, where both dwellings are located on a single lot. For the purposes of this title, this definition also includes half-plexes (two (2) attached units, each with a separate lot). Does not include accessory ~~second~~ dwelling units (see “Dwelling, Accessory/Junior Accessory ~~Second Unit~~”).

7. DWELLING, THREE (3) - AND FOUR (4) -FAMILY. An attached building (e.g., triplex) designed for occupancy by three (3) or four (4) households living independently of each other, where each dwelling is located on a single lot. Does not include accessory ~~second~~ dwelling units (see “Dwelling, Accessory/Junior Accessory ~~Second Unit~~”).

8. EMERGENCY SHELTER. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, as defined by § 50801(e) of the California Health and Safety Code. No individual or household may be denied emergency shelter because of an inability to pay.

(Ord. 2020-xx (part), 2020; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-04 §§ 4-5, 2016; Ord. 2012-05 § 3, 2012; Ord. 2010-02 § 1 (part), 2010)

EXCERPT

Added text shown in underscore; deleted text shown in strike-through, and all other text of Chapter 17.30 unchanged

CHAPTER 17.30 ACCESSORY STRUCTURES

17.30.020 APPLICABILITY.

The requirements contained in this chapter shall apply to accessory structures on private property and shall be in addition to any other development standards contained elsewhere within the Zoning Code (e.g., lighting). Generally, this chapter regulates detached accessory structures that are larger than one hundred and twenty (120) square feet in size and/or taller than eight (8) feet in height. For the purposes of this title, accessory ~~second~~ dwelling units are not considered accessory structures; accessory ~~second~~ dwelling units are governed by the requirements of Chapter 17.70 (Accessory Dwelling Units and Junior Accessory ~~Second~~ Dwelling Units) and are exempt from the requirements of this chapter. Accessory structures shall not contain cooking facilities or bathrooms or be used as a dwelling unit or accessory dwelling unit. Guest houses and pool houses that conform to the requirements of this chapter are considered accessory structures and not accessory ~~second~~ dwelling units. (Ord. 2020-xx (part), 2020; Ord. 2010-02 § 1 (part), 2010)

EXCERPT

Added text shown in underscore; deleted text shown in strike-through, and all other text of Chapter 17.48 unchanged

CHAPTER 17.48

PARKING AND LOADING REQUIREMENTS

17.48.050 NUMBER OF PARKING SPACES REQUIRED.

A. The following number of parking spaces shall be required to serve the uses or buildings listed, as established in Table 17.48.050-1 (Parking Requirements by Land Use). Multiple property owners may apply for a use permit for shared parking pursuant to Section 17.48.060 (Reductions in Parking Requirements); otherwise all uses must provide the sum of the requirements for each individual use. Where the requirements result in a fractional space, the next larger whole number shall be the number of spaces required. In addition, the requirements listed below shall apply.

1. "Square feet" means "gross square feet" and refers to the sum gross square feet of the floor area of a building and its accessory buildings unless otherwise specified.

2. For the purpose of calculating residential parking requirements, dens, studies, or other similar rooms that may be used as bedrooms shall be considered bedrooms.

3. Where the number of seats is listed to determine required parking, seats shall be construed to be fixed seats. Where fixed seats provided are either benches or bleachers, such seats shall be construed to be not more than eighteen (18) linear inches for pews and twenty-four (24) inches for dining, but in no case shall seating be less than determined as required by the Building Code.

4. When the calculation of the required number of off-street parking spaces results in a fraction of a space, the total number of spaces shall be rounded up to the nearest whole number.

5. Where private streets are proposed for residential development, resident and guest parking shall be provided as determined by the approving authority in conjunction with the required planning entitlement(s). (Ord. 2010-02 § 1 (part), 2010)

<i>LAND USE TYPE</i>	<i>REQUIRED PARKING SPACES</i>
<i><u>Accessory</u> Second Dwelling Unit</i>	<i>1 space per bedroom <u>or ADU, whichever is less, except parking may be waived as provided in Chapter 17.70 Accessory Dwelling Units and Junior Accessory Dwelling Units</u>, with a maximum of 2 bedrooms and 2 parking spaces; tandem parking is permitted</i>
Senior units, studio, one- and two-bedroom units	1 space per dwelling unit
Senior units, three + bedroom units	1 space per dwelling unit plus 1 additional off-street space
Mobile Home Park	2 parking spaces per home site
Recreation, Education, and Public Assembly Uses	

Arena, Auditorium, Theater, Assembly Hall, and Religious Institutions with Fixed Seats	Lesser of the following calculations: 1 space per 4 seats of maximum seating capacity; or 1 space per 300 sq. ft. of gross floor area
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B. Uses Not Listed. Other uses not specifically listed in this section shall furnish parking as required by the approving authority in determining the off-street parking requirements. The Planning Commission shall be guided by the requirements in this section generally and shall determine the minimum number of spaces required to avoid interference with public use of streets and alleys. (Ord. 2010-02 § 1 (part), 2010)

17.48.060 REDUCTIONS IN PARKING REQUIREMENTS.

The required number of parking spaces may be reduced in accordance with the following requirements.

A. Shared Parking. In order to encourage efficient use of parking spaces and good design practices, the total parking requirements for conjunctive uses shall be based on the number of spaces adequate to meet various needs of the individual uses operating during the peak parking period.

1. Use permit for shared parking. A use permit may be approved for shared parking facilities serving more than one (1) use on a site or serving more than one (1) property. The use permit may allow for a reduction of the total number of spaces required by this chapter if the following findings are made:

a. The peak hours of parking demand from all uses do not coincide so that peak demand will not be greater than the parking provided;

b. The efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately.

2. Shared parking agreement. A written agreement between the landowners and in some cases the city that runs with the land shall be filed, in a form satisfactory to the City Attorney, and include:

a. A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking without application for approval of an amended use permit;

b. A reciprocal grant of nonexclusive license among the business operator(s) and the landowner(s) for access to and use of the shared parking facilities; and

c. Evidence that the agreement has been recorded in the County Recorder's office.

B. Other Parking Reductions. Required parking for any use except a single-family dwelling, ~~accessory-second~~ dwelling unit, or two (2)-family dwelling may be reduced through approval of a use permit by the Planning Commission.

1. Criteria for approval. The Planning Commission will only grant a conditional use permit for reduced parking if it finds that the project meets all of the conditional use permit criteria in Section 17.12.140 (Conditional Use Permits) and that three (3) or more of the circumstances listed below are true.

a. The use will be adequately served by the proposed parking due to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons

residing, working, or visiting the site; or because the applicant has undertaken a travel demand management program that will reduce parking demand at the site.

b. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

c. The site plan is consistent with the objectives of the zoning district and incorporates features such as unobtrusive off-street parking placed below the ground level of the project with commercial uses above or enclosed parking on the ground floor.

d. The applicant has provided on-site parking for car share vehicles via a recorded written agreement between the landowner and the city that runs with the land. Agreement shall provide for proof of a perpetual agreement with a car share agency to provide at least one (1) car share vehicle on-site.

2. Application submittal requirements. In order to evaluate a proposed project's compliance with the above criteria, the Zoning Administrator may require submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces. (Ord. 2010-02 § 1 (part), 2010)

EXCERPT

Added text shown in underscore; deleted text shown in strike-through, and all other text of Chapter 17.98 unchanged

ARTICLE VI
GLOSSARY
CHAPTER 17.98
GLOSSARY OF TERMS

17.98.020 GENERAL DEFINITIONS.

DWELLING UNIT, ACCESSORY. ~~An attached or detached dwelling unit which provides complete independent living facilities for one (1) or more persons, with permanent facilities for living, sleeping, eating, cooking, and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats, efficiency units and manufactured homes, pursuant to Government Code Section 65852.2(i)(4).~~ **An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:**

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

DWELLING UNIT, JUNIOR ACCESSORY. A unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

DWELLING, ATTACHED. A building containing a single dwelling unit and having one (1) or more walls in common with another such unit with each unit located on a separate lot.

DWELLING UNIT. A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one (1) kitchen, which constitute an independent housekeeping unit, occupied by or intended for one (1) household on a long-term basis.

DWELLING UNIT, PRIMARY. The main dwelling unit on a parcel of land consisting of a room or suite of rooms with a single kitchen, other than a hotel unit with a kitchen, designed or used for residential use and occupancy.

EFFICIENCY UNIT. As defined by Health and Safety Code section 17958.1, an efficiency unit is a dwelling unit with a minimum of 500 square feet, consisting of one (1) principal room together with bathroom, kitchen, hallway, closets, and/or dining room alcove directly off the principal room.

(Ord. 2020-xx § x, 2020; Ord. 2019-03 § 6, 2019; Ord. 2017-11 § 3, 2017; Ord. 2017-08 § 2 (part), 2017; Ord. 2016-03 § 3 (part), 2016; Ord. 2014-02 § 5, 2014; Ord. 2012-05 § 6 (part), 2012; Ord. 2010-02 § 1 (part), 2010)



CITY COUNCIL REPORT

8A

DATE: SEPTEMBER 1, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: DAVID HANHAM, PLANNING MANAGER

SUBJECT: DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR GROCERY OUTLET AT 1460 FITZGERALD DRIVE (CUP 20-05)

RECOMMENDATION

City staff recommends that the City Council conduct a public hearing and adopt a resolution approving a determination of Public Convenience or Necessity (PCN) for Grocery Outlet's proposed alcohol sales (on-site sales of beer, wine, and distilled spirits) to be located at 1460 Fitzgerald Drive.

BACKGROUND

Katy Schart on behalf of Grocery Outlet has requested City approval of a "Finding of Public Convenience or Necessity" such that it can request a Conditional Use Permit (CUP 20-05) to sell beer, wine, and distilled spirits for off-site consumption for their store located at 1460 Fitzgerald Drive. Currently, the Grocery Outlet has a Type 21 License to sell beer, wine and spirits for off-site the premises consumption that was approved by the Planning Commission in 2010.

The State Department of Alcoholic Beverage Control (ABC) enforces the licensing of alcoholic retailers regulated by State Law under Section 23958 of the Business and Professions Code. A Type 21 license allows sales of beer, wine, and distilled spirits for off the premises consumption. In order to sell beer, wine & distilled spirits at a retail establishment, a business must apply to ABC for a Type 21 license and obtain a conditional use permit from the City.

When a business establishment applies for a new or different sales license, ABC determines if there is an "undue concentration" of licenses in a Census Tract. The State relies on a ratio of on-sale retail licenses to population in the census tract to determine if an area is over concentrated. In this case, ABC considers an "undue concentration" or overconcentration to be present if there are more than five (5) on-site sale Type 21 licenses within Census tract 3630.00. The Grocery Outlet would be the 12th establishment with active off-site alcohol sales and consumption in an already over-concentrated Census Tract according to ABC. However, the only such business

that is within 1,000' of Grocery Outlet is Target. All of the other businesses are located outside the 1,000' mark.

According to ABC, there are currently twelve existing active on-site alcohol sales licenses in Census Tract 3600.00 including Grocery Outlet. Census Tract 3600.00 includes the portion of Pinole south of Interstate 80 and west of Appian Way. The table below includes a complete list of existing businesses with on-site alcohol sales licenses within Census Tract 3591.03 as of May 2017.

**Census Tract 3591.03
Pinole On Site
Retail Alcohol Sales Establishments**

Business Establishment	Location	License Type
APPIAN FOOD AND LIQUOR	4247 Appian Way, El Sobrante	Wine, Beer, and Spirits
HILLTOP FOOD MART	4521 Hilltop Drive, Richmond	Wine and Beer
FOOD MAXX STORE 466	1370 Fitzgerald Dr. Pinole	Wine, Beer & Spirits
PINOLE VISTA LIQUORS	1586 Fitzgerald Dr. Pinole	Wine, Beer & Spirits
TARGET T0737	1400 Fitzgerald Dr Pinole	Wine, Beer & Spirits
BEVMO	1220 Fitzgerald Dr, Pinole	Wine, Beer & Spirits
APPIAN EXPRESS NART & GAS	4917 Appian, El Sobrante	Wine and Beer
LUCKYS 742	1530 Fitzgerald Drive, Pinole	Wine, Beer & Spirits
GROCERY OUTLET	1460 Fitzgerald Drive	Wine and Beer
MANOR MARKET	959 Manor Road, El Sobrante	Wine and Beer
SAN PABLO SHELL	3621 San Pablo Dam Rd. El Sobrante	Wine and Beer
KUMAR FOOD MART	521 Appian Way, El Sobrante	Wine and Beer

Source: State Department of Alcoholic Beverage Control, August 4, 2020.

Once an “undue concentration” is identified by ABC, the local governing body may make a determination of “public convenience or necessity.” Jurisdictions may choose to allow additional alcohol sales establishments in an area where there is an overconcentration by determining “public convenience or necessity” (PCN).

Chapter 17.59 of the Municipal Code designates the City Council as the approving authority for a PCN request and requires a PCN determination as a prerequisite for Planning Commission consideration of a use permit for alcohol sales. Should the City Council decide not to approve a determination of PCN, Grocery Outlet will not be eligible to obtain a Type 21 alcohol sales license through ABC for its location within Census Tract 3600.00

If the City Council approves the PCN determination, the Planning Commission will consider a modification to Grocery Outlet’s conditional use permit to allow the sale of spirits and impose any necessary conditions. The Planning Commission’s decision regarding the conditional use permit can be appealed to the City Council. The use

permit, rather than the PCN, is the appropriate approval on which to place any conditions.

Grocery Outlet representatives have stated that beer, wine and spirits will enable them to offer a greater convenience for customers seeking alcoholic beverages that are available at several nearby locations.

REVIEW AND ANALYSIS

Section 17.59030 (B) of the Pinole Municipal Code includes five required findings that must be satisfied in order to make a PCN determination. Staff has prepared findings based on a proposed operations statement as well as proposed floor plans.

1. ***The proposed establishment with alcohol sales will promote the City's economic health consistent with the General Plan and any applicable Specific Plan policies to further zoning district purposes.***

Establishing the type 21 license allows for the expansion of Grocery Outlet's offerings which is consistent with commercial zoning and General Plan land use designations for this parcel. Additionally, this use implements Policy LU7.2 of the Land Use and Economic Development section of the General Plan. Grocery Outlet will bring additional sales tax revenue with the increased selection of alcohol.

2. ***The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales.***

Grocery Outlet is a full-service grocery store specializing in brand name products at 40% to 60% below typical retail prices. Merchandise includes frozen foods, deli-meats, dairy, produce, fresh meat, seasonal products, house wares, toys, health & beauty supplies, and beer, wine and spirits. While beer, wine and spirits constitute a small portion of the overall sales and floor area, it allow Grocery Outlet to be a full-service grocery store providing a variety of sales options to its customers and is needed to compete with other full-service grocery businesses in the area.

3. ***The applicant has not operated a licensed establishment, which has been the subject of verified complaints or violations regarding alcohol, public safety or nuisance statutes or regulations.***

ABC has not identified any infractions on existing licenses for other Grocery Outlet stores located in California.

4. ***The Police Department has reported that the proposed establishment would not be expected to add to crime in the area.***

The Police Department has reported that the sale of beer, wine and spirits would not be expected to add crime in the area and has not raised any objections to the Grocery

Outlet's request. No serious incidents involving the sale of alcohol have occurred at this location since Grocery Outlet began selling beer and wine in 2010.

5. *Alcoholic beverages sold by the applicant are incidental to the other products available for sale at the establishment.*

Grocery Outlet primarily sells food products including meat, fresh produce, and frozen foods. The overall store size is 20,057 sq. ft. The beer, wine and spirits cases account for approximately 100 linear sq. ft. in the store, or less than 1% of the overall floor area. Grocery Outlet does not sell cigarettes, or products which have a tendency of abuse, such as 40-ounce malt liquors, low-priced, screw-top fortified wines (Ripple, MD 20/20, etc.), pints or half pints of spirits.

FISCAL IMPACT

There are no adverse fiscal impacts to the City associated with this request.

ATTACHMENTS

A. Resolution

RESOLUTION NO. 2020-____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 21 ALCOHOL SALES INCLUDING BEER, WINE, AND SPIRITS AT THE EXISTING GROCERY OUTLET LOCATED AT 1460 FITZGERALD DRIVE, PINOLE, CA 94564, APN: 426-010-023

WHEREAS, since 2010 Grocery Outlet has had a Conditional Use Permit and a licensed from the State Department of Alcohol Beverage Control (ABC) allowing for the sale of beer and wine for off-site consumption; and

WHEREAS, the owner of Grocery Outlet intends to file an application for a Type 21 off-site alcohol license with the State Department of Alcohol Beverage Control (ABC) and have filed an application for a Conditional Use Permit with the City of Pinole to allow the sale of spirits, in addition to beer and wine; and

WHEREAS, the State Department of Alcohol Beverage Control (ABC) notified the City of Pinole that an undue concentration of on-site alcohol sales licenses exist within Census Tract 3600.00 and

WHEREAS, a determination of Public Convenience or Necessity is required to allow additional on-site licenses in an over concentrated Census Tract; and

WHEREAS, ABC has indicated no active disciplinary action have been taken against other Grocery Outlet stores for alcohol sales licenses in California; and

WHEREAS, The Police Department has confirmed that the sale of beer and wine is not expected to increase calls for service or crime activity at this location; and

WHEREAS, the City has considered the request for Public Convenience or Necessity, the staff report and the required associated findings pursuant to Section 17.59.030 (C) of the Pinole Municipal Code to justify a determination of Public Convenience or Necessity;

NOW THEREFORE, BE IT RESOLVED that the Pinole City Council does hereby take the following actions:

A. Makes the following findings:

1. The proposed Grocery Outlet Type 21 alcohol sales will promote the City's economic health consistent with the General Plan and any applicable Specific Plan policies to further Commercial Mixed-Use Zoning District purposes;

2. The economic benefits associated with the Grocery Outlet Type 21 alcohol sales could not reasonably be achieved without the proposed alcohol sales;
 3. The applicant has not operated a licensed establishment, which has been the subject of verified complaints or violations regarding alcohol, public safety or nuisance statutes or regulations;
 4. The Police Department has reported that the proposed beer and wine sales at the existing establishment would not be expected to add to crime in the area; and
 5. Alcoholic beverages sold by the applicant are incidental to the other products available for sale at the establishment located at 1460 Fitzgerald Drive.
- B. Affirms a determination of Public Convenience or Necessity to support a Type 21 alcohol sales license request for off-site beer, wine and spirits sales at the Grocery Outlet cafe located at 1460 Fitzgerald Drive and as a prerequisite to obtaining a Conditional Use Permit as required by Chapter 17.59 of the Pinole Municipal Code.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of September 2020 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of September 2020

Heather Iopu CMC
City Clerk



CITY COUNCIL REPORT

9A

DATE: SEPTEMBER 1, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR/CITY ENGINEER

SUBJECT: DISCUSSION REGARDING INSTALLATION OF BENCHES ON GALBRETH ROAD

RECOMMENDATION

It is recommended that the City Council review and provide direction to staff regarding benches on Galbreth Road.

BACKGROUND

For years, there had been two (2) benches for the use of nearby residents to rest as they walked along Galbreth Road. To the best of our ability in researching this matter, it appears that one of the benches was placed by a member or members of the community and one was placed by the City. Neither of the benches were in the City's property inventory with as-built documentation. The installation of the benches did not conform to best practices nor the policies set forth for risk management.

Both benches were removed within the last several years. One was damaged when it was struck by a vehicle, and the condition of the other was unsafe due to damage or deterioration.

REVIEW & ANALYSIS

Physical Presence

Based on field reviews conducted by several City staff members, each location where the benches were previously located have safety concerns and provide significant ADA compliance challenges.

The bench located farthest up the hill was located outside the road right of way on a City owned parcel that is designated as open space. The bench was installed on a "homemade" concrete slab that is not ADA accessible. Additionally, the bench was installed in a vulnerable spot of a compound curve in the road. The compound

curve creates a higher potential for drivers to exit the roadway if unable to execute the second part of the compound curve.

The bench located first as you travel up Galbreth was located outside the road right of way on the same City owned parcel that is designated as open space. The bench is directly under a large tree that because it is in open space is not maintained and may drop bark and branches.

Planning Presence

The General Plan supports the addition of pedestrian trails that specifically connect Pinole to EBMUD open space. A trail route needs to be designated and then improvements vetted with public involvement. The General Plan recommends a Master Plan for Parks and Recreation (General Plan page 8.0-33) as well as an Open Space Management Plan (General Plan page 8.0-35). While it may be prudent, to complete a Master Plan to develop a disciplined approach to funding infrastructure, staff believes this project would be consistent with the General Plan.

As part of the Capital Improvement Plan, staff has recommended that the City prepare a Park Master Plan. Master planning allows the City to quantify and qualify the existing park system, identify deficiencies, develop financial analysis of the cost to maintain, operate, and if the opportunity arises, expand the park system. Master planning serves as a strong nexus for development impact fees. It can support grant applications. A Park Master Plan is a useful tool to guide the use of City funds, grant funds, and developer funds. And often during the preparation of such a plan, the community at large gets an opportunity to express their unique and varied perspectives. Ultimately the document can support the General Plan policies and goals as well as document the contributions that potential projects must meet to be approved. It can serve as a guide for the Council when many projects vie for limited funds.

Risk Analysis

To install a bench in accordance with best practices and our risk management policies, plans and specifications that conform to current ADA standards must be prepared and approved by an engineer.

By actively providing improvements or ongoing maintenance within open space, the City risks losing certain immunities that are associated with open space. To clearly differentiate the installation as a City maintained asset, the City should find a location that is not in open space. Typically, this would be known as a pocket park.

Council could provide direction to staff. The potential direction options include:

1. Leave the current conditions as is with the benches removed.
2. Place an ADA compliant bench at a suitable location as determined by field review and design criteria and within a pocket park created with a lot line adjustment. Council could direct staff to add this project to the draft Capital Improvement Plan scheduled for Council review on September 15, 2020.
3. Await the preparation of a Park Master Plan to include a component for pocket parks, followed by scheduling capital improvements guided by the master plan. The Park Master Plan is included in the draft Capital Improvement Plan scheduled for Council review on September 15, 2020.

FISCAL IMPACT

The cost to install a single bench in a properly designated pocket park, including an ADA complaint concrete pad, is estimated to be \$25,000.

ATTACHMENTS

None



CITY COUNCIL REPORT

10A

DATE: SEPTEMBER 1, 2020

TO: MAYOR AND COUNCIL MEMBERS

**FROM: TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR/ CITY
ENGINEER**

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE A CONTRACT WITH CAROLLO ENGINEERS TO
PREPARE A SANITARY SEWER COLLECTION SYSTEM MASTER
PLAN IN AN AMOUNT NOT TO EXCEED \$449,000**

RECOMMENDATION

City staff recommends that the Council adopt a resolution authorizing the City Manager to execute a contract with Carollo Engineers to prepare a Sanitary Sewer Collection System Master Plan in an amount not to exceed \$449,000.

BACKGROUND

The City owns and operates approximately 49 miles of sewer pipelines and 2 sewage lift stations. This system collects and conveys wastewater generated at residential, commercial, and industrial buildings to the City's wastewater treatment plant. It is foremost that a wastewater collection system has sufficient capacity for wastewater flows from both existing and planned development, as well as the ability to accommodate increased flows that occur during the wet season. Second, adequate short- and long-term maintenance must be performed on the system to preserve its operating condition.

The City relies upon its Sanitary Sewer Master Plan (SSMP) which was recently updated for the day to day operation and maintenance of the system.

Several studies and our historic records show that our collection system experiences high levels of inflow and infiltration (I/I), which are when stormwater and groundwater enter the sanitary sewer collection system. In response, the Regional Water Quality Control Board has included in our current operating permit a condition that the City inspect the condition of all pipes with an in-pipe camera by March 31, 2023. As prior studies have shown, it is expected that the additional inspections will show a broad reaching need to repair or replace many miles of pipe.

We have performed some focus area hydraulic studies for the purpose of assessing capacity for spot development. But, the City does not have a complete hydraulic

record of the as built conditions of the collection system. It is the hydraulic record that aids in assessing the collection system capacity.

The City's wastewater collection system is aging with some segments over 50 years old. Segments of the collection system will require replacement/rehabilitation to address inflow and infiltration as well as extend the useful life of the collection system. Currently we do not have the tools to determine if segments need to be upsized for development or densification, or even for reasonable levels of I/I.

REVIEW AND ANALYSIS

Master planning for the sewer collection system is vital for us to be responsive to development, especially the increases in density the State is pushing in response to the housing crisis. Further and of great importance to Pinole, the master planning process will aid in prioritizing capital improvements. This is extremely important when trying to address systemic I/I.

The proposed Sanitary Sewer Collection System Master Plan is a significant undertaking and will include:

1. Developing realistic growth projections for use in collection system capacity evaluations.
2. Identifying and quantifying I/I, and determining the best approach regarding mitigation of identified system inefficiencies.
3. Developing and maintaining up-to-date collection system hydraulic models.
4. Identifying capital improvements to provide for system expansion while optimizing the life of existing collection system assets.
5. Balancing capital improvements and maintenance programs to maximize taxpayer investment and provide the level of service that ratepayers expect.

The City issued a Request for Proposals for the Master Plan, which was posted to www.publicpurchase.com, an electronic bidding platform. We received one proposal. The proposal was deemed complete. The proposal was submitted by Carollo Engineers. The City has an established working relationship with Carollo. They are well qualified to complete this work. The cost proposal was reasonable. The project will be a not to exceed contract with billing for actual hours of work performed.

The Master Plan will provide condition assessment of sewer collection assets that will inform capital planning. Further, the condition assessment can help quantify staffing needs for the City to address in-house spot repairs, more frequent cleaning, more time for annual camera inspection, and associated recordkeeping within our newly acquired asset management software. A review of staffing levels was requested by Council in July of 2019.

Consistency with Strategic Plan

The Council has already declared its support of the efforts of this master planning process through the adoption of the City of Pinole Strategic Plan. This planning effort supports the following components of the Strategic Plan:

Goal 1 Safe and Resilient Pinole

Strategy 1 Conduct citywide asset condition assessment

Goal 2 Financially Stable Pinole

Strategy 5 Develop a disciplined approach to funding infrastructure maintenance and improvements

Goal 3 Vibrant and Beautiful Pinole

Strategy 2 Develop/create a comprehensive strategy to encourage streamlining the rehabilitation and reuse of undeveloped or under-developed properties

FISCAL IMPACT

The City of Pinole, through the developed sewer rate structure, has inflow and infiltration program funds set aside and programmed in the approved Capital Improvement Plan to address inflow and infiltration. The Sanitary Sewer Collection System Master Plan is needed to develop a systematic approach for the use of these funds. The Master Plan essentially serves as the preliminary planning phase for all future capital improvements to the sewer collection system. The cost proposal provided by Carollo for the work as defined by the City is \$324,300. Cased on their review of our system, Carollo has recommended three optional tasks which includes (1) additional camera work (\$54,100), (2) flow monitoring (\$47,300), and (3) hydraulic modelling capabilities for the City (\$23,300). This optional work is warranted and will be monitored and controlled by City Staff. Staff recommends that the Council approve all the optional tasks. The total contract will be \$449,000.

ATTACHMENTS

- A. Resolution
- B. Carollo Proposed Scope of Work and Fee Estimate

RESOLUTION NO. 2020-____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE,
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AUTHORIZING
THE CITY MANAGER TO EXECUTE A CONTRACT WITH
CAROLLO ENGINEERS TO PREPARE A SANITARY SEWER COLLECTION SYSTEM
MASTER PLAN IN AN AMOUNT NOT TO EXCEED \$449,000**

WHEREAS, the City of Pinole owns and operates a sewer collection system which includes a network of sewer lines, maintenance holes, cleanouts, and lift stations; and

WHEREAS, the City of Pinole is permitted by the Regional Water Quality Control Board which sets forth operating expectations for the sanitary sewer collection system; and

WHEREAS, the City is required to perform inspections and make improvements to the collection system to address inflow and infiltration as well as capacity deficiencies; and

WHEREAS, a master planning process is needed to identify and prioritize improvements in the collection system; and

WHEREAS, a master planning process is vital to identify capacity deficiencies; and

WHEREAS, a master planning process can balance capital improvements and maintenance programs to maximize taxpayer investment; and

WHEREAS, the City staff prepared and broadly advertised a request for proposals; and

WHEREAS, Carollo Engineers provided a qualified and cost effective proposal; and

WHEREAS, no other proposals were received; and

WHEREAS, Carollo is familiar with the City's PH WPCP master plan; and

WHEREAS, City staff compared the cost proposal with other similar projects and found the cost to be consistent with similar plans for similarly sized cities.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole does hereby authorize the City Manager to execute a contract with Carollo Engineers to prepare a Sanitary Sewer Collection System Master Plan in an amount not to exceed \$449,000.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of September 2020 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

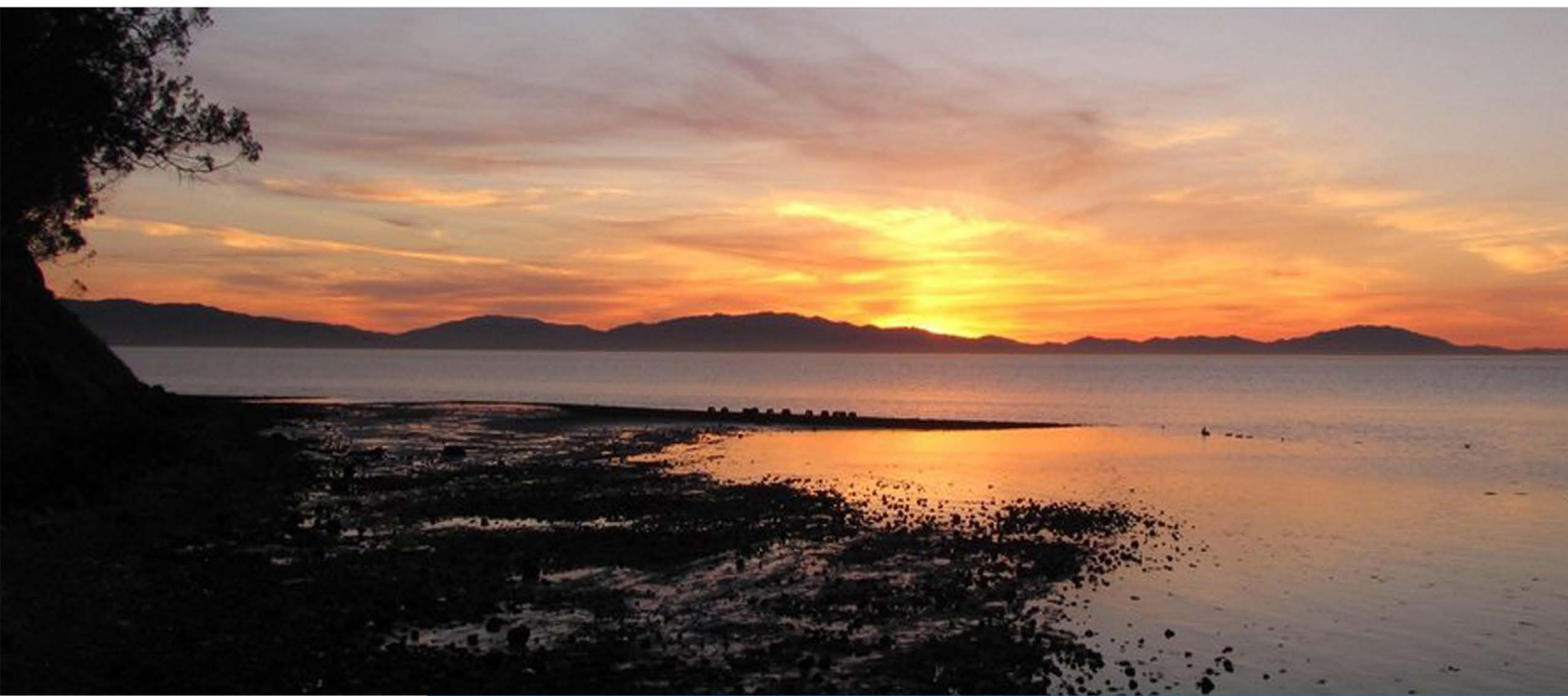
I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 1st day of September 2020.

Heather Iopu, CMC
City Clerk

PREPARED FOR
CITY OF PINOLE

ATTACHMENT B

Sanitary Sewer Master Plan Update (Collection System)



PROPOSAL | May 2020

May 29, 2020

Ms. Tamara Miller, PE, Development Services Director/City Engineer
Engineering Division
City of Pinole
2131 Pear Street
Pinole, CA 94564

Subject: Proposal – Sanitary Sewer Master Plan Update (Collection System)

Submitted by email: tmiller@ci.pinole.ca.us

Dear Ms. Miller:

At Carollo, we value projects where we can work with an engaged client that has a realistic understanding of the effort and the process to bring a project to reality. Carollo looks forward to the opportunity to work alongside City staff to prepare your Collection System Master Plan Update. We have a project team that has the qualifications to develop a high-quality master plan with solutions that meet your long-term objectives. To deliver this plan, the Carollo team offers the following benefits:

- **Success Delivered through Proven Project Leadership.** Tim Loper, your proposed project manager, has consistently proven his ability to develop dozens of master plans that produce creative, cost-effective solutions for agencies with challenges similar to your own. His team, including Ryan Orgill and V&A's Kevin Krajewski, have worked together for more than 15 years, developing sewer master plans with robust analysis models that have provided the justification for millions of dollars in implemented improvements to mitigate capacity and infiltration and inflow (I/I) issues. This experience helps you develop a plan that will provide the best value for your capital and rehabilitation dollars.
- **A Proven Project Approach that Provides Justifiable Recommendations.** Carollo's wastewater planning team has mastered the craft of collection system planning. Our approach to building robust modeling tools and implementing sound decision-making processes, based on defensible data and analytics, provides sound justifiable recommendations. A master plan only works if the recommendations fit within the existing political and financial constraints. Our process provides the means to develop justifiable plans that work within your existing paradigm while still working towards system management objectives. Carollo's approach provides the justification required for smooth program implementation.
- **Creative Solutions Focused on Minimizing Risk.** We pride ourselves on developing creative solutions that help you minimize risk. We will help City staff focus capital and rehabilitation and replacement (R&R) dollars where the system needs it the most. Aligning capacity and condition-related projects that also mitigate the highest risk elements of the system, provides the City the highest value and benefit. Our objective is to help you understand where the biggest benefit is in the near term, and where you can focus your efforts over time in the future. All with the ultimate goal of risk reduction through efficient capital spending.

Our team of collection system planning specialists thrives on working on projects just like yours. We have made our careers helping agencies meet similar challenges, and we look forward to meeting your challenges head on. We acknowledge receipt of Addendum No. 1, dated May 21, 2020. As a vice president at Carollo, I am authorized to bind the firm. I will be the main point of contact throughout the project, and can be reached at 559-313-4802 or tloper@carollo.com. Our team is fully committed to delivering a master plan that meets your current and future goals, and we look forward to continuing our partnership with Pinole.

Sincerely,

CAROLLO ENGINEERS, INC.



Timothy J. Loper, PE
Vice President/Project Manager



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1 Consultant Information, Qualifications, and Experience

Founded in 1933, Carollo's engineering team has grown to include more than 1,100 employees in 47 offices throughout the United States. All of our work is in water, resulting in a level of understanding of key wastewater collection system planning issues that few can match.

CAROLLO ENGINEERS, INC.

Carollo is a full-service, environmental engineering firm that has been exclusively providing water and wastewater services for 87 years across the U.S. In fact, we are the largest firm in the country that is 100 percent focused on water engineering solutions. Carollo is nationally recognized for technical excellence and the ability to offer advanced solutions that are practical, affordable, and reliable.

Our clients count on us to help them address collection system challenges and to navigate the increasing complexities of planning capital programs and mitigating SSO risk.

Wastewater Collection System Planning

Carollo is a leader in sewer system master/management planning because we take a comprehensive approach to meeting these challenges. We have completed more than 70 sanitary sewer master plans in the last 15 years, each customized to our clients' individual needs. We provide a variety of services to help our clients plan for system maintenance, and plan timely expansions that are properly sized to accommodate growth. Our focus includes:

- Developing realistic growth projections for use in collection system capacity evaluations.
- Identifying and quantifying I/I, and determining the best approach regarding mitigation of identified system inefficiencies.
- Developing and maintaining up-to-date collection system hydraulic models.
- Identifying capital improvements to provide for system expansion while optimizing the life of existing collection system assets.

87 YEARS IN BUSINESS

● WALNUT CREEK, CA
PRIMARY LOCATION OF WORK

11 OFFICES IN CALIFORNIA

326 STAFF IN CALIFORNIA

WE HAVE PROVIDED ENGINEERING SERVICES IN CALIFORNIA SINCE 1946. TODAY, 30 PERCENT OF OUR NATIONWIDE RESOURCES ARE LOCATED IN THE GOLDEN STATE.

- Balancing capital improvements and maintenance programs to maximize taxpayer investment and provide the level of service that ratepayers expect.

In addition, Carollo brings a thorough understanding of sanitary sewer system inspection and condition assessment technologies and rating systems. We have provided sanitary sewer inspection, condition assessment, and R&R engineering services for more than 700 miles of sewer assessment, rehabilitation, and design, with pipe sizes reaching 120 inches in diameter. Our wastewater conveyance experts include NASSCO certified staff and trainers.

SUBCONSULTANT PROFILE

V&A Consulting Engineers



Flow Monitoring

Since 1998, V&A has supported municipalities and agencies in managing their water and wastewater collection systems and mitigating sanitary system overflows. The firm's flow monitoring division incorporates the latest data collection and metering technologies and conducts a wide-range of I/I analysis for municipalities and master planning consultants.

V&A specializes in rain-dependent, groundwater, and tidal I/I. They also perform reconnaissance, providing a clearer picture of system condition. V&A consults on regulatory matters including U.S. Environmental Protection Agency Consent Decrees, Stipulated Orders, and Administrative Orders.

Carollo has worked with V&A, and specifically with Kevin Krajewski, on more than 50 collection system planning and modeling projects within the last 20 years, including projects for the City of Oakland, the Central Contra Costa Sanitary District, West County Wastewater District, and Mt. View Sanitary District.

PAST PERFORMANCE OF THE PROJECT TEAM

The following pages demonstrate some of our team's most relevant projects within the past five years. We invite you to contact the references provided, to attest to our management approach, level of service, responsiveness, and overall commitment to client satisfaction.



PHASE 1 INFILTRATION AND INFLOW MITIGATION

Santa Cruz County Sanitation District, CA

AGENCY PROJECT MANAGER

Ashleigh Trujillo
Senior Engineer
831-454-2160
Ashleigh.Trujillo@santacruzcounty.us

CONTRACT AMOUNT: \$375,000

FUNDING SOURCE
Enterprise Fund

CONTRACT DATE: 2017

COMPLETION DATE: 2019

CONSULTANT PROJECT MANAGER

Tim Loper
tloper@carollo.com

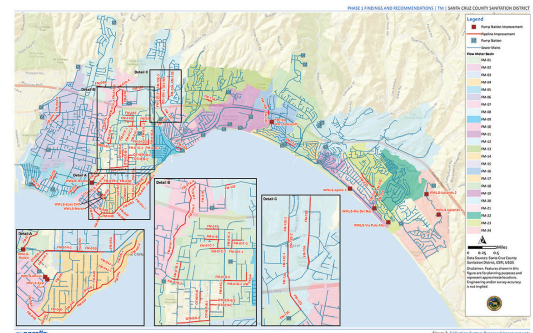
OTHER TEAM INVOLVEMENT

Ryan Orgill, Kevin Krajewski

Objective. The project included flow monitoring, hydraulic modeling, capacity evaluation, business case evaluations of I/I mitigation and developed recommendations on the Phase II program.

Description. Carollo and V&A conducted an I/I analysis of the flow data to determine I/I rates, areas of the collection system impacted by high rates of I/I, and developed recommendations for future flow monitoring and micro basin isolation. Carollo developed a hydraulic model in the InfoSWMM modeling software and calibrated the model to dry and wet weather conditions. Carollo used the calibrated model to conduct a capacity analysis of the District's collection system. We worked closely with the District to develop design storm and HGL criteria for the evaluation of the collection system.

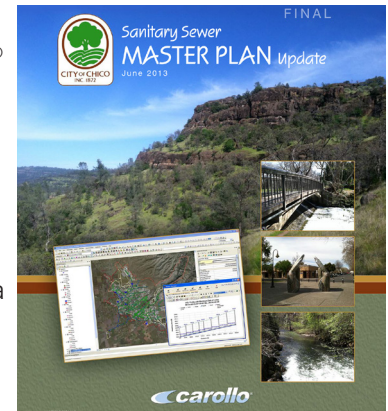
Outcome. Carollo conducted an evaluation of the best approach to mitigate deficiencies based on I/I mitigation, capacity improvements, or a combination of both. A business case evaluation was conducted that looked at the cost of additional treatment and pumping vs. capacity improvements to develop recommendations. Realistic assumptions were made relative to assumed I/I mitigation rates as a means to simulate I/I reductions to compare mitigation costs with capacity improvement costs.



City of Chico, CA

Ryan Orgill, Kevin Krajewski

Outcome. The analysis determined that it was more cost effective and less impactful to build a new trunk sewer to serve a new planned development outside the existing service area.



Ryan Orgill, Kevin Krajewski

Outcome. Carollo developed a detailed plan that identified areas of the system with significant I/I and planned a pipe R&R project to target those basins. Carollo also helped the District select capacity-related alternatives to mitigate significant capacity deficiencies, as well as chose appropriate alignment alternatives to minimize construction costs.



WASTEWATER COLLECTION SYSTEM MASTER PLAN

City of Modesto, CA

AGENCY PROJECT MANAGER

Will Wong, Utilities Director
209-571-5801
wwong@modestogov.com

CONTRACT AMOUNT: \$1.95M

FUNDING SOURCE

Enterprise Fund

CONTRACT DATE: 2014

COMPLETION DATE: 2016

CONSULTANT PROJECT MANAGER

Tim Loper
tloper@carollo.com

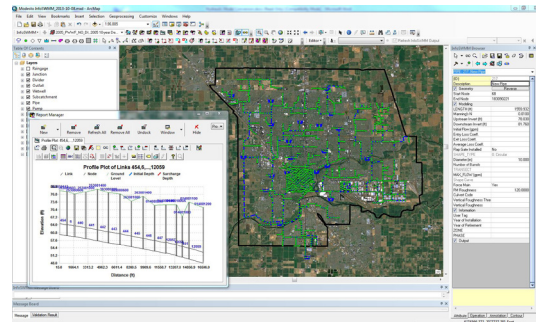
OTHER TEAM INVOLVEMENT

Ryan Orgill, Kevin Krajewski

Objective. Carollo has completed two combined master plans for Modesto. The Wastewater Collection System Master Plan included conducting a comprehensive flow monitoring program with 40 sites, hydraulic model calibration, land use and flow factor analysis.

Description. Carollo conducted an analysis that looked at downtown densification related to transit-oriented development. The densification resulted in the need for capacity upgrades within the highly urban area of the City's care. The end result was a CIP that incorporated rehabilitation projects, as well as capacity-related improvements.

Outcome. The planning effort sets the foundation for a solid financial plan that fairly distributes costs to existing and new users of the systems, and fully leverages alternative sources of funding. To reflect the view that each system is critical on its own and deserves detailed evaluation, the Wastewater Master Plan has been divided into two master plans: a Wastewater Collection System Master Plan and a Wastewater Treatment Master Plan.



SANITARY SEWER COLLECTION SYSTEM MODEL DEVELOPMENT

City of Oakland, CA

AGENCY PROJECT MANAGER

Jimmy Mach
Civil Principal Engineer
510-238-3303
jmach@oaklandca.gov

CONTRACT AMOUNT: \$612,000

FUNDING SOURCE

Enterprise Fund

CONTRACT DATE: 2010

COMPLETION DATE: 2015

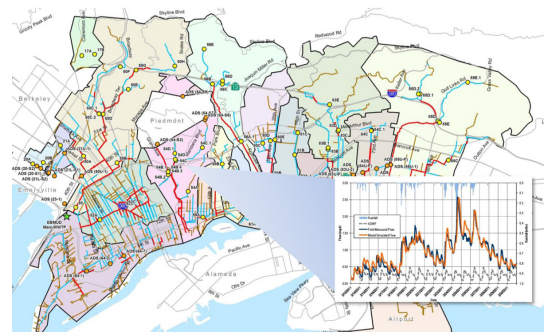
CONSULTANT PROJECT MANAGER

Tim Loper
tloper@carollo.com

OTHER TEAM INVOLVEMENT

Ryan Orgill, Kevin Krajewski

Objective. Carollo was retained as part of a Carollo/V&A Consulting Engineers team to assist the City of Oakland with development of the City's first hydraulic model of the collection system. Carollo's tasks included project management, hydraulic model development, identification of areas with the highest rates of I/I, and system capacity analysis.



Description. Carollo developed a hydraulic model of the collection system from the City's as-built drawings and calibrated at 140 flow metering sites – 65 from the City and 75 from the East Bay Municipal Utility District (EBMUD). Carollo also developed assumptions for I/I reduction and used that to simulate the reduction in peak flows to EBMUD interceptors.

Outcome. The project involved close coordination with modeling staff from EBMUD to understand the boundary conditions in the regional interceptor system. Carollo built the model in Innovyze's InfoSWMM software. The SWMM engine provided a robust engine that accurately models surcharge and backwater conditions, and complex overflow and diversion structures to gain an understanding of the complex hydraulic conditions in the collection system.

COMPREHENSIVE WASTEWATER MASTER PLAN

City of Riverside, CA

AGENCY PROJECT MANAGER

Ernest Marquez
Principal Engineer
951-826-5409
emarquez@riversideca.gov

CONTRACT AMOUNT: \$2.5M

FUNDING SOURCE

Enterprise Fund

CONTRACT DATE: 2016

COMPLETION DATE: 2019

CONSULTANT PROJECT MANAGER

Tim Loper
tloper@carollo.com

OTHER TEAM INVOLVEMENT

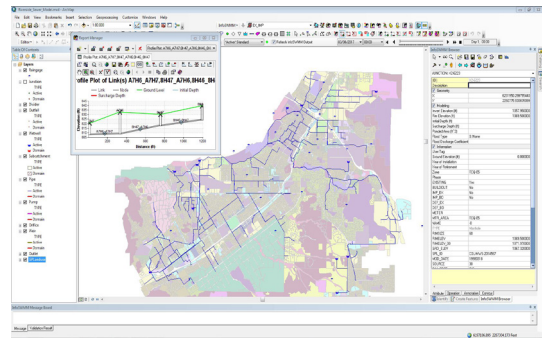
Ryan Orgill, Danielle Orgill,
Jackie Silber, Kevin Krajewski

Objective. Carollo was contracted by the City of Riverside to complete a Comprehensive Wastewater Master Plan that included both treatment and wastewater collections.

Description. Carollo built the City's collection system model using Innovyze's InfoSWMM modeling software. Carollo teamed with V&A Consulting Engineers to develop a flow monitoring program that included 60 flow meters. Carollo calibrated the model to the 60 metering sites as well as flows influent to the City's wastewater treatment plant.

Carollo conducted a detailed review of the per capita wastewater generation rates and the impact that the reduction in wastewater flows affects the existing flows, as well as future flow generation rates and the proposed sizing of capital projects. Carollo used regional planning data to estimate future flows across the portions on unincorporated Riverside county that the City serves.

Outcome. The system evaluation included the development of a custom design rainfall event based on a significant rainfall event that occurred in the Winter of 2017. Carollo's evaluation identified existing capacity deficiencies and sized improvements based on future flows. Carollo will allocate proposed project costs to existing and future users and provide guidance to the City on project prioritization and implementation.



HERCULES SYCAMORE AVENUE TRUNK SEWER DESIGN

City of Hercules, CA

AGENCY PROJECT MANAGER

Mike Roberts
Public Works Director/City
Engineer
510-799-8241
MikeRoberts@ci.hercules.ca.us

CONTRACT AMOUNT: \$787,000

FUNDING SOURCE

Enterprise Fund

CONTRACT DATE: 2019

COMPLETION DATE: Ongoing

CONSULTANT PROJECT MANAGER

Anne Prudhel
aprudhel@carollo.com

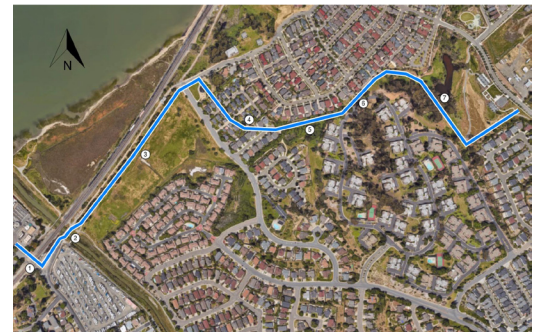
OTHER TEAM INVOLVEMENT

Ryan Orgill, Tim Loper

Objective. This project was to evaluate options to replace and/or rehabilitate the existing Sycamore Avenue Trunk Sewer to improve system reliability, provide sufficient capacity for existing/future peak flows, and to provide adequate access for maintenance.

Description. Carollo was retained to design a replacement to the existing Sycamore Avenue Trunk Sewer, which consists of approximately 5,200 LF of 24-inch asbestos cement pipe and 200 LF of 24-inch welded steel pipe constructed in 1972 that conveys sewage from Sycamore Avenue to the Pinole/Hercules Water Pollution Control Plant. Carollo developed a hydraulic model of the existing Sycamore Avenue Trunk sewer using InfoSWMM, by Innovyze. The hydraulic model was calibrated against dry and wet weather flow monitoring data and used to evaluate several options for the replacement and/or rehabilitation of the trunk sewer under existing and future peak flow conditions.

Outcome. The recommended alternative is currently being designed, and consists of a combination of pipeline R&R using open cut, CIPP, and sliplining construction methods.



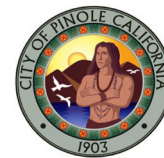
2 Organization and Approach

A Team You Can Trust. Nothing is more important to the success of your project than the qualifications and experience of your engineering team. Simple, one-size-fits-all solutions will not meet your expectations for a thorough evaluation, sound recommendations, and quality hydraulic models to address your project needs. You need a team of specialists.

Carollo offers Pinole a dedicated team that has successfully worked on more than 100 master plan and hydraulic modeling projects. This team is led by project manager Tim Loper, and has worked together in the past on master planning and modeling projects. In particular, Tim has worked with Ryan Orgill for the last 16 years exclusively on planning projects for cities with similar issues to the City.

Beyond Carollo's internal team, Tim and Ryan have worked closely with Kevin Krajewski and V&A Consulting Engineers on the development and implementation of flow monitoring programs for more than 40 clients across the West Coast. Our experience together provides a level of efficiency that can't be matched in Northern California. We have included Kevin as a valuable resource of information related to specific I/I locations within the City's system. The Carollo/V&A team is the right fit for your project.

CAROLLO HAS COMPLETED MORE WATER AND WASTEWATER MASTER PLANS IN CALIFORNIA THAN ANY OTHER FIRM.



PROJECT MANAGER

Tim Loper, PE

PROJECT ENGINEER

Ryan Orgill, PE

SUPPORT

Modeling – Danielle Orgill, PE
 GIS – Jackie Silber, GISP
 Risk Assessment – Felicia James, PE
 Inspection Program – Andy Burton, PE
 Prioritization
 I/I Analysis – Kevin Krajewski, PE¹
 & Investigation

1. V&A Consulting Engineers

THE RIGHT TEAM FOR PINOLE

Our team members' qualifications are described below. References for our key team members can be found in the in Section 1 – Consultant Information, Qualifications, and Experience, in the *Past Performance of the Project Team*. Our team is ready and available to begin work immediately. We will not substitute team members without City of Pinole approval. Our project manager and all key personnel identified in this proposal will be committed for the duration of the project.



Tim Loper, PE
PROJECT MANAGER

As project manager, Tim will serve as your primary point of contact through all phases of the project. He will carefully listen to your staff to understand your needs, drivers, and preferences, and will incorporate these concepts into the project to develop a plan that is accurate, robust, and flexible enough to address current and future needs.

Tim is Carollo's Chief of Infrastructure Planning Services and brings 19 years of experience in helping clients develop master planning and modeling projects that provide technically sound and defensible planning documents for an implementable CIP. Tim has served as project manager and/or project engineer for more than 40 wastewater collection system master plans and modeling projects, including projects for the cities of Oakland, Fresno, and Chico, as well as West County Wastewater District and Central Contra Costa Sanitary District.

Tim understands the dynamics of wastewater collection system planning, and has a proven ability to collaborate with all project participants to develop sound planning decisions and clear recommendations that translate into practical, reliable, and easy-to-use hydraulic models and CIPs.

RELEVANT EXPERIENCE

- Project engineer for the City of Modesto, CA, Wastewater Collection System and Treatment Master Plan Update.
- Collection system project manager for West County Wastewater District, CA, GIS Development and Hydraulic Model Conversion.
- Collection system project manager for the Mountain View Sanitary District, CA, Sanitary Sewer Flow Monitoring and Hydraulic Modeling project.



Ryan Orgill, PE
PROJECT ENGINEER

As project engineer, Ryan will be assisting Tim in the day-to-day operation of the project. He has 16 years of experience and is Carollo's companywide lead for sewer system modeling, wet weather model calibration, and system analysis. He has developed Carollo's means and methods for sewer system planning that have been adopted companywide. Specifically related to sewer model development and calibration, Ryan has developed flow monitoring programs that support accurate model development for clients across the country.

Ryan and Tim have worked together on more than 20 infrastructure master planning projects. Ryan has recently completed projects for clients such as the cities of Oakland, Oceanside, Modesto, Tulare, and Galt; and the West County Wastewater District.

RELEVANT EXPERIENCE

- Collection system engineer for the West County Wastewater District, CA, District-Wide Master Plan.
- Project engineer for the City of Fresno, CA, Collection System Master Plan.
- Project engineer for the City of Oakland, CA, Sanitary Sewer Collection System Master Plan.



Danielle Orgill, PE
MODELING

Danielle will provide modeling services for this project. Danielle has seven years of experience in infrastructure design, modeling, and planning. She has assisted with master planning and evaluation studies for sewer systems, and has experience in data management, analysis, hydraulic modeling, and GIS. Her recent work includes a collection system master plan for Manatee County, Florida, and collection system modeling for the City of Tulare, as well as model development projects for Truckee Sanitary District and South Tahoe Public Utility District.

RELEVANT EXPERIENCE

- Project engineer for the South Tahoe Public Utility District, CA, Sewer System Hydraulic Model.
- Project engineer for the Washoe County, NV, Collection System Flow Monitoring and Hydraulic Modeling.
- Project engineer for the Collier County, FL, Wastewater Collection System Model Update.



Jackie Silber, GISP

GIS

Jackie will provide GIS services for this project. She is a GIS lead with 19 years of professional experience in GIS and technical training. Her experience includes geo-spatial GIS analysis for water resource planning, environmental remediation sampling, and demographic forecasting projects.

Her GIS skills focus on geodatabase design and optimization, manipulation and conversion of projections, CAD and KML to GIS conversion, spatial analysis, automation of repetitive analysis using Model Builder and Python, and creation of cartographic figures.

RELEVANT EXPERIENCE

- GIS specialist for the Central Treatment Plant Collection System Model Update and Capacity Evaluation, City of Tacoma, WA.
- GIS specialist for the City of Medford, OR, Sanitary Sewer Master Plan.
- GIS specialist for the City of Banning, CA.



Felicia James, PE

RISK ASSESSMENT

Felicia will provide risk assessment. She has 25 years of experience as an asset management lead, including serving as the Washington Suburban Sanitary Commission's Asset Strategy Manager for nine years prior to joining Carollo. Her experience includes tracking the condition and performance of underground assets and the effectiveness of asset management strategies.

Felicia uses advanced asset management methods to prioritize capital and operating expenses in order to reduce risks associated with aging infrastructure.

RELEVANT EXPERIENCE

- Asset management advisor for the Central Contra Costa Sanitary District, CA, Asset Management and Risk Analysis. The project included creation of a collection system asset management plan along with master plans for the District's collection system and treatment plant.
- QA/QC for the Union Sanitary District, CA, Alvarado Wastewater Treatment Plant Asset Condition Assessment Update Study.
- Asset management lead for the Contra Costa Water District, CA, Treated Water R&R Study and Asset Management Implementation Plan.



Andy Burton, PE

INSPECTION PROGRAM PRIORITIZATION

Andy will provide inspection services for this project. He is a lead analyst and has nine years of combined experience in the fields of engineering consulting with a primary focus on asset management. His work concentrations are in the areas of wastewater infrastructure asset management, data analytics, and environmental compliance. His expertise includes condition assessment, risk modeling, and data visualization.

RELEVANT EXPERIENCE

- Project engineer for the Integrated Utility Master Plan for the City of Saint Helena, CA.
- Technical lead for the InfoAsset™ Planner Implementation for the Cape Fear Public Utility Authority, NC.
- Lead analyst for the Detroit Water and Sewerage Department, MI, Water and Collection System Capital Improvement Program Management Organization.



Kevin Krajewski, PE (V&A)

I/I ANALYSIS AND INVESTIGATION

Kevin will provide flow monitoring services for this project. He is V&A Consulting Engineers' firm-wide flow monitoring division manager. He has 25 years of experience with flow monitoring, assessment, design, and cost analysis of sanitary and storm sewer facilities and collection systems, as well as development of inventory and condition assessment databases for collection systems.

Kevin has been involved in hundreds of flow monitoring projects throughout California, and has extensive knowledge and familiarity with performing flow monitoring to support sanitary sewer master plans. He has worked with both Tim and Ryan on more than 50 collection system planning and modeling projects over the last 15 years, including studies for the City of Oakland, the Napa Sanitation District, Central Contra Costa Sanitary District, West County Wastewater District, and Mt. View Sanitary District. Kevin was the project manager for Pinole's 2015 Flow Monitoring Program.

RELEVANT EXPERIENCE

- Project manager and/or QC manager for master plan flow monitoring for the California cities of:
 - » Morro Bay
 - » Riverside
 - » Lemoore

- » Porterville
- » Tulare
- Project manager for the City of Pinole Flow Monitoring and I/I Investigation project.
- Project manager for the Napa Sanitation District, CA, Flow Monitoring and I/I Mitigation Services.
- Project manager for Central Contra Costa Sanitary District, CA, Hydraulic Model Update.

PROJECT AND MANAGEMENT APPROACH

Carollo has rigorous procedures for project management. These have been developed and refined throughout our eight-decade history and contribute to our responsiveness to our clients' needs. Key elements of our management approach include:

- Frequent comparison of planned-versus-actual budget and schedule.
- Emphasis on communication with the client and within the project team.
- Well-defined quality assurance and quality control procedures.

These approaches are detailed in the following sections.

Developing, Tracking, and Maintaining a Realistic Budget and Schedule

Project Staffing Planning

Staffing is key to successful project management and an integral part of our quality management program. Our fundamental approach is to assemble the best-qualified team to match the project requirements. We then review the scope of the project and review staffing levels and budgets from similar projects to estimate labor requirements to complete a project.

A labor-hour estimate is made for each task in the scope of work. The estimate includes time for site visits and meetings, as well as actual engineering work for the project. We then use historical data, modified for project-specific requirements, to estimate the types of services and personnel classifications to complete each task.

We combine this staffing effort with our project planning, monitoring, and reporting procedures to verify that each project has adequate resources to meet the project schedule.

Establishing and Maintaining Schedules

Schedules are established by identifying project milestones and determining when each task must be completed to meet the milestone dates. The schedule is reviewed by the project's principal-in-charge (PIC) to determine staff requirements to complete the project on schedule. If a project is needed on a fast-track, more staff are assigned than for a project with a longer schedule. Our project manager and PIC work together to select additional resources to project when needed to meet the project schedule.

The project manager assesses the percent complete for the project on a monthly basis. The percent complete is estimated on a per task basis, in a defined manner, and is done independently of budget review. Budget status is not provided to the project manager until after the percent complete has been estimated.



The estimated percent complete is compared to the planned percent complete to determine if the project is on schedule. If the project is not on schedule, staffing adjustments or other corrective measures are implemented.

Monitoring Progress

To monitor project progress, the project labor-hour budget is fit to the project schedule to form an S-curve. The S-curve is a graphical illustration of the project plan, showing how the project will be completed on time and within the labor-hour budget.

Each month, the percent complete is plotted on the S-curve to compare actual project progress to planned progress. If the actual progress falls behind the planned progress, corrective measures are identified and implemented.

Monitoring Budgets

Each project manager has access to the labor hours charged to each job and can monitor project budget on a daily basis. Using the cumulative hours, percent of budget used is calculated and plotted on the project S-curve. The project manager can then assess the following:

- Are percent complete and percent budget expended close to the planned curve?

- Are percent complete and percent budget expended curves parallel, converging or diverging?
- Does the rate of progress match the budget expenditure rate?

Schedule and labor-hour budgets are established to provide sufficient resources to complete each aspect of a project. This is monitored monthly in relation to the progress of the project to allow early detection of potential budget or schedule problems.

Effective Communication

All communication on the project will go through Carollo's project manager, Tim Loper, in order to establish a single point of contact for the City. It will be Tim's duty to convey information to the team and to keep the City apprised of project progress. In addition, Tim will work with the City to establish required project meetings and their frequency.

Our most direct way to communicate with you will be through in-person meetings/workshops and bi-weekly conference calls/web meetings. Regular progress meetings will be scheduled. Tim will prepare an agenda and typically forward it one week in advance so that staff is made aware of the issues to be discussed and the people required to make the necessary decisions can be in attendance. Meeting notes are prepared for each meeting to document decisions made. Meeting notes will be distributed within three business days. Items documented in the meeting notes will include: attendees; meeting time, date, and location; record of discussion; project status; decisions made; action items; and outstanding issues.

We also anticipate meeting on a more frequent and informal basis with project team members as required to assist in the decision-making process. We schedule informal meetings through our project manager to maintain proper communication channels. These meetings can be in person or over the phone, whichever is more convenient for the City's project manager and staff.

Document Management

Carollo offers a project-specific management tool on the Internet. Updated daily by Carollo, this website allows your team members to keep track of the project's progress; review schedules, budgets, the latest technical findings, and decisions; and to post current information. In addition to being a useful tool for team communication and coordination, the website can access agendas, notes, draft and final reports, and other

project materials. Since it is password protected, it can have technical information, detailed project and budget status reports, and team coordination information.

The website can also be accessed by City staff who may need updates on the project, but are not involved on a day-to-day basis. We have developed similar web pages on other projects and have found them useful for improving coordination and communication among the client, subconsultants, other agencies, and Carollo. In addition, we could create a second layer on the page that can be accessed by the general public. This page is used to supplement public involvement activities and keep the public informed of the project status, time and location of public meetings, and opportunities for public input into the construction. However, a project website and communications with the general public is currently not included in our scope of work or fee estimate.

Quality Assurance and Quality Control

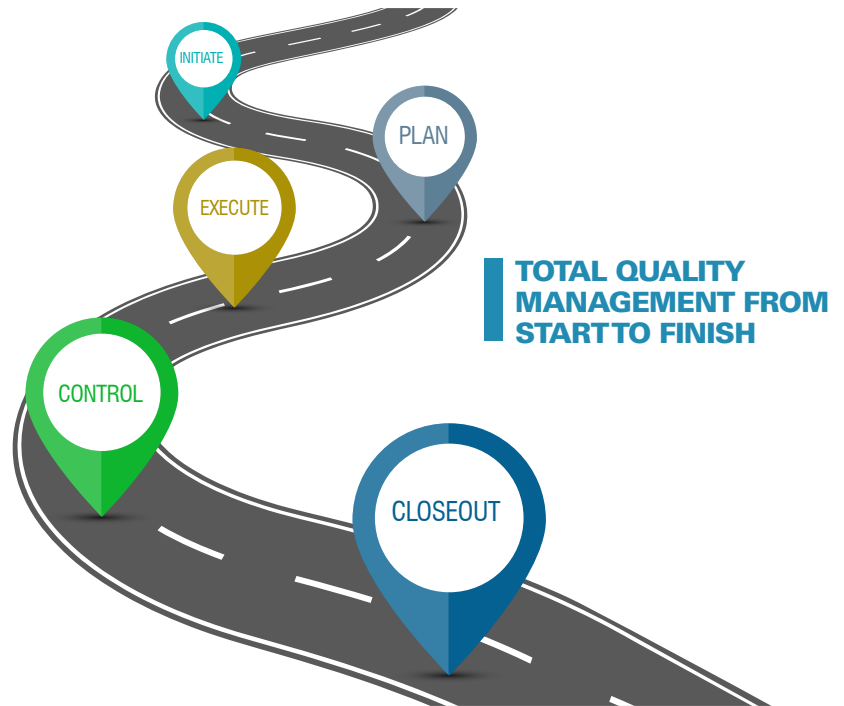
Carollo had developed defined Quality Control Procedures. Our management team will prepare a Project Checklist that lists various project steps. This checklist guides the project team to identify the necessary quality management steps. The checklist helps confirm that the project follows our quality management procedures. Special requirements that can impact the project are identified. This can include special permits and regulatory approvals that could affect schedule, teaming arrangements, and project delivery issues.

Carollo has developed a number of design aid manuals and other Quality Control Tools. These manuals are maintained both as hard copies and on our intranet. These documents are regularly used on our projects to provide a consistent approach to quality management.

Next, a work plan is established to sequence the work effort, outlines when work needs to occur within the project schedule, schedules meeting times, identifies topics of discussion at the meetings, highlights key decisions to be made, and tracks the status of the project deliverables. In addition, a Project Management Plan (PMP) documents the lines of communication, overall schedule, project scope and budget, staffing plan, and any special requirements.

Projects receive a series of reviews at various project points as part of the Quality Control Procedures. These include a peer review of all draft report chapters, the compiled draft report, and the final report.

One of the most important elements of a quality management program is to prevent repetition of project problems. Prevention requires specific programs to implement solutions. Carollo has identified practice leaders by project type and by discipline. The practice leaders have the responsibility to keep abreast of application of current technologies. The practice leaders are a resource to planning and design engineers to provide advice and prevent problems before they occur. Training is a large part of our continuous improvement program. Construction feedback is provided to the design team so that design engineers and CADD operators learn how their designs work in the field.



Our approach will focus on quality throughout all phases to deliver a project that is correct, on time, on budget, achieves the scope, and meets or exceeds your expectations.

3 Scope of Work

The following section includes the proposed scope of work. This scope can be updated to include any necessary modifications, clarifications, and/or scope item additions following contract negotiations with City staff.

Task A – Project Management and Quality Control

Task A.1 – Project Management Plan

Carollo will develop a Project Management Plan (PMP), or Project Plan, to be used to manage this project. The Project Plan will include the project schedule, project team contacts, work plan, scope, budget, and the Quality Management Plan.

Task A.2 – Kickoff Meeting

Carollo will conduct a kickoff meeting with City staff. The purpose of the kickoff meeting is to review the goals and objectives of the Master Plan, details of the work effort, and discuss how City staff would be involved in the project. It is envisioned that the kickoff meeting would involve both the public works staff, as well as targeted staff of other City divisions (e.g., GIS, planning) with Carollo acting as facilitator to help focus the discussion on the key issues and information needs for the Master Plan. The kickoff meeting will include the following:

- Confirm project objectives.
- Review list of needed data for completion of the study.
- Review previous work and studies.
- Document existing conditions and identify known system deficiencies.
- Define project roles and distribute project roster.
- Review schedule.

Task A.3 – Project Administration

Carollo's project manager will direct and coordinate the efforts of the project team members in order to deliver all of the components of the project.

Carollo will prepare monthly status reports and invoices, and will closely monitor project budget, labor hours expended, and schedule on a weekly basis throughout the project. The monthly status reports will describe the work completed during the previous month, anticipated work for the following month, current budget and schedule status, and any project issues requiring discussion or resolution.

Task A.4 – Progress Meetings and Bi-Weekly Phone Calls

Carollo will attend up to nine scheduled meetings or workshops with the City's project manager and other City staff as needed to discuss project progress and issues related to key project tasks. The first workshop will be a kickoff meeting (see Task A.2). Bi-Weekly conference calls will be conducted to maintain project pace and goals and to resolve and track issues. The nine scheduled meetings will be conducted in person, if possible. Should in-person meetings not be feasible due to the ongoing COVID-19 situation, some or all of the meetings can be performed remotely using WebEx, Microsoft Teams, or a similar platform.

Task A.5 – Project QA/QC Activities

Carollo will perform internal quality assurance and quality control on all project work products. Quality control will include careful checking of data, calculations, and model results, as well as review of proposed criteria, recommendations, and key deliverables by Carollo experts in the areas of sewer system planning, evaluation, and design.

Task A Deliverables:

- Project Management Plan.
- Monthly status reports.
- Monthly invoices.
- Meeting agendas and minutes.
- Meeting presentation materials.
- Summary e-mail of biweekly phone calls with list of action items.

Task B – Data Collection and Review

Carollo will submit a list to the City requesting available relevant reports and other data/information to be provided for use in this project. Carollo will develop a data collection table that will be discussed at the project kickoff meeting. Carollo will update the data collection table as items are received and will update the City on outstanding items.

Task B.1 – Review Historical Documents and Information

The objective of this task is to gain an understanding of the City's existing sewer system, facilities, their condition, and operation. Carollo will review historical documents and information provided by the City or acquired through public sources necessary to develop an understanding of the project. Carollo will also review appropriate flow information obtained from the City's permanent flow metering stations. Carollo will review and evaluate available sewer system maps and inventory data, operation and maintenance records, census data, CCTV data as needed, and other relevant sewer system information.

Task B.2 – Interview Staff and Tour System

Carollo will interview staff and conduct a field tour of the system with City staff to gain information about the system. The purpose of this field tour will be to obtain additional information that may not be contained in the data and documents collected, and to identify known or suspected problem areas in the City's sewer system and areas of potential new development or redevelopment.

Task B Deliverables

- Data collection table.
- Key findings, listings, and descriptions of available information.
- Summaries of information obtained from staff interviews and field tour.

Task C – Existing and Future Wastewater Flow Analysis**Task C.1 – Land Use and Population Analysis**

Carollo will review all relevant City planning documents (e.g., general plan, specific plans, etc.). The purpose of the review will be to develop an understanding of the land use acreage and population associated with existing developed lands and future growth areas within the City's planning area. Land use densities will be reviewed as a first step towards developing wastewater flow projections. Carollo will coordinate with the City's planning department to obtain data and information related to planned commercial and industrial growth.

This planning effort will need to use the latest version of the City's land use as a foundation for the wastewater flow projections. If the City has multiple land use alternatives, Carollo will need to use the alternatives to develop a range of demand projections based on the variations of the land use plans.

Task C.2 – Historical Flow Data Analysis

Carollo will evaluate the available flow data from the City's permanent flow meters, influent flow data at the WWTP to develop estimates over the past five years of the City's average dry weather flow (ADWF), peak dry weather flow (PDWF), and peak wet weather flow (PWWF). This evaluation will form the basis of the existing system evaluation scenarios.

As part of this task, Carollo will also review and evaluate historical flow monitoring data from the City's 2015 Sewer Flow Monitoring and Inflow/Infiltration Study, prepared by V&A Consulting Engineers (V&A).

Carollo will develop land use-based wastewater flow factors, which provide a means to transform land use areas to an ADWF. These will be consistent with the historic flow data records analysis and will be used to project flows from future growth areas.

Task C.3 – Wastewater Flow Projections

Based on the findings of Task C.2, as well as the proposed land use information compiled as part of Task C.1, Carollo will develop ADWF, PDWF, and PWWF projections for the City's service area. The flow projections developed as part of this task will be discussed with City staff during a project meeting.

Task C.4 – Wastewater Flow Allocation

As part of this task, Carollo will develop wastewater sewersheds, which will be used to allocate ADWFs to specific nodes (i.e., manholes) within the collection system model. This sewer shed areas will be developed on a parcel level. Existing wastewater flows will be allocated into the model based on winter water consumption, geocoded to specific parcels, and a reasonable return-to-sewer ratio, which will be refined during hydraulic model calibration (See Task D.2). If monthly billing data, by customer, is not available, existing wastewater flows will be allocated based on land use using the wastewater flow factors developed as part of Task C.2. Future wastewater flows will be allocated using the land use plan and wastewater flow factors determined in Task C.2.

Task C.5 – Inflow and Infiltration Allocation

I/I parameters will be developed as part of the model calibration process (See Task D.2) and allocated to specific nodes in the model based on the sewer shed areas developed as part of Task C.4. The I/I parameters developed as part of the model calibration process will be used in conjunction with an agreed upon design storm event (e.g., 10-year, 24-hour event), which will be routed through the hydraulic model to develop PWWF estimates for existing and future flow conditions. Future I/I flows will be input into the hydraulic model based on a reasonable peak I/I flow rate analysis.

Task C.6 – Technical Memoranda

As part of this task, Carollo will prepare two technical memoranda (TMs). The first TM (TM -1) will document the proposed methodology for developing existing and future ADWF and I/I assumptions. The TM will be reviewed and discussed with City staff during a project meeting or during a bi-weekly conference call. The second TM (TM-2) will document the findings of the existing and future wastewater flow projections. This TM will be discussed with the City during a project meeting.

Task C.7 – Temporary Flow Monitoring Program (Optional Task)

The City's 2015 flow monitoring study provides an extensive amount of useful data. However, the program was conducted during the final year of the prolonged drought in California and did not capture data from any particularly intense storms during the drought year. It is possible that during an average to above average rainfall season, the relative I/I response could be higher due to higher antecedent moisture conditions. Furthermore,

dry weather flows in the system could vary somewhat from the values measured in 2015 due to conservation by the City's customers. For this reason, as an optional task, Carollo will work with the City to supplement the 2015 flow monitoring effort. The monitoring program will consist of the installation of eight flow meters for a period of one month. Flow monitoring will be conducted by V&A as a subconsultant to Carollo.

Task C Deliverables

- TM-1: Wastewater Flow Projection Methodology.
- TM-2: Existing and Projected Wastewater Flows.
- Flow Monitoring Report, and Data (Optional Task).

Task D – Hydraulic Analysis

Task D.1 – Establish Planning and Evaluation Criteria

Based on a review of the relevant planning documents preformed as part of Task B, and industry standards, Carollo will develop the planning and evaluation criteria that will form the basis of the evaluation of the existing and future wastewater collection system. These criteria will also be used to size improvement projects.

Criteria that will be developed/confirmed as part of this task include:

- Maximum depth of flow (d/D) criteria for PDWF and PWWF conditions for existing sewers and proposed projects.
- Pipe roughness coefficients.
- Minimum pipe slopes for new sewer trunks.
- Minimum pipeline velocity.
- Lift station sizing criteria.
- Peaking factors.
- Wastewater flow generation factors.

Establishing the d/D criteria is a critical component of the planning process. Carollo will develop three d/D analysis criteria scenarios for PWWF conditions that show the impacts and risk, as well as the potential effects on the CIP costs for each of the scenarios.

The established planning criteria will be summarized into a reference sheet and presented to City staff in one of the project meetings. Comments from City staff regarding the established criteria will be discussed and incorporated into the system evaluation and documented in the Draft Master Plan.

Task D.2 – Hydraulic Model Development and Calibration

As part of this task, Carollo will provide a calibrated and functional hydraulic model. The model will provide a reasonably accurate simulation of hydraulics of the City's system, be compatible with existing and future GIS data, easy to use, and allow for easy evaluation of potential impacts of redevelopment. Carollo will work with City staff to build a model that addresses the City's current and future modeling needs.

Carollo will utilize the City's permanent flow monitoring data, as well as historical flow monitoring data, and any other relevant information, for use in model calibration. Dry weather flow calibration will be conducted to ensure that the City's model accurately simulates flows, levels, and velocities measured by the available flow monitoring data for dry weather flow conditions.

Wet weather flow calibration will be conducted based on flow monitoring data collected during significant rainfall events. I/I parameters within the model will be adjusted until the modeled flows closely match field measured data. In addition, the model will be checked to ensure that the model accurately simulates levels and velocities during wet weather flow conditions.

Task D.3 - Determine System Capacity and Evaluate System Capacity

Carollo will perform a capacity analysis of the City's collection system using the calibrated hydraulic model. Carollo will work with the City to define the evaluation criteria used to conduct the analysis. Criteria will include allowable depth of flow to pipeline diameter (d/D), design storm use for wet weather evaluation, lift station firm capacity, allowable forcemain velocity, and others.

The capacity analysis will determine existing capacity related system deficiencies for the collection system pipelines as well as the lift station pumping capacity. Carollo will also conduct analysis of future system performance based on flow projections and planned growth.

Task D.4 – Document Hydraulic Deficiencies

Carollo will document the findings of Task D.3 in a TM (TM-3). This TM will include maps, tables, and other relevant information to provide the reader with a clear and comprehensive understanding of the deficiencies identified as part of the hydraulic analysis.

Task D.5 – Recommend Capacity Mitigation Projects

As part of this task, Carollo will develop recommended capacity related mitigation projects. The findings of the capacity analysis will be presented at a workshop with City staff, and will be documented in a TM (TM-4). The proposed mitigation projects will be developed in consultation with City staff, and could include capacity upgrades, I/I investigation/reduction, peak flow storage, or other measures as appropriate.

Task D.6 – Hydraulic Model Software Purchase and City Staff Training (Optional Task)

This optional task includes one license of the selected hydraulic modeling software, as well as one year of annual maintenance fees. It also includes a two day model training session, which will be performed by Carollo's hydraulic modeling lead. The training session will be conducted in-person at the City's office, if possible. Should an in-person meeting not be feasible due to the ongoing COVID-19 situation, the training session can be performed remotely using WebEx, Microsoft Teams, or a similar platform.

Task D Deliverables

- TM-3: Hydraulic Analysis.
- TM-4: Recommended Capacity Mitigation Measures.
- Hydraulic modeling software installed and tested (Optional).
- Hydraulic Model Software Training Materials (Optional).

Task E – Pipeline Risk Assessment (Condition Assessment)

Task E.1 – Perform System Inventory

Carollo will develop and execute an approach for preparing a system inventory. This approach should discuss compatibility with GIS. The system inventory will include aggregating the asset characteristics such as age, material, basin, CCTV score, inspection dates and other attributes that will feed into a risk model and GIS or CMMS database.

Task E.2 – Establish Planning Criteria (Likelihood of Failure and Consequence of Failure)

Carollo will work with the City to develop a standard protocol for the qualitative scoring of pipeline assets based on a set of criteria determined through a

collaborative process. The criteria will include likelihood of failure (LOF), consequence of failure (COF), remaining useful life (RUL), and others. Carollo will work with the City of define quantitative parameters for the planning criteria in terms of condition scoring and ultimately risk.

Task E.3 – Collect Field Data

Carollo will develop a data collection plan that will highlight condition and maintenance related data needed to conduct the condition and risk evaluation. Carollo will develop a plan to conduct additional CCTV inspection work (if needed), and will work with CCTV contractors or City staff on the development of scope of work. It should be noted that CCTV inspections will be conducted outside the scope of this project as we understand it at this time.

Task E.4 – Evaluate Condition of Assets

Based on the collected data, criteria development and maintenance staff feedback, Carollo will qualitatively score the City's pipeline assets. The scoring will be for LOF, COF and in coordination with the capacity analysis, will evaluate each pipeline based on risk.

Task E.5 – Identify Performance Deficiencies

Using the findings from Task E.4, the pipeline deficiencies will be identified.

Task E.6 – Recommend Mitigation

Carollo will develop a mitigation plan in coordination with the capacity analysis and system evaluation. The mitigation plan will be based on the most effective approach to R&R in coordination with capacity improvements and the overall systemwide I/I and capacity mitigation approach.

Task E.7 – CCTV Inspection (Optional Task)

Carollo will retain a contractor to provide CCTV inspection services with a contract limit of up to \$40,000. Typical CCTV inspection fees are approximately \$4/linear foot. Carollo will work with the contractor on priority inspection areas and provide a summary of the findings. CCTV inspections will be performed using NASSCO PACP formats and standards.

Task E Deliverables

- TM-5: Condition Assessment Findings and Recommendations.
- CCTV Inspection data in NASSCO formats (Digital Data, and Scoring Summaries) (Optional Task).

Task F – Prepare Capital Improvement Program

Task F.1 – Validate Existing Capital Improvement Program

As part of this task, Carollo will validate any projects in the existing CIP currently funded or in design against the findings of Task D and E. Carollo will also note any projects that are no longer valid, as well as any projects that would benefit from modification. The rationale for the validation, modification or rejection of each existing capital project will be provided.

Task F.2 – Summarize Capital Improvement Projects

Carollo will summarize all identified recommended projects, and will indicate whether the projects are needed (1) to address existing capacity and performance issues, or (2) to support growth. Carollo will create a prioritized list of recommended improvements through 2040 with a detailed focus on near-term critical projects through 2025.

Task F.3 – Establish Prioritization Criteria

As part of this task, Carollo will establish criteria for determining the prioritization of the identified projects. The criteria will account for probability of failure based on condition of facility, potential I/I reduction, cost of facility failure, and other factors as relevant. The prioritization criteria will be based on criticality of project(s).

Task F.4 – Develop Unit Cost Assumptions

As part of this task, Carollo will develop planning-level unit cost assumptions for the most common types of identified projects. The assumptions will be compared to recent bid tabulations in the City or neighboring agencies, if possible.

Task F.5 - Recommend a Replacement and Rehabilitation Methodology for Recommended Improvements

As part of this task, Carollo will review relevant and available data associated with each given improvement to determine the appropriate means of improvement, including replacement or rehabilitation (and the most appropriate type of rehabilitation). The methodology will consider material, condition, and age of facility.

Task F.6 – Develop Capital Improvement Plan

Carollo will develop a CIP that includes capacity and condition-related improvements required to provide adequate sewer system service to existing and future City customers. CIP costs will also include capacity-related and condition projects for the City's lift stations and gravity collection system. The CIP will be developed in accordance with the requirements for City budgeting. The findings of the CIP will be documented in a TM (TM-6).

Carollo will also develop a dynamic CIP planning tool, which can be developed in ArcGIS or a similar online dashboard. This CIP tool will be used to summarize the recommended CIP projects in costs in a way that is easily accessible for City staff and project stakeholders.

Task F Deliverables

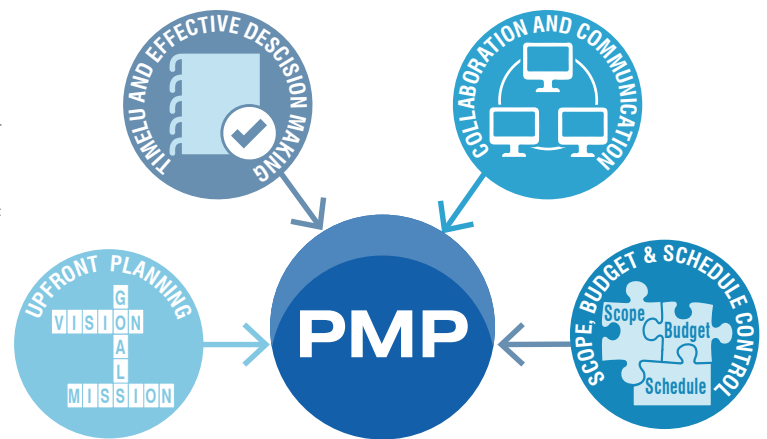
- TM-6: Capital Improvement Plan.
- Dynamic CIP Planning Tool.

Task G – Sanitary Sewer System Master Plan Report

As part of this task, Carollo will prepare the Sanitary Sewer System Master Plan Report, which will be a compilation of the TMs and appendices presented above into one complete document adding an executive summary and other sections as needed. The TMs will be written so they easily become chapters in the final report. Carollo will furnish the City with an electronic source file of the final Master Plan and will deliver five printed and bound copies.

Task G Deliverables

- Sanitary Sewer System Master Plan Report (five hard copies + one electronic).



COST CONTROL AND BUDGETING METHODOLOGY

Carollo's project management plan (PMP) communicates and consists of four key elements. These elements assist with cost control and schedule control for each project. The elements include:

1. **Upfront planning.** At the beginning of all projects, Carollo develops a comprehensive plan to guide the work, a practice we will also apply to the conceptual, preliminary, and design development phases of this project. We tailor the PMP using a detailed work plan that corresponds to the scope of work. Our proposed scope of work, initial project work plan, and schedule are presented in this proposal.
2. **Timely and effective decision making.** City staff and Carollo must make decisions efficiently and effectively to stay on schedule and meet the designated budget for each project. This project involves continuous interaction between Carollo and City staff and requires punctual response to requests and feedback. Our job is to provide the City with the information needed so that timely decisions can be made. The effectiveness of the decision process is based on answers to the following fundamental questions:
 - » What decision has to be made?
 - » When does the decision have to be made?
 - » Who are the decision makers?
 - » What information is needed to make the decision?
 - » How will that information be formatted to allow for a comprehensive understanding of the decision?
 - » What are the decision's cost and schedule?

3. **Collaboration and communication.** One of the most critical considerations is to identify who will be involved in the project and how much time they will contribute. As previously mentioned, our work plan and schedule rely heavily on the decisions made during conference calls and meetings with City staff, so participation and attendance of those involved with the project is crucial. To provide the participants with adequate time to review and provide important feedback and to keep the project on schedule, conference calls and meetings will be scheduled well in advance.

Because the nature of each project is dependent on the City's needs, City staff as well as other stakeholders with relevance to the selected task will be invited accordingly to the conference call or meeting.

4. **Scope, budget, and schedule control.** Our project manager, Tim Loper, is responsible for and accountable to the City to effectively manage our team's scope, budget, and schedule for each project assigned. He will submit monthly Project Management Reports, which update the status of the scope, budget, and schedule. Tim and your assigned project manager will also communicate regularly to update project statuses and discuss any issues/concerns.

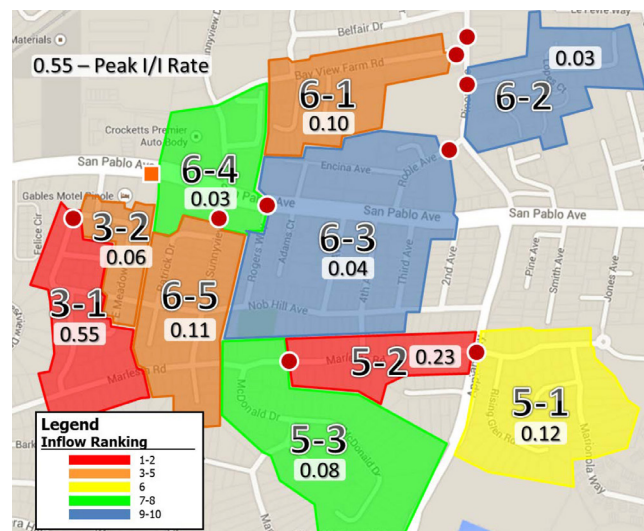
4 Project Approach

Carollo's approach to the City's Sewer System Master Plan Update focuses on maximizing existing data, building a comprehensive risk profile, and developing a prioritized capital plan that provides the best utilization of capital funds.

The City of Pinole is looking to contract with an engineering consulting firm to help update its Sewer System Master Plan (SSMP). The City last completed a SSMP in 2008. The findings and recommendations from that study focused on increased inspection of collection system condition, focused and programmatic flow monitoring, and I/I investigation. The 2008 SSMP determined that the City's system is subject to significant increases in flow during wet weather that indicate direct inflow connections.

Since the completion of the 2008 Master Plan, the City contracted with V&A to conduct a flow monitoring and I/I study to identify and isolate the areas of the system that contribute to the inflow response. V&A completed the flow monitoring study after the 2014/2015 wet weather season. The flow monitoring work identified several areas of the system that contribute high rates of I/I. Those areas with significant I/I included Basins 3, 5, and 6. The City currently is spending \$350,000 per year for sewer rehabilitation projects, specifically targeting Basins 3.1, 5.2, and 6.5 in the 2019 to 2021 budget years.

The City also invested in CCTV inspection equipment and implemented an inspection program. City crews have inspected portions of the system and have continued to conduct inspections since 2008. Updating the SSMP will require developing a comprehensive evaluation of the peak wastewater flows, the system's ability to convey those peak flows, and an evaluation of the system's condition based on existing data. The crux will be to correlate the capacity deficiencies and the condition findings in relation to potential impacts of I/I mitigation, and aggregate the data and findings into a comprehensive risk assessment that will feed the prioritization of capital projects.



V&A's 2015 flow monitoring study identified the City's areas with the highest I/I rates. Combined with the existing CCTV inspection data, Carollo can develop a prioritized capital program that targets the areas of system improvement that will offer the biggest benefit.

Successfully updating the SSMP, and accomplishing the tasks summarized above will require meeting several challenges.

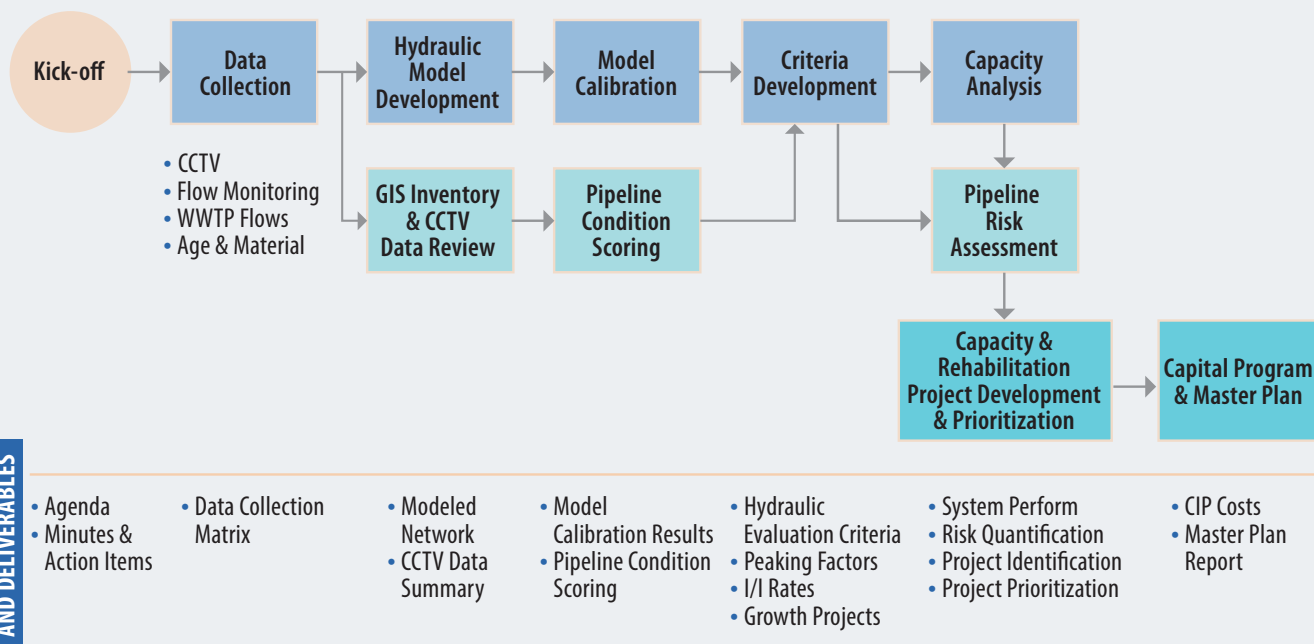
KEY PROJECT CHALLENGES

1. Implementing a comprehensive work flow that avoids delays and re-work.
2. Developing robust and defensible evaluation and planning tools.
3. Establishing evaluation, phasing, and prioritization criteria that will help set a clear picture of sewer system level of service expectations.
4. Aggregate findings and recommendations into a format that is easy to communicate with stakeholders and the public.

A Comprehensive Work Plan Collaborates Work Efforts and Avoids Re-Work

Meeting the challenges identified above requires a thoughtful work process that coordinates work efforts, and aligns analysis and evaluations to eliminate re-work and develop a risk-based approach to project identification and prioritization.

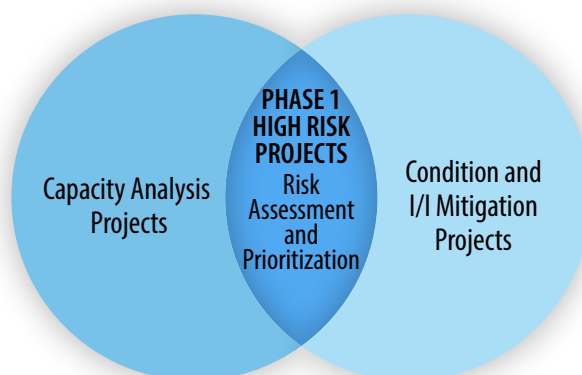
PROJECT WORK FLOW



Carollo's work flow was developed to focus on efficiency. By working to develop the model and evaluate the system condition, we can move the project forward efficiently to a point where overall capacity and condition risk can be assessed at the same time to avoid re-work and develop a comprehensive understanding of capital project recommendations and benefits.

Building Robust Hydraulic and Risk Assessment Models Provides the Foundation for Justifiable Capital Project Costs and Recommendations

With any planning project, models provide the insight required for decision making. Collection system planning is a combination of hydraulic and condition-related analysis, and the collaboration between the two elements drives the prioritization of capital projects. For Pinole, I/I mitigation through strategic rehabilitation planning, along with capacity projects, will need to be merged into a capital plan that ultimately reduces risk.



Carollo's approach is to develop two models with which to identify risk. Hydraulic capacity analysis combined with condition based risk analysis targeted at I/I mitigation will provide focused Phase 1 project prioritization that will reduce the City's highest risk elements.

A Robust Collection System Calibration Plan Provides Confidence in Recommendations

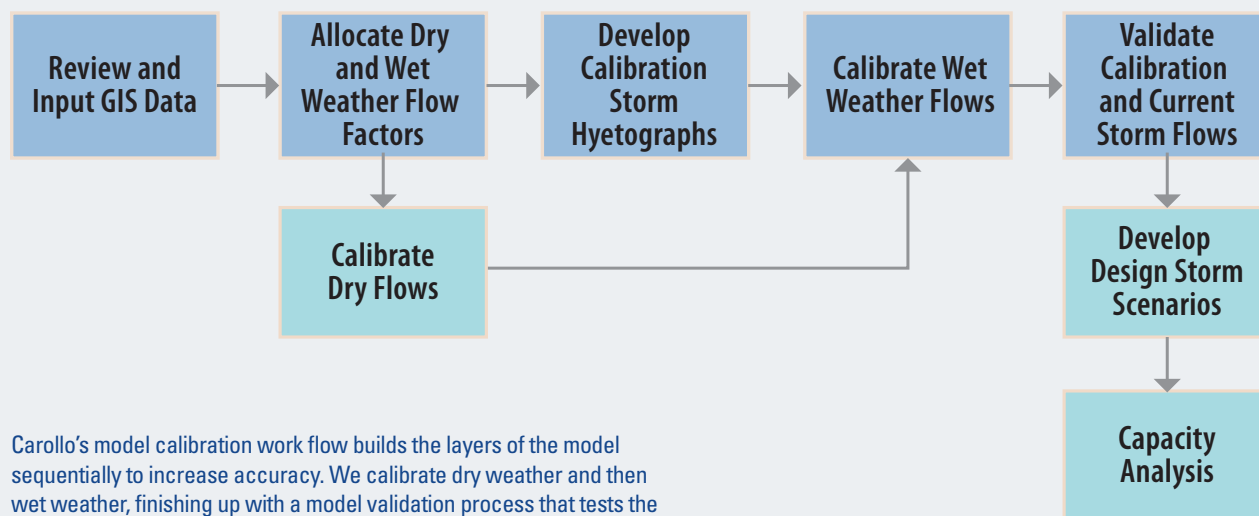
The single most important element of the hydraulic model development is calibration. Calibration is dependent on a comprehensive flow monitoring program. The City conducted a rigorous flow monitoring program in 2014/2015 that captured the limited number of storm events during those drought periods. This data can be sufficient for model calibration; however, Carollo has provided an optional flow monitoring task to collect additional data should it be needed.

The model development process includes a number of steps that build upon each other. Starting with GIS data review and import, then dry weather flow allocation, and wet weather flow parameter development based on historical flow monitoring data. We calibrate to wet weather flows and then build upon that with calibration of wet weather flows using a series of historical storm events from the 2015 flow monitoring program. The final step is validation to more recent storm events to test the accuracy of the model.



V&A's 2015 Flow Monitoring Study collected data at 16 locations throughout the City's system. Carollo has a close relationship with V&A, collaborating on over 50 projects in the last 20 years. That relationship benefits the City through integrated data formats, and effects contracting processes, should an additional flow monitoring period be required.

MODEL DEVELOPMENT & CALIBRATION WORK FLOW

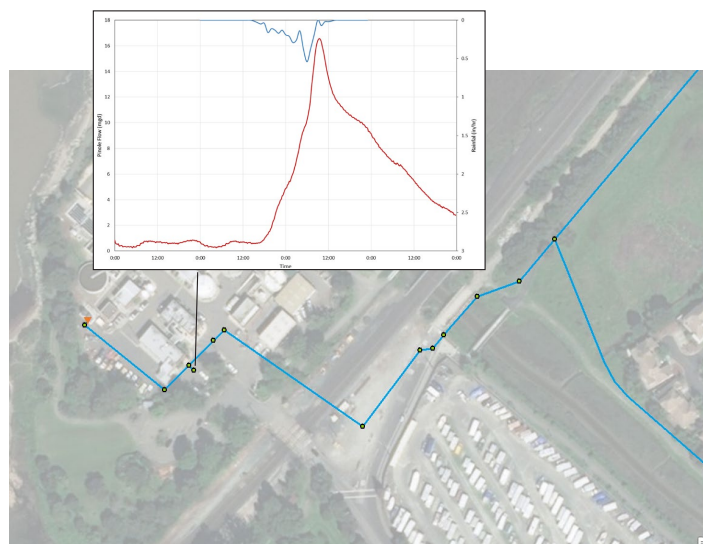


Carollo's model calibration work flow builds the layers of the model sequentially to increase accuracy. We calibrate dry weather and then wet weather, finishing up with a model validation process that tests the accuracy of the calibration to more recent storm events.

Carollo also has a good understanding of the City's peak flows from our work on the Sycamore Sewer Design project for the City of Hercules. Carollo developed peak wet weather flow hydrographs used in the modeling for the design of the sewer system.

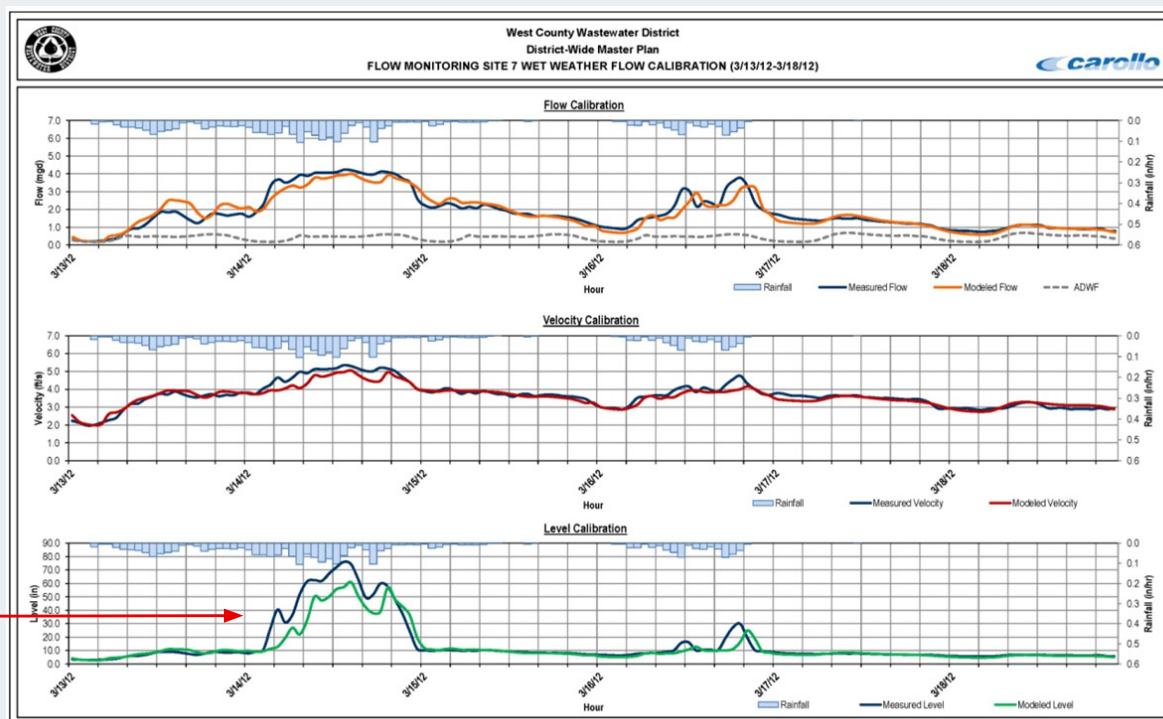
Flow, Level, and Velocity Calibration are Paramount to Capacity Analysis and Provide Confidence in Improvement Sizing

Carollo's approach to model calibration builds on our calibration workflow by using industry leading flow, level, and velocity calibration at all the flow monitoring sites. Industry standard is to only calibrate collection system models to flow. However, we know that flow numbers can match but levels can be off, which could result in missed deficiencies, or inaccurate improvement sizing. Carollo takes the extra step to calibrate to hydraulic grade (level) to provide the best simulation to existing system flows, and build confidence in the modeling recommendations.



Carollo developed City of Pinole peak flow hydrographs for the modeling portions of the Sycamore Sewer Design project for the City of Hercules. Our understanding of peak flows influent to the City's treatment plant provides a model validation point to test model calibration against current flows.

Surcharge Event
Captured During
Level Calibration



Level calibration was critical for analysis of West County Wastewater District's system. Without matching flow levels on the downstream end of the system, the analysis would have neglected the significant surcharge event that ended up being the driver for many of the system improvements. Because level is the determining factor in the identification of deficiencies and improvement sizing, it is paramount to get it right during model calibration.

A Risk-Based Condition Assessment Approach Uses Likelihood and Consequence of Failure to Target Rehabilitation Priorities

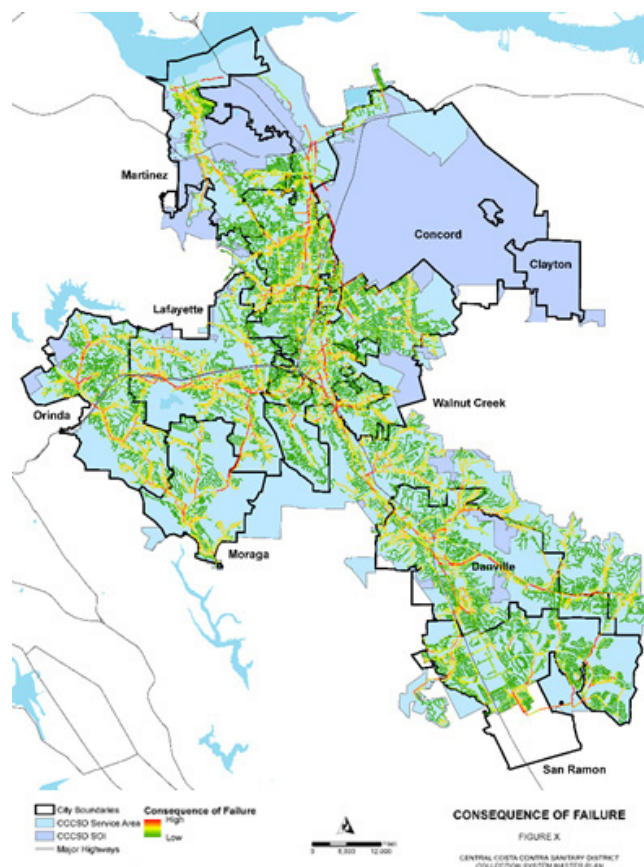
Along with the capacity model, Carollo will develop a risk model that uses existing data such as age, material type, peak I/I rates by system area, and capacity constraints to develop key risk factors such as likelihood of failure and consequence of failure to develop a prioritized rehabilitation list. Used in conjunction with the capacity analysis, pipeline condition risk helps target critical areas of the system to mitigate overflow potential and make the most out of the City's rehabilitation spending.

Analysis Criteria Developed through Sensitivity Analysis Provides a Comprehensive, Cost-Based Understanding of Evaluation Criteria Triggers

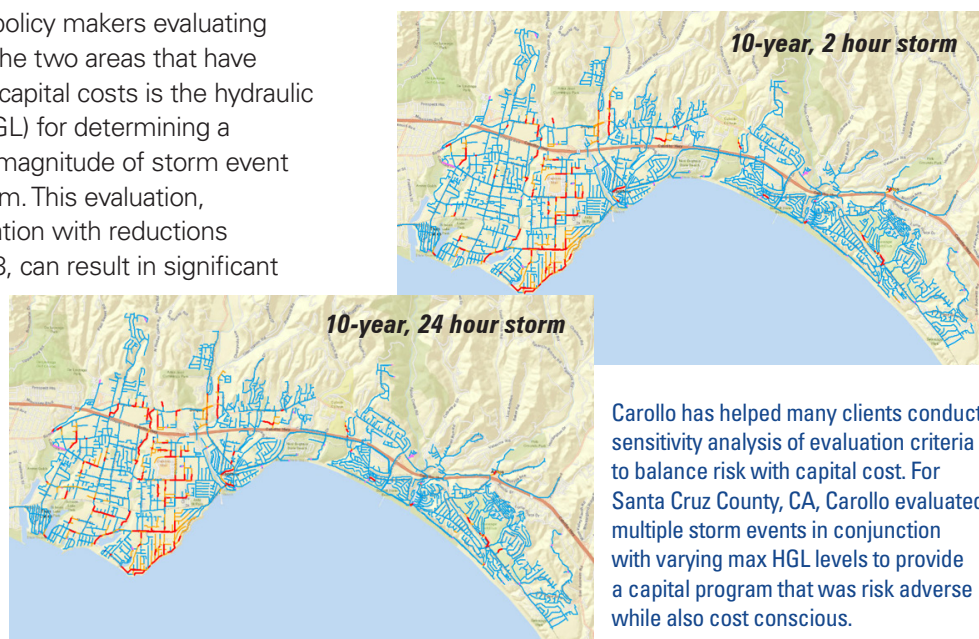
One of the challenging elements of master planning is the establishment of evaluation criteria, standard engineering policies, and other factors that are used to evaluate the system and determine capital projects. Criteria elements such as Design Storm, Max HGL, flow factors, and growth rates all have an impact on the final value of the capital program developed as part of the master plan. Our approach is to conduct a sensitivity analysis on specific criteria to focus on the elements that have the biggest impact on the overall CIP.

Design Storm and Max HGL Sensitivity Analysis Provides a Realistic Look at How These Major Criteria Drive Capital Costs

As engineering planners or policy makers evaluating collection system capacity, the two areas that have the greatest impact on final capital costs is the hydraulic grade trigger points (max HGL) for determining a capacity deficiency and the magnitude of storm event that is used as a design storm. This evaluation, when conducted in combination with reductions in per capita flow since 2008, can result in significant changes in the number of capacity deficiencies and annual capital costs. The objective is balancing risk with policy decisions that may be political, along with capital costs savings, and rate payer impacts to develop a capital program that is implementable.



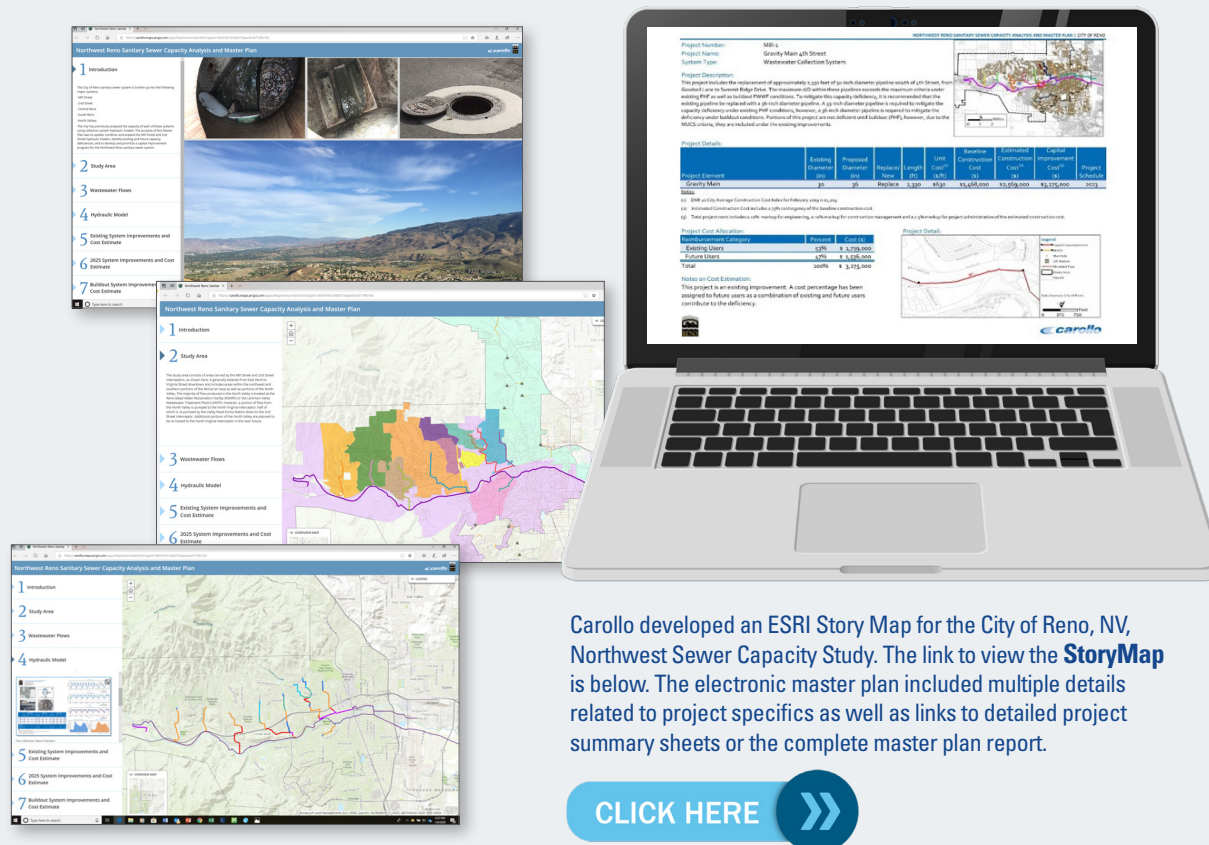
Carollo developed a pipeline risk profile for Central Contra Costa Sanitary District that helped target the highest risk sections of the District's system for rehabilitation. Combined with capacity results, this approach helps target the areas of the system where improvements provide the biggest system improvement benefits.



Carollo has helped many clients conduct sensitivity analysis of evaluation criteria to balance risk with capital cost. For Santa Cruz County, CA, Carollo evaluated multiple storm events in conjunction with varying max HGL levels to provide a capital program that was risk adverse while also cost conscious.

Digital Master Plans Allow for a Sustainable Communication Platform for Delivery, Communication, and Implementation of Capital Projects

It has been said that master plans are out of date the moment they are printed. With that thought in mind, Carollo has been developing digital deliverable platforms over the last 10 years to provide master plans that can be used for communicating results without printing 900 page documents. Recently, Esri's StoryMaps, Esri's Web AppBuilder, and Digital Dashboards have become the web-based delivery method of choice. Carollo will create web-based deliverables that can be used as a means to communicate with stakeholders and the public.



Carollo developed an ESRI Story Map for the City of Reno, NV, Northwest Sewer Capacity Study. The link to view the **StoryMap** is below. The electronic master plan included multiple details related to project specifics as well as links to detailed project summary sheets or the complete master plan report.

CLICK HERE



5 Project Schedule

Carollo has developed a project schedule based on our understanding of the proposed scope of services.

The schedule, shown on the next page, was prepared based on our extensive experience with similar projects to provide the City with a robust planning document with defensible CIP recommendations.

We would be happy to discuss opportunities to condense the schedule with you during contract negotiations as needed.

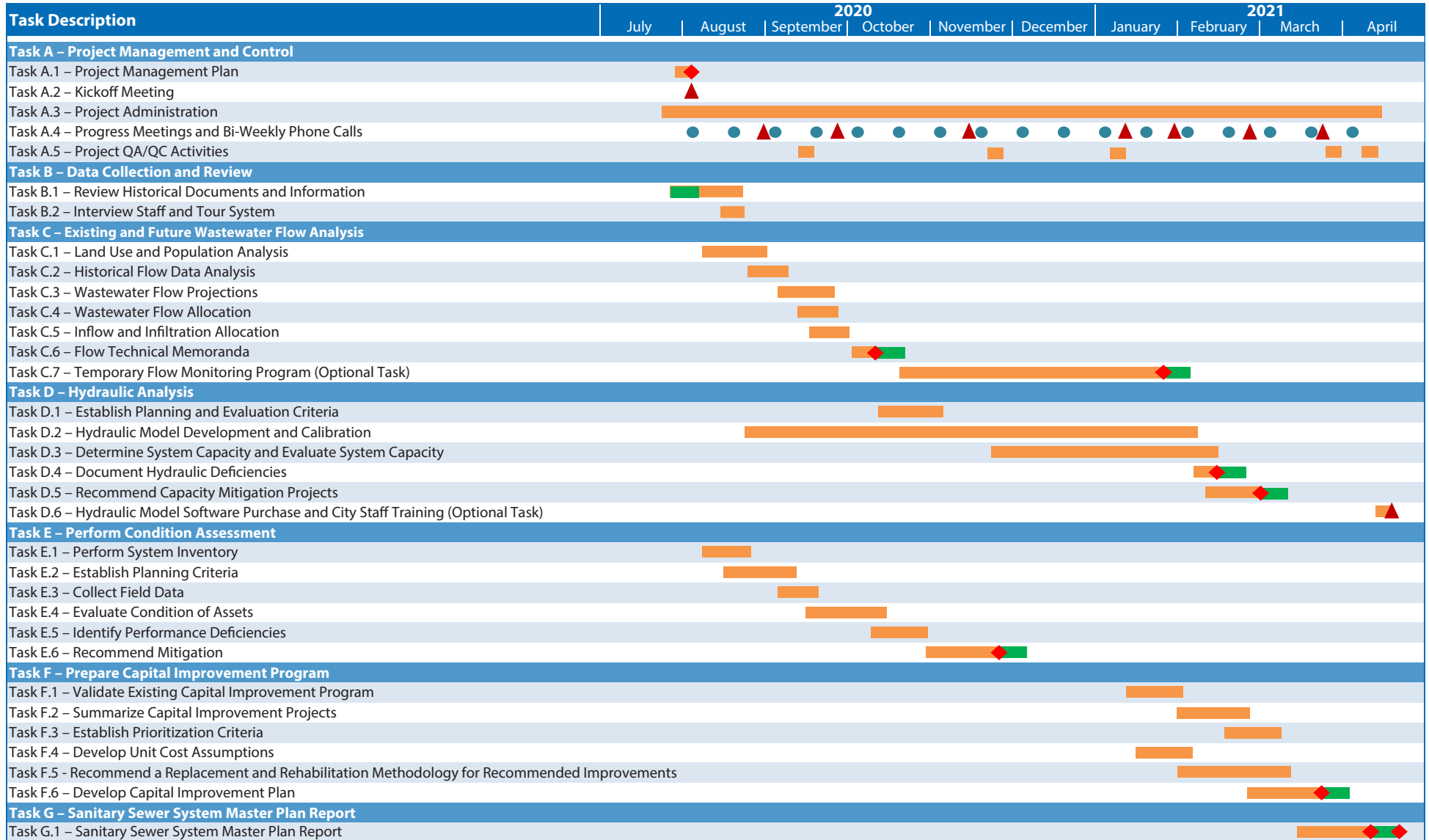
**CAROLLO WILL BE ABLE TO
COMPLETE THE WORK WITHIN
THE CITY'S SCHEDULE.**



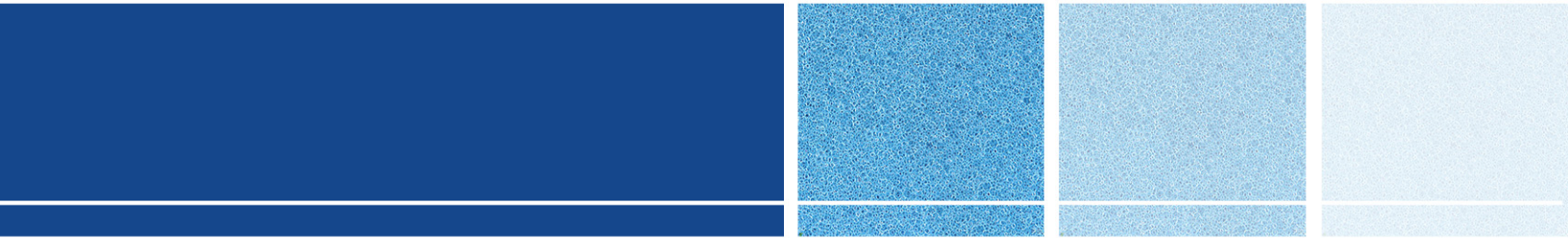
SCHEDULE

SANITARY SEWER MASTER PLAN UPDATE

City of Pinole



■ Carollo Task
 ■ City Review Task
 ◆ Deliverable
 ▲ Meeting
 ● Bi-Weekly Call



APPENDIX





Years with Firm

17 Years

Education

MS Environmental Engineering, University of California, Berkeley, 2005

BS Civil Engineering, California State University, Fresno, 2003

Licenses

Civil Engineer, California, Nevada

Professional Affiliations

Nevada Water Environment Association

American Water Works Association

Timothy J. Loper, P.E.

Timothy Loper has experience in wastewater collection system modeling, water distribution system modeling, water system feasibility studies, wastewater treatment facilities planning, and infrastructure master planning.

Relevant Experience

→ Project engineer for the City of Modesto, California, Wastewater Collection System and Treatment Master Plan Update. Responsible for construction of the wastewater collection system hydraulic computer model using the City's existing plat maps and GIS database. Also responsible for collection system analysis to determine appropriate flow monitoring locations and sewer basin determination and assistance with the collection system condition assessment. Performed GIS data verification and updated existing databases to reflect current conditions. These responsibilities required the application of GIS and hydraulic modeling software.

→ Collection system project manager for the West County Wastewater District, California, GIS Development and Hydraulic Model Conversion. The District contracted with Carollo Engineers to develop its wastewater collection system GIS database. Tasks included digitizing the District's entire collection system, developing the software and hardware requirements, and converting the District's existing Hydra model to Info SWMM. Additionally, Carollo helped the District upgrade its CMMS software from Hansen version 7 to Hansen version 8 and integrate the GIS and CMMS databases.

→ Collection system project manager for the Mountain View Sanitary District, California, Sanitary Sewer Flow Monitoring and Hydraulic Modeling project. The collection system consists of approximately 110 miles of gravity sewer, and four pump stations that can be divided into three major service areas; the Western, Central, and Eastern service areas.

→ Project manager for the City of Cotati, California, Wastewater Collection and Water Distribution System Master Plans and GIS Implementation. The City of Cotati contracted with Carollo to develop water distribution system and sewer collection system master plans and its 2010 Urban

Water Management Plan, as well as plan and implement the City's first GIS system. Responsible for day-to-day project management and client contacts. Also served as project engineer for the Sewer System Master Plan. Carollo constructed hydraulic models of both the water and sewer systems and developed a flow monitoring report from data collected from another consultant. Developed evaluation criteria, assessed existing system deficiencies, and developed plans for future projects.

→ Project manager for the City of Chico, California, Sanitary Sewer Master Plan Update. Responsible for conversion and update of the City's previous HYRDA collection system model to the InfoSWMM hydraulic modeling software application. Current average and peak wet weather flows were developed based on the City's historical flow data, as well as the results of the temporary flow monitoring projects. Build out average and peak flows were projected for future land use areas, as identified in the City's General Plan Update. The project was calibrated to dry and wet weather flow conditions, and the collection system was analyzed under current and build out peak flow conditions. Several pipeline improvement routing options were considered and analyzed based on costs and other non-cost factors, and the preferred improvement alternatives were included in the master plan report.

→ Project manager for the City of Oakland, California, Administrative Order Assistance. Carollo is assisting the City with meeting the requirements of the U.S. Environmental Protection Agency's administrative order to eliminate the City's contribution to discharges of untreated wastewater from the East Bay Municipality Utility District's (EBMUD) wet weather facilities. The project included construction and calibration of the City's first-ever collection system model. The project utilized data from 140 flow meters

Timothy J. Loper, P.E.

and data from two years of wet weather flow monitoring. The modeling effort also utilized gauge adjusted radar rainfall data to accurately simulate the infiltration/inflow response during the calibration effort. The hydraulic model incorporated the EBMUD interceptor model and the hydraulic model developed for the Port of Oakland to develop a citywide hydraulic model of the entire collection system. Carollo also developed an asset management implementation plan and a sewer pipe inspection and cleaning program.

→ Collection system project manager for the Central Contra Costa Sanitary District, California, Comprehensive Wastewater Master Plan. The project included conducting a pump station condition assessment, developing a force main inspection program, and a large-diameter condition and rehabilitation plan. The project also included creation of a collection system Asset Management Plan. The master plan focused on the pump stations, force mains, and collection system assets and summarized the District's assets in detail.

→ Project manager for the City of Fresno, California, Wastewater Collection System Master Plan. The project identified capacity constraints within the existing collection system and provided recommendations for infrastructure improvements necessary to accommodate densification and future growth, including future industrial growth. The MP included an update of the City's sewer rehabilitation project CIP.

→ Collection system lead for the City of Riverside, California, Comprehensive Wastewater Master Plan. The Master Plan included both treatment and wastewater collections. Carollo built the City's collection system model using Innovyze's InfoSWMM modeling software.

→ Project engineer for City of Galt, California, Wastewater Collection, Water Distribution, and Storm Drainage Master Plans. The project developed master planning documents for planning infrastructure improvements to serve rapid growth within the City. Responsible for development of the sewer system model

that integrated GIS databases into the modeling platform. Developed alternatives to eliminate the largest pump station in the collection system by constructing a 42-inch trunk sewer to the wastewater treatment plant.

→ Technical advisor for Clean Water Services West Basin Master Plan. Clean Water Services provides wastewater collection and treatment services to the majority of the City of Portland, Oregon. Clean Water Services retained the services of Carollo to develop a collection system master plan for the West Basin. Responsible for developing the technical methodologies to develop the dry and wet weather flow projections and hydraulic model calibration.

→ Project manager for the Santa Cruz County Sanitation District, California, 2017 Inflow and Infiltration (I/I) Study. Led an I/I study which included a flow monitoring program, updates and calibration of the County's InfoSWMM sewer collection system hydraulic model based on the flow monitoring data, and simulation of the effect of a 10-year design storm on the County's sewer collection system.

→ Project manager for City of Tulare, California, Sewer, Water, and Storm Drain Master Plans. This project developed master planning documents for planning infrastructure improvements to serve rapid growth within the City. Responsible for coordination of the water, sewer, and storm drain computer models that integrate GIS databases into the modeling platform. The City's wastewater collection system included industrial and domestic collection systems with separate treatment facilities. The storm drain project required coordination with Tulare Irrigation District for discharge of storm water from the City's drainage facilities. This project also developed the City's Sewer System Management Plan.

→ Project manager for the City of Turlock, California, Sanitary Sewer, and Storm Water Master Plans. Responsible for overseeing the construction of the City's sewer and storm drainage system hydraulic models.



Years with Firm

15 Years

Education

BS Civil Engineering,
California State
University, Fresno, 2006

Licenses

Civil Engineer, Nevada,
California

Professional Affiliations

American Water Works
Association

California Water
Environment Association,
Central San Joaquin
Section

Ryan F. Orgill, P.E.

Ryan Orgill joined Carollo in 2005 and has experience in master planning, hydraulic modeling, sewer system management planning, urban water management planning, and geographic information systems (GIS).

Relevant Experience

→ Hydraulic modeling lead for the City of Modesto, California, Wastewater Collection System Master Plan. The hydraulic model was originally constructed in H2OMap Sewer as part of the previous master plan. In advance of the wastewater collection system master plan update, the City contracted with Carollo to convert the hydraulic model from H2OMap Sewer to the more advanced InfoSWMM platform. Responsibilities as part of the master plan update included updating and recalibrating the InfoSWMM hydraulic model, which involved more sophisticated simulation of storm drainage system cross connections within the InfoSWMM model. Other responsibilities include development of existing and future wastewater flow projections, improvement alternatives to mitigate existing capacity deficiencies and to service future growth, and a capital improvement plan.

→ Project engineer for the City of Fresno, California, Collection System Master Plan. Responsible for hydraulic model update and calibration of the City's all-pipe sewer system hydraulic model under dry and wet weather conditions, development of improvement projects to mitigate capacity deficiencies, and development of a capital improvement plan for the City.

→ Project engineer for the City of Oakland, California, Sanitary Sewer Collection System Master Plan. Responsible for construction of the City's hydraulic computer model using the InfoSWMM modeling software package, model calibration, capacity analysis, development of improvement projects to mitigate capacity deficiencies, capital improvement cost estimate, and preparation of a technical report documenting the results of the analysis for submission to the U.S. Environmental Protection Agency in accordance with the City's Stipulated Order. Construction of the City's hydraulic model included digitization

of the major collection system facilities into the InfoSWMM hydraulic modeling software program, with several complex overflow structures and connections to the East Bay Municipal Utility District (EBMUD) interceptor. The model was calibrated to 140 flow monitoring locations for both dry and wet weather flow conditions, approximately half of which recorded flow at City connection points to the EBMUD interceptor system.

→ Collection system engineer for the West County Wastewater District, California, District-Wide Master Plan. Responsible for preparation and calibration of a dynamic collection system model to evaluate wet weather storm events to simulate existing flow conditions.

→ Modeling Lead for the City of Riverside, California, Comprehensive Wastewater Master Plan. The Master Plan included both treatment and wastewater collections. Carollo built the City's collection system model using Innovyze's InfoSWMM modeling software.

→ Project engineer for the City of Chico, California, Sanitary Sewer Master Plan Update. Responsible for conversion and update of the City's previous HYRDA collection system model to the InfoSWMM hydraulic modeling software application. Current average and peak wet weather flows were developed based on the City's historical flow data, as well as the results of the temporary flow monitoring projects. Build out average and peak flows were projected for future land use areas, as identified in the City's General Plan Update. The project was calibrated to dry and wet weather flow conditions, and the collection system was analyzed under current and build out peak flow conditions. Several pipeline improvement routing options were considered and analyzed based on costs and other non-cost factors, and the preferred improvement alternatives were included in the master plan report.

Ryan F. Orgill, P.E.

→ Project engineer for the City of Tulare, California, Sewer, Water, and Storm Drainage Master Plans and Sewer System Management Plan. Tasks included creation and calibration of a dynamic hydraulic sewer system model to evaluate flow monitoring data, development of flow routing criteria, and evaluation of the existing sanitary sewer system to mitigate deficiencies to serve future growth.

→ Project engineer for the City of Turlock, California, Sanitary Sewer and Storm Water Master Plans. Responsible for overseeing the construction of the City's sewer and storm drainage system hydraulic models. The City's sewer collection system includes numerous direct storm drainage connections to the sewer system in the City's downtown area. Several improvement alternatives were considered to alleviate capacity deficiencies in the majority of the sewer collection system in the downtown area, including replacing existing sewer pipelines with larger diameter sewers or removal of the direct storm drainage connections to the sewer. Costs associated with each alternative were prepared and presented to City staff, along with the pros and cons of each approach. Ultimately, the City's preferred alternative was to segregate the sewer and storm drainage collection systems. Preferred improvements to the sewer and storm drainage systems were incorporated into the Sanitary Sewer and Storm Water Master Plan reports.

→ Project engineer for the City of Cotati, California, Sewer and Water System Master Plans. Responsible for hydraulic model development and calibration, existing and build out analysis of the water and sewer systems, development of capital improvements to mitigate existing deficiencies and to service future growth, development of a staged capital improvement plan, and development of the final Sewer and Water System Master Plan reports.

→ Staff engineer for the City of Galt, California, Wastewater Collection, Water Distribution, and Storm Drainage Master Plans. Responsible for calibration of the hydraulic computer model to both dry

weather and wet weather conditions, assistance in the preparation of the Master Plan report, and development of a staged capital improvement plan for the City.

→ Staff engineer for the Port of Oakland, California, Port-Wide Sewer System Management Plan, which was prepared to meet the requirements of both the State and the Regional Water Quality Control Boards. As part of the project, responsibilities included development of several supporting documents specific to the Port. These include a System Evaluation and Capacity Assurance Plan (SECAP), sanitary sewer design and construction standards, sanitary sewer use ordinances, an overflow emergency response plan, and a fats, oils, and grease control plan. The SECAP included development and calibration of a fully dynamic hydraulic model of the sewer collection system calibrated to both dry weather and wet weather conditions, evaluation of the collection system for existing and future design flow conditions, recommendations for capital improvements to mitigate deficiencies, condition assessment of sanitary sewer facilities in the Port, and development of costs associated with the proposed capital improvements.

→ Project manager for the ongoing Truckee Sanitary District, California, 2017 Hydraulic Modeling Assistance. The District hired Carollo provide assistance with the development and calibration of three of their four existing wastewater collection system models. The models are being calibrated to peak dry and peak wet weather flow conditions using flow monitoring data from the 2016 and 2017 storm season.

→ Project engineer for the Washoe County, Nevada, Pleasant Valley Interceptor (PVI) Alternatives Evaluation Study. Responsible for using the County's collection system hydraulic model to develop alternatives for Reach 3 and 4 of the proposed PVI.

→ Staff engineer for the Elsinore Valley Municipal Water District, California, Wastewater Master Plan Update.



Years with Firm

6 Years

Education

BS Civil & Environmental Engineering, University of South Florida, 2012

BS Microbiology, University of South Florida, 2006

Licenses

Civil Engineer, California

Professional Affiliations

American Society of Civil Engineers

- Truckee Meadows Branch YMF Director at Large 2016 - 2017

Florida Water Environment Association

- Manasota Chapter YP Coordinator 2013 – 2014
- Students and Young Professionals Committee Chair 2014 – 2016

ACE Mentors of Sarasota Treasurer 2014 -2015

Danielle M. Orgill, P.E.

Danielle Orgill joined Carollo in 2014. Her experience includes hydraulic modeling, planning, asset management, water and wastewater treatment, and infrastructure design.

Relevant Experience

→ Project engineer for the South Tahoe Public Utility District, California, Sewer System Hydraulic Model. This is an ongoing project. No changes or updates have been made to the District's wastewater collection system model that was created 10 years ago using Innovyze InfoSewer hydraulic modeling software. In the last decade, additional infrastructure construction and collection system changes have been made. This contract allowed for on-call hydraulic modeling support to evaluate the existing model, identify potential improvements, and convert the model to InfoSWMM. Responsibilities include developing a comprehensive permanent flow monitoring program, evaluating flow monitoring data, providing recommended changes to the flow monitoring program.

→ Project engineer for the Washoe County, Nevada, Steamboat Pump Station and Force Main Risk Evaluation. Project includes visual condition assessment and prioritized rehabilitation and replacement improvements. Unit process facilities were evaluated for capacity and the ability to meet process operational goals and requirements. Carollo expanded the County's existing BioWin® process model to assist with water optimization.

→ Project engineer for the Washoe County, Nevada, Collection System Flow Monitoring, Hydraulic Modeling, and Arsenic Evaluation. Responsible for coordinating project execution and subconsultant activities for flow and water quality investigation of the South Truckee Meadows Water Reclamation Facility and Spanish Springs service areas. A detailed analysis of storm impacts, infiltration, and inflow in the identified services areas was necessary to address current flow and water quality issues and to ensure adequate conveyance capacity is available as new growth occurs in Washoe County.

→ Project engineer for the ongoing Truckee Sanitary District, California, 2017 Hydraulic Modeling Assistance. The District hired Carollo provide assistance with the development and calibration of three of their four existing wastewater collection system models. The models are being calibrated to peak dry and peak wet weather flow conditions using flow monitoring data from the 2016 and 2017 storm season.

→ Project engineer for the City of Reno, Nevada, Northwest Reno Sewer Capacity Analysis and Master Plan. Carollo was retained to conduct a sanitary sewer capacity analysis and develop a master plan for the City's Northwest area. The team developed a temporary flow monitoring program; reviewed the City's existing SewerGEMS model to expand the existing wastewater collection system hydraulic computer model, including nine major trunk lines; calibrated the model using flow monitoring data; reviewed planning documents to determine existing and build-out wastewater flow projections; modeled existing and future system capacity evaluations; and developed prioritized, recommended capacity projects based on deficiencies.

→ Project engineer for the Truckee Sanitation District, California, Hydraulic Model Updates. This is an ongoing project. Responsibilities include evaluating and updating three separate sanitary sewer hydraulic models (InfoSewer), model calibration under dry and wet weather conditions, evaluating the collection system under existing and build-out flows, and identifying the improvements necessary to mitigate capacity deficiencies.

→ Project engineer for the Collier County, Florida, Wastewater Collection System Model Update. This is an ongoing project. Responsibilities include converting the existing SewerGEMS (Bentley) model to InfoSWMM (Innovyze), calibrating the model under dry and wet weather conditions, evaluating the existing collection system, and

Danielle M. Orgill, P.E.

developing future scenarios (to be evaluated under separate work assignment).

→ Project engineer for the West County Wastewater District, California, Inflow and Infiltration Reduction Evaluation. Responsibilities included evaluation and classification of January 2017 rainfall events, development of an estimate of the influent flow hydrograph for the January 2017 rainfall events using the District's hydraulic model, reviewing the current status of the ongoing flow monitoring program, and estimation of the potential reduction in peak flow that could be achieved through the District's ongoing I/I reduction program.

→ Project engineer for the City of Cotati, California, Sewer System Master Plan Addendum. Responsibilities included flow monitoring data review, hydraulic model update and calibration, evaluation of previously identified improvements under existing, near-term, and build-out conditions, update of the capital improvement plan, and development of a technical report.

→ Project engineer for the City of Tulare, California, DWWTP Capacity Evaluation and Matheny Tract Capacity Evaluation. Responsibilities included hydraulic model update and calibration under dry and wet weather conditions, evaluation of an existing sewer trunk to serve a development that would like to tie into the City's collection system, and recommended improvements needed to correct existing deficiencies and to serve the known development.

→ Project engineer for the City of King City, California, Wastewater Collection System Master Plan. Responsibilities included hydraulic model development and calibration under dry and wet weather conditions, evaluation of existing infrastructure, development of a capital improvement plan to mitigate existing deficiencies and to serve future growth, and development of the master plan report.

→ Modeler for the City of Riverside, California, Comprehensive Wastewater Master Plan. The Master Plan included both treatment and wastewater collections. Carollo

built the City's collection system model using Innovyze's InfoSWMM modeling software.

→ Project engineer for the City of Reedley, California, October 27, 2016 Sanitary Sewer Overflow Event. Responsibilities included development of a hydraulic model scenario that mimicked a power failure at the influent pump station and subsequent overflow events that occurred in October 2016. Wastewater treatment plant influent flow data and photographs taken during the spill event were used to estimate the total overflow volumes.

→ Project engineer for the City of Boynton Beach, Florida, Utilities Management Optimization Plan. Responsibilities included constructing and calibrating the wastewater collection system hydraulic model, evaluating existing infrastructure, identifying future infrastructure improvements, and developing a capital improvement plan.

→ Project engineer for the Manatee County, Florida, Wastewater Collection System Master Plans. Responsibilities included coordinating field testing with subcontractor (to install temporary flowmeters and pressure loggers), updating and calibrating complex collection system models for three service areas in SewerGEMS software (each with 150 or more active lift stations), and determining future infrastructure requirements for the 2020, 2025, 2035, and build out planning periods based on model results. Assisted project manager in preparing recommended capital improvement projects and completing the final master plan report.

→ Assistant project engineer for the Manatee County, Florida, Wastewater Collection System Master Plan Cost Estimate. Responsible for evaluating utility infrastructure in GIS and hydraulic models to identify existing, major infrastructure improvements (transmission force mains and master lift stations) for a planning level cost estimate.



Years with Firm

4 Years

Education

MGIS, Penn State University, 2017

BA Geography, California State University, Northridge, 2001

AA Geology, Pasadena City College, 1997

Certifications

Certified Geographic Information Systems Professional (GISP), Geographic Information Systems Certification Institute, 2012

Jackie M. Silber, GISP

Jackie Silber is a geographic information systems (GIS) lead with 19 years of professional experience in GIS and technical training. Her experience includes geospatial GIS analysis for water resource planning, environmental remediation sampling, and demographic forecasting projects. Her GIS skills focus on geodatabase design and optimization, manipulation and conversion of projections, CAD and KML to GIS conversion, spatial analysis, automation of repetitive analysis using Model Builder and Python, and creation of cartographic figures.

Relevant Experience

→ GIS specialist for the City of Medford, Oregon Sanitary Sewer Master Plan. To help the City anticipate future needs, Ms. Silber, developed figures illustrating the locations of high I/I due to sewer trunk line deficiencies. Also investigated existing and future land use changes per parcel as part of a wastewater capital charge per equivalent residential unit analysis.

→ GIS specialist for the Central Treatment Plant Collection System Model Update and Capacity Evaluation for the City of Tacoma, WA

→ GIS specialist for the City of Banning, California. As part of the Integrated Master Plan, Ms. Silber developed figures representing the existing recycled water system as well as the proposed non-potable reuse system.

→ GIS specialist for the Hillsborough County, Florida Capital Improvement Program. As part of the on-call potential Septic Replacement/Water Line Extension Program, Ms. Silber performed geospatial analysis to determine the number of septic parcels within wellhead protection and high hazard coastal areas. Additionally, produced figures of wastewater facilities and parcels served by current infrastructure.

→ GIS specialist for a Long-Range Wastewater Management Plan for the City of Renton, Washington. As part of the pipe risk approach, Ms. Silber developed an ArcGIS-based criticality and vulnerability model. The model identified and prioritized critical assets in close proximity to key infrastructure or that are susceptible to failure.

→ GIS specialist for the U.S. Agency for International Development (USAID) Infrastructure Needs Program Bulk Water Supply Sys-

tems Master Plan (Southern West Bank, Palestine). As part of a team responsible for defining the future water facility needs in the southern West Bank, developed GIS data, traveled to the West Bank, and presented the data to USAID and other key stakeholders. With the help of bilingual staff, also conducted a workshop for GIS specialists to review the data developed, which included three geodatabases and a file system of existing and recommended water and wastewater infrastructure. Pipeline data was imported from AutoCAD and created from heads up digitizing on aerial photography and was compared against the hydraulic schematic. Assisted project managers with locating potential wells/wellfields based on topology, cone-of-depression, and other hydrologic constraints. Additionally, elevation profiles from ground surface data were created for proposed regional pipelines. Geologic scanned imagery was georeferenced to a common projection system and a file system was created to maintain organization. Also served as internal project coordinator for the final deliverable.

→ GIS specialist for the San Gabriel Valley Water Company Water System Master Plan Update, California. In addition to developing figures illustrating system deficiencies, Ms. Silber also developed a Python script to loop through an 11 million record table and sum the total water demands for every customer.

→ GIS specialist for the University of California, Irvine, Recycled Water System Analysis and Capital Improvement Program. Ms. Silber worked with hydraulic modelers to illustrate future system pressure deficiencies and pipeline velocities.

→ GIS specialist for the Los Angeles County Waterworks District 29, California, Water

Jackie M. Silber, GISP

System Master Plan. Compiled and developed a water infrastructure geodatabase and geocoded the water billing data to correlate metered usage data with parcels. Using current land use and future zoning parcel data, analyzed water demands for private customers. Also created pressure zones and allocated commercial demands for fire flow in InfoWater.

→ GIS specialist for on-call GIS services for the City of Westminster Water Department, California. To provide current updates to the District's GIS data, Ms. Silber cleaned, projected, and updated the City's valves and hydrant attributes. Additionally, she cleaned the pipeline topology and created a map book for field personnel. The data was delivered and used as part of the training for water district personnel on using maintaining the map book.

→ GIS specialist for the Stormwater Capture BMP Site Suitability Analysis for the Upper San Gabriel River Enhanced Watershed Management Program, California. Using a uniform grid, performed a multi-criteria decision analysis of valued and binary constraints to identify potential stormwater BMP sites in the Watershed as part of the Los Angeles County MS4 Permit Compliance. The constraints were scored and weighted to rank the locations. Iterative tasks such as classifying the locations were automated using python scripts.

→ GIS specialist for the Mission Creek and Garnet Hill Subbasins Water Management Plan for the Coachella Valley Water District, Desert Water Agency, and Mission Springs Water Districts, California. As part of a collaborative groundwater replenishment program, analyzed population and other demographic projections and mapped the watersheds and multi-habitat conservation areas.

→ Lead cartographer for the Los Angeles Department of Water and Power (LADWP), California, Owens Lake Groundwater Evaluation Program, which is a collaborative program between LADWP and the Inyo County Water Department to evaluate use of groundwater for dust mitigation on Owens Lake. Provided GIS support for well location

identification, and was responsible for managing the GIS data for the project. Working with hydrogeologists and modelers, mapped surface geology, groundwater contours, consumptive use, and water quality surrounding the Owens Lake Bed. Also produced well log illustrations.



Years with Firm

5 Years

Education

MSE Civil Engineering,
University of Texas,
Austin, 2001

BS Civil Engineering,
Stanford University, 1995

Licenses

Civil Engineer, California,
Texas

Professional Engineer,
Maryland

Certification

Stanford Advanced
Project Management
Certificate (2014)

George Washington
University, School of
Business Master's
Certificate in Government
Contracting (2012)

USEPA Advanced Asset
Management Training
Certificate (2010)

Professional Affiliations

American Water Works
Association

Felicia James, P.E.

Felicia James is an Asset Management Lead in Carollo's Strategic Management Group. She has 25 years of experience, including as an Asset Strategy Manager with the Washington Suburban Sanitary Commission prior to joining Carollo in 2015. While at the Commission, Ms. James was responsible for development and implementation of asset management planning related to buried water infrastructure (water mains, valves, hydrants, water meters, and service connections). This included tracking the condition and performance of underground assets and the effectiveness of asset management strategies, all in an effort to improve the Commission's level of service. Ms. James uses advanced asset management methods to prioritize capital and operating expenses in order to reduce risks associated with aging infrastructure.

Relevant Experience

→ Asset management advisor for the Central Contra Costa Sanitary District, California, Asset Management and Risk Analysis. The project included creation of a collection system asset management plan along with master plans for the District's collection system and treatment plant. The project also included maintenance and capital planning, on-site condition assessments, business process mapping, and development of the risk assessment and prioritization model for the District's collection system using Info-Master®.

→ Quality assurance/quality control for the Union Sanitary District, California, Alvarado Wastewater Treatment Plant Asset Condition Assessment Update Study. This study will update the asset condition and refine asset replacement costs from the 2006 Master Plan and 2009 Master Plan Update for the Alvarado Wastewater Treatment Plant facilities. The project will set the course for managing asset risk and optimizing asset investment into the future.

→ Asset management lead for the Contra Costa Water District, California, Treated Water Renewal and Replacement Study (TWRR) and Asset Management Implementation Plan (AMIP). The AMIP includes developing an asset management framework, level of service and risk management, asset register and hierarchy, and five-year roadmap for implementation. The framework integrates the U.S. Environmental Protection Agency's ten-step framework and five core questions with the fundamentals of Effective Utility Management. The TWRR included condition assessment of several reservoirs and pump

stations and application of the AMIP recommendations to develop prioritized capital improvement projects.

→ Asset management advisor for the City of Chico, California, Strategic Planning and Sewer Rate Review Support. This project is to develop short-term and long-term needs for the City's Water Pollution Control Plant (WPCP), in order to provide a basis for future sewer rate increases. Supported a multidiscipline condition assessment of existing facilities using Carollo's mobile condition assessment application. Condition results were imported into an asset management risk model to develop prioritized rehabilitation, repair, and replacement options. The project also involves evaluation of future hydraulic and capacity needs at the WPCP with master planned facility upgrades needed for each; analysis of future potential regulatory-driven requirements, planning for facility improvements; and development of a 20-year capital improvement program to implement all recommended upgrades. The project also includes a staffing evaluation aimed at reviewing current and staffing needs at the WPCP based on scheduled facility upgrades and improvements.

→ Engineer for the City of Colton, California, Water and Wastewater System Master Plan Update. The Water System Master Plan (WMP) is part of a larger effort to produce an Integrated Water Master Plan for the City's water and sewer systems. The purpose of the WMP is to update the previous plan and aid the City in planning, development, and financing of water system facilities to provide reliable and enhanced service for existing customers and to serve anticipated land use changes and growth. This

Felicia James, P.E.

WMP considers existing conditions, as well as future plans presented in the City's General Plan.

→ Asset management lead for the City of Sugarland, Texas, Wastewater Treatment Plant Improvements. This project involves developing a risk-based asset management framework, performing condition assessments of wastewater treatment facilities that are privately managed, and building an interactive dashboard reporting tool.

→ Asset management best practices advisor for the City of Aurora, Colorado, Griswold Water Purification Facility Asset Management Plan. The goal of this project is to develop levels of service and key performance measures and establish the business risk exposure profile for the facility's assets based on the U.S. EPA's ten-step framework and five core questions. The asset management plan will include business improvement initiatives along with funding and optimization strategies for both capital and operations and maintenance needs.

→ Asset management lead for the City of Dallas Water Utilities, Texas, Water Delivery Comprehensive System Assessment and Update. This system assessment includes distribution and transmission systems, pump stations, storage facilities, and associated supporting assets. In addition to condition and risk analyses, the assessment includes hydraulic modeling and calibration, surge and pressure analyses, and water quality modeling. The assessment results will inform a risk-based prioritization of capital, operational, and maintenance strategies for achieving the Utility's management goals for the water delivery system.

→ Project manager for the City of Sacramento, California, Accelerated Water Meter Program. The project provides services for management, development, and implementation of the program to install over 40,000 water service meters and approximately 60 miles of water main replacements or relocations. The accelerated program involves condensing the water service meter installation effort from eight years to four years. Program activities include public outreach, alternative project delivery options,

GIS and CMMS integration with customer billing system, and rigorous project controls for monitoring the program's progress.

→ Asset management advisor for the City of Henderson, Nevada, Wastewater Treatment Facility Effluent Master Plan. Developed an implementation road map with recommended improvements, implementation schedule, cost estimates, and capital funding requirements for the treatment facilities that incorporates level of service with failure mode risk analyses for prioritization and timing of project recommendations.

→ Asset management advisor for development of the Orange County Utilities, Florida, Asset Management Framework and Condition Assessment Integration. The project includes establishing condition assessment protocols for integration with the Utility's Maximo® maintenance management system, updating the asset registry, and establishing an asset management model for prioritizing capital, operational, and maintenance needs based on risk.

→ Asset management advisor providing technical support for the Sacramento Regional County Sanitation District, California, EchoWater Project Tertiary Treatment Facilities.

→ Asset management advisor for the City of West Sacramento, California, Water System Master Plan. This project provides services to review and update the water distribution system; provide a current hydraulic model update; review and provide guidance for the water meter program; and provide recommendations for short-range and long-range capital improvement projects to improve system reliability and allow flexibility for growth, including fire demands and water supply shortages or disruptions.

→ Asset management advisor for the City of Oceanside, California, Utility Efficiency Study. Responsible for advising on study development to optimize the City's operations, maintenance, and capital planning efforts and maintain acceptable service levels while managing the total life-cycle investments of the utility.



Years with Firm

2 Years

Education

MS Civil Engineering,
University of Pittsburgh,
2015

BS Biology, Allegheny
College, 2010

Licenses

Professional Engineer,
Pennsylvania

LEED Accredited
Professional Building
Design + Construction

Certification

NASSCO Pipeline,
Manhole, and Lateral
Assessment and
Certification Program

Professional Affiliations

American Society of Civil
Engineers

Pennsylvania Water
Environment Association

Water Environment
Federation

Andrew Z. Burton, P.E., LEED AP

Andrew Burton is a lead analyst with Carollo Engineers' Utility Advisory Services and Strategic Management Group. He has more than nine years of combined experience in the fields of engineering consulting and research. Andy's work concentrations are in the areas of water and wastewater infrastructure asset management and data analytics. His expertise includes asset register and hierarchy development, risk analyses, renewal modeling, GIS, and data visualization. He is one of Carollo's condition assessment leads, responsible for efforts to assess facilities, collection systems, and plan for future work. Andy's combination of experience in asset management, analytics, and planning helps to apply innovative solutions to unique challenges.

Relevant Experience

→ Project engineer for the Integrated Utility Master Plan, City of Saint Helena, California.

As part of this master planning effort, Andy supported the development of the overall asset management program for the City's wastewater treatment collection system. The project included complete asset inventory, condition assessment of aboveground assets, geographic information system (GIS)-based analyses of belowground assets, risk-based assessments for probability and consequence of failure, asset valuation, rehabilitation and replacement (R&R) capital improvement program development. Andy was responsible for the quality control review of the Sewer Survey CCTV meeting NASSCO PACP standardization and development of risk-based GIS model.

→ Technical lead for the InfoAsset™ Planner Implementation, Cape Fear Public Utility Authority, North Carolina. Andy is currently leading the data review and model setup for the sewer pipeline replacement and rehabilitation model for the Authority's sewer system. The project will include the review of CCTV data and the integration into a geospatial modeling software to be used to assess the condition of the pipelines. He will be responsible for the setup of the model, producing results, and training Authority staff on the use of the model.

→ Lead analyst for the Detroit Water and Sewerage Department, Michigan, Water and Collection System Capital Improvement Program Management Organization. Andy provided technical support on development of an asset management delivery system in InfoAsset™ Manager (formerly InfoNet™) to manage both water distribution and wastewater conveyance infrastructure. Andy

also provided software training and support as necessary.

→ Project engineer for the Asset Management Plan Project for the Yorba Linda Water District, California. Andy supported the development of the overall asset management program for the District's complete water and sewer assets. The project included complete asset inventory, condition assessment of aboveground assets, geographic information system (GIS)-based analyses of belowground assets, risk assessments for probability and consequence of failure, rehabilitation and replacement (R&R) program development, and funding analyses.

→ Lead analyst for the Allegheny County Sanitary Authority (ALCOSAN), Pennsylvania, Sewer and Associated Facilities Regionalization Engineering Support Services, Pennsylvania. Andy supported ALCOSAN with assuming responsibility for approximately 270 miles of multi-municipal trunk sewers and associated facilities, as recommended by an independent panel study. The project also included several pumping stations and storage basins associated with the facilities. The project involved maintaining the integrity of the asset management delivery system in InfoAsset™ Manager (formerly InfoNet™), which was used as a repository to house more than 4,000 miles of multi-municipal-owned sanitary and storm water infrastructure data and associated survey, repair, and work order records.

→ Technical lead for the Asset Reliability Assessment and Financial Plan Project for the City of Simi Valley, California. Andy supported the development of the overall asset management program for the City's wastewater treatment plant and collection system. The project included complete asset

Andrew Z. Burton, P.E., LEED AP

inventory, condition assessment of above-ground assets, geographic information system (GIS)-based analyses of belowground assets, risk-based assessments for probability and consequence of failure, asset valuation, rehabilitation and replacement (R&R) capital improvement program development, and a financial plan including proposed rate adjustments.

→ Technical lead for the Water Supply District Facility Implementation Phase 1, The City of Pleasanton, California. Andy developed and deployed a condition assessment mobile tool using asset register data obtained from the City's CMMS. Andy provided technical support to the condition assessment team over the course of field deployment.

→ Project engineer for the Implementation of an Asset Management Program for the Valley Sanitation District Water Reclamation Facility, Valley Sanitary District, California. Supported the effort to implement an asset management program at the District's wastewater plant. Andy reviewed the asset register and provided support the condition assessment effort. The project included developing a framework for the asset register within Lucity™ CMMS and populating it with asset data.

→ Technical lead for the San Gabriel Valley Water Company, California, Fontana Water Division Company Water System Master Plan Update. Andy led the development of a risk-based prioritization model and capital improvement plan for a 700-mile water distribution and transmission pipeline network in San Bernardino County. The project included an existing demand analysis, development of peaking factors and future demand projections through year 2045, water supply analysis, water quality analysis, groundwater treatment recommendations, storage and pump station analysis, and field condition assessments for the system's 38 plant sites.

→ Technical lead for the San Gabriel Valley Water Company, California, Los Angeles County Division Water System Master Plan Update. Andy led the development of a risk-based prioritization model and capital

improvement plan for a 580-mile-long water distribution and transmission pipeline network in Los Angeles County. The project included an existing demand analysis, development of peaking factors and future demand projections through year 2045, water supply analysis, water quality analysis, groundwater treatment recommendations, storage and pump station analysis, and field condition assessments for the system's 32 plant sites.

→ Technical lead for the El Dorado Irrigation District Reservoirs and Water Treatment Plants Condition Assessment, El Dorado Irrigation District, California. Technical lead for the El Dorado Irrigation District, California, Water Treatment Plant Condition Assessments. The project involves a detailed asset inventory review, field condition assessment of four treatment facilities, and treatment process evaluation. A risk-based asset management framework will be developed to prioritize capital improvement projects and operations and maintenance improvement strategies. Results will be aligned with the District's Infor® maintenance management system. Andy developed and deployed a condition assessment mobile tool using asset register data. Andy provided technical support to the condition assessment team over the course of field deployment.

→ Technical lead for the Madera Irrigation District (MID) AM Gap Assessment and CIP Development, Madera, California. In this ongoing project, Carollo will assist MID in the evaluation of its existing practices, technologies, and data, in an effort to develop a framework for a robust asset management business practice. The framework will be used to define risk protocols and evaluate the District's critical assets by applying those protocols. Following this evaluation, Carollo will develop a risk-based prioritized capital improvement plan for the next five years to efficiently plan near-term annual funding needs. Andy led the development of a geospatial asset management model for a 412-mile gravity irrigation open canal and closed pipe distribution network. Andy developed a list of risk-prioritized assets and worked with the District to assign capital improvement project.



Kevin Krajewski, PE

Role: Senior Project Manager | Flow Monitoring and Condition Assessment

Education

B.S., Mechanical Engineering,
University of California – Davis, 1995

Registration

Mechanical Engineer, CA (M31744)

Years with Firm: 24

Training and Certifications

- Asbestos Awareness
- Confined Space Entry-Certified
- Basic CPR/First Aid

Professional Summary

Kevin Krajewski is a senior-level project engineer, engineering manager, division manager, practice leader, and respected industry leader for over 24 years. He is an entrepreneur who has combined technical expertise and a strong work ethic to transform a perceived commodity service of flow monitoring into a professional engineering value-added service, growing the company business and market share within this industry from a start-up level into a sustainable multi-million-dollar source of revenue generation for V&A. Kevin's expertise includes flow monitoring and analysis of inflow and infiltration (I/I) into collection systems, including the development of synthetic I/I hydrographs and estimate of peak wet weather flows for design storm events.

Kevin also has considerable condition assessment experience and in past years was division head for the Condition Assessment Group. He has served as the QA/QC advisor and data manager and project manager on hundreds of projects for V&A throughout California and the Western United States. Kevin has been the project manager for all of the following flow monitoring projects.

Relevant Experience

Flow Monitoring: For all of the following projects, Kevin was Project Manager or QC Manager

Napa Sanitation District Flow Monitoring & I/I Mitigation Services. Napa, CA

Since 2005, V&A has provided I/I detection and mitigation services to Napa Sanitation District (NapaSan), including flow monitoring, I/I analysis,

collection system investigations, smoke testing, CCTV management, and night-time I/I reconnaissance. For these projects, V&A has either contracted directly with NapaSan or has been a sub-consultant to the master planning consultant to NapaSan. Our team led flow monitoring and I/I analysis from 2005 to present by collecting and analyzing wet/dry flows from over 200 key collection system nodes. This analysis was critical for the continuing development and refinement of the City's I/I Reduction Program.

V&A also performed smoke testing detect I/I sources, CCTV management in as a part of the I/I identification and reduction program, and recently in the past 6 years night-time I/I reconnaissance studies, often capturing video evidence of I/I entering into the collection system. This has led to actionable and immediate repairs that have a noticeable effect on the reduction of I/I. On a yearly basis, I/I mitigation construction projects are evaluated for effectiveness. Pre-construction flows and post-construction flows are analyzed and evaluated to determine the percent reduction of I/I caused by the construction project.

City of Morro Bay Master Plan Flow Monitoring, Morro Bay, CA

V&A performed dry and wet weather sanitary sewer flow monitoring services within the City of Morro Bay (City) to establish average dry weather flows and evaluate the inflow and infiltration (I/I) response at 15 open-channel flow monitoring sites within the City's sanitary sewer system. The duration of the work and analysis was 3 months; pipe sizes ranged from 8 inches to 18 inches in diameter. This project was in support of a master planning effort.

City of Riverside Master Plan Flow Monitoring, Riverside, CA

V&A performed wet weather sanitary sewer flow monitoring services within the City of Riverside (City) to establish average dry weather flows and evaluate the inflow and infiltration (I/I) response at 60 open-channel flow monitoring sites within the City's sanitary sewer system. The duration of the work was

1 month; pipe sizes ranged from 8 inches to 51 inches in diameter. This project was in support of a master planning effort.

City of Lemoore Master Plan Flow Monitoring, Lemoore, CA

V&A performed sanitary sewer flow monitoring services within the City of Lemoore (City) to establish average dry weather flows and identify capacity issues at 15 open-channel flow monitoring sites within the City's sanitary sewer system. The duration of the work was 2 weeks; pipe sizes ranged from 10 inches to 18 inches in diameter. This project was in support of a master planning effort.

City of Porterville Master Plan Flow Monitoring, Porterville, CA

V&A performed sanitary sewer flow monitoring services within the City of Porterville (City) to establish average dry weather flows and identify capacity issues at 16 open-channel flow monitoring sites within the City's sanitary sewer system. The duration of the work was 2 weeks; pipe sizes ranged from 12 inches to 48 inches in diameter. This project was in support of a master planning effort.

City of Tulare Master Plan Flow Monitoring, Tulare, CA

V&A performed wet weather sanitary sewer flow monitoring services within the City of Tulare (City) to establish average dry weather flows and evaluate the inflow and infiltration (I/I) response at 15 open-channel flow monitoring sites within the City's sanitary sewer system. The duration of the work was 1 month; pipe sizes ranged from 12 inches to 42 inches in diameter. This project was in support of a master planning effort.

Central Contra Costa Sanitary District: Hydraulic Model Update, Martinez, CA

V&A completed the sanitary sewer flow monitoring and inflow and infiltration (I/I) analysis within the District, including 5 rainfall gauges. Flow and inflow and infiltration (I/I) analysis was performed over a 2-month period at 36 open-channel flow monitoring sites. The purpose of this study was to measure sanitary sewer flows at the flow monitoring sites and estimate available sewer capacity and infiltration and inflow (I/I) occurring in the basins upstream from the flow monitoring sites. The data was used to calibrate a new dynamic model for the District.

City of Modesto Master Plan Flow Monitoring, Modesto, CA

V&A performed sanitary sewer flow monitoring at 42 flow monitoring locations over a period of four months in 2014 and 2015. The flow monitoring project was to support the City's hydraulic modeling and master planning projects being conducted by Carollo Engineers.. The project estimated available sewer capacity and conducted analyses pertaining to infiltration and inflow (I/I) occurring in the basins upstream from the flow monitoring sites.

City of Oxnard Sanitary Sewer Flow Monitoring and Treatment Plant Condition Assessment Oxnard, CA

V&A teamed with Carollo Engineers to conduct dry and wet weather sanitary sewer flow monitoring at 10 locations in support of the master plan. V&A also performed condition assessment of five major structures within the Oxnard Wastewater Treatment Plant, including the Activated Sludge Tank, Primary Clarifier, Secondary Sedimentation Tank, Chlorine Contact Chamber and the West Flow Equalization Basin. The purpose of the condition assessment was to determine the remaining useful service life of these critical structures.

Sewer Authority Mid-Coastside (SAM), Sanitary Sewer Flow Monitoring, Half Moon Bay, CA

V&A teamed with Carollo Engineers to support the Carollo master planning effort for SAM. Twelve flow meters were installed to capture flows from three different contributing agencies.

West County Wastewater District I/I Reduction Program, Richmond, CA.

V&A was retained by the West County Water District (District) to perform seasonal flow monitoring in 8 basins within the District over the course of the 4-year span from 2015-2019. In 2014, Carollo Engineers provided the District a Master Plan, which identified an Inflow and Infiltration (I/I) Control and Flow Monitoring Study that commenced in Fiscal Year 2014/2015. Carollo identified Basins 3, 4, 6, 7, 8, 15, 24, and 26 as requiring additional I/I study. This project follows the recommendations of the Carollo Master Plan.

May 29, 2020

Ms. Tamara Miller, PE, Development Services Director/City Engineer
Engineering Division
City of Pinole
2131 Pear Street
Pinole, CA 94564

Subject: Fee Proposal for Sanitary Sewer Master Plan Update (Collection System)

Submitted by email: tmiller@ci.pinole.ca.us

Dear Ms. Miller:

Carollo has carefully reviewed the requirements of your Request for Proposals, as well as information and data collected from our discussions with your staff and our experience with similar projects. Based on this, we have prepared an estimated fee for services, presented on the following page.

The costs we have developed are in conjunction with our proposed scope of work and three optional tasks.

- Task C.7 – Temporary Flow Monitoring - \$40,000 for V&A to conduct additional flow monitoring, should it be required.
- Task D.6 - Hydraulic Model Software Purchase and City Staff Training – \$23,300, which includes \$13,800 for the purchase of a modeling software licence and Carollo's time for staff training.
- Task E.7 – CCTV Inspection - \$40,000 for CCTV inspection services, should it be determined that additional inspections are required or would be beneficial to the project.

We have also included \$5,000 for Kevin Krajewski from V&A for additional review of the existing I/I data, and recommendations of I/I parameters based on his past experience with the City's system. The total estimated fee to complete the scope of work as we understand it is \$324,300. The total including the optional tasks is \$449,000.

We would like to emphasize that this estimate is based on our current understanding of the scope of work. If selected, it is anticipated that the scope of work and fee estimate will be further refined during negotiations to meet your specific budget requirements and project needs.

Carollo remains committed to meeting your needs in completing this important project.

Sincerely,

CAROLLO ENGINEERS, INC.



Timothy J. Loper, PE
Vice President/Project Manager

Enclosure



FEE ESTIMATE

SANITARY SEWER MASTER PLAN UPDATE

City of Pinole



Task Description	Hours by Classification								Labor	Subs and Other Direct Expenses ⁽¹⁾	Estimated Fee
	Senior Professional	Project Professional	Project Professional	Project Professional	Professional	Technician	Word Processing	Total Hours			
	Tim Loper	Ryan Orgill	Felicia James	Andy Burton	Danielle Orgill	Jackie Silber	Candice Padilla				
	\$315	\$273	\$273	\$273	\$230	\$142	\$120				
Task A – Project Management and Control	66	68	14	14	50	2	4	218	\$ 59,200	\$ 5,400	\$ 64,600
Task A.1 – Project Management Plan	2	6	0	0	0	0	2	10	\$ 2,500	\$ 100	\$ 2,600
Task A.2 – Kickoff Meeting	4	6	2	2	6	2	2	24	\$ 5,900	\$ 900	\$ 6,800
Task A.3 – Project Administration	16	8	0	0	0	0	0	24	\$ 7,200	\$ 300	\$ 7,500
Task A.4 – Progress Meetings and Bi-Weekly Phone Calls	44	44	12	12	44	0	0	156	\$ 42,500	\$ 4,000	\$ 46,500
Task A.5 – Project QA/QC Activities	0	4	0	0	0	0	0	4	\$ 1,100	\$ 100	\$ 1,200
Task B – Data Collection and Review	8	14	8	8	20	6	0	64	\$ 16,200	\$ 1,400	\$ 17,600
Task B.1 – Review Historical Documents and Information	4	6	4	4	8	4	0	30	\$ 7,500	\$ 400	\$ 7,900
Task B.2 – Interview Staff and Tour System	4	8	4	4	12	2	0	34	\$ 8,700	\$ 1,000	\$ 9,700
Task C – Existing and Future Wastewater Flow Analysis	12	38	0	0	98	36	6	190	\$ 42,600	\$ 51,900	\$ 94,500
Task C.1 – Land Use and Population Analysis	2	6	0	0	14	8	0	30	\$ 6,600	\$ 400	\$ 7,000
Task C.2 – Historical Flow Data Analysis	2	2	0	0	12	0	0	16	\$ 3,900	\$ 200	\$ 4,100
Task C.3 – Wastewater Flow Projections	2	6	0	0	10	0	0	18	\$ 4,600	\$ 200	\$ 4,800
Task C.4 – Wastewater Flow Allocation	0	4	0	0	18	10	0	32	\$ 6,700	\$ 400	\$ 7,100
Task C.5 – Inflow and Infiltration Allocation	0	4	0	0	12	10	0	26	\$ 5,300	\$ 5,800	\$ 11,100
Task C.6 – Flow Technical Memoranda	4	14	0	0	26	4	6	54	\$ 12,400	\$ 700	\$ 13,100
Task C.7 – Temporary Flow Monitoring Program (Optional Task)	2	2	0	0	6	4	0	14	\$ 3,100	\$ 44,200	\$ 47,300
Task D – Hydraulic Analysis	20	68	0	0	202	26	4	320	\$ 75,400	\$ 19,400	\$ 94,800
Task D.1 – Establish Planning and Evaluation Criteria	2	4	0	0	6	0	0	12	\$ 3,100	\$ 200	\$ 3,300
Task D.2 – Hydraulic Model Development and Calibration	4	16	0	0	80	10	0	110	\$ 25,400	\$ 1,400	\$ 26,800
Task D.3 – Determine System Capacity and Evaluate System Capacity	4	12	0	0	44	4	0	64	\$ 15,200	\$ 800	\$ 16,000
Task D.4 – Document Hydraulic Deficiencies	4	6	0	0	18	4	4	36	\$ 8,100	\$ 500	\$ 8,600
Task D.5 – Recommend Capacity Mitigation Projects	6	14	0	0	42	4	0	66	\$ 15,900	\$ 900	\$ 16,800
Task D.6 – Hydraulic Model Software Purchase and City Staff Training (Optional Task)	0	16	0	0	12	4	0	32	\$ 7,700	\$ 15,600	\$ 23,300
Task E – Perform Condition Assessment	8	0	34	148	0	4	4	198	\$ 53,300	\$ 2,700	\$ 110,100
Task E.1 – Perform System Inventory	0	0	2	12	0	0	0	14	\$ 3,800	\$ 200	\$ 4,000
Task E.2 – Establish Planning Criteria	2	0	4	16	0	0	0	22	\$ 6,100	\$ 300	\$ 6,400
Task E.3 – Collect Field Data	0	0	4	16	0	0	0	20	\$ 5,500	\$ 300	\$ 5,800
Task E.4 – Evaluate Condition of Assets	2	0	8	40	0	0	0	50	\$ 13,700	\$ 700	\$ 14,400
Task E.5 – Identify Performance Deficiencies	2	0	8	32	0	0	0	42	\$ 11,600	\$ 500	\$ 12,100
Task E.6 – Recommend Mitigation	2	0	8	32	0	4	4	50	\$ 12,600	\$ 700	\$ 13,300
Task E.7 – CCTV Inspection (Optional Task)	2	4	2	24	0	2	4	38	\$ 9,600	\$ 44,500	\$ 54,100
Task F – Prepare Capital Improvement Program	18	34	34	24	64	26	0	200	\$ 49,200	\$ 2,500	\$ 51,700
Task F.1 – Validate Existing Capital Improvement Program	4	6	6	6	10	2	0	34	\$ 8,800	\$ 400	\$ 9,200
Task F.2 – Summarize Capital Improvement Projects	4	6	4	4	12	2	0	32	\$ 8,100	\$ 400	\$ 8,500
Task F.3 – Establish Prioritization Criteria	2	4	4	4	10	0	0	24	\$ 6,200	\$ 300	\$ 6,500
Task F.4 – Develop Unit Cost Assumptions	0	4	4	0	8	0	0	16	\$ 4,000	\$ 200	\$ 4,200
Task F.5 – Recommend a Replacement and Rehabilitation Methodology for Recommended Improvements	4	8	12	6	10	0	0	40	\$ 10,700	\$ 500	\$ 11,200
Task F.6 – Develop Capital Improvement Plan	4	6	4	4	14	22	0	54	\$ 11,400	\$ 700	\$ 12,100
Task G – Sanitary Sewer System Master Plan Report	4	8	4	4	30	6	8	64	\$ 14,300	\$ 1,400	\$ 15,700
Task G.1 – Sanitary Sewer System Master Plan Report	4	8	4	4	30	6	8	64	\$ 14,300	\$ 1,400	\$ 15,700
Total Hours and Fee (without Optional Tasks)	134	212	94	198	446	98	26	1,208	\$ 299,400	\$ 24,900	\$ 324,300
Total Hours and Fee (with Optional Tasks)	136	230	94	198	464	106	26	1,254	\$ 310,200	\$ 84,700	\$ 449,000

Notes:

(1) Other direct expenses include mileage travelling to/from meetings at IRS Federal Rate, reproduction at cost plus 5%, and Project Equipment and Communication Expense billed at \$12.00 per hour.

(2) Subconsultant costs include 10% markup

(3) Rates are based on 2020 billing rates



CITY COUNCIL REPORT

10B

DATE **SEPTEMBER 1, 2020**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **ANDREW MURRAY, CITY MANAGER**

**SUBJECT: CONSIDER RESOLUTION SUPPORTING THE CONTRA COSTA
COUNTY JURISDICTIONS' SUPPORT FOR THE "PLAN BAY AREA
2050 BASELINE DATA METHODOLOGY" FOR THE REGIONAL
HOUSING NEEDS ALLOCATION (RHNA) PROCESS**

RECOMMENDATION

The Contra Costa Mayors Conference has requested that each city within the County adopt a resolution signifying the city's support for the Mayors Conferences' position on the "Plan Bay Area 2050 Baseline Data Methodology" in creating the Regional Housing Needs Allocation (RHNA). Staff recommends that the City Council consider adopting the resolution of support.

BACKGROUND

In June 2020, the California Department of Housing and Community Development (HCD) determined that the San Francisco Bay region must plan to accommodate 441,176 new housing units over the upcoming 8-year housing element cycle (2022-2030) in association with the Regional Housing Needs Allocation (RHNA) process. The Association of Bay Area Governments (ABAG) has formed a Housing Methodology Committee (HMC) that is charged with evaluating and making a recommendation on how these housing units should be allocated to the Bay Area's 101 cities and 9 counties.

At the August 6, 2020 meeting of the Contra Costa Mayors Conference, the Contra Costa Public Managers' Association (PMA) presented a memorandum (attached) summarizing two of the potential housing unit allocation methodologies under consideration by the HMC. The Mayors Conference subsequently unanimously voted in support of the "Plan Bay Area 2050 Baseline Data Methodology," which generally allocates the new housing units to ensure a jobs-housing balance. The Mayors Conference sent a letter to ABAG (attached) communicating its position. The Mayors Conference has requested that each city within the County adopt a resolution, based on a template, signifying the city's support for the Mayors Conference's position. A proposed resolution is attached.

REVIEW & ANALYSIS

The Mayors Conference has concluded that it is in the best interest of the cities in Contra Costa County to support the "Plan Bay Area 2050 Baseline Data Methodology," as it

believes that methodology would reduce transportation congestion, alleviate long commutes, and reduce greenhouse gas emissions.

FISCAL IMPACT

There is no fiscal impact related to consideration or adoption of the proposed resolution.

ATTACHMENTS

Attachment A:	Public Managers' Association Memorandum
Attachment B:	Mayors Conference Letter
Attachment C:	Resolution



ATTACHMENT A

DATE: August 3, 2020

TO: Gabe Quinto, Conference Chair
Gary Pokorny, Executive Director
Contra Costa Mayors' Conference

FROM: Eric Figueroa, Chair
Contra Costa Public Managers' Association

RE: Update: Regional Housing Needs Allocation (RHNA) Methodologies

The Contra Costa Public Managers' Association (PMA) would like to provide an update on recent RHNA process and its potential impacts to Contra Costa communities.

In June 2020, the California Department of Housing and Community Development (HCD) determined that the San Francisco Bay region must plan to accommodate **441,176** housing units over the upcoming 8-year housing element cycle (2022-2030). According to Association of Bay Area Governments (ABAG), this represents a 135% increase from the previous housing assignment.

ABAG's Housing Methodology Committee (Committee) – comprised of region's elected officials, jurisdictional staff, and community stakeholders – is charged with evaluating and making a recommendation on *how* these housing units would be allocated to the Bay Area's 101 cities and 9 counties. As a very high-level summary, the Committee is weighing options related to:

1. What should be used as the "baseline data" for allocating units? Two major methods are under consideration:
 - a. *"2019 Baseline" Methodology*
 - b. *"2050 Plan Bay Area Blueprint" Methodology*

The Contra Costa Public Managers' Association (PMA) is an organization comprised of public managers representing the nineteen cities and county of Contra Costa. The Contra Costa PMA works collaboratively to share information, discuss and find solutions on issues of regional significance.

CONTRA COSTA PMA MEMBERS

Antioch – R. Bernal
Brentwood – T. Ogden
Clayton – F. Robustelli (Interim)
Concord – V. Barone / K. Trep
Danville – J. Calabrigo / T. Williams
El Cerrito – K. Pinkos / A. Orologas
Hercules – D. Biggs

Lafayette – N. Srivatsa
Martinez – E. Figueroa / M. Chandler
Moraga – C. Battenberg
Oakley – B. Montgomery
Orinda – S. Salomon
Pinole – A. Murray / H. De La Rosa
Pittsburg – G. Evans

Pleasant Hill – J. Catalano
Richmond – L. Snideman
San Pablo – M. Rodriguez / R. Schwartz
San Ramon – J. Gorton / S. Spedowsfski
Walnut Creek – D. Buckshi / T. Killgore
Contra Costa County – D. Twa

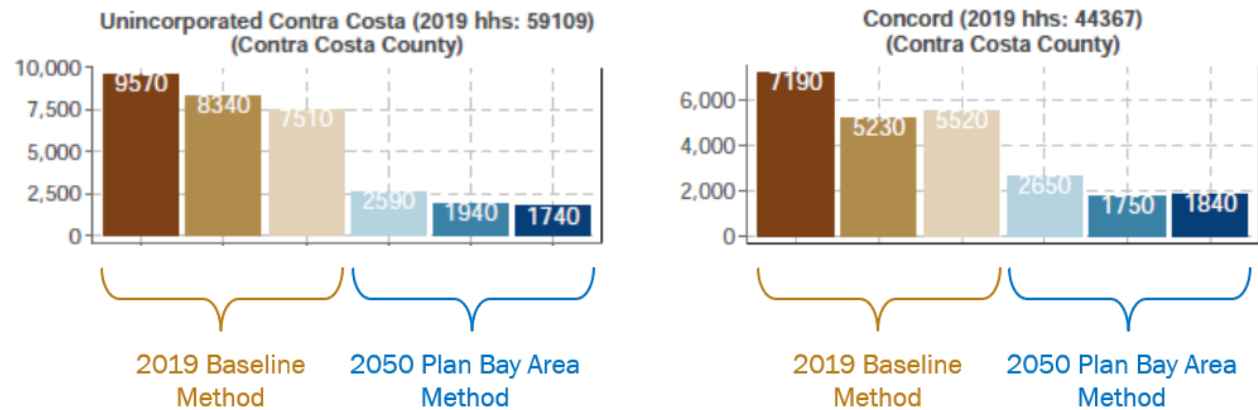
2. What “factors” should be used to refine the baseline data used?
3. What approach should be used to distribute units based on income levels, an income shift or bottom up approach?

DISCUSSION

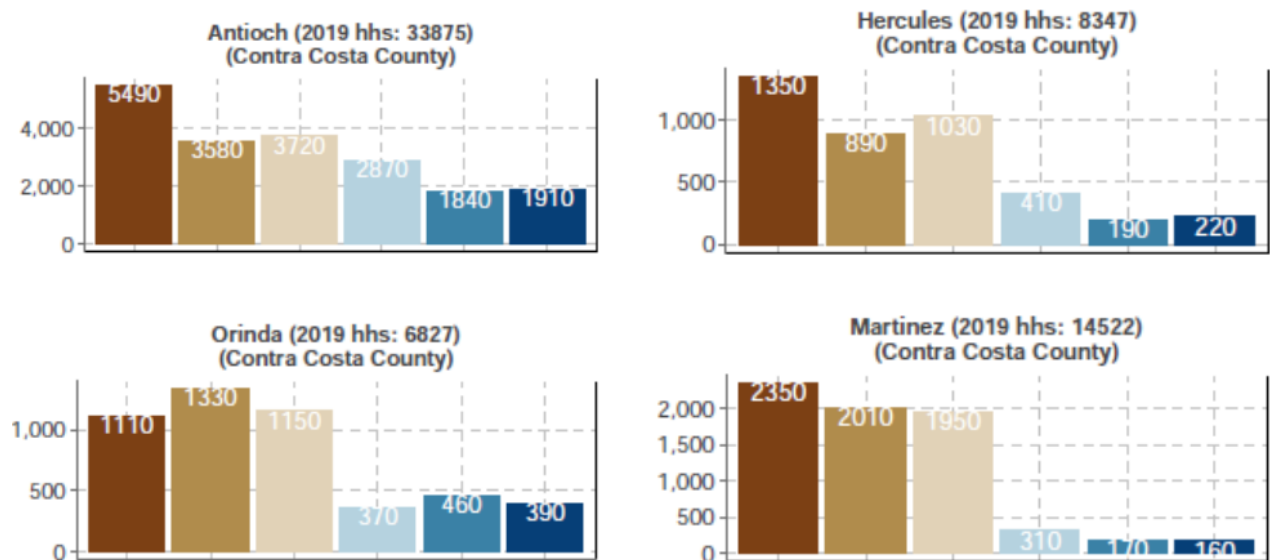
Methodology - Baseline Data

The selection of ‘baseline data’ methodology has the greatest significance to Contra Costa communities, as illustrated below and Exhibit A (attached):

Comparison of Methodologies – Sample of ‘Large’ Contra Costa Communities



Comparison of Methodologies – Sample of ‘Middle Sized’ Communities



The **“2019 Baseline” Methodology** would use the *location of existing households* (in year 2019) as the basis for allocating housing units. This methodology:

- Allocates more housing units into suburban communities
- Does not place housing units in proximity to jobs
- Does not address transit/transportation congestion, exacerbates long commutes
- Does not result in GHG emissions reductions
- Continues the narrative of social inequity

The **“2050 Plan Bay Area” Methodology** would use the recently released *Plan Bay Area’s growth projections* as the basis for allocating the region’s assigned housing units. This methodology would:

- Consistent with Plan Bay Area 2050 which – among other things – strives to reduce greenhouse gas emissions by placing units closer to job centers; therefore
- Allocates more housing units in south bay communities with mega job centers

The ABAG Housing Methodology Committee is scheduled to:

- **August 13, 2020:** Meet to finalize consideration of the preferred ‘baseline data’ methodology, refinement ‘factors’, and income allocation.
- **September 18, 2020:** Forward recommendation to ABAG Executive Board

RECOMMENDATION

The Contra Costa Public Managers Association recommends that the Contra Costa Mayors Conference consider two actions:

1. **Request that ABAG defer selection of a baseline methodology for 3-6 months.**
This deferral is appropriate given that its cities and counties – currently focusing on the need to react and respond to the ongoing global pandemic while dealing with the resultant economic fallout - need additional time to consider the far-reaching implications of this decision.
2. **Consider issuing a letter of support for “2050 Plan Bay Area” Methodology,** which would reduce greenhouse gas emissions – as required by state law -- and strikes a more equitable jobs/housing balance for Contra Costa County and the majority of its cities.

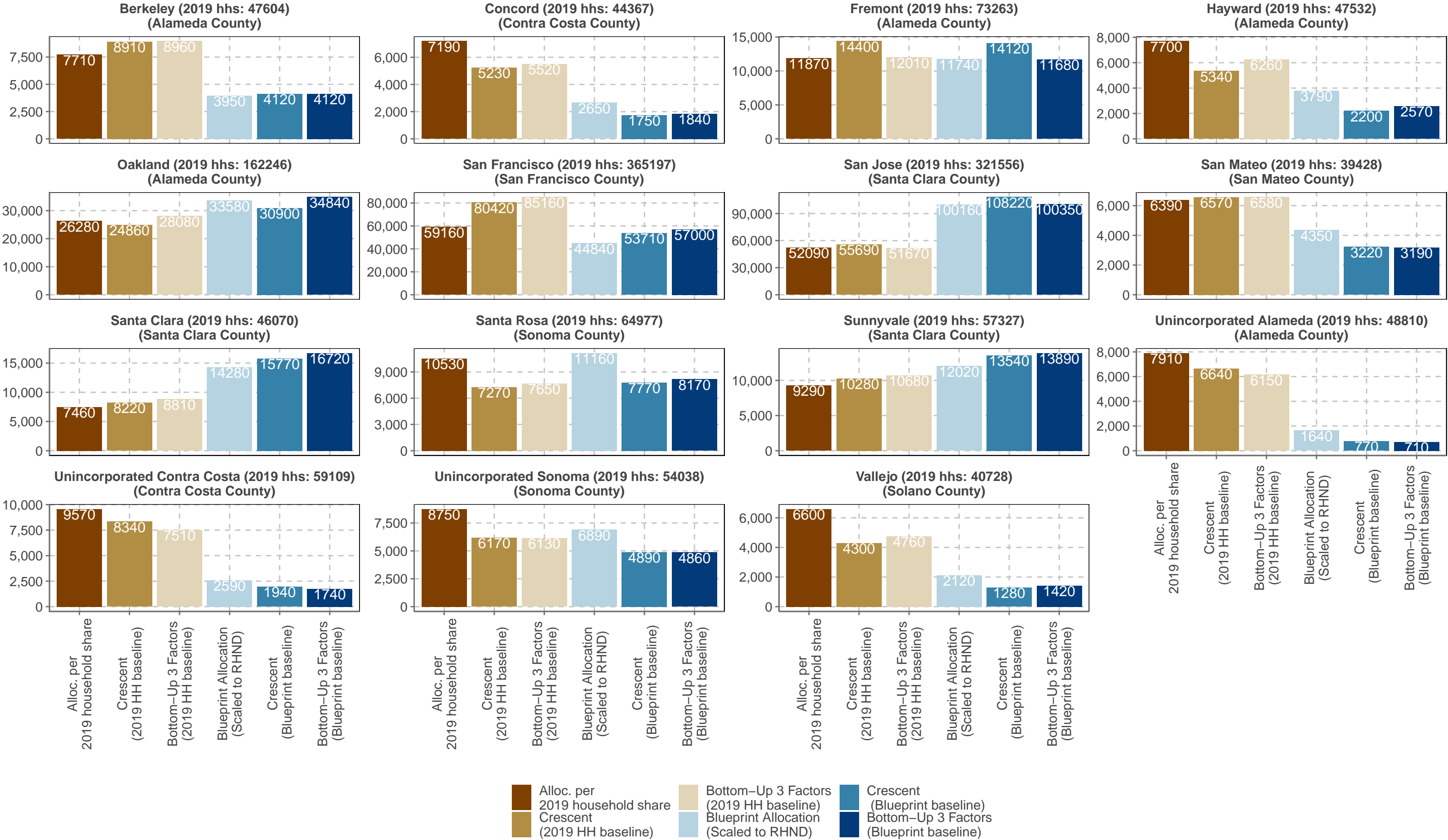
EXHIBIT A

Attachment from ABAG Housing Methodology Committee Meeting
on July 9, 2020 (Item 6a Attachment A)

*Plan Bay Area 2050 and RHNA Methodology Concepts
Jurisdiction Potential Allocations*

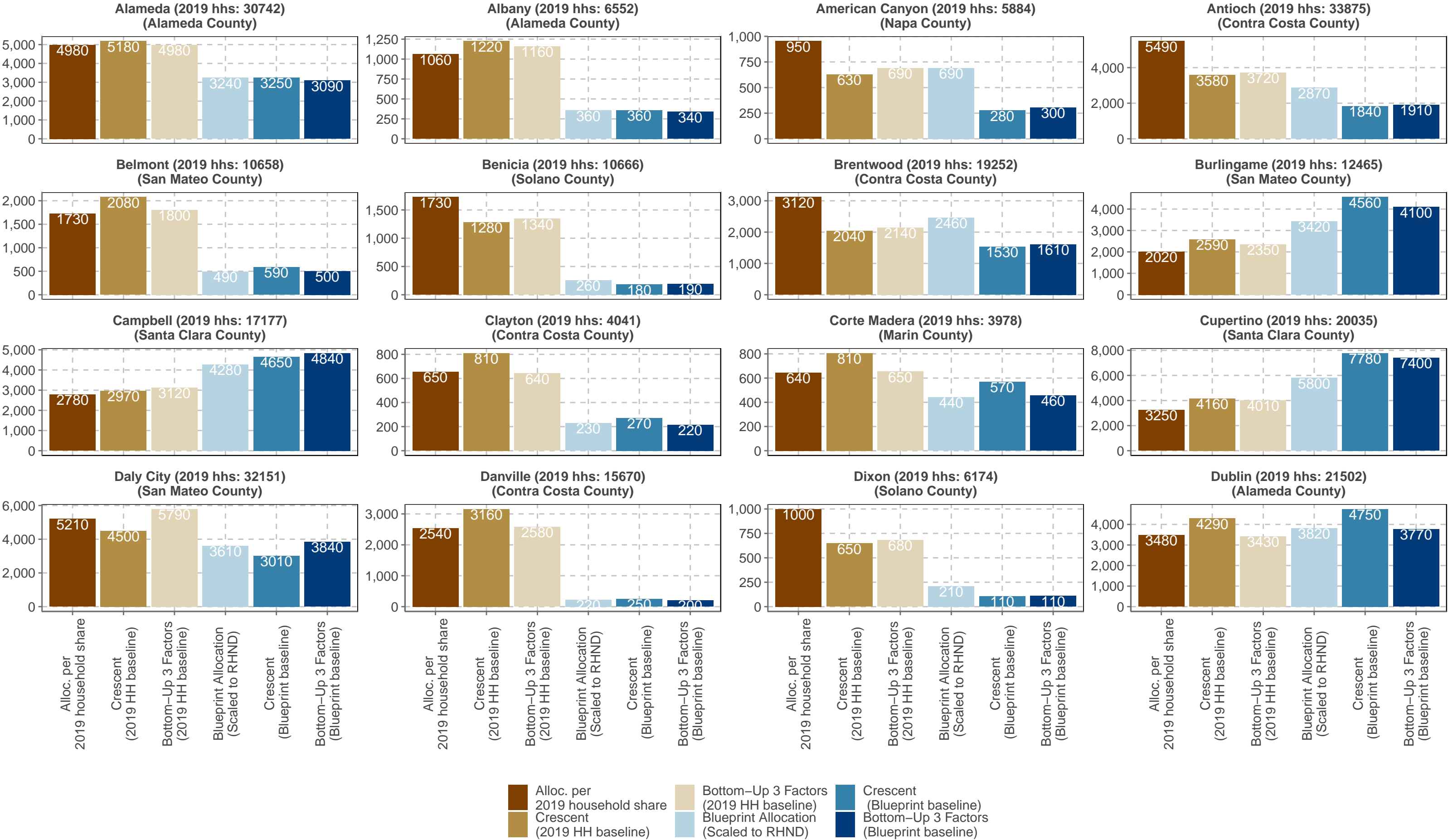
Jurisdiction potential allocations
Group of Cities: Largest 15 (by 2019 households)
Page 1

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)



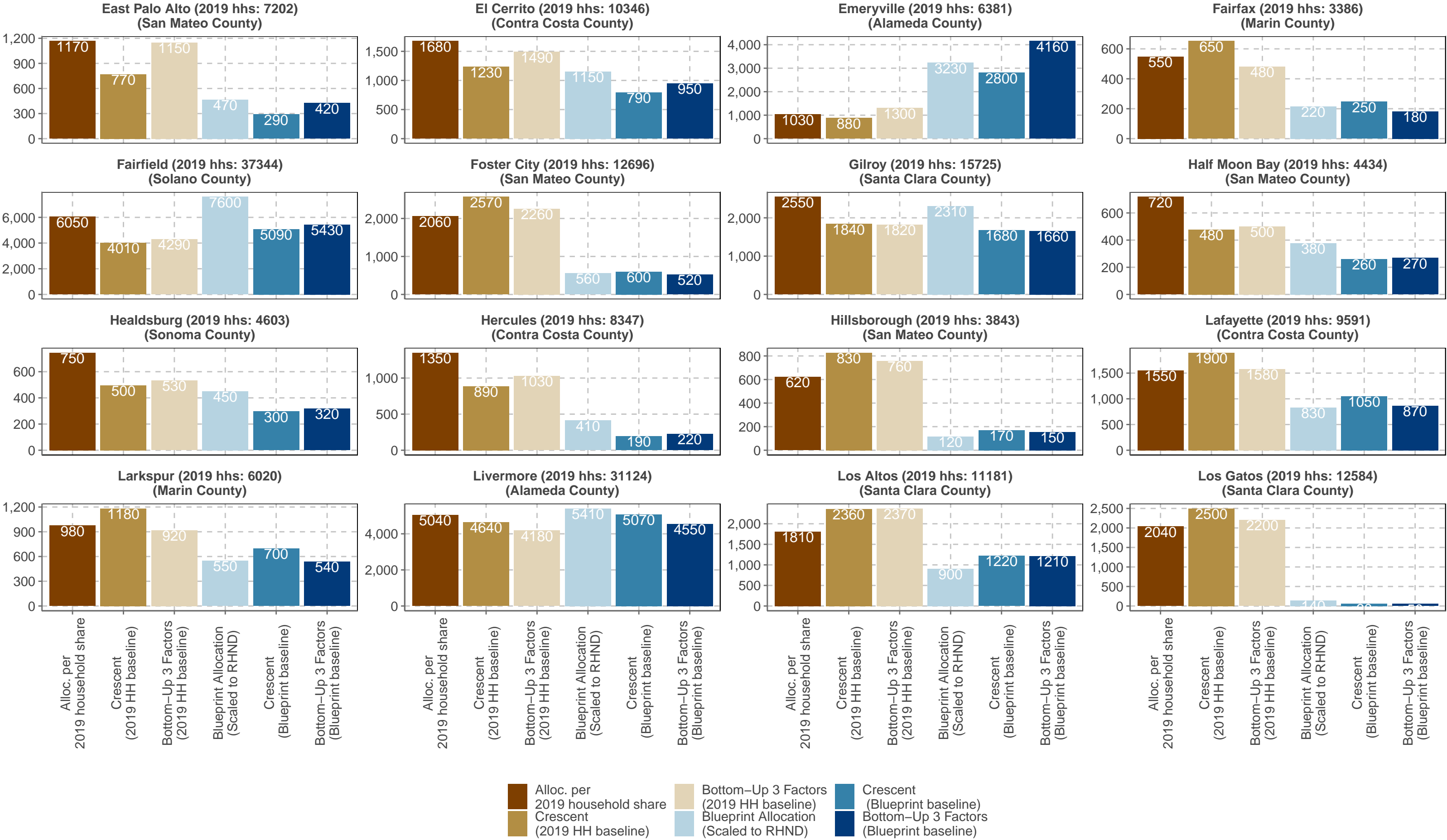
Jurisdiction potential allocations
Group of Cities: Middle Cities (by 2019 households)
Page 2

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)



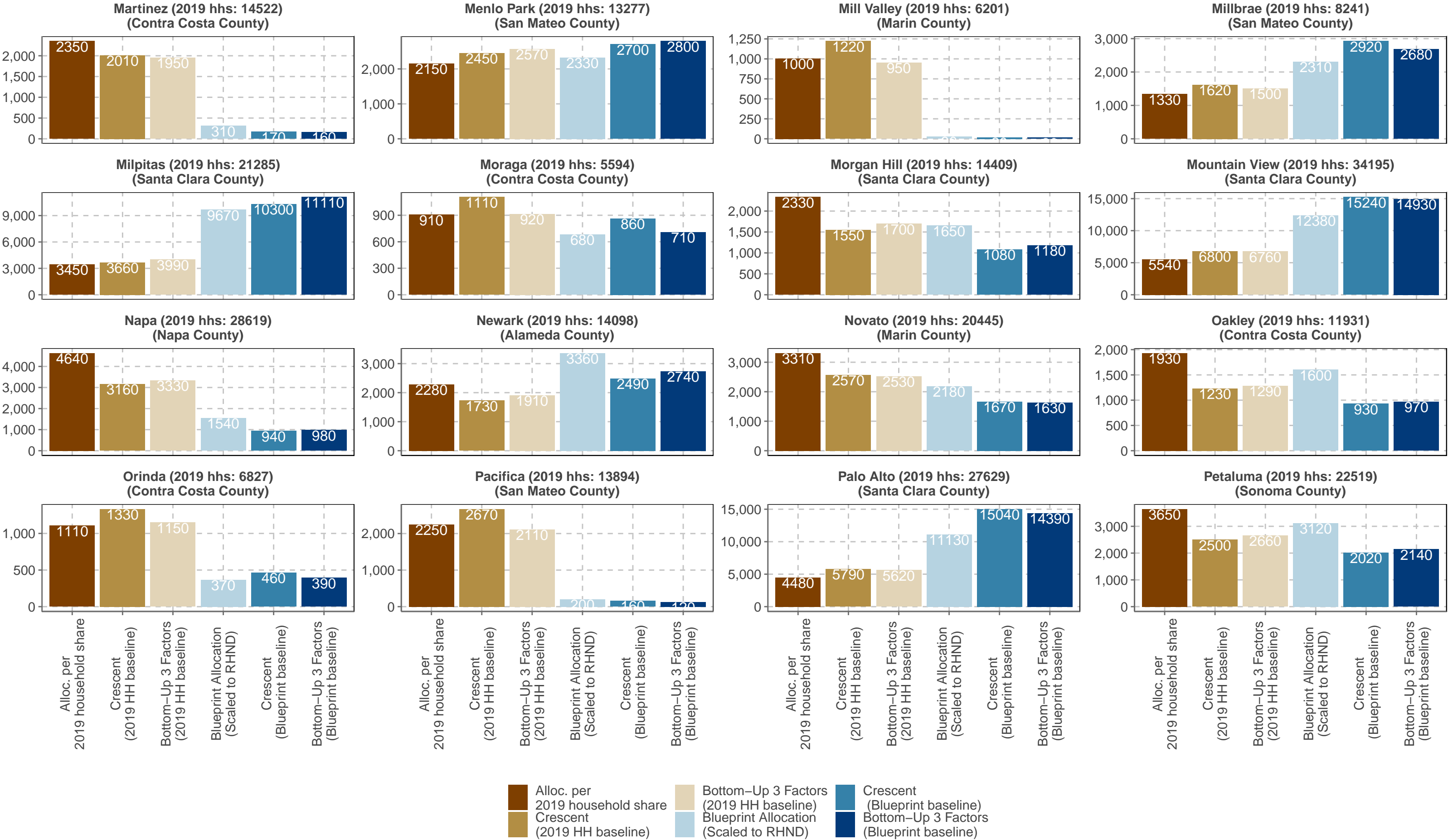
Jurisdiction potential allocations
Group of Cities: Middle Cities (by 2019 households)
Page 3

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)



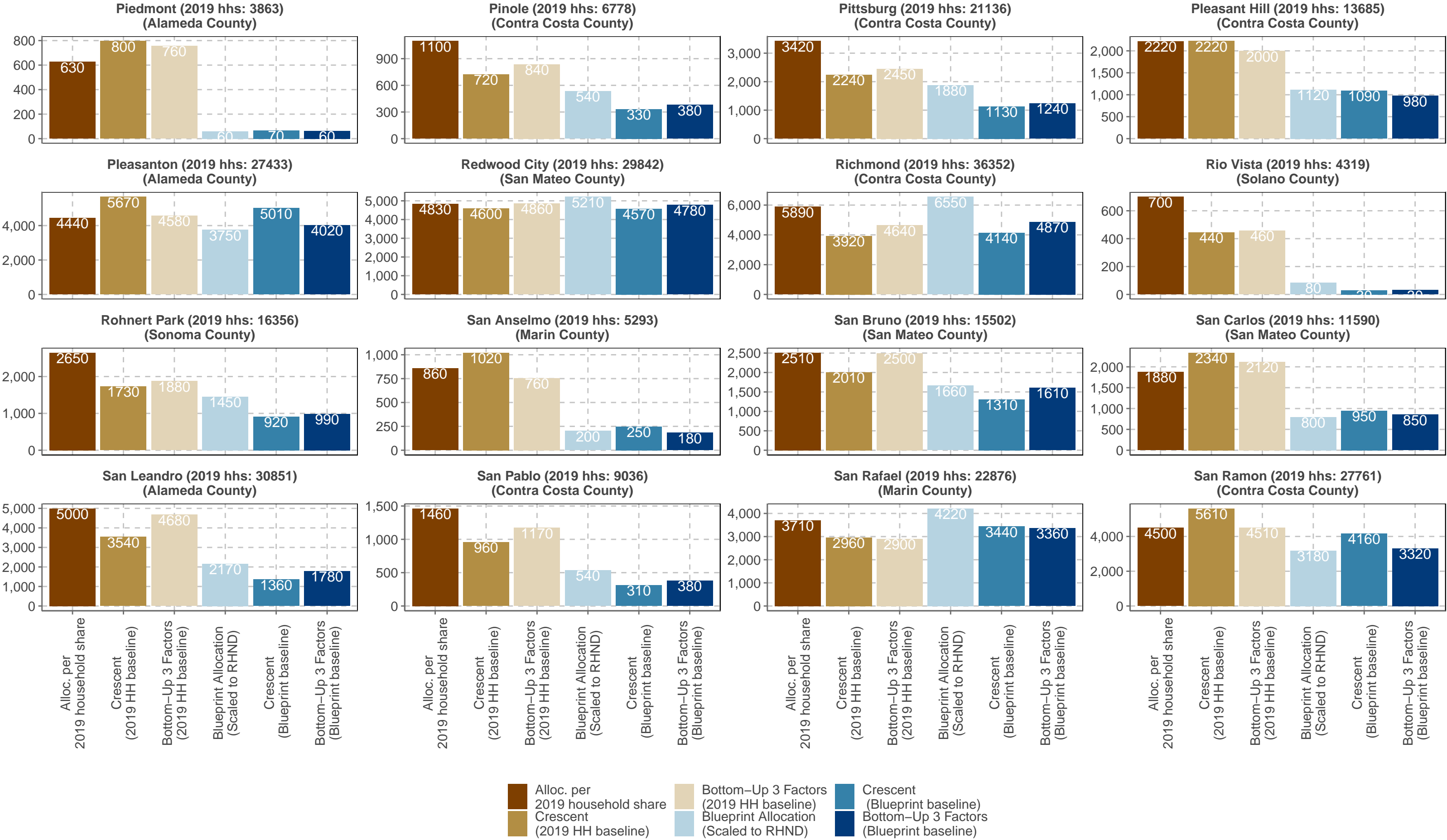
Jurisdiction potential allocations
Group of Cities: Middle Cities (by 2019 households)
Page 4

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)



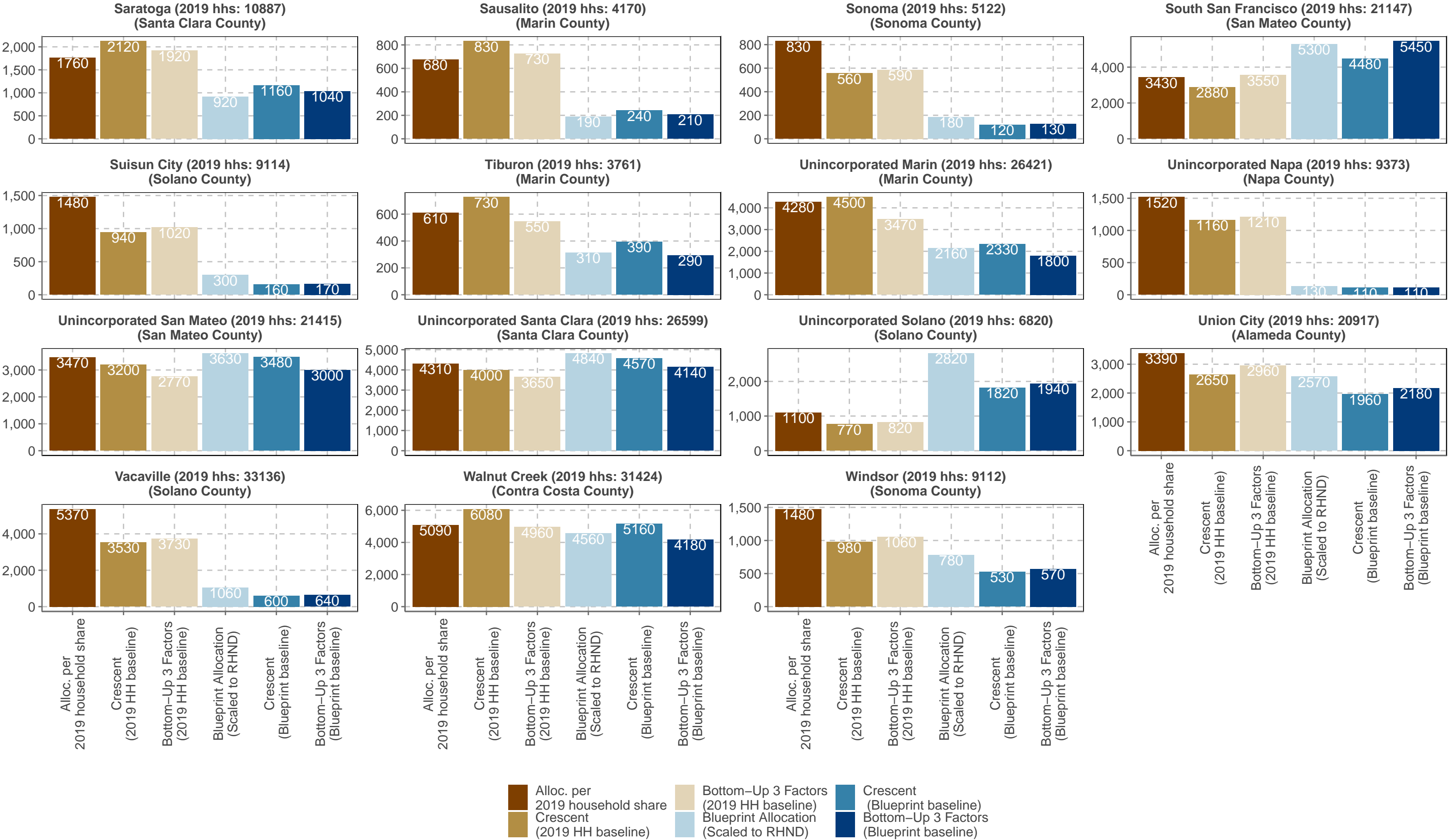
Jurisdiction potential allocations
Group of Cities: Middle Cities (by 2019 households)
Page 5

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)



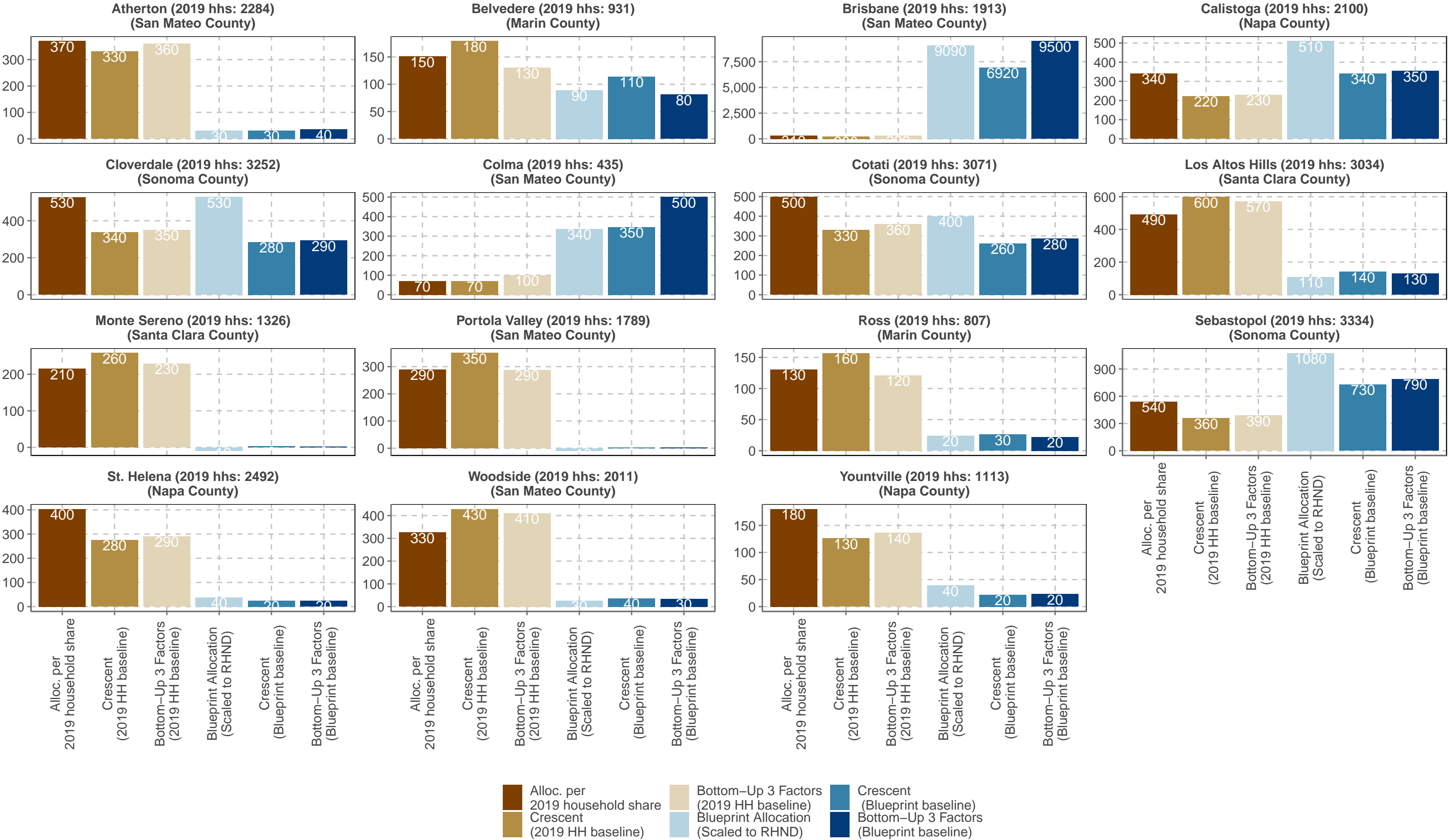
Jurisdiction potential allocations
Group of Cities: Middle Cities (by 2019 households)
Page 6

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)



Jurisdiction potential allocations
Group of Cities: Smallest 15 (by 2019 households)
Page 7

Allocation using 2019 household distribution and no factors; HMC concepts (Crescent Bsln HH19 and Bottom-up three-factor concept)





August 7, 2020

Mayor Jesse Arreguin, Chair
Association of Bay Area Governments
Housing Methodology Committee
375 Beale Street, Suite 700
San Francisco, CA 94105

RE: Support for the **Plan Bay Area 2050** Baseline Data Methodology

Chair Arreguin,

The Contra Costa Mayors Conference, representing all 19 cities in Contra Costa county, wishes to convey our appreciation for the Housing Methodology Committee's work on evaluating housing allocation methodologies for the next RHNA cycle (2023-2031).

We recognize that it is a daunting task, not only because of the collective recognition to provide more housing that is affordable to a wide range of income levels but also because we can't forget that *where* we distribute the 441,176 housing unit assignment by California Department of Housing and Community Development (HCD) to the Bay Area is just as important to the overall quality of life for all residents in the Bay Area.

In light of these considerations, the Contra Costa Mayors Conference supports and endorses the use of **Plan Bay Area 2050** as the baseline data methodology because it is consistent with the decades-long region-wide effort to:

1. **Encourage housing development in proximity to jobs**, which would in turn;
2. **Reduce transit and transportation congestion**, helping to alleviate long region wide commutes; and
3. **Reduce greenhouse gas emissions**, consistent with both AB 32 and SB 375.

It is of great concern to Contra Costa communities that the alternative “2019 Baseline Household” method would *reverse* the decades-long region-wide effort to reduce traffic congestion and GHG emissions through a greater jobs-housing balance. We appreciate your consideration of our perspective and recommendation.

Sincerely,

/Signed hard copy to follow via U. S. mail. /

Gabriel Quinto, Conference Chair
Contra Costa Mayors Conference

Contra Costa Mayors Conference Membership

<i>City of Antioch</i>	<i>City of Oakley</i>
<i>City of Brentwood</i>	<i>City of Orinda</i>
<i>City of Clayton</i>	<i>City of Pinole</i>
<i>City of Concord</i>	<i>City of Pittsburg</i>
<i>Town of Danville</i>	<i>City of Pleasant Hill</i>
<i>City of El Cerrito</i>	<i>City of Richmond</i>
<i>City of Hercules</i>	<i>City of San Pablo</i>
<i>City of Lafayette</i>	<i>City of San Ramon</i>
<i>City of Martinez</i>	<i>City of Walnut Creek</i>
<i>Town of Moraga</i>	

RESOLUTION NO. _____

RESOLUTION OF THE PINOLE CITY COUNCIL SUPPORTING THE CONTRA COSTA COUNTY JURISDICTIONS' SUPPORT FOR THE 'PLAN BAY AREA 2050' HOUSING ALLOCATION METHODOLOGY THAT MATCHES HOUSING ASSIGNMENTS PROXIMATE TO JOB CENTERS

WHEREAS, the Contra Costa County Jurisdictions recognize and respect the local needs and character of each community, and have a shared interest in maintaining local control of decision-making related to all aspects of the management of each jurisdiction, including but not limited to financial, land use and development, and growth-related matters; and

WHEREAS, in June 2020, the California Department of Housing and Community Development (HCD) determined that the San Francisco Bay region must plan to accommodate 441,176 housing units over the upcoming 8-year housing element cycle (2022-2030); and

WHEREAS, according to Association of Bay Area Governments (ABAG), this represents a 135% increase from the previous housing element assignment; and

WHEREAS, ABAG has formed a Housing Methodology Committee (HMC) that is charged with evaluating and making a recommendation on how these housing units would be allocated to the Bay Area's 101 cities and 9 counties; and

WHEREAS, at a very high level, the HMC is considering a variety of options and factors for allocating housing units; and

WHEREAS, selecting a 'baseline data' methodology has the greatest impact on Contra Costa communities and ensuring that there is a match between housing assignments and job centers; and

WHEREAS, the Contra Costa Mayors Conference at their August 6, 2020 meeting discussed and unanimously supported the 'Plan Bay Area 2050 Baseline Data Methodology'; and

WHEREAS, the Contra Costa Mayors Conference sent a letter of support for the 'Plan Bay Area 2050 Baseline Data Methodology' on August 7, 2020;

NOW, THEREFORE BE IT RESOLVED THAT THE PINOLE CITY COUNCIL DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:

Re-affirm the Contra Costa Mayors' Conference letter of support for the 'Plan Bay Area 2050 Baseline Data Methodology' which is consistent with decades-long region-wide efforts to:

- Encourage housing development proximate to job centers, which would in turn reduce transit and transportation congestion, helping to alleviate long regionwide commute times; and
- Reduce greenhouse gas emissions, consistent with AB 32, SB 375 and the Metropolitan Transportation Commission's (MTC) Plan Bay Area 2050 policy framework.

PASSED, APPROVED AND ADOPTED by the Pinole City Council on September 1, 2020.

I, Heather Iopu, City Clerk of the City of Pinole, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 1st day of September 2020, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk

APPROVED AS TO FORM:

City Attorney



CITY COUNCIL REPORT

10C

DATE: SEPTEMBER 1, 2020

TO: MAYOR AND COUNCIL MEMBERS

FROM: HECTOR DE LA ROSA, ASSISTANT CITY MANAGER

SUBJECT: APPOINT A COUNCILMEMBER AND UP TO TWO ALTERNATIVE VOTING DELEGATES TO VOTE ON THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTION AND PROVIDE DIRECTION TO VOTING DELEGATE ON LEAGUE RESOLUTION

RECOMMENDATION

It is recommended that, by minute order, the City Council:

- 1) appoint a Council Member as the voting delegate and two alternate voting delegates to vote on the League of California Cities annual conference resolution.
- 2) Provide direction to the selected voting delegate and alternates to either support or not support the League resolution.

BACKGROUND

Every year the League of California Cities hosts an annual conference. On the last day of the conference each agency's Voting Delegate may vote on the resolutions presented for consideration. This year the League of California Cities will be hosting a virtual annual conference scheduled for October 7-9th.

In years past, the Mayor and/or a Council Member who was registered to attend the conference was designated by the Council as Pinole's Voting Delegate. The voting customarily occurs during the General Assembly which will be held on the last day of the conference, Friday October 9th.

REVIEW & ANALYSIS

For 2020 there is a single resolution being presented for consideration.

- ***Resolution #1 – Amendment to Section 230 of The Communications Decency Act of 1996***

The resolution is sponsored by the City of Cerritos and supported by the cities of Hawaiian Gardens, Lakewood, Ontario, Rancho Cucamonga, and Roseville.

This resolution is in response to online platform companies' immunity, under Section 230 of the Communications Decency Act of 1996, from civil liability based on third-party content and for the removal of content when the content calls for or is attributed to criminal acts. Additionally, online platform providers are also immune from injunctive relief, preventing local governments from merely seeking an injunction against the online platform to have a post removed.

The resolution was prompted by a recent situation in which an anonymous post on Instagram.com called followers to "work together to loot Cerritos Mall". Concerned for the public's safety as well as public property, the City of Cerritos spent thousands of dollars to protect and secure the Mall. Under Section 230 of the Communications Decency Act of 1996, Instagram.com is immune from any liability resulting from the posting and ultimate cost to the City.

According to the League Staff Analysis for this resolution, which can be found starting on page 9 of the attached Annual Conference Resolution Packet, while the rationale for the resolution is defensible, there are some potential constitutional issues one could raise, should there be an attempt to implement such a resolution into statute. In the United States,

- the First Amendment prohibits the government from restricting most forms of speech, which would include many proposals to force tech companies to moderate content. While "illegal" types of speech enjoy limited or no First Amendment protection, the line for delineating between "legal" and "illegal" speech is very difficult to determine.
- With respect to privacy and the Fourth Amendment, online platforms may argue that requiring them the identification of persons who use the services of the platform to solicit and to engage in criminal activity, would require them to search users' accounts without a warrant based on probable cause, thus violating the persons Fourth Amendment.

This resolution states that the League of California Cities should urge Congress to amend Section 230 of the federal Communications Decency Act of 1996 (CDA) to limit the immunity provided to online platforms where their forums enable criminal activity to be promoted.

Resolution Action

If the resolution is approved, the League will call upon the U.S. Congress to amend Section 230 of the Communications Decency Act of 1996 to condition immunity from civil liability on the following:

1. Online platforms must establish and implement a reasonable program to identify and take down content which solicits criminal activity; and

2. Online platforms must provide to law enforcement information which will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity; and
3. An online platform that willfully or negligently fails in either of these duties is not immune from enforcement of state and local laws which impose criminal or civil liability for such failure.

Following appointment of the City's Voting Delegate and alternates, along with a discussion on the matter, the Council shall direct the City's Voting Delegate to either support or not support the resolution.

FISCAL IMPACTS

There is no direct fiscal impact to the City of Pinole related to this resolution. The costs to the League of California Cities to simply urge Congress to undertake certain action as described in the resolution is negligible.

ATTACHMENTS

- A 2020 League of California Cities Voting Packet
- B 2020 League of California Cities Annual Conference Resolution Packet

Council Action Advised by August 31, 2020
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June 30, 2020

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference & Expo – October 7 – 9, 2020**

The League's 2020 Annual Conference & Expo is scheduled for October 7 – 9. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly) on Friday, October 9. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Wednesday, September 30. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Business Meeting. These procedures assume that the conference will be held in-person at the Long Beach Convention Center as planned. Should COVID-19 conditions and restrictions prohibit the League from holding an in-person conference, new procedures will be provided.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration will open by the end of July at www.cacities.org. In order to cast a vote, at least one voter must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the

special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Long Beach Convention Center, will be open at the following times: Wednesday, October 7, 8:00 a.m. – 6:00 p.m.; Thursday, October 8, 7:00 a.m. – 4:00 p.m.; and Friday, October 9, 7:30 a.m.–11:30 a.m.. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Wednesday, September 30. If you have questions, please call Darla Yacub at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form



CITY: _____

**2020 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Wednesday, September 30, 2020. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____

Email: _____

Mayor or City Clerk _____
(circle one) (signature)

Date _____ Phone _____

Please complete and return by Wednesday, September 30, 2020

League of California Cities
ATTN: Darla Yacub
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: dyacub@cacities.org
(916) 658-8254



Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



***Annual Conference
Resolutions Packet***

2020 Annual Conference Resolutions



October 7 – 9, 2020

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration at the Annual Conference and referred to League policy committees.

POLICY COMMITTEES: Two policy committees will meet virtually at the Annual Conference to consider and take action on the resolution referred to them. The committees are: Governance, Transparency & Labor Relations and Public Safety. These committees will meet virtually on Tuesday, September 29, with the Governance, Transparency and Labor Relations Policy Committee meeting from 9:30 – 11:30 a.m. and the Public Safety Policy Committee meeting from 1:00 – 3:00 p.m. The sponsor of the resolution has been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet virtually at 1:00 p.m. on Thursday, October 8, to consider the reports of the policy committees regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president.

GENERAL ASSEMBLY: This meeting will be held virtually at 11:00 a.m. on Friday, October 9.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, October 8.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3
		1 - Policy Committee Recommendation to General Resolutions Committee 2 - General Resolutions Committee 3 - General Assembly		

GOVERNANCE, TRANSPARENCY & LABOR RELATIONS POLICY COMMITTEE

		1	2	3
1	Amendment to Section 230 of The Communications Decency Act of 1996			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Amendment to Section 230 of The Communications Decency Act of 1996			

KEY TO ACTIONS TAKEN ON RESOLUTIONS (*Continued*)

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- | | |
|-----|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| Ra | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+ |
| Da | Amend (for clarity or brevity) and Disapprove+ |
| Na | Amend (for clarity or brevity) and take No Action+ |
| W | Withdrawn by Sponsor |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR AN AMENDMENT OF SECTION 230 OF THE COMMUNICATIONS DECENCY ACT OF 1996 TO REQUIRE SOCIAL MEDIA COMPANIES TO REMOVE MATERIALS WHICH PROMOTE CRIMINAL ACTIVITIES

Source: City of Cerritos

Concurrence of five or more cities/city officials

Cities: City of Hawaiian Gardens, City of Lakewood, City of Ontario, City of Rancho Cucamonga, City of Roseville

Referred to: Governance, Transparency and Labor Relations and Public Safety Policy Committees

WHEREAS, local law enforcement agencies seek to protect their communities' residents, businesses, and property owners from crime; and

WHEREAS, increasingly, criminals use social media platforms to post notices of places, dates and times for their followers to meet to commit crimes; and

WHEREAS, Section 230 of the Communications Decency Act of 1996 currently provides online platforms (including social media platforms) immunity from civil liability based on third-party content and for the removal of content; and

WHEREAS, in the 25 years since Section 230's enactment, online platforms no longer function simply as forums for the posting of third-party content but rather use sophisticated algorithms to promote content and to connect users; and

WHEREAS, the United States Department of Justice, in its June 2020 report, "Section 230 — Nurturing Innovation or Fostering Unaccountability?," concluded the expansive interpretation courts have given Section 230 has left online platforms immune from a wide array of illicit activity on their services, with little transparency or accountability, noting it "makes little sense" to immunize from civil liability an online platform that purposefully facilitates or solicits third-party content or activity that violates federal criminal law; and

WHEREAS, current court precedent interpreting Section 230 also precludes state and local jurisdictions from enforcing criminal laws against such online platforms that, while not actually performing unlawful activities, facilitate them; and

WHEREAS, amendment of Section 230 is necessary to clarify that online platforms are not immune from civil liability for promoting criminal activities; and

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 9, 2020 in Long Beach, California, that the League calls upon the U.S. Congress to amend Section 230 of the Communications Decency Act of 1996 to condition immunity from civil liability on the following:

1. Online platforms must establish and implement a reasonable program to identify and take down content which solicits criminal activity; and
2. Online platforms must provide to law enforcement information which will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity; and
3. An online platform that willfully or negligently fails in either of these duties is not immune from enforcement of state and local laws which impose criminal or civil liability for such failure.

Background Information to Resolution

Source: City of Cerritos

Background:

Social media platforms are now used as a primary means of communication, including by criminals who use them to advertise locations, dates, and times where the criminal acts will take place. Such communications, because they occur online, render the online platform immune from any civil liability for the costs incurred by law enforcement agencies that respond under Section 230 of the Communications Decency Act of 1996. Immunity from civil liability extends even to injunctive relief, thus preventing local governments from merely seeking an injunction against the online platform to have such a post removed.

The City of Cerritos supports the rights of free speech and assembly guaranteed under the First Amendment, but believes cities should have the ability to hold social media companies liable for their role in promoting criminal acts. Recently, the City suffered thousands of dollars in damages to respond to online threats that the Cerritos Mall would be looted. Anonymous posts on Instagram.com invited followers to “work together to loot Cerritos [M]all” only several days after the Lakewood Mall had been looted, causing thousands of dollars in damages. The posts were made under the names “cerritosmalllooting” and “cantstopusall,” among others. The City of Cerritos had no choice but to initiate response to protect the Mall and the public from this credible threat.

At the same time local governments face historic shortfalls owing to the economic effects of COVID-19, the nation’s social media platforms are seeing a record rise in profits. The broad immunity provided by Section 230 is completely untenable. Online platforms should be held responsible—and liable—for the direct harm they facilitate. Local governments are in no position to bear the costs of the crimes facilitated by these companies alone.

Congress is currently reviewing antitrust legislation and by extension, Section 230’s immunity provisions. The League urges Congress to amend Section 230 to limit the immunity provided to online platforms when they promote criminal activity to provide local governments some measurable form of relief.

League of California Cities Staff Analysis on Resolution No. 1

Staff: Charles Harvey, Legislative Representative
Bijan Mehryar, Legislative Representative
Caroline Cirrincione, Policy Analyst
Johnnie Piña, Policy Analyst

Committees: Governance, Transparency and Labor Relations
Public Safety

Summary:

This resolution states that the League of California Cities should urge Congress to amend Section 230 of the federal Communications Decency Act of 1996 (CDA) to limit the immunity provided to online platforms where their forums enable criminal activity to be promoted.

Ultimately, the policy objectives proposed under this resolution, if enacted, would incentivize social media companies to establish and implement a reasonable program to identify and remove content that solicits criminal activity.

Background:

The City of Cerritos is sponsoring this resolution in reaction to events whereby persons, using social media platforms to coordinate locations, dates, and times for their planned criminal activity, have committed acts of looting and vandalism resulting in both actual economic harm for targeted businesses, and pecuniary loss to cities who used resources to prevent such acts from occurring when such plans are discovered.

For example, just days after the Lakewood Mall had been looted, the City of Cerritos uncovered online communications via social media that persons were planning to target the nearby Cerritos Mall. Consequently, the city felt compelled to undertake measures to protect the Cerritos Mall, costing the city thousands of dollars to guard against what officials believed to be a credible threat.

Staff Comments:

Overview:

While there is certainly an argument to substantiate concerns around censorship, the use of social media as a tool for organizing violence is equally disturbing.

Throughout much of the 2020 Summer, there have been many reports of looting happening across the country during what were otherwise mostly peaceful demonstrations. Combined with the speculation of who is really behind the looting and why, the mayhem has usurped the message of peaceful protestors, causing a great deal of property damage in the process. Likewise, these criminal actions have upended the livelihood of some small business owners, many of whom were already reeling in the wake of the COVID-19 pandemic.

While social media allows people to connect in real time with others all over the world, organized illegal activity using social media is made easier by the anonymous nature of virtual interactions.

Nation's Reaction to the Murder of George Floyd:

Shortly after the senseless killing of George Floyd by law enforcement on May 26, 2020, civil unrest began as local protests in the Minneapolis–Saint Paul metropolitan area of Minnesota before quickly spreading nationwide to more than 2,000 cities and towns across the United States, and in approximately 60 countries in support of the Black Lives Matter movement. Protests unfolded across the country throughout the entire month of June and into July, and persisted in a handful of cities such as Portland and Seattle into the month of August.

Although the majority of protests were peaceful, some demonstrations in cities escalated into riots, looting, and street skirmishes with police. While much of the nation's focus has been on addressing police misconduct, police brutality, and systemic racism, some have used demonstrators' peaceful protests on these topics as opportunities to loot and/or vandalize businesses, almost exclusively under the guise of the "Black Lives Matter" movement. It has been uncovered that these "flash robs"¹ were coordinated through the use of social media. The spontaneity and speed of the attacks enabled by social media make it challenging for the police to stop these criminal events as they are occurring, let alone prevent them from commencing altogether.

As these events started occurring across the country, investigators quickly began combing through Facebook, Twitter, and Instagram seeking to identify potentially violent extremists, looters, and vandals and finding ways to charge them after — and in some cases before — they sow chaos. While this technique has alarmed civil liberties advocates, who argue the strategy could negatively impact online speech, law enforcement officials claim it aligns with investigation strategies employed in the past.

Section 230 and other Constitutional Concerns

At its core, Section 230(c)(1) of the CDA provides immunity from liability for providers and users of an "interactive computer service" who publish information provided by third-party users. Essentially, this protects websites from lawsuits if a user posts something illegal, although there are exceptions for copyright violations, sex work-related material, and violations of federal criminal law.

Protections from Section 230 have come under more recent scrutiny on issues related to hate speech and ideological biases in relation to the influence technology companies can hold on political discussions.

Setting aside Section 230, there are some potential constitutional issues one could raise, should there be an attempt to implement such a resolution into statute.

¹ The "flash robs" phenomenon—where social media is used to organize groups of teens and young adults to quickly ransack and loot various retail stores—began to occur sporadically throughout the United States over the past ten years.

In the United States, the First Amendment prohibits the government from restricting most forms of speech, which would include many proposals to force tech companies to moderate content. While “illegal” types of speech enjoy limited or no First Amendment protection, the line for delineating between “legal” and “illegal” speech is very difficult to determine. Consequently, one would expect online platforms to push back on whether there is a constitutionally feasible way for them to “identify” protected speech versus unprotected speech, or whether there is a feasible way to define “content which solicits criminal activity.” A law requiring companies to moderate content based on the political viewpoint it expresses, for example, would likely be struck down as unconstitutional.

Nonetheless, private companies can create rules to restrict speech if they so choose. Online platforms sometimes argue they have constitutionally-protected First Amendment rights in their “editorial activity,” and therefore, it violates their constitutional rights to require them to monitor (i.e., “identify and take down”) content that may be protected under the First Amendment. They may also argue, along the same lines, that the government may not condition the granting of a privilege (i.e., immunity) on doing things that amount to a violation of their first amendment rights. This is why Facebook and Twitter ban hate speech and other verifiably false information, for example, even though such speech is permitted under the First Amendment.

With respect to privacy and the Fourth Amendment, online platforms may argue that requiring them to “provide to law enforcement information that will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity,” turns them into government actors that search users’ accounts without a warrant based on probable cause, in violation of the Fourth Amendment.

Industry Perspective

Unsurprisingly, industry stakeholders have strong opinions for what such changes could mean for their respective business models.

For instance, a Facebook spokesperson recently noted in a Fortune article that, “By exposing companies to potential liability for everything that billions of people around the world say, this would penalize companies that choose to allow controversial speech and encourage platforms to censor anything that might offend anyone.”

The article acknowledges that in recent years, both political parties have put social media companies under increased scrutiny, but they are not unified in their stated concerns. While Republicans accuse the companies of unfairly censoring their post, Democrats complain that these companies fail to do enough to block misinformation, violent content, and hate speech.

The article concludes that there is no way companies like Facebook and Twitter could operate without Section 230, and that the removal of this section would thereby “eliminate social media as we know it.”

Recent Federal Action on Social Media

The President recently issued an *Executive Order on Preventing Online Censorship*. In it, he notes the following:

“The growth of online platforms in recent years raises important questions about applying the ideals of the First Amendment to modern communications technology. Today, many Americans follow the news, stay in touch with friends and family, and share their views on current events through social media and other online platforms. As a result, these platforms function in many ways as a 21st century equivalent of the public square.

Twitter, Facebook, Instagram, and YouTube wield immense, if not unprecedented, power to shape the interpretation of public events; to censor, delete, or disappear information; and to control what people see or do not see.”

Ultimately the President implores the U.S. Attorney General to develop a proposal for federal legislation that “would be useful to promote the policy objectives of this order.” The President is not subtle in communicating his desire to ultimately see legislation heavily slanted toward the preservation of free speech on social media, which some interpret as a maneuver to preempt Twitter and Facebook from regulating speech they otherwise deem as hateful or demonstrably false.

Considerations for Congress

Courts have generally construed Section 230 to grant internet service providers broad immunity for hosting others’ content. Many have claimed that Section 230’s immunity provisions were critical to the development of the modern internet, and some continue to defend Section 230’s broad scope. But simultaneously, a variety of commentators and legislators have questioned whether those immunity provisions should now be narrowed, given that the internet looks much different today than it did in 1996 when Section 230 was first enacted.

One way for Congress to narrow Section 230’s liability shield would be to create additional exceptions, as it did with FOSTA and SESTA². If a lawsuit does not fall into one of the express exceptions contained in Section 230(e)³, courts may have to engage in a highly fact-specific inquiry to determine whether Section 230 immunity applies: Section 230(c)(1) immunity will be inapplicable if the provider itself has developed or helped to develop the disputed content, while Section 230(c)(2) immunity may not apply if a service provider’s decision to restrict access to content was not made in good faith.

Date Storage and Usage Considerations for Cities

Section 2 of the conditions the resolution applies to civil immunity requires that online platforms provide relevant information to law enforcement to assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity. This section would most likely require the development of new procedures and protocols that govern law enforcements usage and retention of such information. Those new policies and procedures would undoubtedly raise privacy concerns depending on how wide the latitude is for law

² The Fight Online Sex Trafficking Act (FOSTA) and the Stop Enabling Sex Traffickers Act (SESTA) create an exception to Section 230 that means website publishers *would* be responsible if third parties are found to be posting ads for prostitution — including consensual sex work — on their platforms.

³ Section 230(e) says that Section 230 will not apply to: (1) federal criminal laws; (2) intellectual property laws; (3) any state law that is “consistent with” Section 230; (4) the Electronic Communications Privacy Act of 1986; and (5) civil actions or state prosecutions where the underlying conduct violates federal law prohibiting sex trafficking.

enforcement to request such information. In those circumstances cities could end up themselves incurring new liability for the governance of data that could either violate certain privacy rules or increase their data governance costs.

Fiscal Impact:

Unlike the costly resources needed to support or oppose a ballot measure, a federal resolution from the League of California Cities that simply urges Congress to undertake certain action should have a negligible fiscal impact, if any monetary impact at all.

Regarding cities, if social media had no immunity for its failure to police content that solicits criminal activity, then an individual city could theoretically save thousands if not millions of dollars, depending on its size and other subjective circumstances. Collectively, cities across the country could potentially save at least hundreds of millions between redress for actual economic harm suffered and/or the cost of preventative measures taken to stop criminal activity from occurring in the first place.

Conversely, if social media platforms were to shut down, due to an inability to comply with a policy requirement to regulate speech on the internet, it is unclear on how cities might be impacted from a fiscal standpoint.

Existing League Policy:

Public Safety:

Law Enforcement

The League supports the promotion of public safety through:

- Stiffer penalties for violent offenders, and
- Protecting state Citizens' Option for Public Safety (COPS) and federal Community Oriented Police Services (COPS) funding and advocating for additional funding for local agencies to recoup the costs of crime and increase community safety.

Violence

The League supports the reduction of violence through strategies that address gang violence, domestic violence, and youth access to tools of violence, including but not limited to firearms, knives, etc.

The League supports the use of local, state, and federal collaborative prevention and intervention methods to reduce youth and gang violence.

Governance, Transparency & Labor Relations:

Private Sector Liability

The League will work closely with private sector representatives to evaluate the potential for League support of civil justice reform measures designed to improve the business climate in California. These measures should be evaluated on a case-by-case basis through the League police process.

Questions to Consider:

Many cities obviously believe that creating civil liability for social media platforms—due to their role in providing the communication mediums for those who organize looting attacks— is key to deterring this organized criminal activity.

If such a change was actually passed by Congress, it would force social media to essentially police every conversation on stakeholders' respective platforms, putting immense pressure on the industry to make subjective determinations about what conversations are appropriate and what are unacceptable.

At the end of the day, there are a few questions to consider in assessing this proposed resolution:

- 1) *What would this resolution's impact be on free speech and government censorship?*
- 2) *What are the expectations for cities when they receive information from a social media platform about a potentially credible threat in their respective communities? Does a city become liable for having information from a social media platform and the threat occurs?*
- 3) *What would the costs be to develop and maintain new data governance policies, including data infrastructure, to store this information?*
- 4) *What is the role of the League in engaging in issues relating to someone's privacy?*

Support:

The following letters of concurrence were received:

City of Hawaiian Gardens

City of Lakewood

City of Ontario

City of Rancho Cucamonga

City of Roseville

LETTERS OF CONCURRENCE

Resolution No. 1

Amendment to Section 230 of the Communications
Decency Act of 1996



CITY OF HAWAIIAN GARDENS

"Our Youth - Our Future"

August 7, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

The public safety efforts in the City of Hawaiian Gardens would certainly benefit from such legislation. This letter serves to support the City of Cerritos in their efforts to submit of the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,



Ernie Hernandez
City Manager

cc Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us

Jeff Wood
Vice Mayor

Steve Craft
Council Member



Todd Rogers
Mayor

Ariel Pe
Council Member

Diane DuBois
Council Member

August 5, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution, with the required background information, will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

This letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

Todd Rogers
Mayor

cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us

Lakewood

CITY OF

303 EAST "B" STREET, CIVIC CENTER

ONTARIO



ONTARIO

CALIFORNIA 91764-4105

(909) 395-2000

FAX (909) 395-2070

PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SCOTT OCHOA
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

August 6, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

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This letter serves to support the City of Cerritos in their efforts to submit the above-mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

Alan D. Wapner
Council Member
League of California Cities Board Member

c: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us



CITY OF RANCHO CUCAMONGA

10500 Civic Center Drive | Rancho Cucamonga, CA 91730 | 909.477.2700 | www.CityofRC.us

August 6, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

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On behalf of the City of Rancho Cucamonga, this letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

L. Dennis Michael
Mayor

cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us



City Council
311 Vernon Street
Roseville, California 95678

August 7, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social media platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

On behalf of the City of Roseville, this letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

John B. Allard II,
Mayor

Cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us
Jason Gonsalves, Joe A. Gonsalves and Son