

CITY COUNCIL MEETING
MINUTES
October 9, 2021

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

The City Council Meeting was held via Zoom videoconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Martínez-Rubin called the Special Meeting of the City Council to order at 9:31 a.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

3. 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. Code § 87105.

A. COUNCILMEMBERS PRESENT

Norma Martínez-Rubin, Mayor
Vincent Salimi, Mayor Pro Tem
Devin Murphy, Council Member
Anthony Tave, Council Member
Maureen Toms, Council Member

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Markisha Guillory, Finance Director
Misha Kaur, Senior Project Manager
Chris Wynkoop, Fire Chief
Roxanne Stone, Management Analyst

City Clerk Heather Bell announced the agenda had been posted on Wednesday, October 6, 2021 at 11:00 a.m. All legally required notice had been provided. Written comments had been received from members of the public, posted to the agenda page of the City website, and distributed to the City Council and staff in advance of the meeting.

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

4. 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. Individuals may not share or offer time to another speaker. 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.

Roxanne Stone, Management Analyst, reported no comments had been received for this agenda item.

5. WORKSHOP ITEMS

A. American Rescue Plan Act (ARPA) Funds Workshop [Action: Engage in Workshop and Receive Public Input (Guillory)]

Please Note: Public Comments and questions will be facilitated in an open workshop format following staff's presentation. Comments and questions will be taken one at a time in the order in which hands are raised in Zoom. Members of the public may raise their hands more than once for follow-up comments and/or questions. Please see the coversheet of the agenda for more details on how to participate via phone or Zoom software. Contact the City Clerk if you have any questions. Heather Bell hbelle@ci.pinoles.ca.us or (510) 724-8928

Finance Director Markisha Guillory provided a PowerPoint presentation of the City of Pinole Community Workshop for the American Rescue Plan Act (ARPA) Funds which had been prepared in cooperation with Consultants Barry Foster, Managing Director and Sandra Meyer, EconSolutions, HdL's Economic Development team who would be providing assistance in facilitating the meeting and ensuring the City of Pinole abided by the guidelines set forth by the U.S. Department of the Treasury as it related to the use of the ARPA funds.

Finance Director Guillory provided an overview of ARPA, which had been signed into law on March 11, 2021, a \$1.9 trillion economic stimulus package enacted in response to the COVID-19 pandemic. ARPA included the Coronavirus State and Local Fiscal Recovery Funds program, which provided \$350 billion in emergency funding for eligible state, local, territorial, and tribal governments to mitigate the fiscal and public health impacts of the COVID-19 pandemic on communities, individuals, and businesses. ARPA funds may be used for responding to COVID-19 and the public health emergency, replacing lost or delayed revenues, addressing negative impacts on local businesses and individuals, and investing in water, sewer, or broadband infrastructure.

The City of Pinole contracted with HdL for ARPA assistance and any costs associated with using a consultant would be eligible as an ARPA expense. HdL had worked with 14 other Bay Area cities. The City of Pinole's total ARPA allocation had been identified as \$4,605,009. The City received its initial allocation of \$2,302,504.50 (50 percent) in July 2021 with the remaining 50 percent of the total funds to be received in July 2022. ARPA funds must be allocated by December 31, 2024 and spent by December 31, 2026, with any unspent funds to be returned to the U.S. Treasury Department.

Finance Director Guillory provided an overview of the City of Pinole's revenue loss calculation for 2020 at approximately \$2 million, and ideas for the use of the ARPA funds including Small Business Relief Grants, Community Gift Card Program, food assistance, rent or utility assistance, health and safety enhancements of public facilities, water, sewer and broadband infrastructure. She also highlighted the results of the Business Recovery Survey.

Next steps included the launch of the Business Recovery Survey, the October 9, 2021 ARPA Community Workshop (brainstorming), November 6, 2021 ARPA Community Workshop (begin the decision-making process), week of October 11, 2021 (launch the Community Survey), and subsequently analyze the feedback from the surveys and input from the community workshops with future City Council meetings to consider the ARPA strategy and funding allocation.

Responding to the Council, Finance Director Guillory, City Manager Andrew Murray, and Consultant Barry Foster clarified:

- The City's Emergency Operations Plan (EOP) as it related to the revenue loss component for General Government Services could be considered for the use of ARPA funds.
- The City of Pinole's revenue loss had been calculated at \$2 million.
- ARPA funds may be used for responding to COVID-19 and the public health emergency, replacing lost or delayed revenues, addressing negative impacts on local businesses and individuals, and investing in water, sewer, or broadband infrastructure.
- Staff may identify items that had already been budgeted that would fit into the restricted funds and then free up the General Fund, which was less restrictive for things like the EOP.
- The scope of work for HdL included the review of the revenue loss calculation, facilitation of the October 9 and November 6 community workshops, providing staff with the Business Needs Survey, serving as a resource for the City abiding by U.S. Treasury guidelines, and once funds had been allocated for specific uses ensuring that would be an allowable use of the ARPA funds.
- HdL held a kick-off meeting with the City of Hercules which would be a natural jurisdiction to discuss possible joint ventures, such as a non-profit that worked in both areas. Due to the City's revenue loss calculation and receipt of the first 50 percent ARPA allocation, the consultants had recommended the funds be moved into the General Fund since it allowed the City maximum flexibility to spend the funds for any General Government Services with the exception of pension costs, tax cuts, and debt obligation.
- HdL advocated for its clients to consider recovery type of activities for the ARPA funds which allowed more flexibility in the use of the funds.
- A recommendation from Council member Murphy to consider joint efforts with other cities on the infrastructure component was noted.
- Following the October 9, 2021 workshop, the City would launch a general community survey through the online interactive platform, Balancing Act. It would include the tentative priorities identified at the October 9, 2021 workshop and the results of the Business Recovery Survey. A one-page reference for users of the Balancing Act tool could be provided. The tool was user friendly and able to be customized in many ways. A demonstration of the Balancing Act tool could be considered during a future City Council meeting.

All community members would be invited to provide their input, including prioritizing programs and projects from an individual perspective. The Balancing Act results would be used to inform decision-making during the November 6, 2021 workshop.

- The specifics of Pinole's car sales transaction and local sales use taxes could be provided at a later date.
- ARPA funds could not be used as an incentive to bring businesses to Pinole as an example, but moving the funds into the General Fund would allow maximum flexibility and possibilities where incentivization may be considered. ARPA was very restrictive in terms of the eligible uses.
- Pinole's revenue loss, which had been calculated at \$2 million, had taken into account all government funds not just the General Fund and included programs such as the Tiny Tots program and the loss of user fees.
- An accounting mechanism had been set up for the use of the ARPA funds and would include assigned project codes given the reporting requirement for the use of ARPA funds to the U.S. Treasury Department.
- Once the City claimed reimbursement for a loss revenue and it was deposited into the General Fund that money could be used for any purpose allowed by General Fund resources, and the funds could then be used for infrastructure separate from sewer, water, broadband and assistance to businesses under the ARPA restrictions.
- The methodology used for revenue loss was detailed.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, understood the methodology used for the revenue loss was the same methodology used by the U.S. Department of the Treasury but he sought a comparison of that number to the City's actual revenue loss since he suspected the calculated loss would be greater than the actual loss. He also understood the Public Works Department had a great deal of work to do on issues with the City's infiltration system potentially at a cost of millions due to the age of the system. He asked whether storm and wastewater would fall under the subcategory of water and sewer infrastructure and the allowable use of ARPA funds.

City Manager Murray clarified in terms of the loss revenue that there was no way for the City to know what it would have received had COVID-19 not occurred. He noted the infiltration issue with the City's sewer collection system was considered a sewer not a stormwater system issue, and would be eligible for ARPA expense funds.

The City had contracted with a consultant who was currently completing a Sewer Collection System Assessment and the City had other consultants on board to create an Economic Development Strategy and other capital needs assessments.

City Manager Murray understood the City Council may want to provide some assistance to local businesses that had been impacted by COVID-19 but before knowing the results of the assessments under way, it would behoove the City Council to learn what the Economic Development Strategy may suggest before making a decision.

Mr. Foster agreed with the strategy offered by the City Manager. He clarified the City did not have to spend its ARPA funds in the first year, had the flexibility to push things off, and could do the necessary planning to ensure a wise investment of ARPA funds.

David Ruport, Pinole, stated he had submitted correspondence to the City Council and staff and some of his questions had been answered. Based on the ARPA allocation to the City of Pinole and the projected losses, he asked if this was a priority item for the City Council that needed to be addressed. If so, he asked whether the projected loss would be given a higher priority than the use of the ARPA funds.

City Manager Murray acknowledged the receipt of correspondence from Mr. Ruport. He reiterated the intent of the community workshop and noted whether or not the City Council used a portion of the ARPA allocation to repay the City for lost revenue would be discussed by the City Council. There was as yet no prioritization on the use of ARPA funds.

Mr. Ruport understood previous discussions about placing ARPA funds into a separate fund but now the discussions were about placing the funds in the General Fund, which would dilute the original intention of the ARPA guidelines. He asked whether the funds were intended to go beyond the intent of ARPA to allow more flexibility.

City Manager Murray reiterated that depositing the ARPA funds into the General Fund was completely allowable and had been identified as an appropriate use of ARPA funds for cities to repay themselves for lost revenue. The City may deposit the ARPA funds into the General Fund and then use the funds for any allowable General Fund purpose, which was entirely consistent with the ARPA legislation. He also explained the differences in the methods of accounting of funds for governmental agencies for budgeting and reporting purposes. He emphasized that the City would be required to report everything related to the use of ARPA funds pursuant to the ARPA parameters via the U.S. Department of the Treasury. He reiterated that the best use of ARPA funds would be considered by the City Council at a later meeting. The intent of the ARPA legislation and the U.S. Department of the Treasury's interpretation of the use of the funds had been to provide direct and flexible assistance to local governments.

Frankie Martinez, Pinole, commented the City was well over 100 years old with significant infrastructure needs. In terms of the City's existing infrastructure, he inquired what percentage was good, how much required maintenance, and the potential cost of repairs. He also inquired of the percentage of City roads that were in good condition, what percentage of roads needed to be brought into quality standards, and the potential cost of repairs.

City Manager Murray reiterated that staff was in the midst of various assessments that were currently underway.

Senior Project Manager Misha Kaur reported a consultant was currently on board to develop a Sanitary Sewer Master Plan that would evaluate the entire sewer system.

A Final Master Plan would include recommendations for short- and long-term projects to improve the reliability of the system and address future needs. As to the City's road system, the StreetSaver software system had been used, with grant funding available on a two-year cycle. Similarly, a consultant would visually inspect all pavement in the City and prepare a report which identified all streets in the City and their condition. The Pavement Condition Index (PCI) score system was used each year to classify which roads qualified for various needs, a report of which would be submitted to the City Council in the next few weeks.

Mr. Martinez suggested an aggressive street repair plan be considered with the use of ARPA funds to get those streets with the most need repaired appropriately, and Senior Project Manager Kaur confirmed all options would be discussed further with the City Council.

City Manager Murray again detailed the purpose of the StreetSaver software and the fact the City had around \$40 million in deferred maintenance in order to bring all City streets to an adequate condition. The citywide PCI average was around 70 and he acknowledged some streets were beyond their useful life. The goal for the City's streets was to have a PCI of 85, which required far more than the funds that would be realized through ARPA. He suggested it was intentional that the federal government had not included a broader set of capital projects as eligible for ARPA funds given the anticipation of new federal infrastructure funding that would cover broader infrastructure needs. Given the City did not have the funds to repair all streets, a new revenue source would have to be sought and the City Council would have to make a decision whether or not it wanted to reduce existing expenditures or find new revenues to make more progress on roads, sidewalk improvements, parks and replacement of City buildings. He noted the City Council had recently adopted a Strategic Plan which included a strategy for a complete Capital Asset Assessment, which was currently being done in bits in pieces.

Ruchit Rane, Manager, Orange Theory Fitness, Pinole, reported that many business owners had suffered due to the COVID-19 pandemic. His business had lost 100 percent of its revenue during lockdown and he was facing hardship paying rent during and after the lockdown, and although there had been deferred rent payments allowed for a period of time, it was not enough to cover all the losses incurred, which only continued to accumulate. It would take time for the business to recover and grow and to this day he was unable to have all customers return to the business given the ongoing COVID-19 restrictions. While State grants had been made available for residential tenants there were no grants available for commercial tenants who were facing larger debts due to the lockdown. He urged consideration of an ordinance that protected local businesses from eviction and a breach of lease/default due to the non-payment of rent as a result of the COVID-19 pandemic mandated shutdowns, grants for businesses to reduce their debts, and low interest long-term loans potentially forgivable if qualified. He also requested the County provide assistance in reducing property taxes for affected commercial properties.

Ivette Ricco, Pinole, emphasized the COVID-19 pandemic had the biggest impact on the small business community, and she expressed concern with the low response to the business survey suggesting the City may not have conducted adequate outreach. While the City had allocated funds for 75 businesses during the pandemic, not all businesses had qualified under the strict criteria. The City needed to find a way to communicate with the small business community adequately and effectively to find out their needs whether via small business loans or grants.

Zachary Kim, a member of the Hispanic Latino Caucus, MBA student of Public Administration at McGeorge Law School and Vice Chair of Political Affairs for Young Democrats of America, emphasized the ARPA benefits, the number of people it was helping including those most vulnerable, small businesses and the economy. He urged the rapid expenditure of ARPA funds given those in need and urged the City to continue to reach out to people to provide the greatest relief possible as soon as possible.

Sharon Sander, Artistic Director of a local dance academy, explained that she was in the same situation as the Manager of Orange Theory Fitness and had been living on her savings. She also agreed with the comments about the City's streets, and suggested the ARPA funds be used to help more local businesses recover and get started, which may in turn help increase revenue to the City through much-needed tax dollars.

Cameron Sasai, emphasized the need for small business grants given the small businesses that had suffered throughout the pandemic. He commented that while the City had issued some small business grants they had not been sufficient to address the community's needs. He urged the expansion of small business grants based on a scale system with grants as low as \$2,000 up to \$15,000 per business. He suggested that grants could be based on the size of the business, co-efficients to share staff size based on a pre-pandemic income, years the business had been based in the City of Pinole, demographic information of the primary business owner, and a demonstrated extent of the revenue loss since the pandemic as the most efficient and equitable way to approach the issue, which approach had been followed by most Bay Area cities through different grants. He encouraged the City Council to visit the small businesses to learn what business owners needed during this critical time given there had not been a 100 percent response from the surveys. He also suggested more effort to make options for small businesses sustainable via local grants with a focus on economic development.

Irma Ruport, Pinole, suggested customer service in the City needed to get back up to speed given the backlog of permits, more staff was needed given past staff turnover, and the City Offices needed to reopen to five days a week. She pointed out the Recreation and Senior Centers were now open five days a week and City Hall should be as well. She also agreed with the recommendation for partnering with other cities on ARPA funding to reopen public buildings, such as Fire Station No. 74. Once the ARPA funds had been deposited into the General Fund, she hoped the City would ensure the monies were well spent referencing some jurisdictions that had misspent their ARPA funds. Further, while small businesses needed more help air purifiers for every household in the City of Pinole should also be considered.

Marilyn Huff asked that the PowerPoint presentation from staff and HdL be shared on the City website which she could then share with her constituents in the Pinole senior community, and staff confirmed the information would be made available.

In response to Ms. Huff, City Clerk Bell reported that around 15 members of the public were connected via Zoom at this time.

Ms. Huff agreed with the concerns about the limited number of local businesses that had responded to the business survey and cited the low number of residents on the Zoom call, suggesting it may have been due to the lack of link information on the postcard advertising the community workshop and the difficulty finding the Zoom link on the City's website.

Ms. Huff hoped that for the November 6 workshop, the Zoom link would be clearly posted on the postcard to the public which would likely result in more public participation.

City Manager Murray explained that a thorough outreach for the community workshops had been provided to all businesses and residents in Pinole. The efforts could be redoubled and the business survey would continue to be promoted via various avenues to solicit input. He appreciated all of the public input received to date and noted that a resident survey would also be rolled out with the use of the Balancing Act tool with a focus on prioritization. He anticipated at the conclusion of this workshop the City Council would identify priority areas of expenditures that would be the focus of the Balancing Act tool.

Mr. Foster also provided his thoughts on the results of the Pinole business survey and the results of business surveys and public participation in workshops in other communities in which HdL had been involved. He recognized businesses were very busy at this time and many may not have had the time to respond to the survey.

In response to Council member Murphy, Finance Director Guillory again detailed the extensive community engagement efforts for the two community workshops and the associated costs for mailing, printing and adjustments to the postcards. Another mailer/postcard had not been planned given both dates of the two workshops had been identified on the first postcard although that could be revisited.

Council member Murphy suggested another postcard with the Zoom link for the next workshop scheduled for November 6 should be considered. He thanked staff for the engagement efforts that had been expended thus far and suggested it should be used as a model for all City issues. He also understood the Contra Costa County eviction moratorium had ended and asked of the status of the City's eviction moratorium.

City Attorney Eric Casher reported the County had elected not to continue its eviction moratorium but the City Council may consider the adoption of its own eviction moratorium. He would have to review the potential impacts and a discussion could be agendaized for a future City Council meeting if that was the consensus of the City Council. Whether or not a City eviction moratorium could be retroactively applied would have to be researched further.

Council member Murphy suggested an eviction moratorium was an emergency issue. Given the public comments, he urged the City Council to consider protecting local businesses and residents and consider an eviction moratorium at a future City Council meeting. He inquired of the status of the EOP, emphasized that residents needed direct relief, which was the intent of the ARPA, and suggested slowing down the allocation of ARPA funds. He suggested the EOP was important in terms of engagement and identifying areas of need.

City Manager Murray reported the City Council had approved a contract with Management Partners, which would be drafting updates to the EOP and a draft was anticipated to be presented to the City Council by the end of this calendar year. There were also multiple efforts on the part of Contra Costa County related to noticing and evacuation for public health emergencies and the EOP would cover emergency communications. He provided an overview of the various components of the EOP.

Fire Chief Chris Wynkoop clarified the differences between the EOP and the Emergency Operations Center (EOC), with the EOP to include suggestions on what should be implemented and among those recommendations would be the establishment of the EOC, one of the off-springs of the EOP where the City might be able to allocate funds. As to the status of Fire Station No. 74, he emphasized that reopening a fire station was something that must be sustained indefinitely and ARPA funds were one-time funds. He added that all options to reopen Fire Station No. 74, such as the use of Measure X funds and coordination with County Fire Agencies, were being considered.

City Manager Murray understood that Fire Station No. 74 had been opened with a non-recurring source of revenue and had later been closed once revenue was no longer available. ARPA funds should be allocated towards things that were one-time in nature or spread out and expended over a course of years. If the City Council decided to place the ARPA funds into the General Fund, air purifiers for qualifying households, as an example, would be an allowable and COVID-19 related expense.

At this time Sandra Meyer, HdL advised there were comments in the chat portion of the Zoom link and she summarized the comments, as follows.

Steve Lacey, owner of an herb shop and founder of Lacey Community Resources Foundation with a focus on youth development, had offered a proposal for the Bank of Pinole last year in the hope of creating a safe space for youth and a small business pop-up space. He asked how ARPA funds could be used regarding the youth of Pinole.

City Manager Murray reiterated the allocation of ARPA funds had yet to be identified, the workshop was the process the City Council was now going through, and youth funding was a worthwhile priority for the City Council.

Sabrina Pacheco asked where flyers could be picked up to be distributed to the public, and was informed by the City Manager the public may contact Finance Director Guillory for more information.

Sharon Sander asked that some of the ARPA funds be spent on performing arts.

Rafael Menis referenced information from the U.S. Department of the Treasury regarding the use of ARPA funds and the parameters contained in that document as it related to many of his suggested items of consideration. He understood the use of ARPA funds for the payment of unfunded liabilities had been flagged as a potential option; it was important to consider the immediate needs of small businesses particularly given the expiration of the County and Statewide eviction moratoriums; community violence intervention programs above and beyond the Police Department should be considered to reduce violence in the community before the Police Department may have to intervene; funds may be used to provide eviction prevention support or legal aide to prevent homelessness; it would be worthwhile to look into broadband support which he understood was being reviewed as part of economic development assessments and that water and sewer were worthwhile investments as well. Also, more broad assistance should be considered related to job training with regards to support in the community for the unemployed or underemployed along with investment to improve outdoor spaces and offsetting increased park maintenance due to the increased usage of the City's parks over the duration of the pandemic.

Mr. Menis added as related to the required recovery plan performance reports, once the City had decided how to use ARPA funds, he asked that a report be created along the lines identified in the documentation from the U.S. Department of the Treasury. He understood that the funds could be obligated for a longer term over expenses by 2024, and if the City had longer term projects that were not yet completed, ARPA funds could be considered for those projects.

David Ruport suggested pragmatically that ARPA funds be allocated towards current COVID-19 related emergencies and other priorities and needs in the City.

Sharon Sander emphasized the need to tend to the emotional and physical well-being of children. She asked how it would be determined what businesses would be provided assistance and whether it would be based on the results of the business survey.

City Manager Murray explained that the City Council had taken action at the end of the last calendar year to appropriate \$100,000 for grants to small businesses, had consulted with the Chamber of Commerce on the requirements of the Small Business Grants but had not held more discussions with the City Council or the public before finalizing the criteria given the urgency. For this go-around they had more time, and as previously mentioned a consultant was in the process of developing an economic development strategy. During the November 6 workshop, the City Council may consider whether to appropriate funding for a Small Business Assistance Program, with staff to prepare a project design to later be presented to the City Council with public dialogue on the parameters to be sought. Staff would have to do more research on the recommended approach to the City Council about the gaps in the system to avoid duplicating something the State was already providing.

Mayor Pro Tem Salimi looked forward to future data and suggestions from HdL and staff. As a local business owner, he had received some financial assistance from a federal program, which allowed his business to pay employees and cover rent and utilities. Of the local business owners who spoke during public comment, he was curious whether or not they had received financial assistance from the federal government. He commented that based on the total amount of ARPA funds that would be allocated to Pinole, if the City were to provide assistance to 100 local business owners in the amount of \$1,000 per month, it would represent \$2.4 million allocated to small businesses. If the City were to allocate filters to every Pinole household that would also cost over a million dollars. Putting things into perspective, if the City were to provide financial assistance to the small business owner and provide air filters to all residents, the first half of the ARPA allocation would be expended.

Mayor Pro Tem Salimi urged the City Council to listen to the consultants. He suggested the City Council should consider a tax to pay for the gap in funds needed to repair City streets/roads. He also referenced the 2008 Great Recession and spoke to the number of households behind in their mortgage payments at that time as compared to information from the Financial Protection Bureau dated March 2021, which identified 11 million families in the country behind in their mortgage payments, greater than the impacts from the Great Recession. He suggested the reason more impacts had not been felt by the economy was the delay of mortgage payments. Financial assistance for renters would not provide financial assistance to those who must pay their mortgages, which in turn would impact the renters if the homeowner lost their home. While the City of Pinole had a high percentage of renters, a smaller percentage of the landlords were actually residents of the City of Pinole.

Mr. Foster reiterated that ARPA funds were finite but there was anticipation the federal government would adopt some sort of infrastructure package. The question was what amount of those funds could be used for roads, bridges and sidewalks.

Council member Tave urged the consultant to consider when engaging with the community what would qualify for ARPA funds and what would not. As to the postcard and business survey, he received input from the community that the text was too small. He suggested future mailers/postcards or surveys include key points and a QR code. He otherwise suggested that ARPA funds were borrowed monies since the federal government had raised the debt ceiling again, and likely would borrow more money for the infrastructure plan. He suggested they were going to face difficult times. He urged caution and that the City Council cap the reimbursement number since the money should go back into the community. He personally suggested they were in a financial bubble with more difficulties ahead than the Great Recession.

Council member Tave referenced Rule 20A Projects and an underground project near the school, and suggested consideration of a partnership with PG&E to provide those repairs and get that project in good standing. As to broadband, he suggested consideration of a public/private partnership and using the funds for low income brackets to access broadband and the Internet. Also, more competitive rates would be beneficial through negotiation and savings that could be captured to help people get Internet access. Pinole TV was not set up for High Definition (HD) with some of the text too small to view and that should be considered as well.

Council member Tave also suggested that recycled water should be evaluated in terms of infrastructure needs, and while an entire recycled water plant could not be built based on the available ARPA funds, storage via a smaller system should be considered to allow the use of recycled water. Electric charging stations and lighting of roads should be lumped into the infrastructure category and in terms of small businesses, a gift card program could be considered which would help local small businesses over time, which had been highlighted in the business survey. He suggested that incentives for people to patronize Pinole businesses may also generate more revenue.

In terms of building facades, Council member Tave suggested a grant or loan program to allow businesses to enhance their facilities; vacant lots in the downtown could be converted to parking which would help the local businesses within the downtown; and a reduction or forgiveness of the business license fees should be considered. Also, low interest business loans via public banking should be considered and would allow tracking of funds. He agreed with the comments related to the EOP and would like to enhance the Tiny Tots program if possible and possibly enhance or expand the public safety element and playhouse elements. In addition, he suggested there should be a way to connect renters and landlords with some type of requirement for mediation given the unprecedented impacts from COVID-19. He suggested the City Attorney consider crafting some language to allow renters/landlords to recover costs, with the City to act as a third party in a mediation format.

Mr. Foster advised that a gift card program had been recommended by HdL, HdL had a staff person who had experience with e-gift card programs in other jurisdictions, and the premise would allow various denominations for the gift cards with the gift cards only to be used for participating Pinole businesses. The programs in place had produced positive feedback from the public in the jurisdictions used, rating high with customer service, and the program offered the ability to do a number of things while helping the local small businesses.

Mr. Foster also detailed a Small Business Grant Program in which HdL was involved in another jurisdiction which targeted rental assistance for those businesses that had the most rent outstanding, and for those who qualified the rent would go directly to the landlord along with training for the business above and beyond just paying the rent to ensure the business may move forward.

Council member Toms emphasized the need to keep in mind the ARPA funds were one-time funds and if a new program was started it would only be funded for a few years and require substantial start-up costs versus going to the list of wants in the Capital Facilities Plan. She recognized the urgency of assisting small businesses and suggested the City could assist with marketing and it would be cost effective to add sheets to the City's Recreation Guide to market local businesses. A gift card program had been helpful and popular in other communities and had introduced or reintroduced residents to a local business, and small business assistance based on need was very important. She hoped the consultant could help the City with potential guidelines.

Council member Toms noted the City had a list of improvements that were needed including the need for improvements to sewer lines and this was an opportunity for improvements to be made via the use of ARPA funds, with cost savings through other line items if investments were made in such improvements. If the City were to consider reimbursement to the City for some of the COVID-19 expenses, those funds may be deployed to address the condition of Fernandez Park Field, sidewalks and road improvements, as examples. Focusing on sewer improvements would narrow what staff must focus on as well. She also supported links on the City's website to the next workshop scheduled for November 6 and to the next survey. She added there was an elaborate rental assistance program available at www.housing.ca.gov and she hoped people would focus there rather than starting a new program.

Mayor Martinez-Rubin suggested to address the immediate need for local families and local small businesses there were some immediate or short-term needs and she suggested the approach of one-time funding to address those short-term needs. She described those funds in the mid-term that the City could use in response to the assessments underway and by the time they get the assessment results, they would have a better idea of specific recommendations from the different consultants. She suggested the City Council had the time to spend those funds. Using the one-time funding to support and or fund projects that had been deferred would get them into infrastructure and Capital Improvement Plan (CIP) projects that had been deferred due to a lack of funding. Funds related to sewer infrastructure and how to expand broadband would help those families that needed it.

Mayor Martinez-Rubin suggested the City Council identify the geographic and community areas of need in Pinole. Past efforts to identify that need had resulted in public comments from certain community groups. She wanted a better understanding of the needs in an ongoing way. She noted the ARPA funds allowed City staff to have increased capacity to use data sources that would provide an overview for this one-time project and identify where the needs were with regard to income levels that may substantiate those most affected and impacted by COVID-19 leading to a more targeted manner where renters were facing the consequences of the eviction moratorium.

Mayor Martinez-Rubin suggested the use of these one-time funds should be no different than any other expenditure, with an informed way to allocate funds based on information that represented the community as a whole.

Mayor Martinez-Rubin recognized the need for ongoing engagement and communication with the public to provide ongoing direct input and engagement in civic opportunities. She referenced a report prepared by HdL from 2018, which had identified the categories of people including those who participated the least in civic activities, and like Pinole other cities faced the challenges of engaging more people. She suggested there should be panels of people willing to provide input.

In response to the Mayor, Mr. Foster advised the contract with HdL could be extended but included a not-to-exceed guestimate amount based on what was expected to get through this robust public engagement process and to the point where a strategy had been drafted.

Mayor Martinez-Rubin pointed out the bandwidth of City staff was limited and would continue to be limited until they reached the staffing level prior to 2008. She suggested the use of ARPA funds provided an opportunity to address food and housing insecurities in the immediate future, and enhance the capacity of staff to put into place the systems that may contribute to identify the needs that go beyond ARPA funds.

Mayor Martinez-Rubin also suggested equipping City staff with Personal Protective Equipment (PPE) was important since the pandemic would only continue well into 2022, to ensure staff was equipped with whatever equipment was necessary to reduce exposure to COVID-19. Public health emergencies and wildfires and potential risks could be addressed through the use of ARPA funds to provide more automated means to communicate with the public in the event of an emergency, such as enhancing the City website with information on City services or referral to social services provided by the County, which could be accessed via an app on a handheld device.

Mayor Martinez-Rubin reiterated her immediate needs were food and housing insecurities, assistance for small businesses, consideration of using non-profit organizations which already had administrative systems in place such as partnership with the San Pablo Development Center to leverage funds to help small businesses in the form of grants. The Contra Costa/Solano Food Bank and Meals on Wheels were existing organizations which historically provided direct food service and outreach to those with food insecurities. The Bay Front Chamber of Commerce had provided assistance with outreach and education to local businesses and its membership. The Farmers Market offered a means to provide healthy food and improve the lives of Pinole residents and others and could provide enhancement of access to food and programs, such as Cal Fresh. Also, during a recent Mayors' Conference, there was a local coalition addressing homelessness and active preventive orientation, which approach was about providing housing vouchers to families on the cusp of being unable to pay mortgages or rents to prevent future homelessness.

Mayor Martinez-Rubin suggested the hardest hit families could be provided with some degree or portion of the ARPA funds for immediate relief, not directly, but through means already in existence such as housing vouchers. The City's After School Programs could be augmented with scholarships to families whose children had not accessed the programs. The City's childcare programs could be provided assistance by helping to support the programming that Tiny Tots provided as an example. Also, an on-line gift card program and promotion platform could be considered through a partnership with the Bay Front Chamber of Commerce and local

businesses. She also supported job fairs for those Pinole residents who may have to rethink their careers due to job loss and she understood that ARPA funds could be used for that purpose.

Mr. Foster reiterated the business survey was still open with more feedback anticipated. The community survey would be launched with more feedback from the community with a ranking of those items that were of interest and importance in the community. And the next workshop was scheduled for November 6.

Council member Tave agreed that job training was critical, was a great idea, and should be taken into consideration.

Ruchit Rane commented that franchises and local businesses that were part of chains were not eligible for the City's Small Business Grant Program, although some chains offered support for its local franchises. He provided an overview of his personal experience with a PPE grant, rent paid per month and property tax paid to the City, and while the business had received some assistance allowing it to get to the present, it was now at a point where personal loans had been depleted and life savings had been impacted. He reported that three businesses had closed in the shopping center where the business was located and he did not want to be the fourth business to close. He emphasized the need for financial assistance from the City since banks would not approve loans for the business. He hoped the City would be able to provide assistance sooner rather than later.

Rafael Menis provided information on the link to the U.S. Department of the Treasury website for files related to ARPA. While he agreed it was important not to duplicate what the County, non-profits or local organizations were doing, at the same time it was with consideration how the City could encourage violence intervention before it reached the level where the Police Department must intervene since one of the impacts from COVID-19 was increased stress levels and levels of violence. He also agreed that stormwater should be a focus due to the age of the City's system and the City needed to strike a balance on the longer term larger projects while setting aside funds for more immediate needs.

Ivette Ricco agreed with some of the comments offered by Mr. Menis. She pointed out the purpose of ARPA funds, as discussed, and the social and human toll should be priority one, with the local business community also a priority and that infrastructure, such as sewer infrastructure, should wait. She urged the funds be earmarked for those acutely impacted by the pandemic and not turn the money into a bonus to be used for anything anyone wanted. She urged consideration of the funds for immediate, positive and short-term issues, not projects for 2024 to 2026.

Mr. Foster appreciated the feedback and ideas presented by the public and the City Council, reiterated the business survey remained open, they would kick-off with the community survey, and make plans for the November 6 workshop. He thanked everyone for sharing their time on a Saturday and again for sharing their thoughts and ideas.

In response to the Mayor, Mr. Foster confirmed there were a lot of established and well-connected non-profits that had served the community for years, and to look at meeting a lot of the intent of ARPA and recovery assistance and taking advantage of those existing non-profits and organizations was a great way to start and not have to start over made sense. He noted the impacts would ultimately be reported to the U.S. Department of the Treasury in terms of the use of ARPA funds.

City Manager Murray again reiterated the next workshop would be promoted as thoroughly as possible, staff would send another postcard, if feasible, making it clear as to how the public may engage, HdL would work with staff to summarize the input received to date, to be presented during the November 6 workshop, at which time preliminary staff recommendations on the use of ARPA funds would be presented to the City Council for consideration. He thanked everyone for their participation on a Saturday.

6. ADJOURNMENT to a Regular City Council Meeting of October 19, 2021 in Remembrance of Amber Swartz.

At 1:08 p.m. Mayor Martinez-Rubin adjourned the meeting to the Regular City Council Meeting of October 19, 2021 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: November 2, 2021

