

RESOLUTION 2021-117

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) FOR THE STREETLIGHT DATA AND SERVICES SUBSCRIPTION FOR ONE YEAR AND COST-SHARING COMMITMENT IN THE AMOUNT OF \$15,000 WITH THE CITY REQUIRED TO INDEMNIFY THE PRIVATE CONTRACTOR, STREETLIGHT DATA, INC.

WHEREAS, the Contra Costa Transportation Authority (CCTA) entered into an agreement with StreetLight Data, Inc. in order to access travel data collected by StreetLight Data, Inc. using location-based applications on cellular phones and global positioning system (GPS) devices on freight and delivery vehicles in order to perform technical analyses for their projects;

WHEREAS, CCTA staff identified benefits to attaining similar travel data throughout Contra Costa County and reached out to all agencies and transit agencies within Contra Costa County to assess interest in a multi-domain license;

WHEREAS, eight local agencies including Concord, Hercules, Lafayette, Moraga, Orinda, Pinole, Pittsburg, and San Pablo joined CCTA enabling each entity to access the travel data at a cost-effective rate;

WHEREAS, the total annual cost for the County-wide subscription is \$550,000 and participating cost for each agency was prorated based on population;

WHEREAS, the City of San Pablo's contribution is \$15,000, which will be funded through the City's Measure J distribution;

WHEREAS, the City of San Pablo anticipates utilizing this travel data for at least five projects or plans in the single year subscription including Safe Routes to Schools, Bicycle-Pedestrian Plan Updates, and Rumrill Boulevard Complete Streets;

WHEREAS, the Master Data Access Agreement that CCTA negotiated with Streetlight requires the customer (i.e. CCTA and each City) to indemnify the private company StreetLight from claims that might arise from the City's "misuse" of the data or breach of confidentiality. Further, StreetLight's indemnity to the City is limited to the contract amount paid by the City during the past 12 months (there is no reciprocal limitation on the City's indemnity to StreetLight);

WHEREAS, despite these indemnification requirements and restrictions, the City Manager recommends entering into this MOU with CCTA for a one-year subscription with StreetLight Data, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo authorizes the City Manager to execute a Memorandum of Understanding with Contra Costa Transportation Authority for the streetlight data and services subscription and cost sharing commitment for one year in the amount of \$15,000; and

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to execute additional contracts or extensions of existing contracts within his signing authority related to the streetlight data and services subscription; and

BE IT FURTHER RESOLVED that the City Council approves Contra Costa Transportation Authority deducting \$15,000 from this year's Measure J disbursement to the City of San Pablo to fund a one-year streetlight data and services subscription; and

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

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ADOPTED this 7th day of September, 2021, by the following votes:

AYES:	COUNCILMEMBERS:	Cruz, Ponce, Pineda, Xavier and Pabon-Alvarado
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Dorothy Gantt
Dorothy Gantt, City Clerk

/s/ Elizabeth Pabon-Alvarado
Elizabeth Pabon-Alvarado, Mayor