



## Legislation Text

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**PREPARED BY:** JILL MERCURIO

**DATE OF MEETING:** 09/07/21

**SUBJECT:**

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.

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

*Build a Healthy Community: Priority 107 Transit-Oriented Development Policies and Strategies and 109 Develop Public Facilities for Active Living (Parks, Open Space, Sidewalks, Trails, Bike Lanes, etc.)* are adopted policy items under City of San Pablo City Council Priority Work Plan FY 2021-23, effective March 1, 2021 through Resolution 2021-018.

**CEQA Compliance Statement**

This is not a project as defined by CEQA. CEQA Guidelines Section 15378 states that a "project" does not include the creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment.

**BACKGROUND**

In September 2020, the Contra Costa Transportation Authority (CCTA) Board entered into an agreement with StreetLight Data, Inc. (StreetLight) in order to access travel data collected by StreetLight using location-based apps on cell phones and GPS devices on freight and delivery vehicles in order to perform the complex technical analyses needed during their state-of-the-art "INNOVATE 680" projects on the Interstate 680 corridor. CCTA staff realized that there were benefits to attaining similar data throughout the County and reached out to all agencies and transit agencies within Contra Costa County to assess interest in a multi-domain license. Eight local agencies (Concord, Hercules, Lafayette, Moraga, Orinda, Pinole, Pittsburg, and San Pablo) joined CCTA enabling each entity to access the data at a cost-effective rate. All data collected is anonymized and aggregated so no individual's data is distinct from any other individual's data.

The total annual cost for the County-wide subscription is \$550,000. The participating cost for each of the interested agencies was prorated based on population. The City of San Pablo's contribution is \$15,000, which will be funded through the City's Measure J distribution. The stand-alone subscription price for a single agency is \$99,000.

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. San Pablo typically negotiates no requirement to indemnify a private contractor. 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).

The City anticipates utilizing this data for at least five projects or plans in the single year subscription including Safe Route to Schools, Bicycle-Pedestrian Plan Updates, and Rumrill Boulevard Complete Streets. Staff will assess the cost/benefit after one year of use, and determine if continued membership is warranted.

### **AD HOC COMMITTEE REVIEW**

On August 24, 2021, staff presented this request to the Wireless/S.P.E.E.D. Projects Ad Hoc Subcommittee(Cruz; Pineda). Upon completion of the presentation the subcommittee **unanimously** recommended the request be forwarded to the City Council for review and approval.

### **FISCAL IMPACT**

San Pablo's cost to participate in this one-year subscription is \$15,000 and can be funded by Measure J funds. CCTA will automatically deduct \$15,000 from this year's Measure J disbursement to the City of San Pablo.