AGENDA
REGULAR MEETING OF THE OAKLEY PLANNING COMMISSION

Tuesday, June 07, 2022
6:30 PM
Oakley City Council Chamber, 3231 Main Street, Oakley, California

MISSION STATEMENT: The City of Oakley will create a resilient future that fosters and attracts a vibrant and evolving community that welcomes and values all people.

VISION STATEMENT: The City of Oakley celebrates our unique Delta lifestyle and small-town feel where we ***Live*** in a safe, dynamic community, ***Work*** together to build the future, and ***Play*** in our own backyard.

Agendas are posted in Oakley at Oakley City Hall-3231 Main Street, outside the gym at Delta Vista Middle School-4901 Frank Hengel Way and outside the Library at Freedom High School-1050 Neroly Road; agendas are also posted on the City's Internet Website www.ci.oakley.ca.us.

A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley Planning Commission meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley Planning Commission regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561.

Agendas may be picked up at the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561 for no charge. To request information regarding placement on the City's agenda e-mail distribution list, please contact us at (925) 625-7000.

We provide social media options to stay connected to City Hall through Facebook, Twitter, Next Door and Instagram. Other opportunities to connect with City Hall include Engage In Oakley, Oakley OnDemand on the city's website; and by emailing info@ci.oakley.ca.us. Please contact us at (925) 625-7000 for additional information or visit www.oakleyinfo.com.

If you have a physically challenging condition and require special accommodations, please call the City Clerk's office at (925) 625-7013.

Please keep cell phones/electronic devices turned off during the meeting. Please be advised that Oakley Planning Commission meetings are video recorded and attendees may appear on video.

Members of the public may address the Oakley Planning Commission on items of interest that are within the City's jurisdiction. Public comment on items not listed on the agenda will be heard under the Public Comments section of the agenda. In compliance with State law, the Oakley Planning Commission may not take action on an item that is not specifically listed on the agenda. If you would like to speak on any agenda item, please fill out a blue speaker card available in the lobby and submit it to the City Clerk prior to the agenda item being called. The Oakley Planning Commission Chair will call you by name to the podium to hear your comments and you have up to 3 minutes to speak.

1.OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley Planning Commission

1.2 Pledge of Allegiance to the Flag

2.PUBLIC COMMENTS

At this time, the public is permitted to address the Planning Commission on non-agendized items.

3.CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Planning Commission with one single action. Members of the audience, Staff or the Planning Commission who would like an item removed from the Consent Calendar for purposes of public input may request the Chair remove the item. The public may request to remove an item(s) to provide input by completing a public speaker card and submitting it to the City Clerk prior to the item(s) being called by the Chair.

3.1 Approve Minutes from the Planning Commission Meeting held May 3, 2022 (Libby Vreonis, City Clerk)

Minutes 05-03-22

4.PUBLIC HEARINGS

4.1 Wireless Communication Facility at 30 Delta Road (DR 09-21) – Request for Design Review approval of an approximately 95-foot-tall public art wireless communications facility designed as a faux water tank with associated equipment; APN 033-110-005 (Ariana Ruiz, Planning Technician)

Suggested Action: Staff Recommendation: 1) Receive the Staff Report, 2) Receive Questions from the City Council, 3) Open the Public Hearing, 4) Receive Comments from the Applicant, 5) Receive Public Testimony, 6) Close the Public Hearing, 7) Deliberate, 8) Summarize the Deliberation 9) Adopt the Resolution

Staff Report

1. Vicinity Map

2. Notice of Public Hearing
3. Applicant's Plans
4. Existing LTE 700 Coverage Map
5. Proposed LTE 700 Coverage Map
6. Environmental Noise Assessment
7. Draft Resolution

5.REGULAR CALENDAR

5.1 Adopt a Resolution Appointing a Planning Commissioner to be a Representative for the Oakley Planning Commission for TRANSPLAN (Libby Vreonis, City Clerk)

Staff Report
1. Proposed Resolution

5.2 A Resolution of the City of Oakley Planning Commission Adopting Rules of Procedure for its transaction of Business (Derek Cole, City Attorney)

Staff Report
1. Proposed Resolution
2. Rosenberg's Rules of Order, 2011 ed.

5.3 General Overview of the Fiscal Year (FY) 2022/23 Capital Improvement Program (CIP) and Budget (Joshua McMurray, City Manager, Kevin Rohani, P.E., Public Works Director/City Engineer, Tim Przybyla, Finance Director)

Staff Report
1. CIP Program and Budget.pptx
2. FY 2022-2023 Project Summary

6.INFORMATIONAL REPORTS

6.1 Presentation of the 2023-2031 Housing Element Update – Informational presentation on the Housing Element Update, including key requirements, schedule, and seeking feedback on the plan (Ken Strelo, Planning Manager)

Staff Report
1. Current AHO (Affordable Housing Overlay) Sites

7.REQUESTS FOR FUTURE AGENDA ITEMS

8.ADJOURN

Minutes of the Oakley Planning Commission held
May 3, 2022

1) OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley Planning Commission

City Clerk Libby Vreonis called the meeting to order at 6:31 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California.

Planning Commissioners Oleksii Chuiko, Hugh Henderson, Leonard Price, Shannon Shaw and Diego Verduzco were present.

1.2 Pledge of Allegiance to the Flag

City Clerk Libby Vreonis led the Pledge of Allegiance to the Flag.

1.3 Administration of Oath of Office (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis administered the oath of office to the Planning Commissioners.

1.4 Introduction of Staff (Ken Strelo, Planning Manager)

Planning Manager Ken Strelo introduced staff.

2) PUBLIC COMMENTS

None.

3) CONSENT CALENDAR

None.

4) REGULAR CALENDAR

4.1 Selection of Chair and Vice-Chair for the Planning Commission (Derek Cole, City Attorney)

It was moved by Commissioner Verduzco and seconded by Commissioner Price to select Commissioner Shaw as Chair and Commissioner Chuiko as Vice Chair. Motion was unanimous and so ordered. (5-0)

4.2 Adopt a Resolution Approving Action Minutes for Planning Commission Meetings (Libby Vreonis, City Clerk)

It was moved by Commissioner Henderson and seconded by Vice Chair Chuiko to adopt a resolution approving action minutes for Planning Commission meetings. Motion was unanimous and so ordered. (5-0)

5) PUBLIC HEARINGS

None.

6) INFORMATIONAL REPORTS

6.1 Ralph M. Brown Act Training (Derek Cole, City Attorney)

Assistant City Attorney Elizabeth Fratarcangeli provided Brown Act Training with a PowerPoint presentation.

6.2 Planning Commission Ordinance Overview (Derek Cole, City Attorney)

Assistant City Attorney Elizabeth Fratarcangeli reviewed highlights of the Planning Commission ordinance.

6.3 General Plan Overview (Ken Strelo, Planning Manager)

Planning Manager Ken Strelo provided a General Plan overview with a PowerPoint presentation.

7) REQUESTS FOR FUTURE AGENDA ITEMS

None.

8) ADJOURN

There being no further business, the meeting was adjourned at 7:17 p.m.

Respectively Submitted,

Libby Vreonis
City Clerk

STAFF REPORT

DATE: June 7, 2022

TO: Joshua McMurray, City Manager *Approved and Forwarded to the City*

FROM: Ariana Ruiz, Planning Technician

SUBJECT: **Wireless Communication Facility at 30 Delta Road (DR 09-21) – Request for Design Review approval of an approximately 95-foot-tall public art wireless communications facility designed as a faux water tank with associated equipment; APN 033-110-005.**

Summary

This is a public hearing on an application by Complete Wireless Consulting ("Applicant") requesting Design Review (DR 09-21) approval of an approximately 95-foot-tall public art wireless communications facility (cellular tower) designed as a faux water tank with twelve (12) panel antennas and associated tower equipment on an approximately 0.75-acre site. The structure and associated equipment will be within a 60-foot by 40-foot area. The ground equipment to include a walk-in cabinet and stand-by 30kw generator with a 190-gallon fuel tank ("Project"). The project site is located at the property address 30 Delta Road. The site is zoned C (General Commercial) District. APN: 033-110-005.

Background

General Plan and Zoning

- The General Plan Land Use Designation for the project site is *Commercial (CO),* as depicted in the Oakley General Plan Figure 2-2 (Land Use Diagram).
- The project site is zoned C (General Commercial) District.

Existing Conditions and Surrounding Land Uses

The approximately 0.75-acre project site is located on the north side of Delta Road and east of Main Street. The parcel is marginally developed with an existing building and propane service on-site. The proposed tower will be located within a 60-foot by 40-foot leased area within the parcel. The leased area is located approximately 11' from the north property line and approximately 32' from the west property line. Figure 1 shows the exact placement of the leased area.

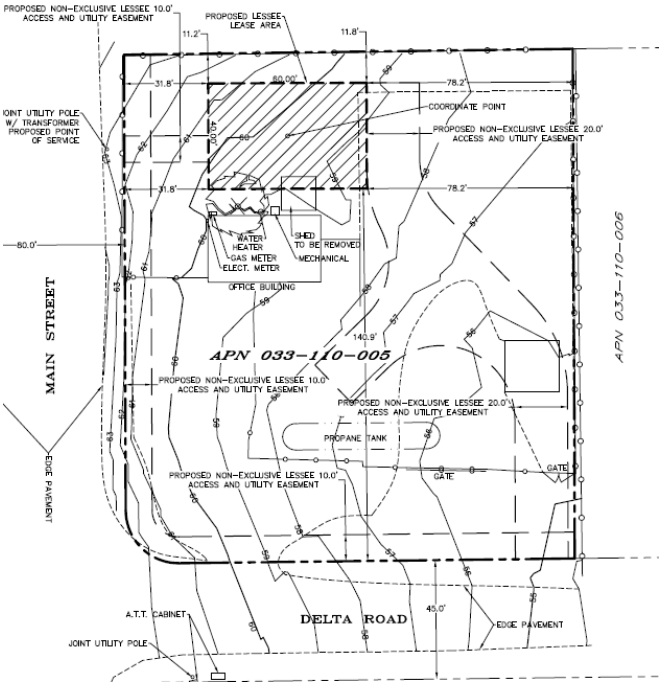


Figure 1 - Leased Area

Properties located to the north, west, and east are zoned C (General Commercial) District. These parcels contain existing single-family residences and are considered legal non-conforming parcels.

To the south of the project site, following Delta Road, there are two parcels located within unincorporated Contra Costa County. These parcels are located within Single-Family Residential Districts. Figure 2 (below) shows an aerial view of the site from the Contra Costa County GIS website (https://ccmap.cccounty.us).



Figure 2 - Project Site

Project Description and Background

Compliance with the Zoning Ordinance

Per Oakley Municipal Code ("OMC") section 9.1.1202 Wireless Communications Facilities, Public Art Facilities are subject to Design Review approval by the Planning Commission. The proposed faux water tower tank falls within the definition of a "Public Art Facility". Examples of Public Art Facilities as listed within the OMC include clock towers, windmills, trees, or historical monuments. A water tank is consistent with these types of structures. Wireless communications facilities are also required to comply with the development standards as listed within this section.

Co-Location to Existing Towers

Section 9.1.1202 Wireless Communications Facilities of the OMC encourages co-location of wireless communications facilities to minimize overall visual impact of the facilities. Staff requested the applicant co-locate with an existing tower. There is an existing tower located approximately 0.2 miles from the project site at the property address 5740 Main Street. The Applicant attempted to contact the property owner of this tower but was unsuccessful. Staff also worked with the Applicant to contact the property owner and was unsuccessful. Staff determined the Applicant had exhausted all feasible attempts to contact the property owner and proceeded with analyzing the application, as proposed.

Need for Wireless Communication Facility

Complete Wireless Consulting was employed by AT&T to help provide greater coverage within the Oakley, unincorporated Contra Costa County, and Brentwood area. A study was completed that shows AT&T's capacity and coverage are insufficient in providing their customers with quality signal strength within these areas. The study further shows the areas suffer from poor wireless coverage and low-capacity levels, which proves ineffective service. Attachment 4 shows there is a significant gap in coverage for AT&T customers. Installation of this site will allow AT&T customers to have greater and reliable access to wireless services the areas shown within the coverage area map as seen within Attachment 5.

Proposed Water Tower and Mechanical Equipment

The Wireless Communication Facility is proposed to be installed at a total height of 95-feet. The proposed antennas will be constructed within the faux water tank, which is approximately 27' in height by 23' in width. To help resemble a real tank, the tank will be elevated and placed on top of the supporting structure at a height of 67'. As proposed, the water tank will stand on four legs slightly angled outward to resemble the legs of a water tank. The water tank is proposed to be constructed of curved fiber glass and will be painted to resemble a wooden water tank. Figure's 3 and 4 below show the existing site and the site with the proposed water tank as a photo simulation.

The wireless communications facility requires the installation of a walk-in cabinet, and a stand-by 30kw generator with a 190-gallon fuel tank. The equipment is proposed to be located entirely within the leased area. This equipment shall be screened by a decorative wall.



Figure 3 – Photo Simulation of Existing Site



Figure 4 - Photo Simulation of Proposed Water Tower

Environmental Review

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Class 32 – Infill Development Projects).

Analysis

Section 9.1.1202 Wireless Communication Facilities

Design Review applications for Wireless Communications Facilities are governed by section 9.1.1202 of the OMC. A Design Review application may be granted when all provision listed within this section have been met. The drafted resolution (Attachment 4) discusses the proposed findings in detail.

In addition to the development standards of this section, Freestanding Wireless Communications Facilities must comply with the following standards:

1. Freestanding wireless communication towers shall be located and designed to minimize visual impacts. When appropriate, monopoles in areas where adverse visual impacts cannot be avoided (as in some commercial areas), shall be camouflaged, disguised and/or blended into the surrounding environment, or disguised as public art, flag poles, telephone poles, light standards, or other visual forms to avoid an adverse visual impact.

2. The smallest available and least visible antennas that provide the coverage objective shall be mounted on towers.

The proposed plans were also analyzed for consistency with the applicable development regulations in the Oakley Municipal Code and adopted Commercial Design Guidelines (“Guidelines”) and are consistent with the findings as mentioned above. Although the faux water tower is proposed at a height of 95’, the applicant has worked to revise the plans to resemble a functioning water tower. As the tower is proposed at the entrance to the City of Oakley, the applicant has incorporated the City name and logo on the tower. This helps to create a prominent entryway into the City of Oakley as encouraged within the General Plan.

Per OMC section 9.1.1202 (d.)(i.)(8), all freestanding wireless communication towers shall be designed at the minimum functional height required for the coverage area. The support statement provided by the applicant indicates the minimum height requirement in order to provide coverage for their customers is approximately 95’ in height.

Fencing

Originally, the Applicant had proposed to install a 6’ tall chain link fence with barbed wire to enclose the associated equipment. The applicant has agreed to install a decorative CMU wall with a decorative trim cap that shall screen the ground-floor equipment in order

to better comply with the development and design standards of Oakley's Commercial and Industrial Design Guidelines. A condition has been added to ensure a fence is installed in compliance with the development and design standards.

Landscaping

Development regulations for projects require landscape is installed in compliance with Oakley's Water Efficient Landscape Ordinance and Guidelines. The Applicant has not proposed landscaping due to the severity of the drought California has experienced for the past three years. Additionally, since this facility is proposed to be unmanned and requires no on-site personnel. Only proposed with routine maintenance; maintenance for the landscaping cannot be guaranteed to be kept-up.

Environmental Noise Assessment

An environmental noise assessment was completed to evaluate the project impacts and ensure the proposed project complies with the regulations, plans, and policies set forth within the Oakley General Plan. The noise assessment was evaluated with the Noise Level Standards for New Projects as listed within the General Plan. The maximum dBA as listed within this section is 55 during the day and a maximum of 45 during nighttime.

The noise monitoring survey was dated June 30, 202 to analyze the noise levels of the proposed equipment and generator. Research conducted categorizes the noise levels by evaluating long-term noise and short-term noise. Although these noise levels ranged between 68 and 62 dBA, the analysis concluded with the installation of a solid wall will ultimately reduce the decibel levels. The study further states a combination of an acoustic enclosure for the project and generator and construction of a solid noise barrier along the perimeter of the lease area would reduce the decibel levels. With the installation of a solid wall, the project would comply with the thresholds set forth within the Oakley General Plan.

General Plan Analysis

This development helps to promote goals and policies outlined within Oakley's General Plan for Wireless Communication Facilities. Goals as listed within the Land Use Element request these facilities are created with design excellence in mind. The policies reflected within the General Plan's Goal 2.9 Project Design / Design Excellence request future development projects reinforce a sense of place and display design excellence. The proposed architectural plans help achieve this goal by disguising the facility as a water tower; helping to preserve Oakley's small town and agrarian character.

Policy 2.9.6 requires the visual impact of wireless telecommunication facilities to be minimized by designing them as an integral architectural feature of a site or structure. The faux water-tower has been designed to include water conduits to run the electrical conduits. This helps to disguise the equipment related to the facility and promotes the design making it appear as a functional water tower.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community and Economic Growth Goal and Strategic and Thoughtful Growth Sub-Goal. The City of Oakley strives to continue community and economic development through thoughtful growth. Each project must be evaluated by strategically planning and aligning residential, commercial, and industrial growth. An objective as listed within this strategic plan includes meeting the new service demands of local residents. As the City expands, this creates a need for additional services for the residents. Installation of this tower as proposed will provide a greater coverage area for residents while also reinforcing the small-town character of Oakley.

Fiscal Impact

The approval of this Design Review application will not impact the General Fund. This is a developer-funded account. All Staff time and City of Oakley generated materials related to the processing of this application, including reproduction of physical copies and postage for public hearing notices, are charged to the account.

Findings

Draft findings for the Design Review can be found in the proposed resolution.

Staff Recommendation

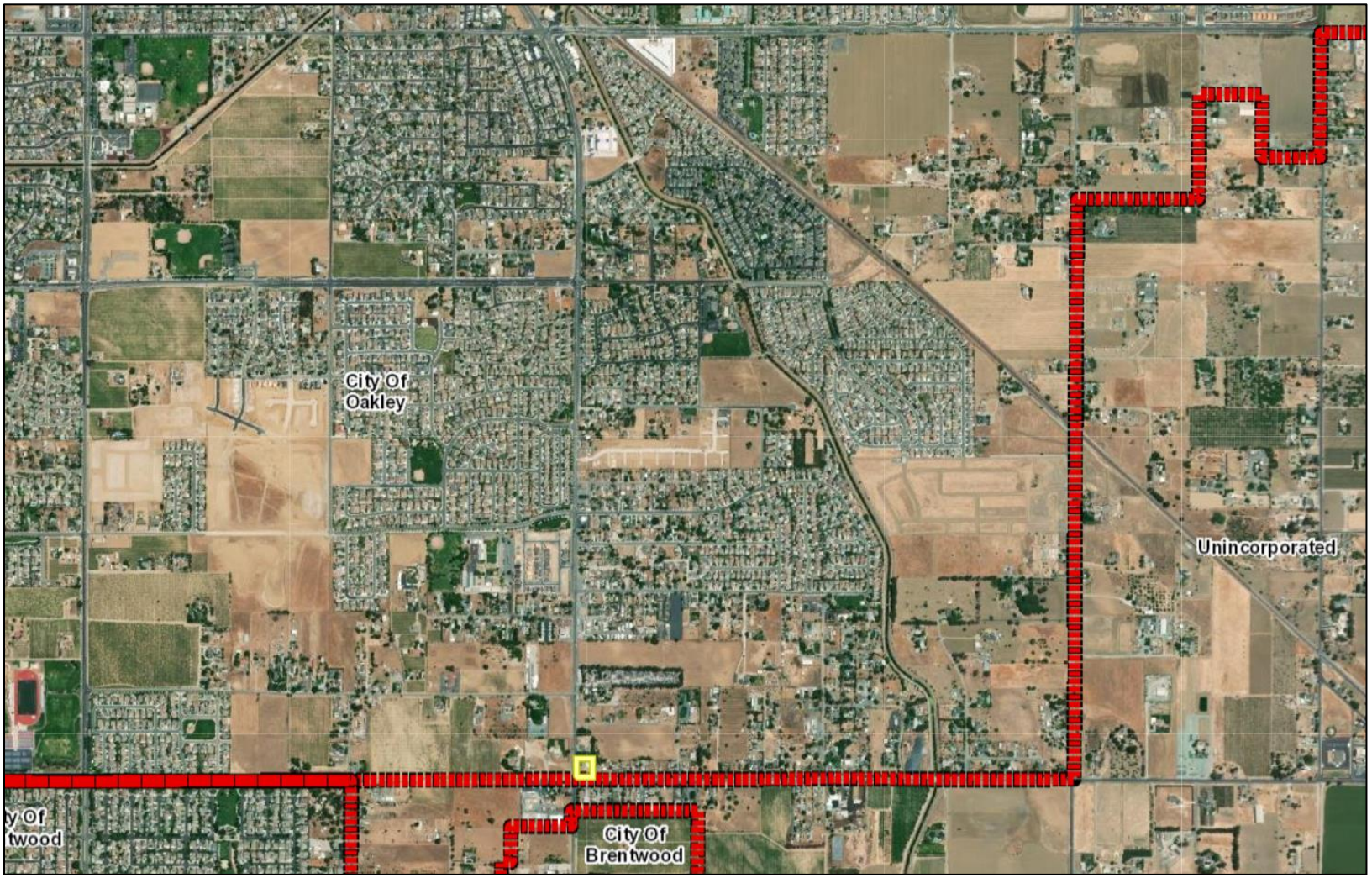
Staff recommends the City Council adopt the resolution approving the “Wireless Communication Facility at 30 Delta Road (DR 09-20)”, as conditioned.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Applicant’s Plans
4. Existing LTE 700 Coverage Area
5. Proposed LTE 700 Coverage Area
6. Environmental Noise Assessment
7. Draft Resolution

Vicinity Map

Wireless Communication Facility at 30 Delta Road (DR 09-21) APN: 033-110-005



City of Oakley
3231 Main Street
Oakley, CA 94561
www.oakleyinfo.com

NOTICE OF PUBLIC HEARING

PLANNING COMMISSION

Notice is hereby given that on **June 7, 2022**, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Planning Commission of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **Design Review** as described below:

Project Name: Wireless Communication Facility at 30 Delta Road

Project Location: 30 Delta Road, Oakley, CA 94561

Applicant: Complete Wireless Consulting, 2009 V Street, Sacramento, CA 95818

Request: Application by Complete Wireless Consulting ("Applicant") requesting approval of a Design Review application to approve an approximately 95-foot-tall public art wireless communications facility (cellular tower) designed as a faux water tank with twelve (12) panel antennas and associated tower equipment on an approximately 0.75-acre site. The structure and associated equipment will be within a 60-foot by 40-foot area. The ground equipment to include a walk-in cabinet and stand-by 30kw generator with a 190-gallon fuel tank ("Project"). The project site is located at the property address 30 Delta Road. The site is zoned C (General Commercial) District. (APN: 035-110-005).

How to Review: The Staff Report and its attachments will be available for public review, on or before **June 2, 2022** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **June 7, 2022 Planning Commission Agenda** and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). Interested persons are invited to submit written comments prior to and may testify at the public hearing. **Written comments may be submitted to Ariana Ruiz, Planning Technician at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to ruiz@ci.oakley.ca.us.**

NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.

SITE NUMBER: CCL02514 DR 90-21

SITE NAME: MAIN ST & BROWNSTONE RD

30 DELTA ROAD
OAKLEY, CA 94561
JURISDICTION: CITY OF OAKLEY
APN: 033-110-005

FA CODE: 15171305
USID#: 301082
PACE#: MRSFR068030

SITE TYPE: PREMANUFACTURED WALK-IN CABINET / WATER TANK

PROJECT DESCRIPTION

NEW SITE BUILD UNMANNED TELECOMMUNICATIONS FACILITY.

1. BRING POWER / TELCO / FIBER TO SITE LOCATION.
2. INSTALL AT&T APPROVED PREMANUFACTURED WALK-IN CABINET AND ASSOCIATED INTERIOR EQUIPMENT.
3. ADD STANDBY GENERATOR WITH FUEL TANK.
4. PROPOSED AT&T WATER TANK WITH ANTENNAS & ASSOCIATED TOWER-MOUNTED EQUIPMENT.
5. PROPOSED AT&T GPS ANTENNA.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1) 2019 CALIFORNIA ADMINISTRATIVE CODE
2) 2019 CALIFORNIA BUILDING CODE
3) 2019 CALIFORNIA ELECTRICAL CODE
4) 2019 CALIFORNIA MECHANICAL CODE
5) 2019 CALIFORNIA PLUMBING CODE
6) 2019 CALIFORNIA ENERGY CODE
9) 2019 CALIFORNIA FIRE CODE
11) 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
12) 2019 CALIFORNIA REFERENCE STANDARDS CODE

OCCUPANCY AND CONSTRUCTION TYPE

OCCUPANCY : U (UNOCCUPIED TELECOMMUNICATIONS FACILITY)

CONSTRUCTION TYPE: V-B

ACCESSIBILITY REQUIREMENTS

THIS IS AN UNOCCUPIED TELECOMMUNICATIONS FACILITY. ACCESSIBILITY FEATURES ARE NOT REQUIRED AS DESCRIBED BY 2019 CBC 11B-203.5, AND 11B-202.4 EXCEPTION 7.

PROJECT INFORMATION

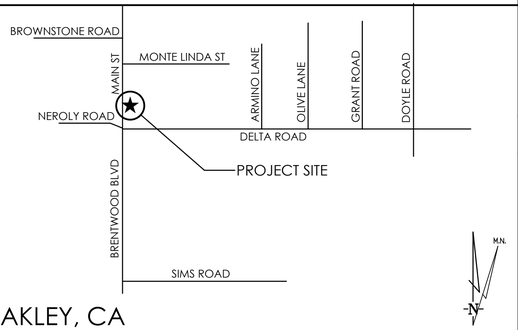
PROPERTY INFORMATION:

SITE NAME:	MAIN ST & BROWNSTONE RD
SITE NUMBER:	CCL02514
SITE ADDRESS:	30 DELTA ROAD OAKLEY, CA 94561
A.P.N. NUMBER:	033-110-005
CURRENT ZONING:	GENERAL COMMERCIAL
JURISDICTION:	CITY OF OAKLEY
LATITUDE:	N37° 58' 09.64" NAD 83
LONGITUDE:	W121° 41' 44.54" NAD 83
GROUND ELEVATION:	59.5 FT. AMSL

PROPERTY OWNER:
SUBURBAN PROPANE LP
P.O. BOX 206
WHIPPANY, NJ 07981

POWER AGENCY:
PACIFIC GAS & ELECTRIC
2225 FOLSOM ST.
SAN FRANCISCO, CA 94110

VICINITY MAP



OAKLEY, CA

PROJECT TEAM

APPLICANT / LESSEE:
AT&T
2600 CAMINO RAMON
SAN RAMON, CA 94583

CONSTRUCTION MANGER:
BECHTEL
5000 EXECUTIVE PARKWAY, STE 350
SAN RAMON, CA 94583
CONTACT: SEAN WATSON
EMAIL: swatson5@bechtel.com
PH: (925) 594-9070

RF ENGINEER:
AT&T
5001 EXECUTIVE PKWY,
SAN RAMON, CA 94583
CONTACT: SYED AHSAN MASHHOOD
EMAIL: sm0587@att.com

SURVEYOR:
GEIL ENGINEERING
1226 HIGH STREET
AUBURN, CA 95603
CONTACT: DAN GEIL
PH: (530) 885-0426

ARCHITECT / ENGINEER:
MST ARCHITECTS INC.
1520 RIVER PARK DRIVE
SACRAMENTO, CA 95815
CONTACT: MANUEL S. TSIHLAS
EMAIL: manuel@mstarchitects.com
PH: (916) 567-9630

SITE ACQUISITION:
COMPLETE WIRELESS CONSULTING, INC.
2009 V STREET
SACRAMENTO, CA 95818
CONTACT: RANDY MIKUNI
EMAIL: rmikuni@completewireless.net
PH: (916) 747-0624

ZONING MANAGER:
COMPLETE WIRELESS CONSULTING, INC.
2009 V STREET
SACRAMENTO, CA 95818
CONTACT: MACY HABIBEH
EMAIL: mhabibeh@completewireless.net
PH: (916) 224-8018

DIRECTIONS FROM AT&T

DIRECTIONS FROM AT&T's OFFICE AT 2600 CAMINO RAMON, SAN RAMON, CA

1. MERGE ONTO I-680 NORTH FROM BOLLINGER CANYON ROAD
2. CONTINUE ON I-680 NORTH
3. MERGE ONTO CA-242 NORTH
4. MERGE ONTO CA-4 EAST
5. TAKE EXIT 31 AND TURN LEFT ONTO LAUREL ROAD
6. TURN RIGHT ONTO MAIN STREET
7. TURN LEFT ONTO DELTA ROAD
8. TURN LEFT ONTO SITE ACCESS ROAD

APPROVALS

APPROVED BY:	INITIALS:	DATE:
AT&T:		
VENDOR:		
R.F.:		
LEASING / LANDLORD:		
ZONING:		
CONSTRUCTION:		
POWER / TELCO:		
PG&E:		

SHEET INDEX

1.	T-1	TITLE SHEET
2.	GN-1	GENERAL NOTES, ABBREVIATIONS, & LEGEND
3.	GN-4	NOISE STUDY
4.	GN-5	NOISE STUDY
5.	C-1	PLOT PLAN AND SITE TOPOGRAPHY
6.	A-1.1	OVERALL SITE PLAN
7.	A-2.1	DEMOLITION PLAN
8.	A-2.2	EQUIPMENT AREA PLAN
9.	A-3.1	ANTENNA PLAN, SCHEDULE, & DETAILS
10.	A-3.2	RRH DETAILS
11.	A-4.1	PROPOSED ELEVATIONS
12.	A-4.2	PROPOSED ELEVATIONS
13.	E-3	POWER SINGLE LINE DIAGRAM

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 24" x 36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOBSITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME.

DIGALERT
800-227-2600
Call 2 Full Working Days In Advance

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1

GENERAL CONSTRUCTION NOTES:

1. PLANS ARE INTENDED TO BE DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
2. THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
3. CONTRACTOR SHALL CONTACT USA (UNDERGROUND SERVICE ALERT) AT (800) 227-2600, FOR UTILITY LOCATIONS, 48 HOURS BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
4. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CBC / UBC'S REQUIREMENTS REGARDING EARTHQUAKE RESISTANCE, FOR, BUT NOT LIMITED TO, PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS, AND MECHANICAL EQUIPMENT. ALL WORK MUST COMPLY WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
6. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWINGS, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT / ENGINEER.
7. THE BUILDING DEPARTMENT ISSUING THE PERMITS SHALL BE NOTIFIED AT LEAST TWO WORKING DAYS PRIOR TO THE COMMENCEMENT OF WORK, OR AS OTHERWISE STIPULATED BY THE CODE ENFORCEMENT OFFICIAL HAVING JURISDICTION.
8. DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.
9. ALL EXISTING UTILITIES, FACILITIES, CONDITIONS, AND THEIR DIMENSIONS SHOWN ON THE PLAN HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ARCHITECT / ENGINEER AND THE OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR THE ACCURACY OF THE INFORMATION SHOWN ON THE PLANS, OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTORS SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
10. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHOULD BE IMMEDIATELY REPORTED TO THE ARCHITECT / ENGINEER FOR RESOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT / ENGINEER. FAILURE TO SECURE SUCH INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.
11. ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.
12. ANY DRAIN AND/OR FIELD TILE ENCOUNTERED / DISTURBED DURING CONSTRUCTION SHALL BE RETURNED TO IT'S ORIGINAL CONDITION PRIOR TO COMPLETION OF WORK. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON "AS-BUILT" DRAWINGS BY GENERAL CONTRACTOR, AND ISSUED TO THE ARCHITECT / ENGINEER AT COMPLETION OF PROJECT.
13. ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
14. INCLUDE MISC. ITEMS PER AT&T SPECIFICATIONS

APPLICABLE CODES, REGULATIONS AND STANDARDS:

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION.

THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:

- AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION
- TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-H, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES
- INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRICAL EQUIPMENT.
-IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS TELCORDIA GR-63 NETWORK EQUIPMENT-BUILDING SYSTEM (NEBS): PHYSICAL PROTECTION
TELCORDIA GR-347 CENTRAL OFFICE POWER WIRING
TELCORDIA GR-1275 GENERAL INSTALLATION REQUIREMENTS
TELCORDIA GR-1503 COAXIAL CABLE CONNECTIONS

ANY AND ALL OTHER LOCAL & STATE LAWS AND REGULATIONS

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

ABBREVIATIONS

A.B.	ANCHOR BOLT
ABV.	ABOVE
ACCA	ANTENNA CABLE COVER ASSEMBLY
ADD'L	ADDITIONAL
A.F.F.	ABOVE FINISHED FLOOR
A.F.G.	ABOVE FINISHED GRADE
ALUM.	ALUMINUM
ALT.	ALTERNATE
ANT.	ANTENNA
APPRX.	APPROXIMATE(LY)
ARCH.	ARCHITECT(URAL)
AWG.	AMERICAN WIRE GAUGE
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BM.	BEAM
B.N.	BOUNDARY NAILING
BTCW.	BARE TINNED COPPER WIRE
B.O.F.	BOTTOM OF FOOTING
B/U	BACK-UP CABINET
CAB.	CABINET
CANT.	CANTILEVER(ED)
C.I.P.	CAST IN PLACE
CLG.	CEILING
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION(OR)
CONST.	CONSTRUCTION
CONT.	CONTINUOUS
d	PENNY (NAILS)
DBL.	DOUBLE
DEPT.	DEPARTMENT
D.F.	DOUGLAS FIR
DIA.	DIAMETER
DIAG.	DIAGONAL
DIM.	DIMENSION
DWG.	DRAWING(S)
DWL.	DOWEL(S)
EA.	EACH
EL.	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EMT.	ELECTRICAL METALLIC TUBING
E.N.	EDGE NAIL
ENG.	ENGINEER
EQ.	EQUAL
EXP.	EXPANSION
EXST.(E)	EXISTING
EXT.	EXTERIOR
FAB.	FABRICATION(OR)
F.F.	FINISH FLOOR
F.G.	FINISH GRADE
FIN.	FINISH(ED)
FLR.	FLOOR
FDN.	FOUNDATION
F.O.C.	FACE OF CONCRETE
F.O.M.	FACE OF MASONRY
F.O.S.	FACE OF STUD
F.O.W.	FACE OF WALL
F.S.	FINISH SURFACE
FT.(')	FOOT (FEET)
FTG.	FOOTING
G.	GROWTH (CABINET)
GA.	GAUGE
GI.	GALVANIZE(D)
G.F.I.	GROUND FAULT CIRCUIT INTERRUPTER
GLB. (GLU-LAM)	GLUE LAMINATED BEAM
GPS	GLOBAL POSITIONING SYSTEM
GRND.	GROUND
HDR.	HEADER
HGR.	HANGER
HT.	HEIGHT
ICGB.	ISOLATED COPPER GROUND BUS
IN. (")	INCH(ES)
INT.	INTERIOR
LB.(#)	POUND(S)
L.B.	LAG BOLTS
L.F.	LINEAR FEET (FOOT)
L.	LONG(ITUDINAL)
MAS.	MASONRY
MAX.	MAXIMUM
M.B.	MACHINE BOLT
MECH.	MECHANICAL
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
MTL.	METAL
(N)	NEW
NO.(#)	NUMBER
N.T.S.	NOT TO SCALE
O.C.	ON CENTER
OPNG.	OPENING
P/C	PRECAST CONCRETE
PCS	PERSONAL COMMUNICATION SERVICES
PLY.	PLYWOOD
PPC	POWER PROTECTION CABINET
PRC	PRIMARY RADIO CABINET
P.S.F.	POUNDS PER SQUARE FOOT
P.S.I.	POUNDS PER SQUARE INCH
P.T.	PRESSURE TREATED
PWR.	POWER (CABINET)
QTY.	QUANTITY
RAD.(R)	RADIUS
REF.	REFERENCE
REINF.	REINFORCEMENT(ING)
REQ'D/	REQUIRED
RGS.	RIGID GALVANIZED STEEL
SCH.	SCHEDULE
SHT.	SHEET
SIM.	SIMILAR
SPEC.	SPECIFICATIONS
SQ.	SQUARE
S.S.	STAINLESS STEEL
STD.	STANDARD
STL.	STEEL
STRUC.	STRUCTURAL
TEMP.	TEMPORARY
THK.	THICK(NESS)
T.N.	TOE NAIL
T.O.A.	TOP OF ANTENNA
T.O.C.	TOP OF CURB
T.O.F.	TOP OF FOUNDATION
T.O.P.	TOP OF PLATE (PARAPET)
T.O.S.	TOP OF STEEL
T.O.W.	TOP OF WALL
TYP.	TYPICAL
U.G.	UNDER GROUND
U.L.	UNDERWRITERS LABORATORY
U.N.O.	UNLESS NOTED OTHERWISE
V.I.F.	VERIFY IN FIELD
W	WIDE (WIDTH)
w/	WITH
WD.	WOOD
W.P.	WEATHERPROOF
WT.	WEIGHT
℄	CENTERLINE
ℙ	PLATE, PROPERTY LINE

SYMBOLS LEGEND

- BLDG. SECTION (1 / A-300 ; 1 / A-300)
- WALL SECTION (A5 / A-310)
- DETAIL (D5 / A-500)
- ELEVATION (C1 / A-113; A4 / A-113; C4 / A-113; A1 / A-113)
- DOOR SYMBOL (001)
- WINDOW SYMBOL (10)
- TILT-UP PANEL MARK (3)
- PROPERTY LINE
- CENTERLINE
- ELEVATION DATUM (10')
- GRID/COLUMN LINE (A)
- KEYNOTE, DIMENSION ITEM (3)
- KEYNOTE, CONSTRUCTION ITEM (2)
- WALL TYPE MARK (W-3)
- ROOM NAME, ROOM NUMBER (OFFICE 101)
- GROUT OR PLASTER
- (E) BRICK
- (E) MASONRY
- CONCRETE
- EARTH
- GRAVEL
- PLYWOOD
- SAND
- PLYWOOD
- SAND
- (E) STEEL
- MATCH LINE
- GROUND CONDUCTOR
- OH — OVERHEAD SERVICE CONDUCTORS
- Tel — TELEPHONE CONDUIT
- Pwr — POWER CONDUIT
- Coax — COAXIAL CABLE
- CHAIN LINK FENCE
- WOOD FENCE
- (P) ANTENNA
- (P) RRU
- (P) DC SURGE SUPRESSION
- (F) ANTENNA
- (F) RRU
- (E) EQUIPMENT

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	XX
CHECKED BY:	XX

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
GENERAL NOTES, ABBREVIATIONS, & LEGEND

SHEET NUMBER:
GN-1

Environmental Noise Assessment

CCL02514 AT&T Cellular Facility

Oakley, California

BAC Job # 2021-116

Prepared For:

Complete Wireless Consulting

Attn: Steve Proo
2009 V Street
Sacramento, CA 95818

Prepared By:

Bollard Acoustical Consultants, Inc.

Dario Gotchet, Senior Consultant

June 30, 2021

Bollard Acoustical Consultants, Inc. ● 3551 Bankhead Road, Loomis, CA 95650 ● Phone: (916) 663-0500 ● bacnoise.com

Introduction

The CCL02514 AT&T Wireless Unmanned Telecommunications Facility (project) proposes the installation of cellular equipment within a lease area located at 30 Delta Road in the City of Oakley, California (APN: 033-110-005). The externally mounted HVAC unit of a pre-manufactured concrete walk-in cabinet and an emergency diesel standby generator have been identified as the primary noise sources associated with the project. The proposed project site location is shown on Figure 1. The studied site design is dated May 20, 2021.

Bollard Acoustical Consultants, Inc. has been contracted by Complete Wireless Consulting, Inc. to complete an environmental noise assessment regarding the proposed project cellular equipment operations. Specifically, the following assessment addresses daily noise production and exposure associated with operation of the project emergency generator and HVAC equipment.

Please refer to Appendix A for definitions of acoustical terminology used in this report. Appendix B illustrates common noise levels associated with various sources.

Criteria for Acceptable Noise Exposure

City of Oakley General Plan

The Noise Element of the City of Oakley General Plan establishes noise standards for non-transportation (stationary) noise sources, such as those proposed by the project. The General Plan requires that the noise level standards, provided below in Table 1, be applied immediately within the property line of noise-sensitive land uses.

Table 1
Noise Level Performance Standards for New Projects
Affected by or Including Non-Transportation Noise Sources

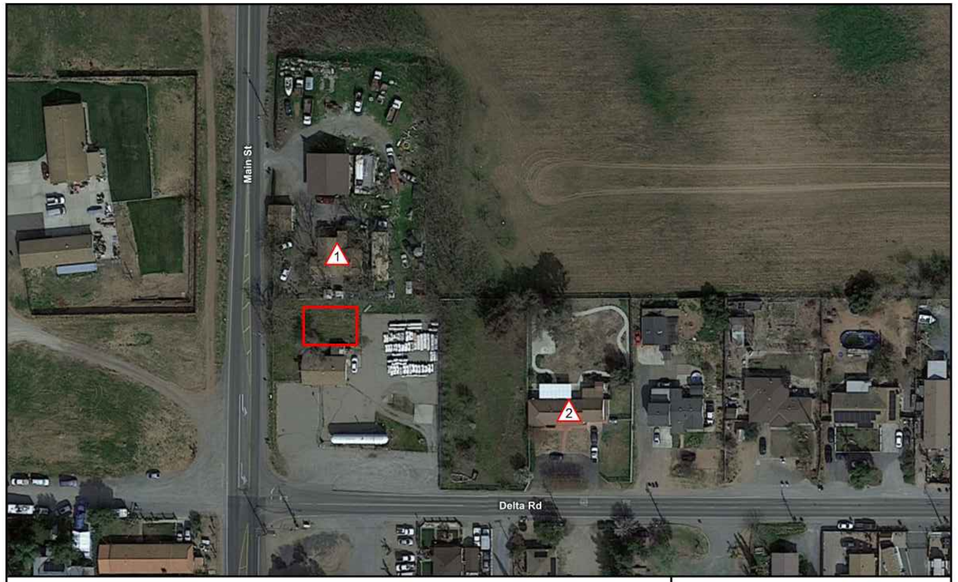
Noise Level Descriptor	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly L_{eq}	55	45

[1] Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises (e.g., humming sounds, outdoor speaker systems). These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

Source: City of Oakley General Plan, Noise Element, Table 9-1

Project Noise Generation

As discussed previously, there are two project noise sources which are considered in this evaluation: the externally mounted HVAC unit of the pre-manufactured concrete walk-in cabinet and the emergency diesel generator. The evaluation of potential noise impacts associated with the operation of each noise source is evaluated separately as follows:



Legend

Proposed AT&T Cellular Equipment Lease Area (Approximate)

Noise-Sensitive Receivers (Residences)

N

Scale (Feet)
0 50 100

CCL02514 AT&T Cellular Facility
City of Oakley, California

Proposed Cellular Facility Lease Area
& Nearest Noise-Sensitive Receivers

Figure 1

BOLLARD Acoustical Consultants

HVAC Equipment Noise Source and Reference Noise Level

The project proposes the installation of a pre-manufactured concrete walk-in cabinet equipped with one (1) externally mounted HVAC unit within the equipment lease area illustrated on Figure 1. According to the project site plans, the HVAC unit assumed for installation at this site is a Marvair Airxcel, Inc. Model ECUA18ACA. Based on reference noise level data obtained from the manufacturer (Marvair Airxcel, Inc.), this specific HVAC unit model has a reference noise level of 62 dB at a distance of 5 feet. The manufacturer's noise level data specification sheet for the proposed HVAC equipment is provided as Appendix C.

Generator Noise Source and Reference Noise Level

The project also proposes the installation of an emergency standby diesel generator within the lease area to maintain cellular service during emergency power outages. Based on the project site plans, the generator assumed for installation at this site is a Generac Industrial Power Systems Model SD030. It is further assumed that the proposed generator will be equipped with the Level 2 Acoustic Enclosure resulting in a reference noise level of 68 dB at a distance of 23 feet. The manufacturer's noise level data specification sheet for the proposed generator and acoustical enclosure is provided as Appendix D.

The generator which is proposed at this site would only operate during emergencies (power outages) and brief daytime periods for periodic maintenance/lubrication. According to the project applicant, testing of the generator would occur twice per month, during daytime hours only, for a duration of approximately 15 minutes. The emergency generator would not operate at night, except during power outages.

Predicted Facility Equipment Noise Levels at Nearest Noise-Sensitive Uses

The nearest noise-sensitive uses have been identified as residences to the north and east of the project, identified as receivers 1 and 2 on Figure 1. The proposed project equipment maintains various distances from the property lines of receivers 1 and 2. Those distances were scaled using the provided site plans. Assuming standard spherical spreading loss (-6 dB per doubling of distance), project-equipment noise exposure at the property lines of the nearest noise-sensitive receivers (residences) was calculated and the results of those calculations are presented below in Table 2.

Table 2
Summary of Project-Related Noise Exposure at the Nearest Noise-Sensitive Uses

	Distance from Equipment (ft)[2]		Predicted Equipment Noise Levels, L_{eq} (dBA)	
Receiver[1]	HVAC	Generator	HVAC	Generator
1	30	15	41	72
2	135	125	28	53

[1] Residential receiver locations are illustrated on Figure 1.
[2] Distances scaled from equipment to receiver property lines using the provided site plans.
Source: Bollard Acoustical Consultants, Inc. (2021)

Because the proposed HVAC unit could potentially be in operation during nighttime hours, the operation of the HVAC unit would be subject to the City of Oakley General Plan *nighttime* noise level standard of 45 dB L_{eq} (Table 1). As indicated in Table 2, the predicted HVAC equipment noise levels of 28 to 41 dB L_{eq} at the property lines of the nearest residential receivers would satisfy the General Plan 45 dB L_{eq} nighttime noise level limit. As a result, no further consideration of HVAC equipment noise mitigation measures would be warranted for the project.

Project representatives have indicated that the proposed generator would be in operation for routine testing and maintenance twice a month during daytime hours for no more than 15 minutes and would only operate at night during emergencies. Because the project generator would only operate during daytime hours for brief periods required for testing and maintenance, the operation of the generator would be subject to the City of Oakley General Plan *daytime* noise level standard of 55 dB L_{eq}. As shown in Table 2, project generator noise level exposure is predicted to exceed the General Plan 55 dB L_{eq} daytime noise level standard at the property line of the residential receiver 1. As a result, additional consideration of emergency generator noise mitigation measures would be warranted for the project.

Mitigation Measures

Project generator noise levels are predicted to exceed the City of Oakley General Plan 55 dB L_{eq} daytime noise level standard at the property line of the residential receiver 1 by 17 dB. To mitigate the identified exceedance to a state of compliance with the City's noise level standard, the combination of a custom acoustic enclosure for the project generator and construction of a solid noise barrier along the perimeter of the facility lease area would be required. The location of the noise barrier is illustrated on Figure 2. The calculated mitigated generator noise levels resulting from the implementation of a custom enclosure and lease area noise barrier at the property line of receiver 1 are provided below in Table 3.

Table 3
Summary of Generator Noise Exposure at Receiver 1 Property Line – Mitigated[1]

Barrier Height (ft)	Transmission Loss from Custom Enclosure (dB)							
	24	23	22	21	20	19	18	17
6	55	56	57	58	59	60	61	62
7	53	54	55	56	57	58	59	60
8	51	52	53	54	55	56	57	58
9	49	50	51	52	53	54	55	56
10	48	49	50	51	52	53	54	55

[1] Red = barrier height & enclosure transmission loss combination would satisfy 55 dB Leq daytime noise standard
Source: Bollard Acoustical Consultants, Inc. (2021)

The data presented in Table 3 indicate the resulting (mitigated) generator noise levels at the property line of receiver 1 associated with the construction of a noise barrier around the facility lease area and the implementation of a custom engineered generator enclosure. The required barrier height is ultimately dependent upon the degree of exterior to interior transmission loss provided by the recommended custom engineered generator enclosure. In addition, the

enclosure design should include sound absorbing panels on the interior wall and ceiling surfaces of the equipment shelter and should include a suitable engine exhaust muffler.

The noise barrier could consist of a dog-ear wood (or wood composite) fence with overlapping slat construction. The purpose of overlapping slats (and using screws rather than nails) is to ensure that prolonged exposure to the elements does not result in visible gaps through the slats which would result in reduced noise barrier effectiveness. Alternatively, lining the inside of a (height dependant) chain link fence with acoustic curtains at the location shown on Figure 2 would also serve as a sufficient noise barrier. If suspended acoustic curtains are installed on said chain link fence, an acoustical vinyl product with a minimum STC (Sound Transmission Class) rating of 28 should be considered. An example of such a product can be found at http://www.acoustiblok.com/acoustical_fence.php. Appendix E illustrates the use of an acoustical vinyl curtain at a photovoltaic inverter facility.

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD

30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR

at&t

2600 Camino Ramon
San Ramon, California 94583

Vendor:

COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	TST

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

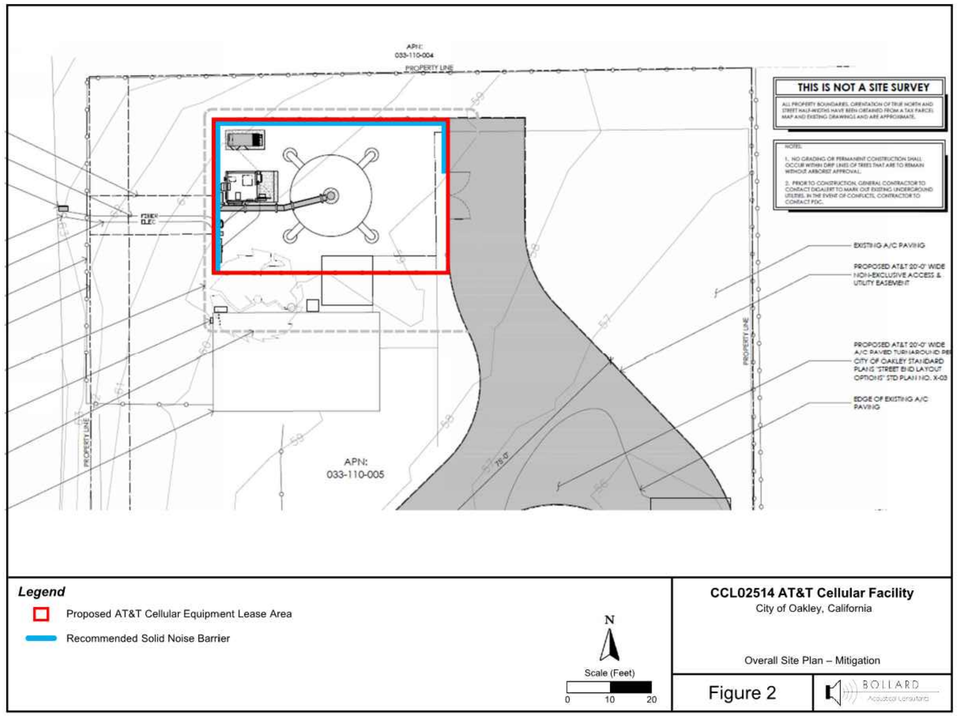
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:

NOISE STUDY

SHEET NUMBER:

GN-4



Conclusions & Recommendations

Project-related equipment noise exposure is expected to satisfy the applicable City of Oakley General Plan noise level criteria at the property lines of the nearest noise-sensitive uses provided that the following specific equipment noise mitigation measures are implemented:

1. A custom generator enclosure and the construction of a noise barrier along the facility lease area perimeter should be implemented. Figure 2 shows the location of the barrier. The barrier heights and associated interior to exterior transmission loss required of a custom acoustic enclosure for the generator are presented in Table 3.

   Barrier material and construction details for the noise barrier are provided in this report. The generator enclosure design should include sound absorbing panels on the interior wall and ceiling surfaces of the generator equipment shelter and should include a suitable engine exhaust muffler.

This concludes our environmental noise assessment for the proposed CCL02514 AT&T Cellular Facility in Oakley, California. Please contact BAC at (916) 663-0500 or darioq@bacnoise.com with any questions or requests for additional information.

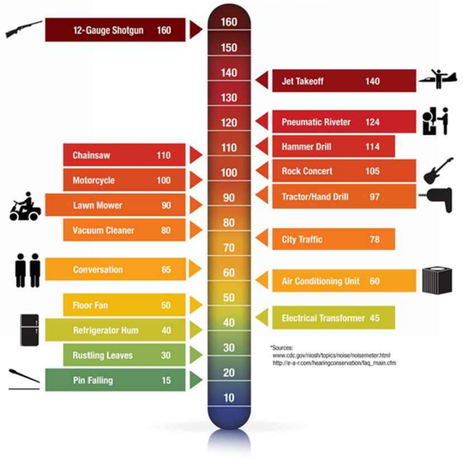
Appendix A
Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound. A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
IIC	Impact Insulation Class (IIC): A single-number representation of a floor/ceiling partition's impact generated noise insulation performance. The field-measured version of this number is the FIIC.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
L_{eq}	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
Loudness	A subjective term for the sensation of the magnitude of sound.
Masking	The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
RT_{60}	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
STC	Sound Transmission Class (STC): A single-number representation of a partition's noise insulation performance. This number is based on laboratory-measured, 16-band (1/3-octave) transmission loss (TL) data of the subject partition. The field-measured version of this number is the FSTC.

BOLLARD Acoustical Consultants

Appendix B

Typical A-Weighted Sound Levels of Common Noise Sources
Decibel Scale (dBA)*



*Sources:
www.cdc.gov/niosh/topics/noise/noisemeter.html
http://e-a-r.com/hearingconservation/faq_main.cfm

Appendix C

Marvair
156 Seedling Drive
Cordele, Georgia 31015
229-273-0753

Sound Pressure Level for the Industrial Product Air Conditioners (dBA)

Distance From Unit (Feet)	Model Number					
	ECUA08ACA	ECUA08ACA	ECUA012ACA	ECUA018ACA		
5			51.5	62		
10			50.7	58		
20			47.8	55		
30			46.5	51		
40			45.6			
50			45.6			
60						
70						
80						

Notes: (1) Date: July 1,2019
(2) Background Sound Pressure Level: 41 dBA
(3) Sound Level Meter 1 Meter Above Ground Directly in Line with Outdoor Coil
(4) All units - 410A Refrigerant

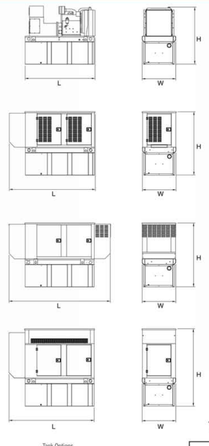
Appendix D

GENERAC | INDUSTRIAL POWER

30 kW Diesel

SD030 dimensions, weights and sound levels

5 of 5



OPEN SET

RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	76	38	46	2060	82
20	54	76	38	59	2540	
48	132	76	38	74	2770	
77	211	76	38	83	2979	
109	300	93	38	87	3042	

STANDARD ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	95	38	50	2362	77
20	54	95	38	63	2842	
48	132	95	38	75	3072	
77	211	95	38	87	3281	
109	300	95	38	98	3344	

LEVEL 1 ACOUSTIC ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	113	38	50	2515	70
20	54	113	38	63	2995	
48	132	113	38	75	3229	
77	211	113	38	87	3434	
109	300	113	38	98	3497	

LEVEL 2 ACOUSTIC ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	95	38	62	2529	68
20	54	95	38	75	3009	
48	132	95	38	87	3230	
77	211	95	38	99	3439	
109	300	95	38	153	3502	

*All measurements are approximate and for estimation purposes only. Weights are without fuel in tank. Sound levels measured at 23ft (7m) and does not account for ambient site conditions.

Tank Options

MDEQ	OPT
Florida DERM/DEP	OPT
Chicago Fire Code	OPT
IFC Certification	CALL
ULC	CALL

Other Custom Options Available from your Generac Industrial Power Dealer

YOUR FACTORY RECOGNIZED GENERAC INDUSTRIAL DEALER

Specification characteristics may change without notice. Dimensions and weights are for preliminary purposes only. Please consult a Generac Power Systems Industrial Dealer for detailed installation drawings.

Generac Power Systems, Inc. • S45 W29290 HWY. 59, Waukesha, WI 53189 • generac.com

©2012 Generac Power Systems, Inc. All rights reserved. All specifications are subject to change without notice. Bulletin 0195010SBY-B / Printed in U.S.A. 02/15/12

Appendix E
Photovoltaic Inverter Facility
Chain Link Fence Lined with Acoustical Vinyl Product



BOLLARD Acoustical Consultants

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	TST

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

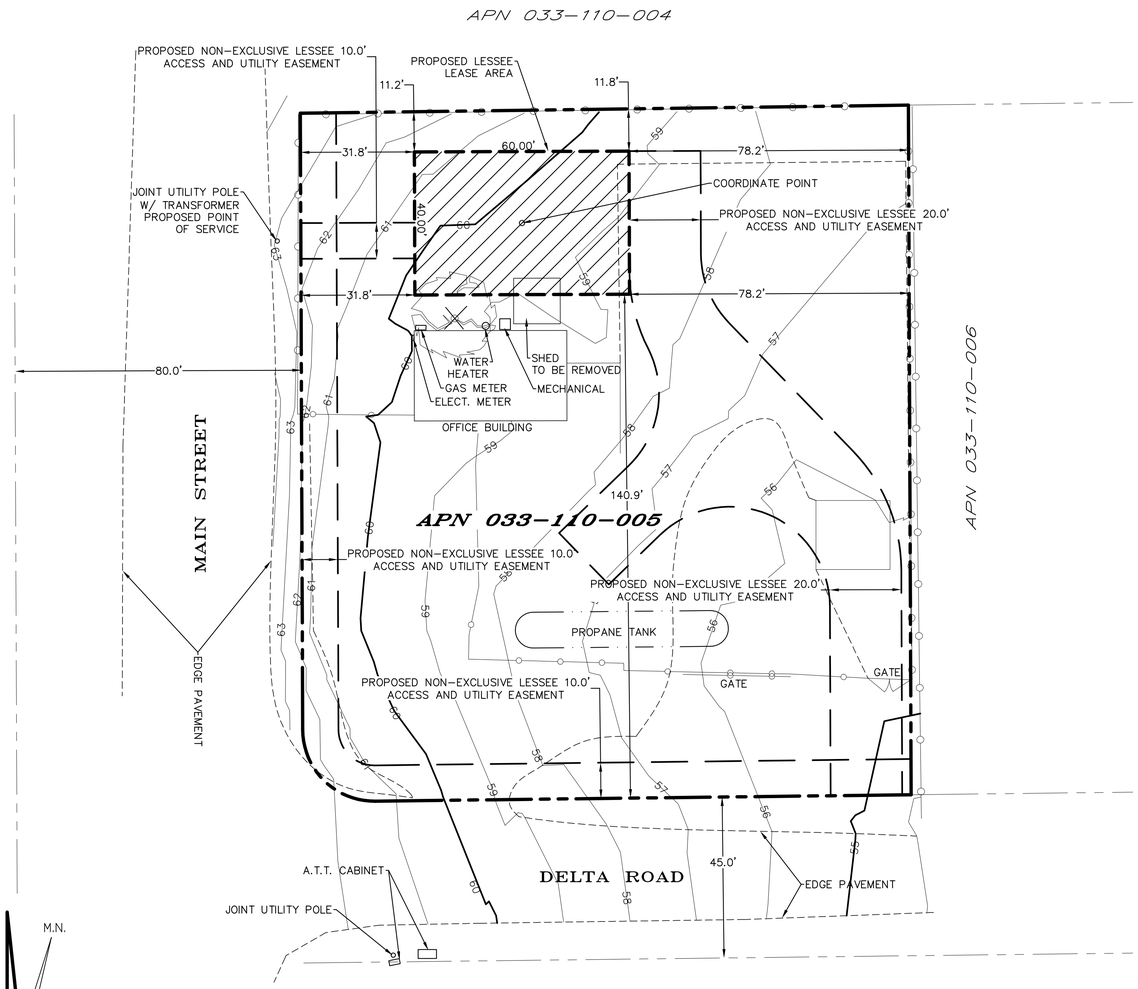
Licensee:

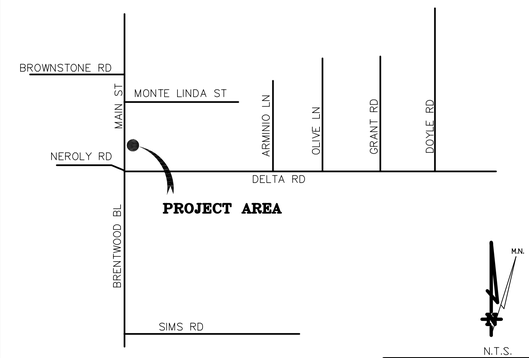
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
NOISE STUDY

SHEET NUMBER:
GN-5





Oakley, CA

VICINITY MAP

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GEIL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEIL ENGINEERING. TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEIL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED. NO PROPERTY MONUMENTS WERE SET.

DATE OF SURVEY: 03-25-21

SURVEYED BY OR UNDER DIRECTION OF: KENNETH D. GEIL, RCE 14803

LOCATED IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

BEARINGS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.G.S. N.A.V.D. 88 DATUM. ABOVE MEAN SEA LEVEL UNLESS OTHERWISE NOTED.

N.G.V.D. 1929 CORRECTION: SUBTRACT 2.40' FROM ELEVATIONS SHOWN.

FEMA FIRM: FLOOD ZONE X PER FIRM 06013C0355G, DATED 03-21-2017.

CONTOUR INTERVAL: 1 FT.

ASSESSOR'S PARCEL NUMBER: 033-110-005-7

LANDLORD(S): SUBURBAN PROPANE LP
P.O. BOX 206
WHIPPANY, NJ 07981

Project Name: CCL02514
Project Site Location: 30 Delta Road
Oakley, CA 94561
Contra Costa County

Date of Observation: 03-25-21

Equipment/Procedure Used to Obtain Coordinates: Trimble Pathfinder Geo XT post processed with Pathfinder Office software.

Type of Antenna Mount: Proposed Monopole

Coordinates

Latitude: N 37°58'09.64" (NAD83) N 37°58'09.92" (NAD27)
Longitude: W 121°41'44.54" (NAD83) W 121°41'40.71" (NAD27)

Latitude: N 37.969344° (NAD83) N 37.969421° (NAD27)
Longitude: W 121.695707° (NAD83) W 121.694642° (NAD27)

ELEVATION of Ground at Structure (NAVD88) 59.5' AMSL

LEASE AREA DETAIL

DEPT	APPROVED	DATE
A&C		
RE		
RF		
INT		
EE\IN		
OPS		
EE\OUT		

Surveyor
GEIL ENGINEERING
ENGINEERING • SURVEYING • PLANNING
1226 HIGH STREET
AUBURN, CALIFORNIA 95603
phone: (530) 885-0426
fax: (530) 823-1309

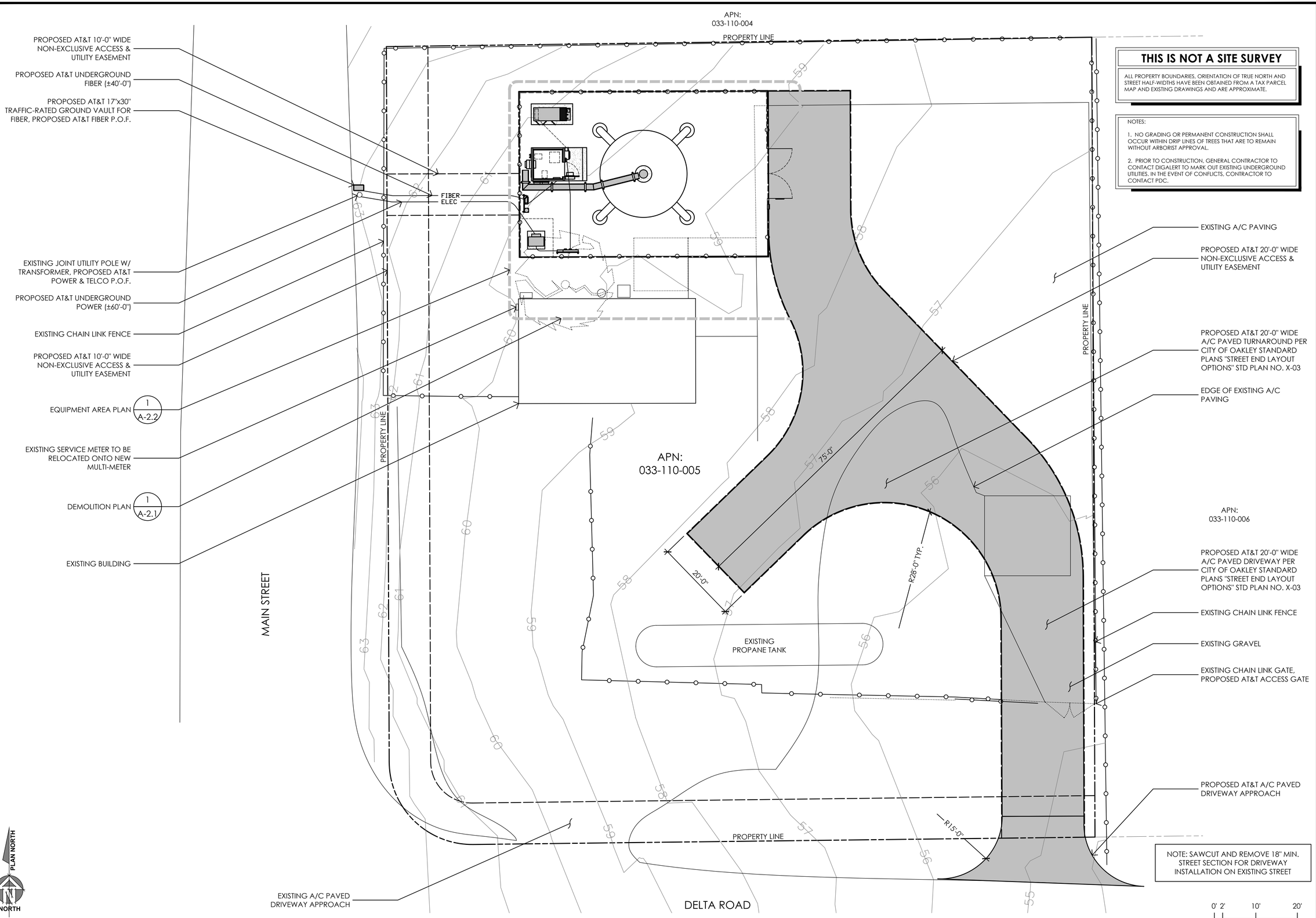
AT&T MOBILITY

CCL02514
30 Delta Road
Oakley, CA 94561

PLOT PLAN AND SITE TOPOGRAPHY

REVISIONS		
03-29-21	Preliminary Drawing	dg
05-18-21	rev. esmt.	dg
05-20-21	rev. esmt.	dg

Sheet
C-1



1 OVERALL SITE PLAN
1"=10'

THIS IS NOT A SITE SURVEY

ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH AND STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP AND EXISTING DRAWINGS AND ARE APPROXIMATE.

NOTES:

1. NO GRADING OR PERMANENT CONSTRUCTION SHALL OCCUR WITHIN DRIP LINES OF TREES THAT ARE TO REMAIN WITHOUT ARBORIST APPROVAL.

2. PRIOR TO CONSTRUCTION, GENERAL CONTRACTOR TO CONTACT DIGALERT TO MARK OUT EXISTING UNDERGROUND UTILITIES. IN THE EVENT OF CONFLICTS, CONTRACTOR TO CONTACT PDC.

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

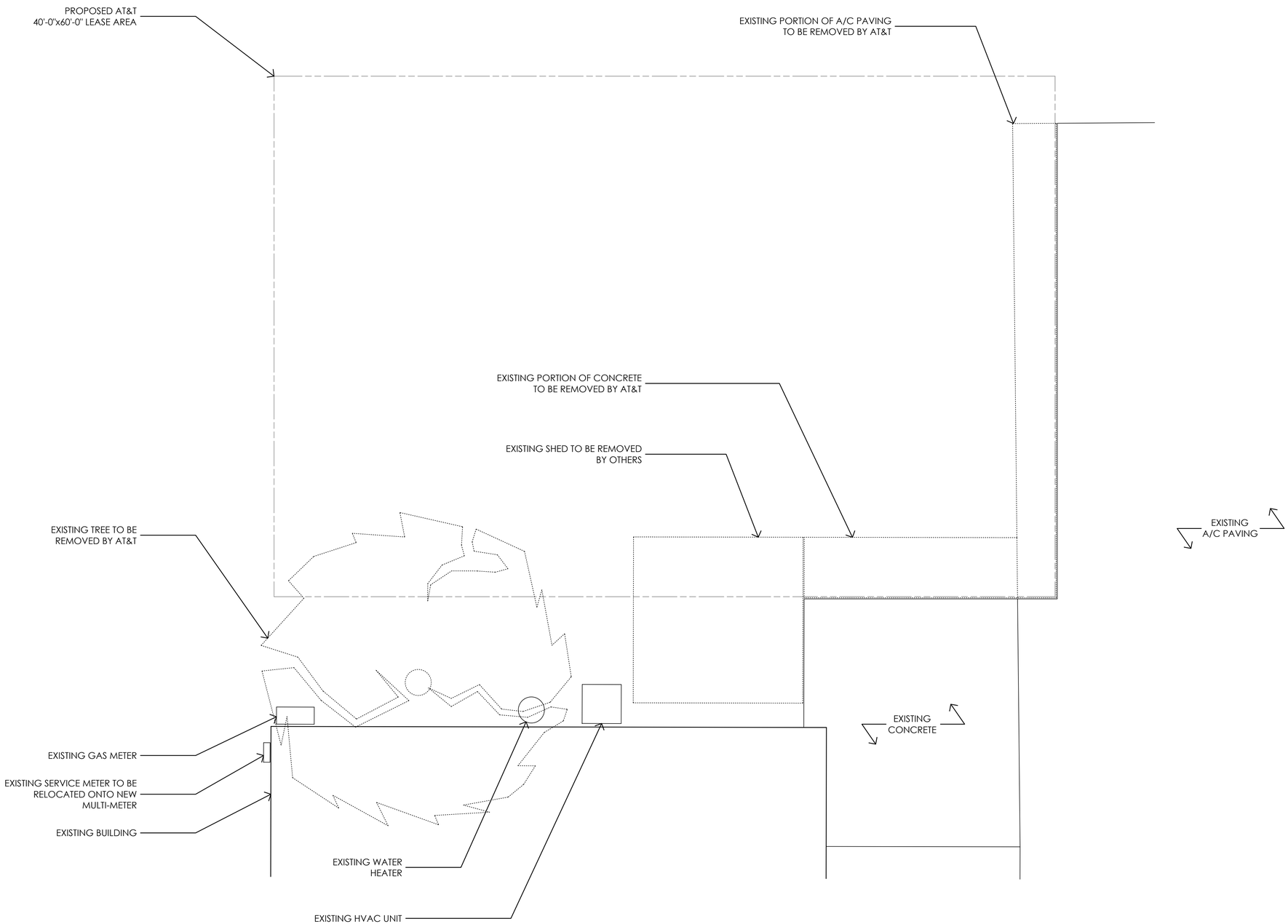
Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
A-1.1



PLAN NORTH

NORTH

1 DEMOLITION PLAN
1/4" = 1'-0"

0' 1' 5' 10'
1/4" = 1'-0"

Issued For:
CCL02514
MAIN ST &
BROWNSTONE
RD

30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR

at&t

2600 Camino Ramon
San Ramon, California 94583

Vendor:

COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

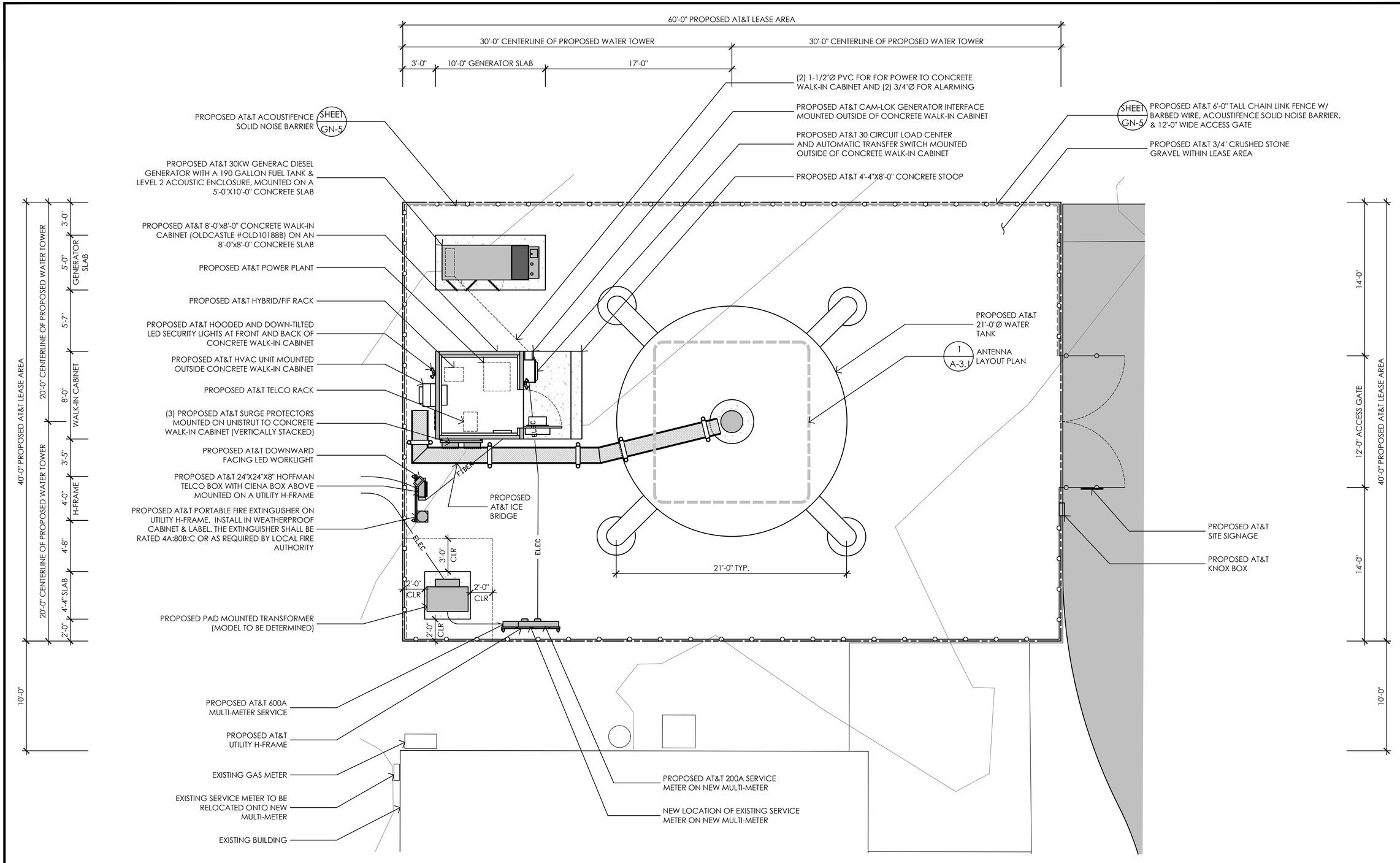
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
DEMOLITION
PLAN

SHEET NUMBER:
A-2.1



1 EQUIPMENT AREA PLAN
1/4" = 1'-0"

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

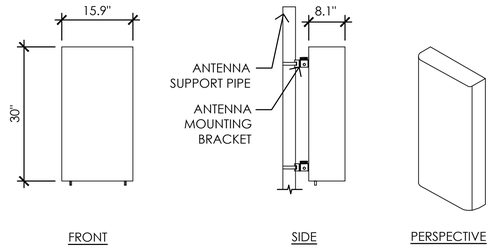
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
EQUIPMENT AREA PLAN

SHEET NUMBER:
A-2.2

EQUIPMENT SUBJECT TO CHANGE



ANTENNA = ERICSSON (AIR6449 N77)
WEIGHT = 81.6 LBS
DIMENSIONS = 30.4" (H) x 15.9" (W) x 8.1" (D)

5 PROPOSED ANTENNA SPEC
3/4" = 1'-0"

RF SCHEDULE

SECTOR		ANTENNA MODEL NO.	AZIMUTH	CENTERLINE	RRH	TMA	FIBER LENGTH	COAX LENGTH	JUMPER TYPE	RRU NO.
ALPHA	A1	COMMSCOPE - NNHH-65C-R4	30°	± 85'-0"	(1) 4449 B5/B12 / (1) 8843 B2/B66A	-	± 120'-0"	-	LDF4	(2)
	A2	COMMSCOPE - NNHH-65C-R4	30°	± 85'-0"	(1) 4478 B14	-	± 120'-0"	-	LDF4	(1)
	A3	ERICSSON - AIR6449 N77	30°	± 85'-0"	-	-	± 120'-0"	-	LDF4	-
	A4	COMMSCOPE - NNHH-65C-R4	30°	± 85'-0"	(1) RRUS-E2 B29 / (1) 4415 B30	-	± 120'-0"	-	LDF4	(2)
BETA	B1	COMMSCOPE - NNHH-65C-R4	270°	± 85'-0"	(1) 4449 B5/B12 / (1) 8843 B2/B66A	-	± 120'-0"	-	LDF4	(2)
	B2	COMMSCOPE - NNHH-65C-R4	270°	± 85'-0"	(1) 4478 B14	-	± 120'-0"	-	LDF4	(1)
	B3	ERICSSON - AIR6449 N77	270°	± 85'-0"	-	-	± 120'-0"	-	LDF4	-
	B4	COMMSCOPE - NNHH-65C-R4	270°	± 85'-0"	(1) RRUS-E2 B29 / (1) 4415 B30	-	± 120'-0"	-	LDF4	(2)
GAMMA	C1	COMMSCOPE - NNHH-65C-R4	150°	± 85'-0"	(1) 4449 B5/B12 / (1) 8843 B2/B66A	-	± 120'-0"	-	LDF4	(2)
	C2	COMMSCOPE - NNHH-65C-R4	150°	± 85'-0"	(1) 4478 B14	-	± 120'-0"	-	LDF4	(1)
	C3	ERICSSON - AIR6449 N77	150°	± 85'-0"	-	-	± 120'-0"	-	LDF4	-
	C4	COMMSCOPE - NNHH-65C-R4	150°	± 85'-0"	(1) RRUS-E2 B29 / (1) 4415 B30	-	± 120'-0"	-	LDF4	(2)

RF DATA SHEET v2.00 DATED 04/16/2021 NOTE: ANTENNA POSITIONS ARE LEFT TO RIGHT FROM FRONT OF ANTENNA EQUIPMENT IS PRELIMINARY AND SUBJECT TO CHANGE.

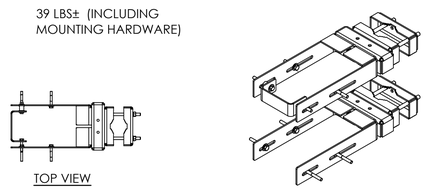
2 RF SCHEDULE
NO SCALE

SPECIFICATIONS:

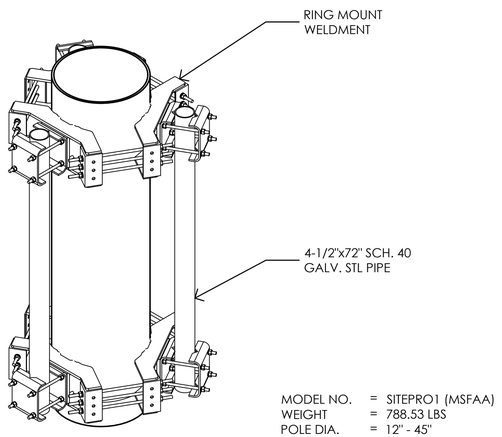
MATERIAL: HOT-DIPPED GALVANIZED STEEL

DIMENSIONS:
HEIGHT: 13.4 IN
WIDTH: 8.4 IN.
LENGTH: 18.2 IN.

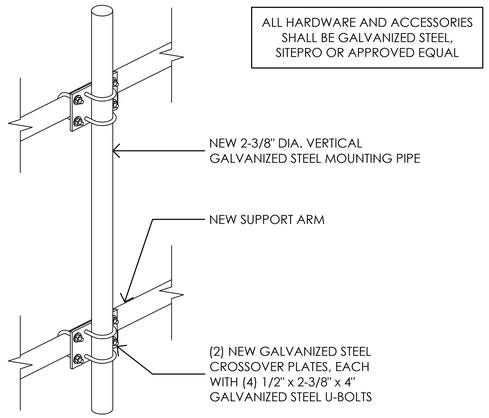
WEIGHT: 39 LBS± (INCLUDING MOUNTING HARDWARE)



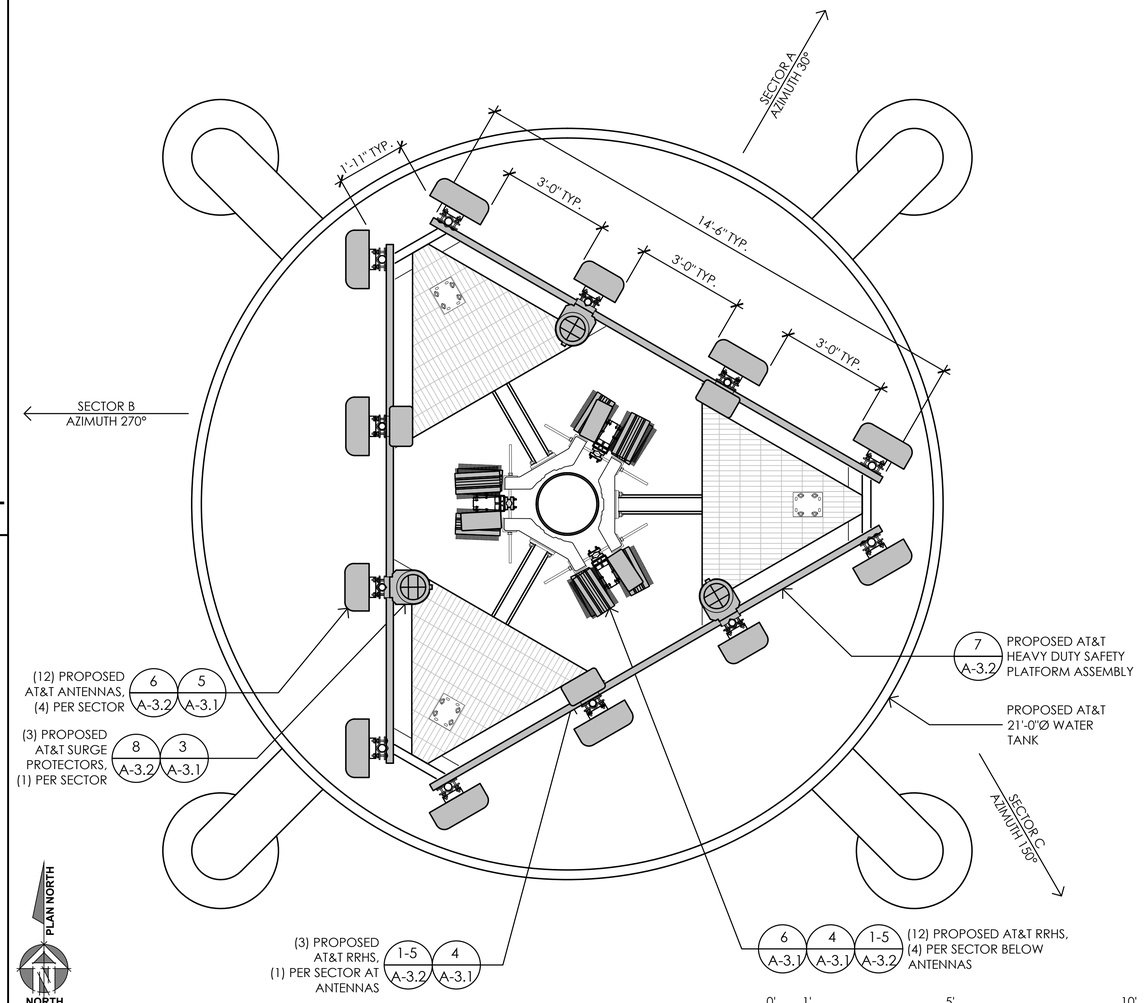
4 BACK TO BACK RRH MOUNTING (COMMSCOPE PART#: RR-B2B-AR)
1-1/2"= 1'-0"



6 PROPOSED MONOPOLE SECTOR FRAME ATTACHMENT
3/4" = 1'-0"



3 CROSSOVER PLATE DETAIL
1-1/2"= 1'-0"



1 ANTENNA LAYOUT PLAN
1/2" = 1'-0"

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
ANTENNA PLAN, SCHEDULE, & DETAILS

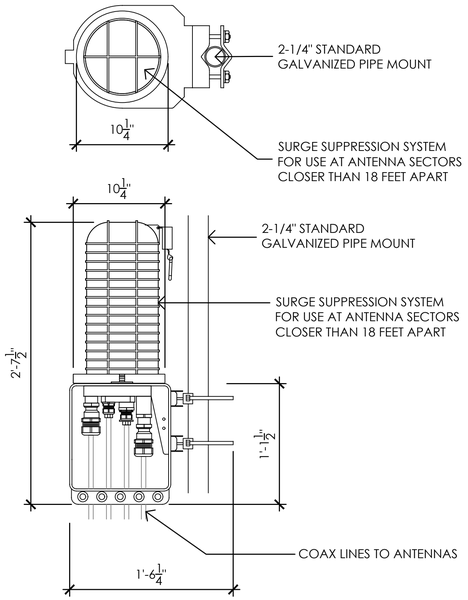
SHEET NUMBER:
A-3.1

RAYCAP DC9-48-60-24-8C-EV SURGE SUPPRESSION SOLUTION

COLOR: BLACK/SILVER

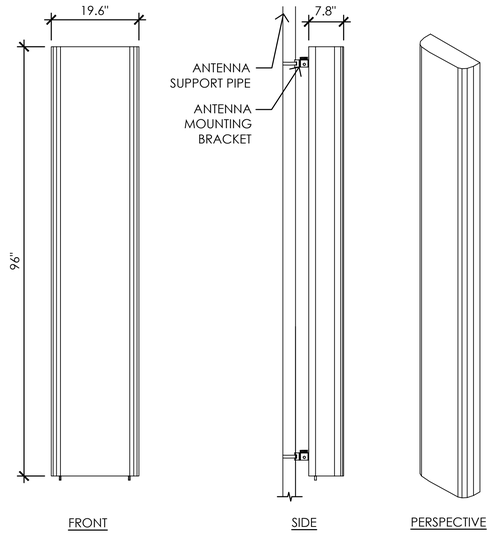
DIMENSIONS: 10.25" DIA X 2'-7.5" TALL W/ 1'-1.5' BASE

WEIGHT: 26.2 LBS.±



8 DC SURGE SUPPRESSION (SQUID)
1-1/2"= 1'-0"

EQUIPMENT SUBJECT TO CHANGE



ANTENNA = COMMSCOPE (NNHH-65C-R4)
WEIGHT = 99.2 LBS
DIMENSIONS = 96" (H) x 19.6" (W) x 7.8" (D)

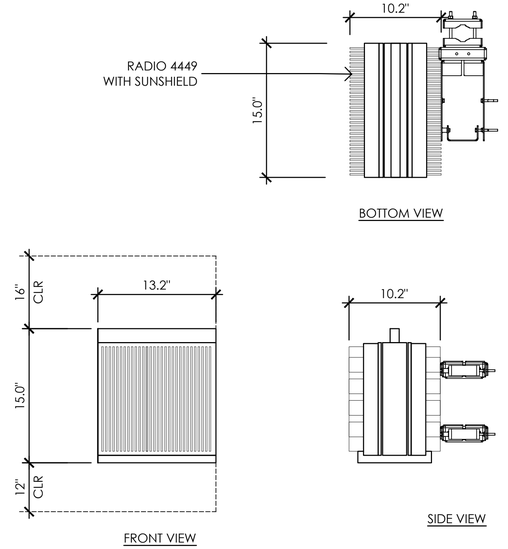
6 PROPOSED ANTENNA SPEC
3/4" = 1'-0"

ERICSSON RADIO 8843 B2/B66A REMOTE RADIO UNIT

COLOR: WHITE

DIMENSIONS: 15" TALL X 13.2" WIDE X 10.2" DEEP (INCLUDING SUNSHIELD)

WEIGHT: 75 LBS± (INCLUDING MOUNTING HARDWARE)



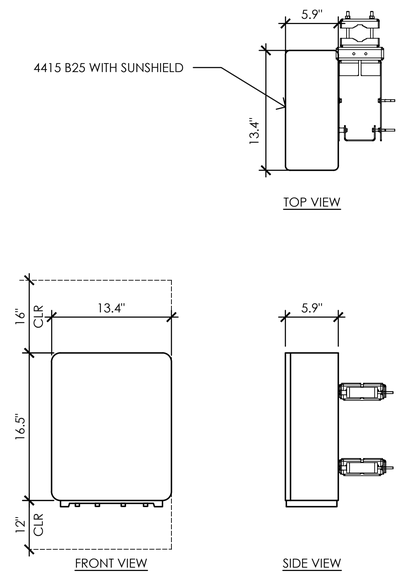
4 ERICSSON RADIO 8843 B2/B66A REMOTE RADIO UNIT
1-1/2"= 1'-0"

ERICSSON RADIO 4415 B25 REMOTE RADIO UNIT

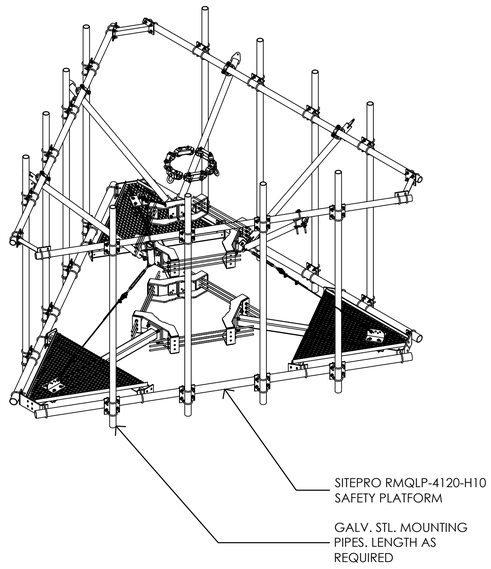
COLOR: WHITE

DIMENSIONS: 16.5" TALL X 13.4" WIDE X 5.9" DEEP (INCLUDING SUNSHIELD)

WEIGHT: 46 LBS.± (INCLUDING MOUNTING HARDWARE)



2 ERICSSON RADIO 4415 B25/B30 REMOTE RADIO UNIT
1-1/2"= 1'-0"



THIS IS AN AT&T-APPROVED MOUNT AND IS DESIGNED BASED ON SITE-SPECIFIC CRITERIA. ABSOLUTELY NO SUBSTITUTIONS ARE PERMISSIBLE WITHOUT APPROVAL OF THE ARCHITECT AND STRUCTURAL ENGINEER OF RECORD.

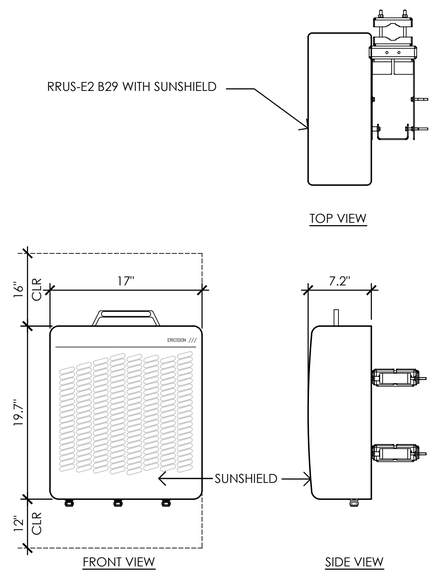
7 SITEPRO SAFETY PLATFORM RMQLP-4120-H10
NO SCALE

ERICSSON RRUS-E2 B29 REMOTE RADIO UNIT

COLOR: WHITE

DIMENSIONS: 19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)

WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



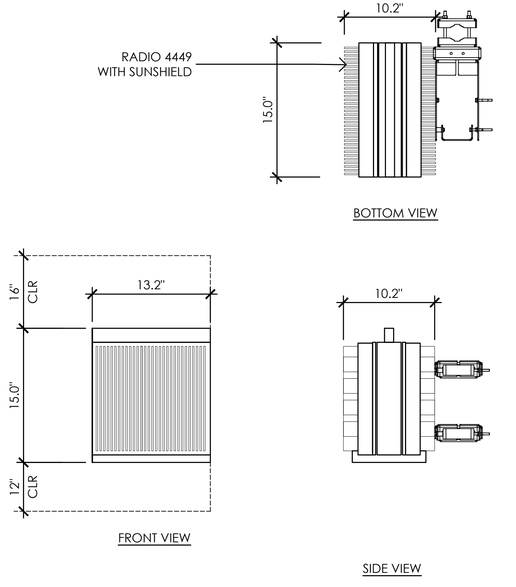
5 ERICSSON RRUS-E2 B29 REMOTE RADIO UNIT
1-1/2"= 1'-0"

ERICSSON RADIO 4449 B5/B12 REMOTE RADIO UNIT

COLOR: WHITE

DIMENSIONS: 15" TALL X 13.2" WIDE X 10.2" DEEP (INCLUDING SUNSHIELD)

WEIGHT: 75 LBS± (INCLUDING MOUNTING HARDWARE)



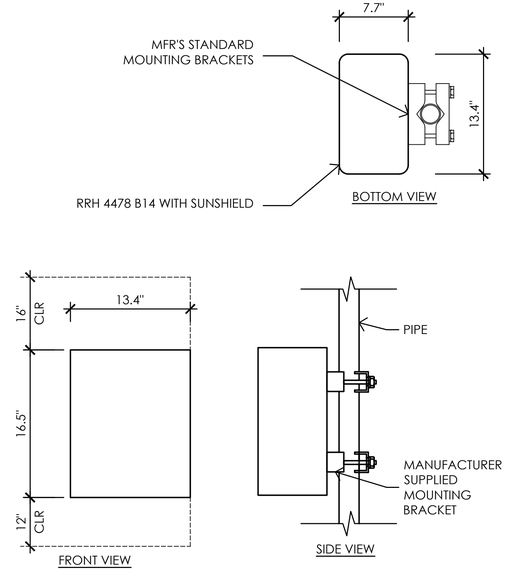
3 ERICSSON RADIO 4449 B5/B12 REMOTE RADIO UNIT
1-1/2"= 1'-0"

ERICSSON RRH 4478 B14 REMOTE RADIO UNIT

COLOR: WHITE

DIMENSIONS: 16.5" TALL X 13.4" WIDE X 7.7" DEEP (INCLUDING SUNSHIELD)

WEIGHT: +/- 59.9 LBS. (INCLUDING MOUNTING HARDWARE)



1 ERICSSON RADIO 4478 B14 REMOTE RADIO UNIT
1-1/2"= 1'-0"

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

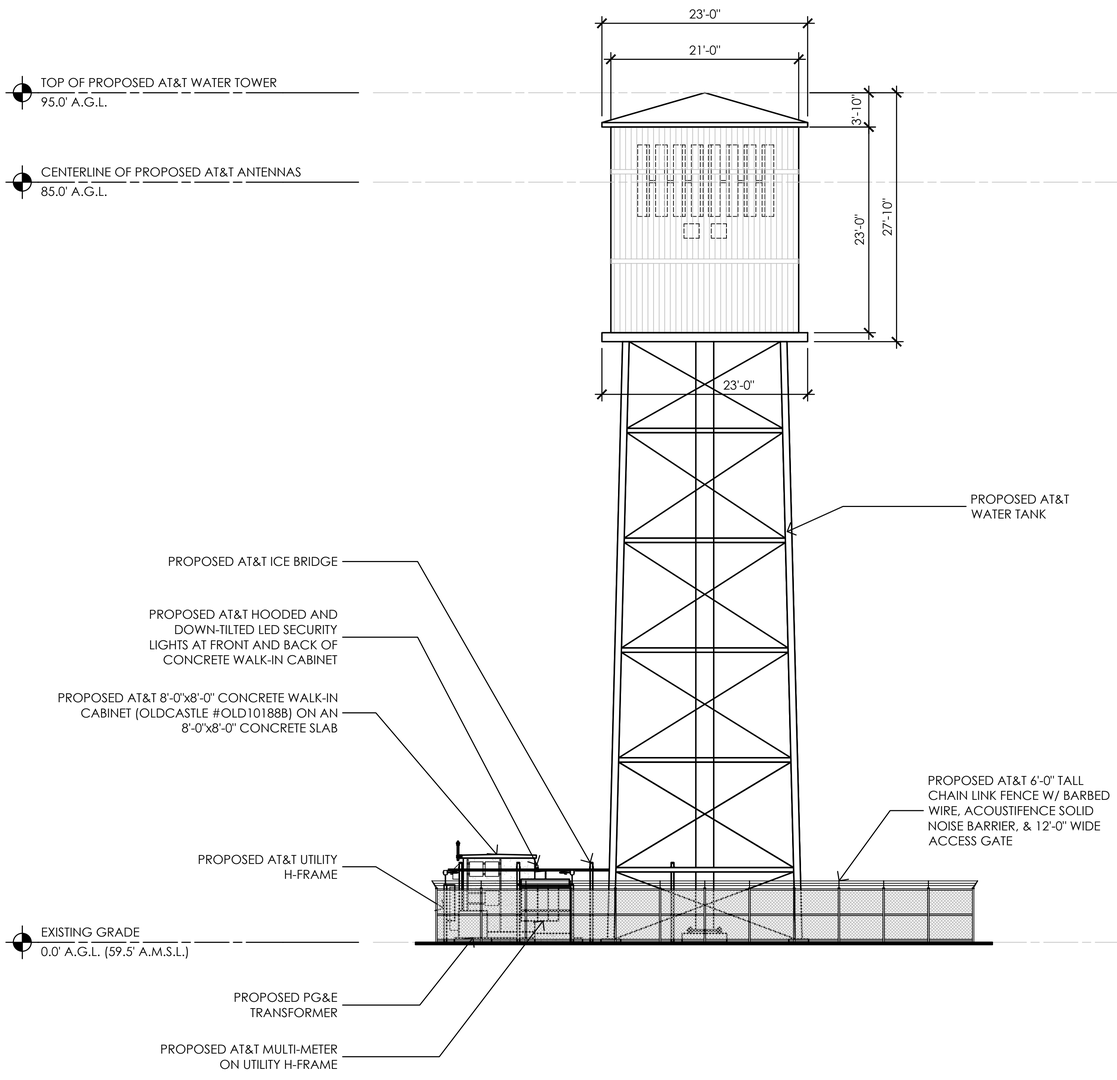
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

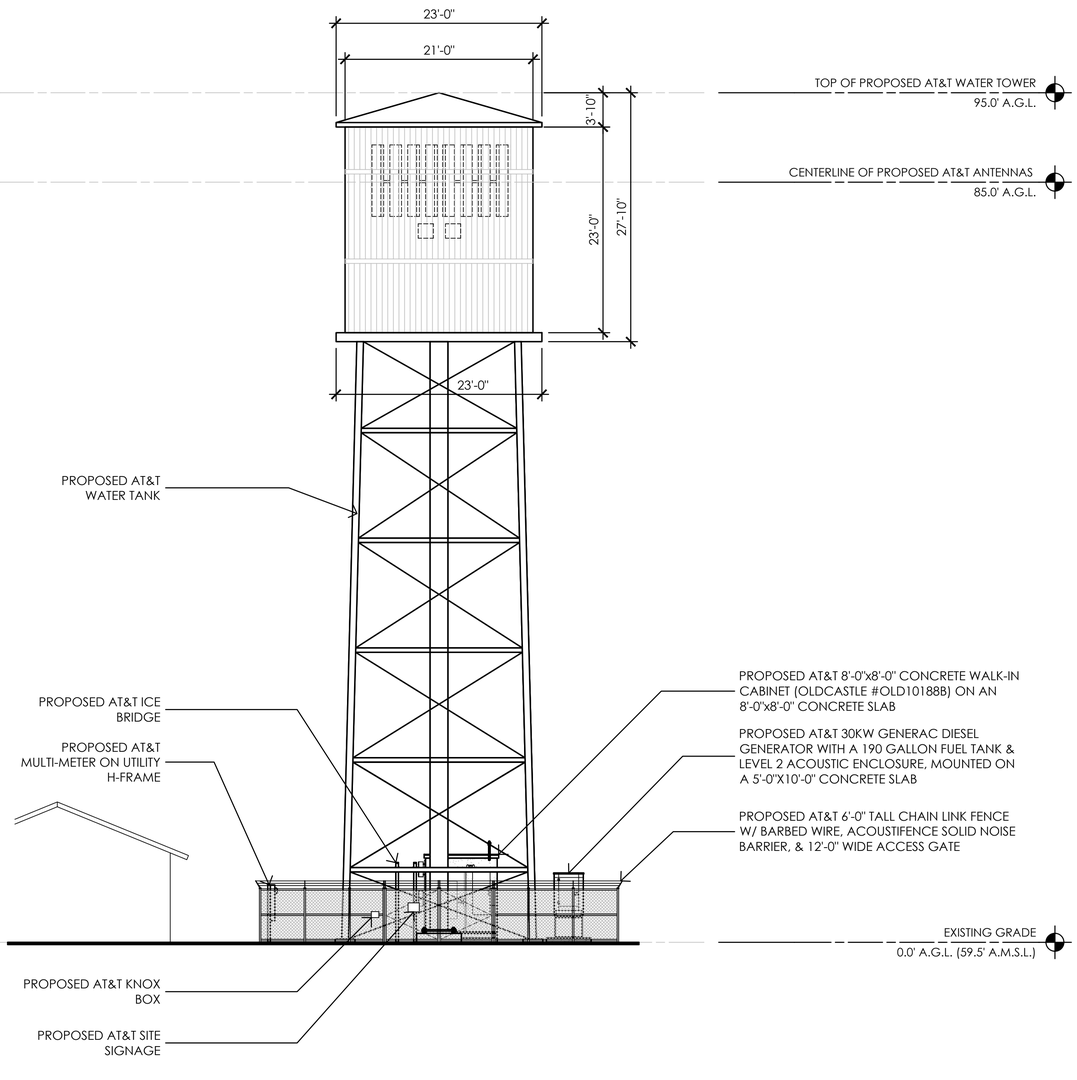
SHEET TITLE:
RRH DETAILS

SHEET NUMBER:
A-3.2

NOTE: AT&T TO INSTALL (3) 24 PAIR FIBER TRUNKS
& (9) DC POWER TRUNKS IN (6) 2" INNER DUCTS
WITHIN THE MONOPOLE



2 SOUTH ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"

Issued For:
CCL02514
MAIN ST &
BROWNSTONE
RD

30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR

at&t

2600 Camino Ramon
San Ramon, California 94583

Vendor:

COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

MST ARCHITECTS

1520 River Park Drive
Sacramento, California 95815

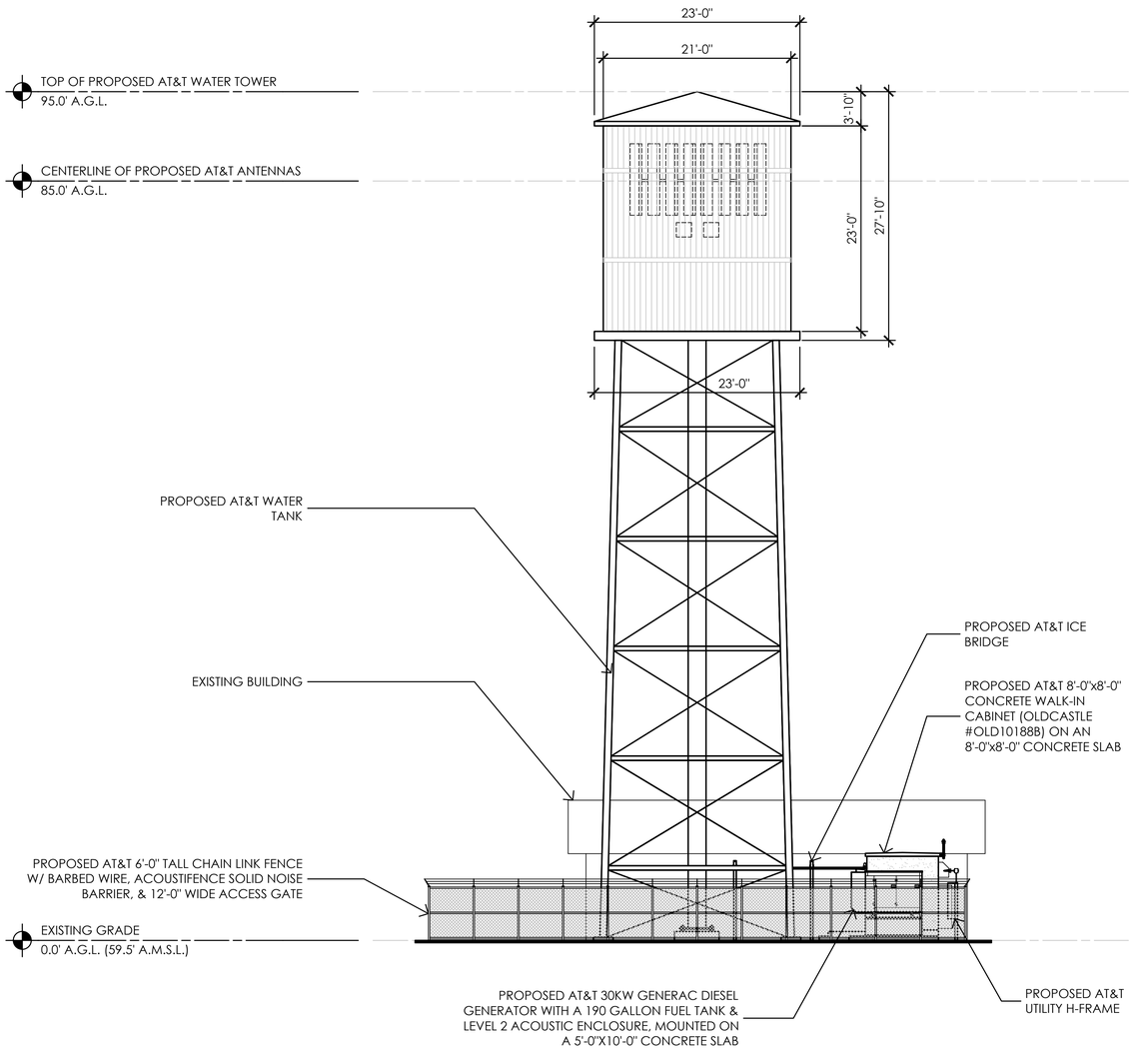
SHEET TITLE:

PROPOSED
ELEVATIONS

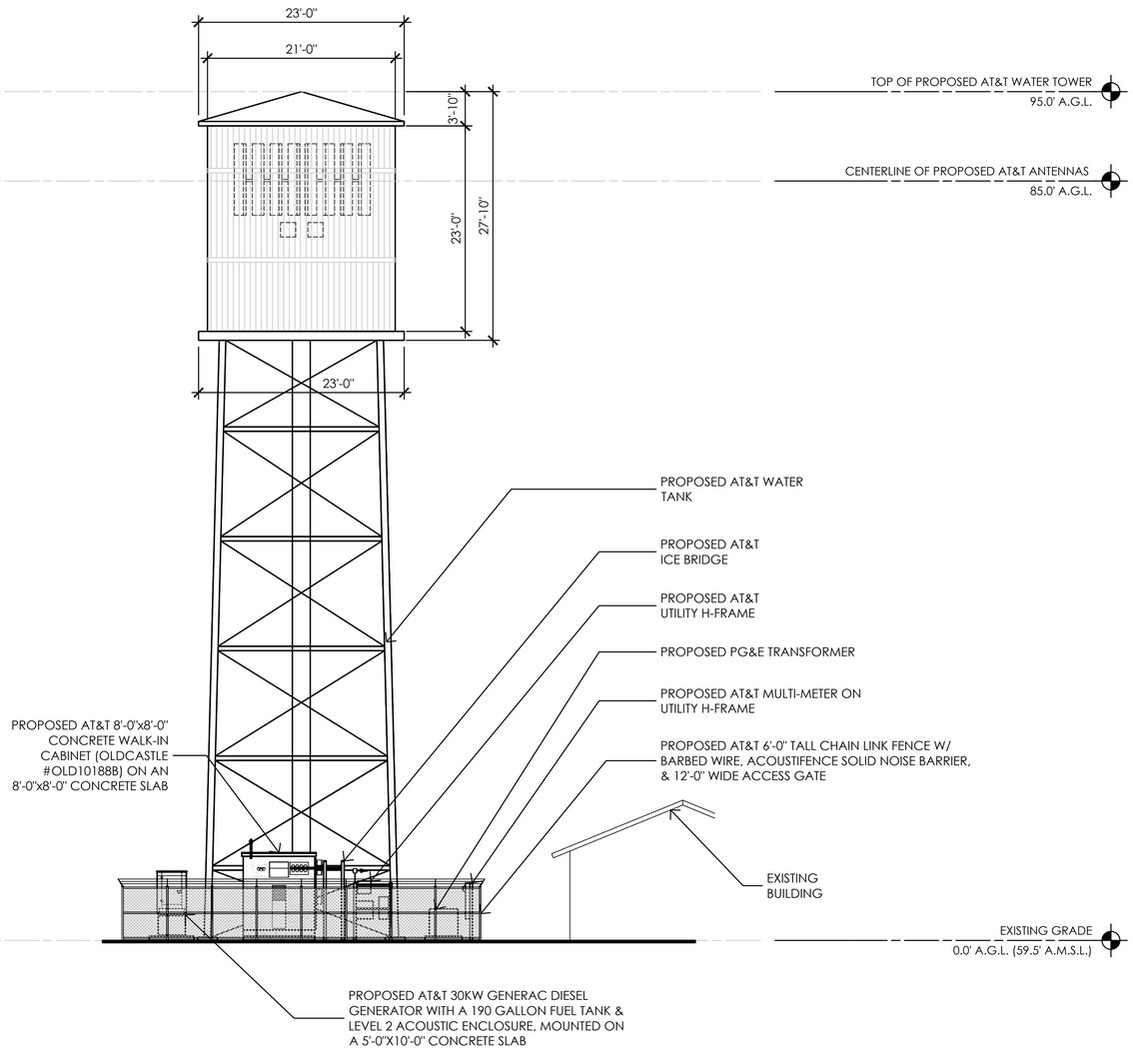
SHEET NUMBER:

A-4.1

NOTE: AT&T TO INSTALL (3) 24 PAIR FIBER TRUNKS & (9) DC POWER TRUNKS IN (6) 2" INNER DUCTS WITHIN THE MONOPOLE



2 NORTH ELEVATION
1/8" = 1'-0"



1 WEST ELEVATION
1/8" = 1'-0"

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD

30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR

at&t

2600 Camino Ramon
San Ramon, California 94583

Vendor:

COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
PROPOSED ELEVATIONS

SHEET NUMBER:
A-4.2

PANEL CIRCUIT AND LOAD SCHEDULE

DESIGNATION: PANEL "AT&T"

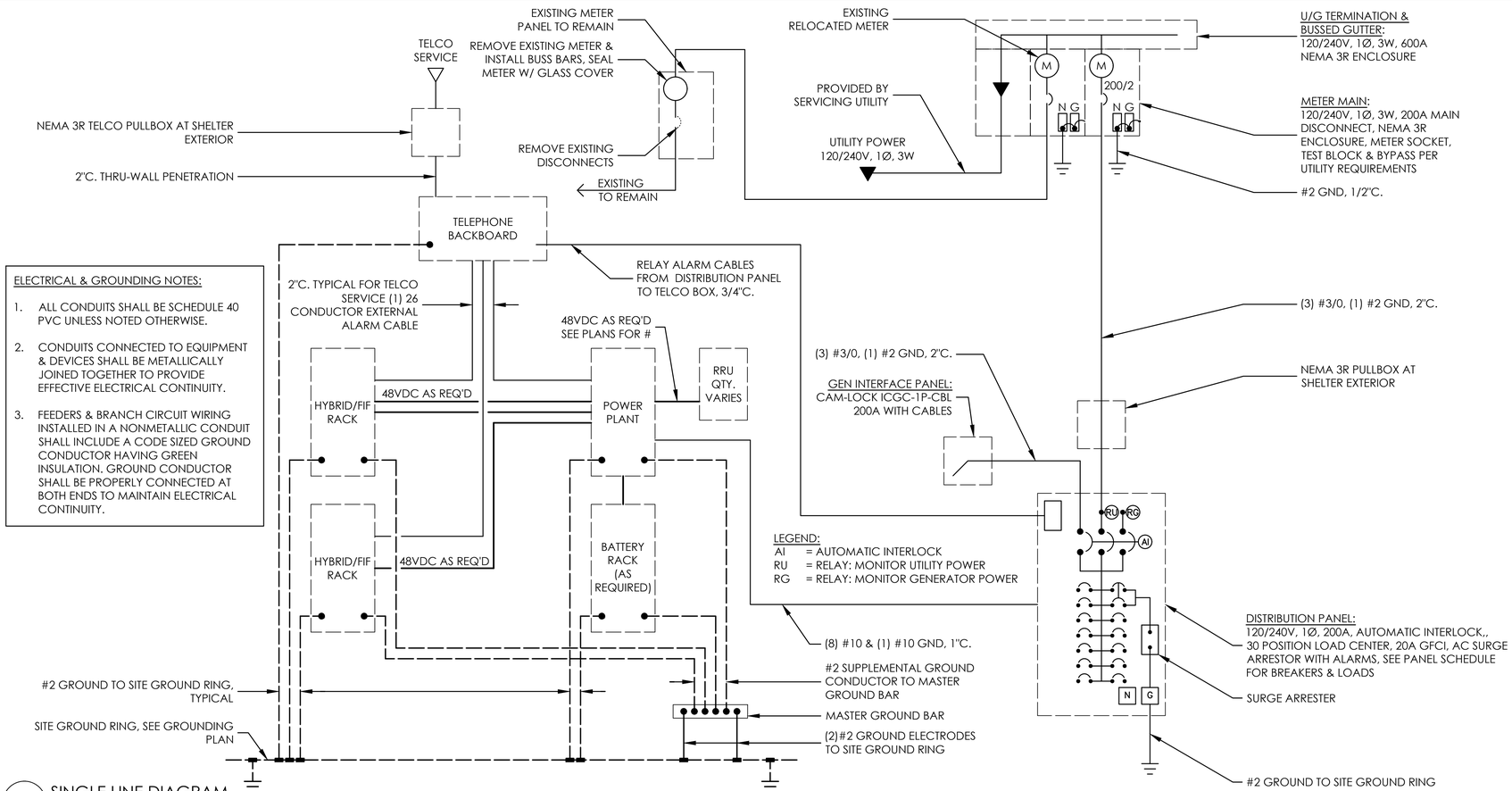
LOAD				LOAD PER PHASE (VA) PHASE A	LOAD PER PHASE (VA) PHASE B	TRIP	POLES	WIRE	WIRE	POLES	TRIP	LOAD PER PHASE (VA) PHASE A	LOAD PER PHASE (VA) PHASE B	LOAD UNIT VA	LOAD QTY	LOAD DESCRIPTION	
DESCRIPTION	QTY	UNIT VA															
1	RECTIFIER 1	1	480	480		30	2	10				480		480	1	RECTIFIER 7	2
3		1	480		480								480	480	1		4
5	RECTIFIER 2	1	480	480		30	2	10				480		480	1	RECTIFIER 8	6
7		1	480		480								480	480	1		8
9	RECTIFIER 3	1	480	480		30	2	10				0		0	1	RECTIFIER 9 (OPTIONAL)	10
11		1	480		480								0	0	1		12
13	RECTIFIER 4	1	480	480		30	2	10				0		0	1	RECTIFIER 10 (OPTIONAL)	14
15		1	480		480								0	0	1		16
17	RECTIFIER 5	1	480	480		30	2	10				0		0	1	RECTIFIER 11 (OPTIONAL)	18
19		1	480		480								0	0	1		20
21	RECTIFIER 6	1	480	480		30	2	10				0		0	1	RECTIFIER 12 (OPTIONAL)	22
23		1	480		480								0	0	1		24
25	HVAC #1	1	2850	2850		25	2	10				212		212	1	LIGHTS, RECEPTACLE	26
27		1	2850		2850								240	240	1	GEN BATTERY CHARGER	28
29	GFCI RECEPTACLE	1	180	180								800		800	1	GEN BATTERY HEATER	30
		Subtotal		5910	5730							1972	1200	Subtotal			

Voltage:	120/240 1 ph 3w	AIC:	@METER MAIN: 22,000
Bus:	200 amps	Main:	BREAKER
Enclosure:	NEMA 3R Outdoor	Mount:	Surface

TOTAL PHASE A (KVA)	**7.88**
TOTAL PHASE B (KVA)	**6.93**
TOTAL KVA =	**14.81**
Total Amperage =	**61.72**

2 EQUIPMENT A/C POWER SCHEDULE

NTS



ELECTRICAL & GROUNDING NOTES:

1. ALL CONDUITS SHALL BE SCHEDULE 40 PVC UNLESS NOTED OTHERWISE.
2. CONDUITS CONNECTED TO EQUIPMENT & DEVICES SHALL BE METALLICALLY JOINED TOGETHER TO PROVIDE EFFECTIVE ELECTRICAL CONTINUITY.
3. FEEDERS & BRANCH CIRCUIT WIRING INSTALLED IN A NONMETALLIC CONDUIT SHALL INCLUDE A CODE SIZED GROUND CONDUCTOR HAVING GREEN INSULATION. GROUND CONDUCTOR SHALL BE PROPERLY CONNECTED AT BOTH ENDS TO MAINTAIN ELECTRICAL CONTINUITY.

1 SINGLE LINE DIAGRAM

NO SCALE

Issued For:
CCL02514
MAIN ST & BROWNSTONE RD
30 DELTA ROAD
OAKLEY, CA 94561

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE Wireless Consulting, Inc.

AT&T SITE NO:	CCL02514
PROJECT NO:	162.2788
DRAWN BY:	TLS
CHECKED BY:	SV

REV	DATE	DESCRIPTION
	12/06/21	100% ZD REV 3
	08/11/21	100% ZD REV 2
	07/13/21	100% ZD REV 1
	05/20/21	100% ZD
	04/20/21	90% ZD REV 1
	04/05/21	90% ZD

Licensee:

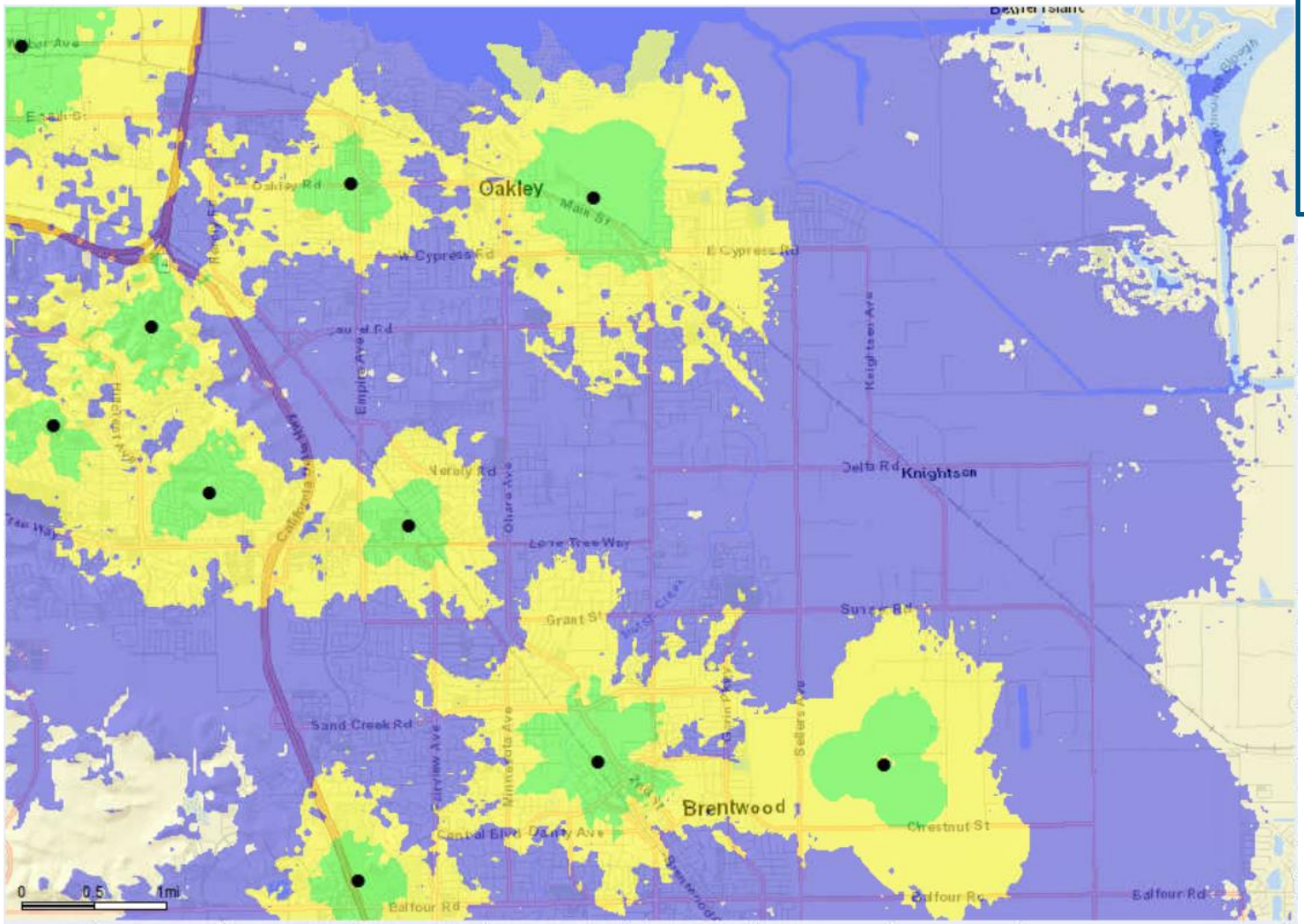
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
POWER SINGLE LINE DIAGRAM

SHEET NUMBER:
E-3

Existing LTE 700 Coverage

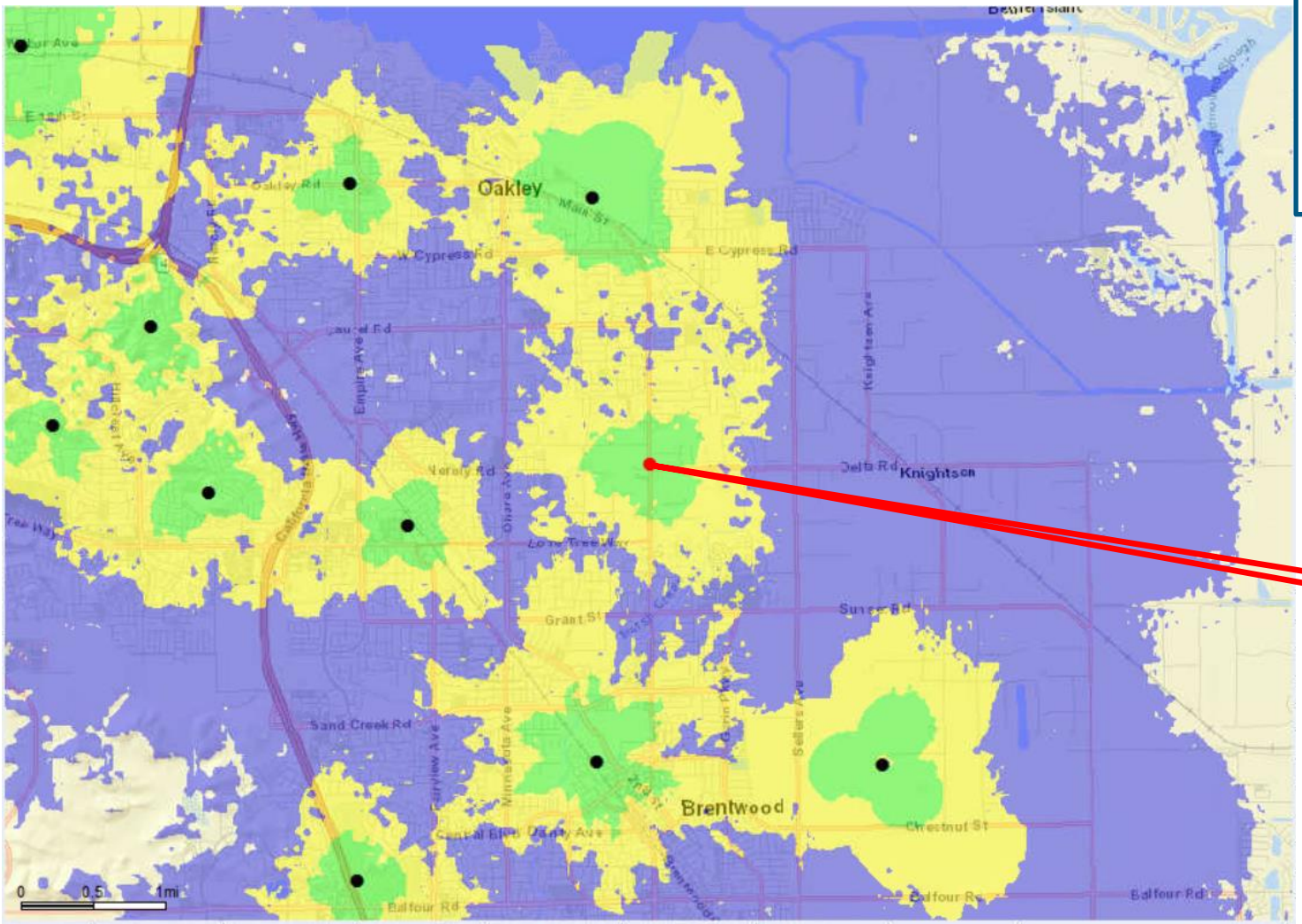


Legend

- Reliable Service Indoors/Outdoors
- Reliable Coverage in Transit
  Indoor Coverage Less Reliable
- Reliable Coverage Outdoors Only
  Indoor Coverage Less Reliable
- Existing site
- Proposed site

N

Proposed LTE 700 Coverage with CCL02514



Legend

- Reliable Service Indoors/Outdoors
- Reliable Coverage in Transit
  Indoor Coverage Less Reliable
- Reliable Coverage Outdoors Only
  Indoor Coverage Less Reliable
- Existing site
- Proposed site

CCL02514

N

Environmental Noise Assessment

CCL02514 AT&T Cellular Facility

Oakley, California

BAC Job # 2021-116

Prepared For:

Complete Wireless Consulting

Attn: Steve Proo
2009 V Street
Sacramento, CA 95818

Prepared By:

Bollard Acoustical Consultants, Inc.

Dario Gotchet, Senior Consultant

June 30, 2021

BOLLARD
Acoustical Consultants

Introduction

The CCL02514 AT&T Wireless Unmanned Telecommunications Facility (project) proposes the installation of cellular equipment within a lease area located at 30 Delta Road in the City of Oakley, California (APN: 033-110-005). The externally mounted HVAC unit of a pre-manufactured concrete walk-in cabinet and an emergency diesel standby generator have been identified as the primary noise sources associated with the project. The proposed project site location is shown on Figure 1. The studied site design is dated May 20, 2021.

Bollard Acoustical Consultants, Inc. has been contracted by Complete Wireless Consulting, Inc. to complete an environmental noise assessment regarding the proposed project cellular equipment operations. Specifically, the following assessment addresses daily noise production and exposure associated with operation of the project emergency generator and HVAC equipment.

Please refer to Appendix A for definitions of acoustical terminology used in this report. Appendix B illustrates common noise levels associated with various sources.

Criteria for Acceptable Noise Exposure

City of Oakley General Plan

The Noise Element of the City of Oakley General Plan establishes noise standards for non-transportation (stationary) noise sources, such as those proposed by the project. The General Plan requires that the noise level standards, provided below in Table 1, be applied immediately within the property line of noise-sensitive land uses.

Table 1
Noise Level Performance Standards for New Projects
Affected by or Including Non-Transportation Noise Sources

Noise Level Descriptor	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly L_{eq}	55	45

[1] Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises (e.g., humming sounds, outdoor speaker systems). These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

Source: City of Oakley General Plan, Noise Element, Table 9-1

Project Noise Generation

As discussed previously, there are two project noise sources which are considered in this evaluation: the externally mounted HVAC unit of the pre-manufactured concrete walk-in cabinet and the emergency diesel generator. The evaluation of potential noise impacts associated with the operation of each noise source is evaluated separately as follows:



Legend

Proposed AT&T Cellular Equipment Lease Area (Approximate)

\# Noise-Sensitive Receivers (Residences)

N

Scale (Feet)

0 50 100

CCL02514 AT&T Cellular Facility

City of Oakley, California

Proposed Cellular Facility Lease Area
& Nearest Noise-Sensitive Receivers

Figure 1

BOLLARD Acoustical Consultants

HVAC Equipment Noise Source and Reference Noise Level

The project proposes the installation of a pre-manufactured concrete walk-in cabinet equipped with one (1) externally mounted HVAC unit within the equipment lease area illustrated on Figure 1. According to the project site plans, the HVAC unit assumed for installation at this site is a Marvair Airxcel, Inc. Model ECUA18ACA. Based on reference noise level data obtained from the manufacturer (Marvair Airxcel, Inc.), this specific HVAC unit model has a reference noise level of 62 dB at a distance of 5 feet. The manufacturer's noise level data specification sheet for the proposed HVAC equipment is provided as Appendix C.

Generator Noise Source and Reference Noise Level

The project also proposes the installation of an emergency standby diesel generator within the lease area to maintain cellular service during emergency power outages. Based on the project site plans, the generator assumed for installation at this site is a Generac Industrial Power Systems Model SD030. It is further assumed that the proposed generator will be equipped with the Level 2 Acoustic Enclosure resulting in a reference noise level of 68 dB at a distance of 23 feet. The manufacturer's noise level data specification sheet for the proposed generator and acoustical enclosure is provided as Appendix D.

The generator which is proposed at this site would only operate during emergencies (power outages) and brief daytime periods for periodic maintenance/lubrication. According to the project applicant, testing of the generator would occur twice per month, during daytime hours only, for a duration of approximately 15 minutes. The emergency generator would not operate at night, except during power outages.

Predicted Facility Equipment Noise Levels at Nearest Noise-Sensitive Uses

The nearest noise-sensitive uses have been identified as residences to the north and east of the project, identified as receivers 1 and 2 on Figure 1. The proposed project equipment maintains various distances from the property lines of receivers 1 and 2. Those distances were scaled using the provided site plans. Assuming standard spherical spreading loss (-6 dB per doubling of distance), project-equipment noise exposure at the property lines of the nearest noise-sensitive receivers (residences) was calculated and the results of those calculations are presented below in Table 2.

Table 2
Summary of Project-Related Noise Exposure at the Nearest Noise-Sensitive Uses

	Distance from Equipment (ft)[2]		Predicted Equipment Noise Levels, L_{eq} (dBA)	
Receiver[1]	HVAC	Generator	HVAC	Generator
1	30	15	41	72
2	135	125	28	53

[1] Residential receiver locations are illustrated on Figure 1.
[2] Distances scaled from equipment to receiver property lines using the provided site plans.
Source: Bollard Acoustical Consultants, Inc. (2021)

Because the proposed HVAC unit could potentially be in operation during nighttime hours, the operation of the HVAC unit would be subject to the City of Oakley General Plan *nighttime* noise level standard of 45 dB L_{eq} (Table 1). As indicated in Table 2, the predicted HVAC equipment noise levels of 28 to 41 dB L_{eq} at the property lines of the nearest residential receivers would satisfy the General Plan 45 dB L_{eq} nighttime noise level limit. As a result, no further consideration of HVAC equipment noise mitigation measures would be warranted for the project.

Project representatives have indicated that the proposed generator would be in operation for routine testing and maintenance twice a month during daytime hours for no more than 15 minutes and would only operate at night during emergencies. Because the project generator would only operate during daytime hours for brief periods required for testing and maintenance, the operation of the generator would be subject to the City of Oakley General Plan *daytime* noise level standard of 55 dB L_{eq}. As shown in Table 2, project generator noise level exposure is predicted to exceed the General Plan 55 dB L_{eq} daytime noise level standard at the property line of the residential receiver 1. As a result, additional consideration of emergency generator noise mitigation measures would be warranted for the project.

Mitigation Measures

Project generator noise levels are predicted to exceed the City of Oakley General Plan 55 dB L_{eq} daytime noise level standard at the property line of the residential receiver 1 by 17 dB. To mitigate the identified exceedance to a state of compliance with the City's noise level standard, the combination of a custom acoustic enclosure for the project generator and construction of a solid noise barrier along the perimeter of the facility lease area would be required. The location of the noise barrier is illustrated on Figure 2. The calculated mitigated generator noise levels resulting from the implementation of a custom enclosure and lease area noise barrier at the property line of receiver 1 are provided below in Table 3.

Table 3
Summary of Generator Noise Exposure at Receiver 1 Property Line – Mitigated[1]

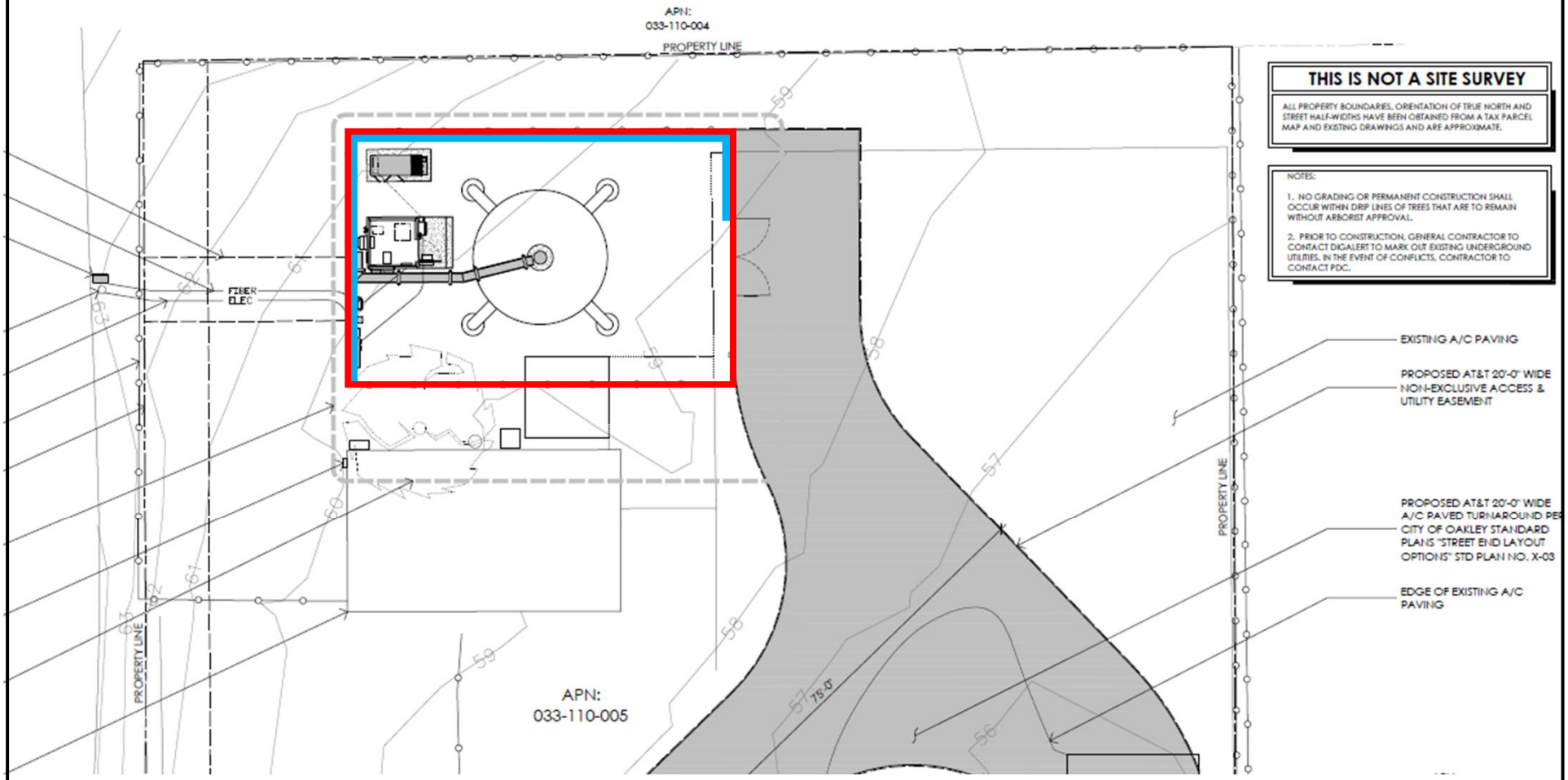
Barrier Height (ft)	Transmission Loss from Custom Enclosure (dB)							
	24	**23**	**22**	**21**	**20**	**19**	**18**	**17**
6	55	56	57	58	59	60	61	62
7	53	54	55	56	57	58	59	60
8	51	52	53	54	55	56	57	58
9	49	50	51	52	53	54	55	56
10	48	49	50	51	52	53	54	55

[1] Red = barrier height & enclosure transmission loss combination would satisfy 55 dB Leq daytime noise standard
Source: Bollard Acoustical Consultants, Inc. (2021)

The data presented in Table 3 indicate the resulting (mitigated) generator noise levels at the property line of receiver 1 associated with the construction of a noise barrier around the facility lease area and the implementation of a custom engineered generator enclosure. The required barrier height is ultimately dependent upon the degree of exterior to interior transmission loss provided by the recommended custom engineered generator enclosure. In addition, the

enclosure design should include sound absorbing panels on the interior wall and ceiling surfaces of the equipment shelter and should include a suitable engine exhaust muffler.

The noise barrier could consist of a dog-ear wood (or wood composite) fence with overlapping slat construction. The purpose of overlapping slats (and using screws rather than nails) is to ensure that prolonged exposure to the elements does not result in visible gaps through the slats which would result in reduced noise barrier effectiveness. Alternatively, lining the inside of a (height dependant) chain link fence with acoustic curtains at the location shown on Figure 2 would also serve as a sufficient noise barrier. If suspended acoustic curtains are installed on said chain link fence, an acoustical vinyl product with a minimum STC (Sound Transmission Class) rating of 28 should be considered. An example of such a product can be found at http://www.acoustiblok.com/acoustical_fence.php. Appendix E illustrates the use of an acoustical vinyl curtain at a photovoltaic inverter facility.



Legend

Proposed AT&T Cellular Equipment Lease Area

Recommended Solid Noise Barrier

N

Scale (Feet)

0 10 20

CCL02514 AT&T Cellular Facility

City of Oakley, California

Overall Site Plan – Mitigation

Figure 2

BOLLARD Acoustical Consultants

Conclusions & Recommendations

Project-related equipment noise exposure is expected to satisfy the applicable City of Oakley General Plan noise level criteria at the property lines of the nearest noise-sensitive uses provided that the following specific equipment noise mitigation measures are implemented:

1. A custom generator enclosure and the construction of a noise barrier along the facility lease area perimeter should be implemented. Figure 2 shows the location of the barrier. The barrier heights and associated interior to exterior transmission loss required of a custom acoustic enclosure for the generator are presented in Table 3.

   Barrier material and construction details for the noise barrier are provided in this report. The generator enclosure design should include sound absorbing panels on the interior wall and ceiling surfaces of the generator equipment shelter and should include a suitable engine exhaust muffler.

This concludes our environmental noise assessment for the proposed CCL02514 AT&T Cellular Facility in Oakley, California. Please contact BAC at (916) 663-0500 or dariog@bacnoise.com with any questions or requests for additional information.

Appendix A
Acoustical Terminology

Acoustics The science of sound.

Ambient Noise The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.

Attenuation The reduction of an acoustic signal.

A-Weighting A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.

Decibel or dB Fundamental unit of sound. A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.

CNEL Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.

Frequency The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.

IIC Impact Insulation Class (IIC): A single-number representation of a floor/ceiling partition's impact generated noise insulation performance. The field-measured version of this number is the FIIC.

L_{dn} Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.

L_{eq} Equivalent or energy-averaged sound level.

L_{max} The highest root-mean-square (RMS) sound level measured over a given period of time.

Loudness A subjective term for the sensation of the magnitude of sound.

Masking The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.

Noise Unwanted sound.

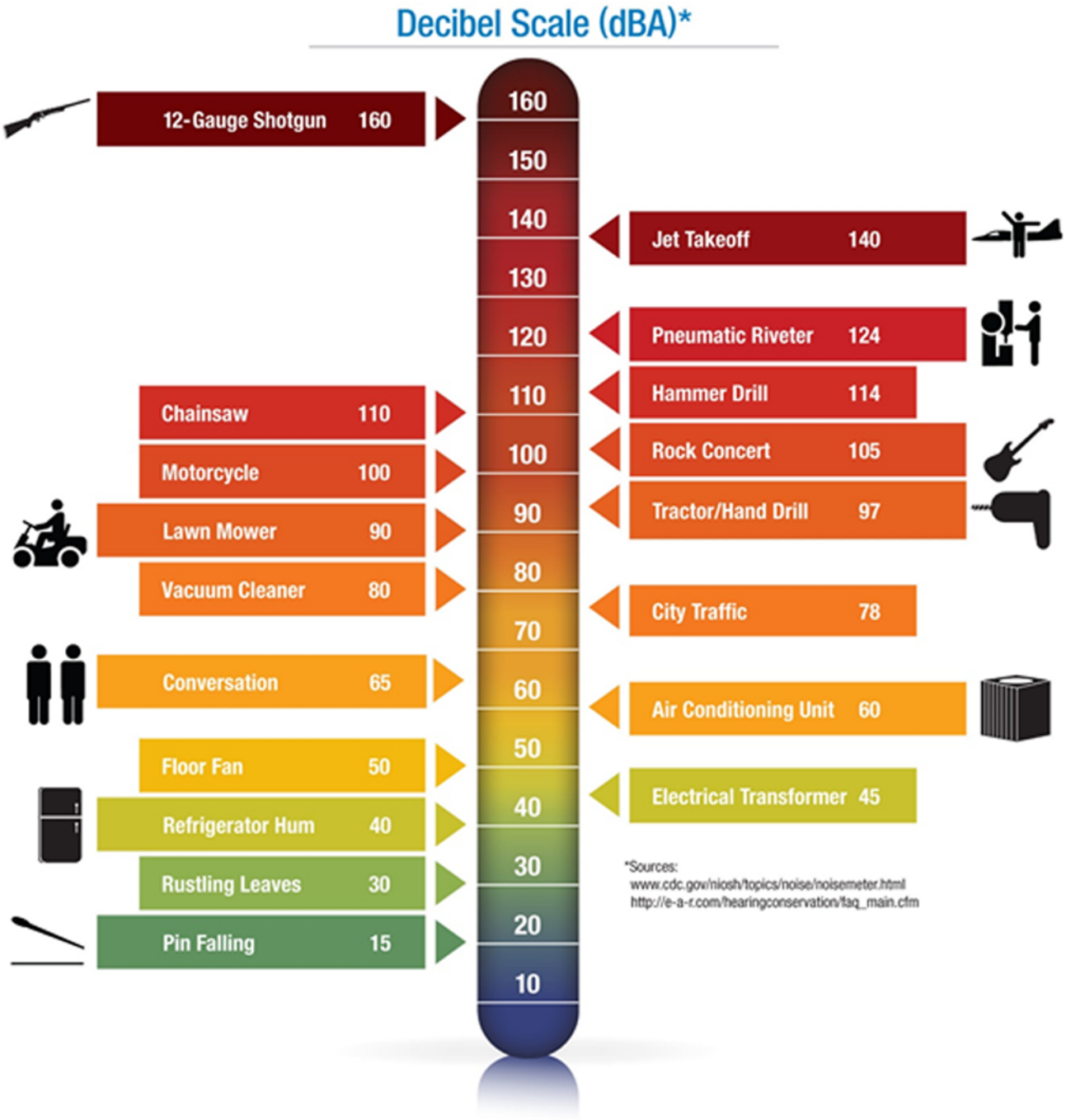
Peak Noise The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.

RT_{60} The time it takes reverberant sound to decay by 60 dB once the source has been removed.

STC Sound Transmission Class (STC): A single-number representation of a partition's noise insulation performance. This number is based on laboratory-measured, 16-band (1/3-octave) transmission loss (TL) data of the subject partition. The field-measured version of this number is the FSTC.

Appendix B

Typical A-Weighted Sound Levels of Common Noise Sources



Appendix C

Marvair

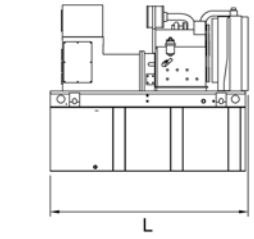
156 Seedling Drive
Cordele, Georgia 31015
229-273-0753

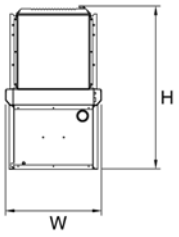
Sound Pressure Level for the Industrial Product Air Conditioners (dBA)						
Distance From Unit (Feet)	Model Number					
	ECUA06ACA	ECUA08ACA	ECUA012ACA	ECUA018ACA		
5			51.5	62		
10			50.7	58		
20			47.8	55		
30			46.5	51		
40			45.6			
50			45.6			
60						
70						
80						

Notes: (1) Date: July 1,2019
(2) Background Sound Pressure Level: 41 dBA
(3) Sound Level Meter 1 Meter Above Ground Directly in Line with Outdoor Coil
(4) All units - 410A Refrigerant

GENERAC | INDUSTRIAL POWER

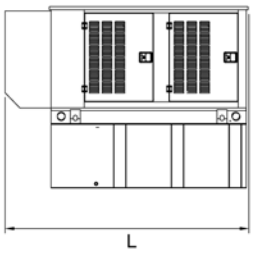
SD030 dimensions, weights and sound levels

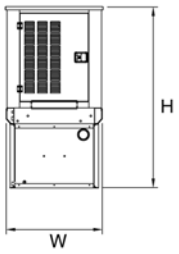




OPEN SET

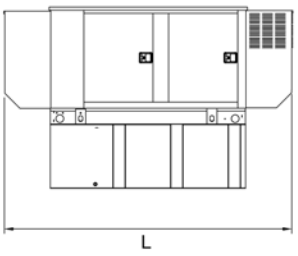
RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	76	38	46	2060	
20	54	76	38	59	2540	
48	132	76	38	71	2770	82
77	211	76	38	83	2979	
109	300	93	38	87	3042	

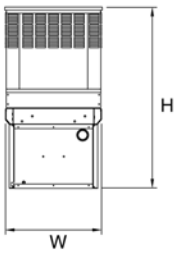




STANDARD ENCLOSURE

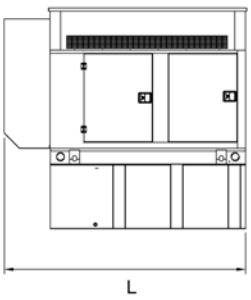
RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	95	38	50	2362	
20	54	95	38	63	2842	
48	132	95	38	75	3072	77
77	211	95	38	87	3281	
109	300	95	38	91	3344	

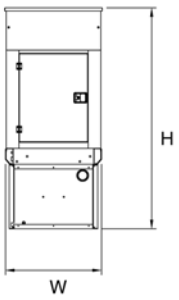




LEVEL 1 ACOUSTIC ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	113	38	50	2515	
20	54	113	38	63	2995	
48	132	113	38	75	3225	70
77	211	113	38	87	3434	
109	300	113	38	91	3497	





LEVEL 2 ACOUSTIC ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)	L	W	H	WT	dBA*
NO TANK	-	95	38	62	2520	
20	54	95	38	75	3000	
48	132	95	38	87	3230	68
77	211	95	38	99	3439	
109	300	95	38	103	3502	

*All measurements are approximate and for estimation purposes only. Weights are without fuel in tank. Sound levels measured at 23ft (7m) and does not account for ambient site conditions.

Tank Options

○ MDEQ	OPT
○ Florida DERM/DEP	OPT
○ Chicago Fire Code	OPT
○ IFC Certification	CALL
○ ULC	CALL

Other Custom Options Available from your Generac Industrial Power Dealer

YOUR FACTORY RECOGNIZED GENERAC INDUSTRIAL DEALER

Specification characteristics may change without notice. Dimensions and weights are for preliminary purposes only. Please consult a Generac Power Systems Industrial Dealer for detailed installation drawings.

Generac Power Systems, Inc. • S45 W29290 HWY. 59, Waukesha, WI 53189 • generac.com

©2012 Generac Power Systems, Inc. All rights reserved. All specifications are subject to change without notice. Bulletin 0195010SBY-B / Printed in U.S.A. 02/15/12

Appendix E

Photovoltaic Inverter Facility

Chain Link Fence Lined with Acoustical Vinyl Product



BOLLARD
Acoustical Consultants

RESOLUTION NO. XX-22

A RESOLUTION OF THE CITY OF OAKLEY PLANNING COMMISSION MAKING FINDINGS AND APPROVING THE PROJECT KNOWN AS "WIRELESS COMMUNICATION FACILITY AT 30 DELTA ROAD (DR 09-21)" LOCATED AT THE PROPERTY ADDRESS 30 DELTA ROAD (APN: 033-110-005)

FINDINGS

WHEREAS, on October 7, 2021, Macy Habibeh of Complete Wireless Consulting ("Applicant") filed an application for Design Review (DR 09-21) approval of an approximately 95-foot-tall public art wireless communications facility (cellular tower) designed as a faux water tank with twelve antennas and associated tower equipment on an approximately 0.75-acre site. The structure and associated equipment will be within a 60-foot by 40-foot area. The ground equipment to include a walk-in cabinet and stand-by 30kw generator with a 190-galoon fuel tank ("Project"). The project site is located at the property address 30 Delta Road. The site is zoned C (General Commercial) District. APN: 033-110-005; and

WHEREAS, on January 14, 2022, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated *Commercial (CO)* in the Oakley General Plan Land Use Map, and zoned C (General Commercial) District; and

WHEREAS, the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, "Class 32 – In-Fill Development Projects"; and

WHEREAS, on or before May 27, 2022, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on June 7, 2022, the Planning Commission opened the public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted this resolution to approve the project, as revised by the Planning Commission during its deliberations; and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning Ordinance, and the information submitted to the Planning Commission at its June 7, 2022, meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above Findings and the entire Record, the Planning Commission makes the following additional findings in support of the recommended approvals:

A. Regarding the application requesting design review approval for project titled, "Wireless Communications Facility at 30 Delta Road (DR 09-21)", the Planning Commission finds that:

1. The proposed project minimizes overall visual impact in that it is designed as a public art facility and will hide the twelve antennas within the water tank structure; and

2. Through the adoption of proposed conditions of approval, the project will: (a) comply with the Federal Communications Commission (FCC) and all other applicable federal, state, and local agencies, (b) use sufficient anti-climbing deterrents, (c) use a non-reflective finish on the structure and tank, (d) keep the structure and all associated equipment and signage maintained and in good working order, (e) not use the facility for advertising, and (f) not use exterior lighting on the facility; and

3. The wireless communication tower has been designed at the minimum functional height required to fill the gap for coverage area as described within the Project Support Statement; and

4. The wireless communications facility has been designed as a public art facility, and also located on the site where there are additional trees that will help to reduce the visual prominence of the facility; and

5. Through the adoption of a condition of approval the project will be required to use the smallest available and least visible antennas that provide the coverage objective shall be mounted on towers. It is noted the antennas are already fully screened from view.

B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the Planning Commission approves the Applicant's request for approval of the project titled, "Wireless Communication Facility at 30 Delta Road (DR 09-21)," subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the plans date stamped received by the Planning Division on October 7, 2021, as well as additional information acquired since that time and made a part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This **Design Review (DR 09-21)** date stamped by the Planning Division on **October 7, 2021**, and as modified by the following conditions of approval, subject to final review by the Community Development Director

2. This approval for **Design Review (DR 09-21)** shall be effectuated within a period of one (1) year from the effective date of this resolution by pulling a building or grading permit and if not effectuated shall expire on June 7, 2023. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the Planning Commission on June 7, 2022, and conditioned herein.

4. The project is approved to only include the twelve (12) antennas and RRH units that will be screened from view and located within the water tank. Installation of any additional visible antennas is subject to a separate design review approval.

5. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.

6. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.

7. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the

significance of the find and suggest appropriate mitigation(s), if deemed necessary.

8. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court), action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith

Development Standards:

9. The wireless communication facilities shall comply at all times with all Federal Communications Commission (FCC) rules, regulations, and standards, and any other applicable federal, state or city laws or regulations.

10. Sufficient anti-climbing deterrents, including warning signs (ANSI Standard C95.2-1982 Warning Symbol), shall be incorporated into the facility, as needed, to reduce the potential for trespass and injury.

11. All related equipment, equipment enclosures, antennas, poles or towers shall have a non-reflective finish and shall be painted or otherwise treated to minimize visual impacts.

12. Proposed equipment cabinets/structures and accessory structures shall be maintained in good condition over the term of the permit. This shall include keeping equipment cabinets and structures graffiti-free and maintaining security fences and warning signs in good condition.

13. Antennas, towers, dishes or mountings shall not be used for advertising.

14. Exterior lighting shall not be allowed on the wireless communication facility except for that required for use of authorized persons on-site during hours of darkness or where antenna structure owner or registrant is required to light the antenna structure by the terms of the FAA antenna structure registration applicable to the facility.

15. A decorative CMU wall with a decorative cap at the height required to fully screen all ground equipment shall be installed subject to review and approval by the Community Development Director.

Waste Management Plan:

16. The applicant shall submit a Waste Management Plan that complies with the City of Oakley Construction and Demolition Debris Recycling Ordinance.

Building Division Conditions

17. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy requirements from the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625-7005.

18. An Automatic Life Safety Sprinkler System may be required as determined by the Contra Costa Fire Protection District. If required, the Automatic Life Safety Sprinkler Systems shall be designed and installed to the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association).

19. Prior to requesting a Certificate of Occupancy from the Building Division, all Conditions of Approval required for occupancy must be completed. When the Public Works Division and the Planning Division place Conditions of Approval on the project, those divisions will sign off on the project prior to the request for a Building division final inspection. Similarly, if the Health Department and/or Fire Department reviewed and approved the original plans, those departments must sign off on the project prior to the request for a final inspection by the Building Division.

20. All new commercial buildings and places of public accommodation shall be designed to the standards found in the latest version of California Building Code Chapter 11B or the 2010 ADA standards for accessible design, whichever is stricter.

Public Works and Engineering Division Conditions

21. GENERAL. All public improvements shall be made according to the latest adopted City Standard Drawings and Specifications. All work shall conform to the applicable City ordinances. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

22. ENCROACHMENT PERMIT. All work in the public right-of-way, including any blockage or partial closure of sidewalks will require an Encroachment Permit.

Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

23. GRADING PERMIT. All earthwork must comply with the City's Grading Ordinance. A Grading Permit must be issued by the public works department prior to site disturbance as determined by the City Engineer.

24. PUBLIC WORKS INSPECTIONS. The developer or their representative shall notify the Engineering Inspector at least forty-eight (48) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all improvements in approved plans. Failure to do so will result in rejection of work that was completed without inspection.

25. PRECONSTRUCTION MEETING. Prior to issuance of any permit or the commencement of any site work, the general contractor shall:

    a. Along with the project applicant, attend a pre-construction meeting with the City Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;

    b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

26. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the City Engineer.

27. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the State SMARTS system for projects disturbing more than one acre and obtain a WDID number. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, City standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the City of Oakley's NPDES Permit.

28. DUST CONTROL. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept daily during the workweek to the satisfaction of the City. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.

29. SILT AND MUD IN PUBLIC RIGHT-OF-WAY. It is the responsibility of contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up daily. Mud, silt, concrete and other construction debris SHALL NOT be washed into the City's storm drains. Construction entrances must be in place per the Erosion Control Plan.

30. TRAFFIC CONTROL PLAN. The project sponsor will be required to work with the Public Works Department to develop a traffic control plan per the current California MUTCD for construction activities within the public right of way. This plan will include, but not be limited to, the following measures:

    a. Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, and special events. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.

    b. Flag persons shall be placed at locations necessary to control one-way traffic flow, if required. All flag persons shall have the capability of communicating with each other to coordinate the operation.

    c. Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation and lane closures on main arterial and collector streets and will be permitted only between the hours of 8:30AM to 2:30PM on M, T, TH & F. 8:30AM to 12:00PM on W.

    d. The traffic control plan shall be reviewed for compliance to the project's Haul Route, approved by the City of Oakley.

e. A full road closure will require a detour plan and a road closure permit issued by the Public Works Department.

31. RESTORATION OF PUBLIC IMPROVEMENTS. The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc. shall be repaired and replaced to a condition equal to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Public Works & Engineering Inspector and shall comply with all Title 24 Disabled Access provisions. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

32. CONSTRUCTION NOISE. Between the hours of 7:30 a.m. to 5:30 p.m., weekdays and 9:00 a.m. to 5:30 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA. Pickup and delivery of materials and equipment is restricted to the hours listed above unless prior written approval is obtained by the Public Works Department.

33. GOOD HOUSEKEEPING. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

34. GEOLOGY AND SOIL MITIGATION MEASURES. A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. All recommendations of the investigation shall be incorporated into project plans. One

copy of the geologic report shall be submitted with the grading permit and public improvement application. Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations. The applicant's soils engineer's approval shall then be conveyed to the City either by letter or by signing the plans.

35. GRADING.

a. Grade any slopes with a vertical height of four (4) feet or more at a slope of 3H to 1V. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.

b. Retaining wall or other suitable option acceptable by the City Engineer is required where the grade differential between property or adjacent lots are greater than 6". Retaining walls are required to be identified on the grading plans and shall have a note stating a separate building permit is required for retaining wall greater than four (4) feet in height.

c. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet to the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with the name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall always be kept current and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

d. Submit a Haul Route Plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan, the City Engineering shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.

e. Prior to commencement of any site work that will be result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent Letter sent by

the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.

f. The burying of any construction debris is prohibited on construction sites

36. NPDES – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. Comply with all rules, regulations and procedures of the NPDES for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley – Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMP's in accordance with the Contra Costa Clean Water Program for the site's storm water drainage.

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City Standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer.
- Prepare an Operations and Maintenance Manual for the project's storm water control measures.

37. ROADWAY IMPROVEMENTS. Design driveway approach from Delta Road to City of Oakley standards.

38. DEDICATIONS. Dedicate a 10-foot-wide public right of way for Delta Road along the project frontage as required by the City Engineer.

39. DRAINAGE IMPROVEMENTS.

a. Collect and convey all stormwater entering and /or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse.

b. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.

ADVISORY NOTES

The following Advisory Notes are provided to the applicant as a courtesy but are not a part of the conditions of approval. Advisory Notes are provided for the purpose of informing the applicant of additional ordinance requirements that must be met in order to proceed with development.

A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.

B. The project will require a grading permit pursuant to the Ordinance Code.

C. Applicant shall comply with the requirements of Iron House Sanitary District.

D. The applicant shall comply with the requirements of the Diablo Water District.

E. Comply with the requirements of the East Contra Costa Fire Protection District.

F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.

G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

H. The applicant shall be responsible for paying the County Recorder's Fee for the Notice of Determination as well as the State Department of Fish and Game's Filing Fee.

I. East Contra Costa County Habitat Conservation Plan Fee
(adopted by Resolution No. 112-07 & 124-07).

PASSED AND ADOPTED by the Planning Commission of the City of Oakley at a meeting held on the June 7, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____
Shannon Shaw, Chair

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: **June 7, 2022**

TO: **Joshua McMurray, City Manager**

Approved and Forwarded to the Planning Commission

FROM: **Libby Vreonis, City Clerk**

SUBJECT: **Adopt a Resolution to Appoint a Planning Commissioner as the Planning Commission Representative for TRANSPLAN**

Background and Analysis

The TRANSPLAN Committee coordinates the regional transportation interests of East Contra Costa County communities, including the Cities of Antioch, Brentwood, Oakley and Pittsburg, and Contra Costa County, and unincorporated communities of Bethel Island, Byron, Discovery Bay and Knightsen. Elected officials and Planning Commissioners sit on the committee. Vice Mayor Meadows is the City of Oakley representative. Until recently, Councilmember Williams had served as the Oakley Planning Commission representative. With activation of the Planning Commission, she was willing to relinquish her seat to allow a Planning Commissioner the opportunity to be the Oakley Planning Commission representative for TRANSPLAN.

TRANSPLAN Committee meetings are currently held virtually the second Thursday of each month beginning at 6:30 p.m. When meetings resume in person, they are held in the Board Room of the Tri-Delta Transit building, 801 Wilbur Avenue in Antioch. More information can be found at https://transplan.us/about.html.

Consistency with the Oakley Strategic Plan 27+

Engagement with community partners is consistent with the Community and Collaborative Partnerships Goal in the Oakley Strategic Plan 27+.

Fiscal Impact

None.

Staff Recommendation

Adopt a Resolution to Appoint a Planning Commissioner as the Planning Commission Representative for TRANSPLAN.

Attachments

1. Proposed Resolution

PLANNING COMMISSION

RESOLUTION NO. XX-22

A RESOLUTION APPOINTING _____ AS THE OAKLEY PLANNING COMMISSION REPRESENTATIVE FOR TRANSPLAN

BE IT RESOLVED by the Planning Commission of the City of Oakley that _____ is hereby appointed as the Oakley Planning Commission Representative for TRANSPLAN.

PASSED, APPROVED AND ADOPTED this 7th day of June, 2022 by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Shannon Shaw, Chair

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: **June 7, 2022**

TO: **Joshua McMurray, City Manager**

Approved and Forwarded to the Planning Commission

FROM: **Derek Cole, City Attorney**

SUBJECT: **A Resolution of The City of Oakley Planning Commission Adopting Rules of Procedure for its Transaction of Business**

BACKGROUND AND DISCUSSION

The Oakley Municipal Code authorizes the Planning Commission to adopt Rules of Procedure for the transaction of its business. Attached to this Staff Report is a proposed set of rules that govern matters such as the order of business for Planning Commission items, public hearings procedures, and determinations of quorums and voting thresholds.

The proposed resolution would adopt Rosenberg's Rules of Order. These rules were developed by a former Councilmember and judge who simplified the much more complex provisions of the standardly used Robert's Rules of Order. The City Attorney believes the more streamlined and user-friendly provisions of Rosenberg's Rules would be optimal for the Planning Commission's use, and for that reason, those rules are proposed to be adopted for the Commission's use.

Attachments

1. Proposed Resolution
2. Rosenberg's Rules of Order, 2011 ed.

PLANNING COMMISSION

RESOLUTION NO. XX-22

A RESOLUTION OF THE CITY OF OAKLEY PLANNING COMMISSION ADOPTING RULES OF PROCEDURE FOR ITS TRANSACTION OF BUSINESS

WHEREAS, Section 2.3.016 of the Oakley Municipal Code authorizes the Planning Commission to adopt rules of procedure for its transaction of business; and

WHEREAS, the Planning Commission finds it desirable to adopt such procedures to provide advance clarity as to such matters to its members, City staff, applicants, appellants, interested parties, and members of the public.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby adopts the Rules of Procedure attached as Exhibit A to this Resolution.

PASSED, APPROVED AND ADOPTED, this 7th day of June, 2022 by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Shannon Shaw, Chair

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

EXHIBIT A

OAKLEY PLANNING COMMISSION
RULES OF PROCEDURE

I. IN GENERAL

A. These Rules of Procedure ("Rules") are enacted in accordance with Section 2.3.016 of the Oakley Municipal Code ("Municipal Code"). These Rules are not intended to supersede, amend, or replace the requirements or provisions of Municipal Code Chapter 2.3, which establishes the powers, duties, and responsibilities of the Planning Commission. To the extent these Rules are interpreted to conflict in any way with the Municipal Code, the Municipal Code shall prevail.

B. The Commission adopts *Rosenberg's Rules of Order*, 2011 edition, to govern all matters of parliamentary procedure concerning the transaction of official Planning Commission business.

C. The preparation of Planning Commission agendas, distribution of meeting materials, and conduct of meetings shall at all times conform to the requirements of the Ralph M. Brown Act ("Brown Act," Cal. Gov. Code, § 54950 et seq.). Nothing in these rules is intended to supersede, amend, or replace the requirements of the Brown Act. To the extent these Rules are interpreted to conflict in any way with the Brown Act, the Brown Act shall prevail.

II. CHAIR AND VICE-CHAIR RESPONSIBILITIES

A. The Chair of the Planning Commission shall:

1. Preside at all meetings of the Planning Commission;

2. Call special meetings of the Planning Commission in accordance with legal requirements;

3. Sign documents of the Planning Commission;

4. See that all actions of the Planning Commission are properly taken; and

5. Assist staff in determining agenda items.

B. During the absence, disability or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

III. DETERMINATION OF QUORUMS AND VOTING THRESHOLDS

A. As provided in Municipal Code section 2.3.018, a quorum of the Planning Commission shall consist of three members.

B. Abstentions are permissible to avoid an appearance of impropriety where no legal conflict exists. Abstentions shall not count as votes for the purpose of determining whether there has been an affirmative vote of a majority of the Commissioners present, but shall be counted for the purpose of determining whether a quorum is present.

C. If a Commissioner is not eligible to participate in the consideration of an item due to a conflict of interest, the Commissioner shall be disqualified and shall recuse himself or herself from the voting, in which case the Commissioner cannot be included in the quorum. Prior to consideration of the matter, the conflicted Commissioner shall recuse on the record, stating the basis for the recusal, and shall then leave the room, unless legally entitled to remain under applicable law.

D. Any tie vote shall constitute a denial of the motion and may be reconsidered by a motion offered by any Commissioner who voted in favor of the matter. If there is no action by an affirmative vote, the result is denial. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-maker from which the appeal was taken, unless the appeal includes the appeal of an environmental determination. For appeal of an environmental determination, approval of the environmental determination requires an affirmative vote.

IV. CONSIDERATION OF MATTERS

A. For each item of business appearing on a Planning Commission agenda except purely ceremonial items (e.g., the Pledge of Allegiance), the Chair shall announce the subject of the agenda item or public hearing, as advertised.

B. A motion may be made and voted upon to continue a public hearing to a definite time and date before receiving a staff report or opening the item for public comment. For public hearings, testimony is typically accepted for the record with the understanding that no action will be taken and a new public hearing will be held.

C. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.

D. For matters not involving public hearings, the public shall next be given an opportunity to comment on the matter, after which the matter will return to the Planning Commission for deliberations, directions, and/or a vote.

E. For public hearings, the consideration of a matter shall proceed as follows:

1. Chair announces the agenda item as advertised;

2. Presentation of the staff report;

3. Questions of staff by the Planning Commission;

4. Public hearing opened;

5. Presentation by the party with the burden of proof (e.g., appellant or applicant);

6. Presentation by the applicant, if the initial presentation is by an appellant;

7. Comment by members of the public and interested parties;

8. Rebuttal from the party with the burden of proof;

9. Public hearing closed; and

10. The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.

11. Public hearings may be reopened by a motion of a commissioner and approval by the Planning Commission majority at any time during the meeting to permit additional testimony and evidence, or to permit reconsideration of an action or for any other reason. Any new questions of the applicant or appellant, or of the interested public, shall require the public hearing be reopened.

F. For all matters, the rules for providing comment or testimony shall be as follows:

1. Persons presenting testimony to the Commission are requested, but not required, to give their name and address for the record.

2. Comments are limited to three minutes, except that applicants and appellants shall have fifteen minutes in providing their principal statements, and five minutes for rebuttal when permitted. To avoid unnecessary cumulative evidence, the Chair may further restrict the time of testimony for any parties on any particular matter.

3. If there are numerous people in the audience who wish to comment on a matter, and it is known that large numbers represent the same opinion, the Chair will request that a spokesperson be selected to speak for the entire group. The spokesperson will have the opportunity of speaking for a reasonable length of time and of presenting a complete case, not to exceed fifteen minutes.

4. Speakers will be permitted to provide testimony only once, but may answer questions of the Commission through the Chair.

V. BURDENS AND EVIDENCE

A. Hearings and meetings before the Planning Commission need not be conducted according to formal rules of evidence. Any relevant evidence may be considered if it is the type of evidence upon which reasonable persons are accustomed to rely upon in the conduct of serious affairs.

B. The burden of proof of all legal prerequisites to the granting of the relief or action sought shall be upon the party requesting such relief or action.

C. The Planning Commission does not encourage the receipt of information or evidence on a particular pending matter outside of hearings. If any commissioner receives information during a site visit or through any other means, which he or she feels is pertinent to a pending matter, he or she shall disclose the information or evidence so received during the hearing on the matter. The applicant or appellant shall have the opportunity to supplement or rebut the information or evidence so disclosed, and failure to do so shall be deemed a waiver of any objection regarding the information or evidence.

VI. STAFF ASSSISTANCE

A. The staff liaison to the Planning Commission shall be the Community Development Director. The Community Development Director, by or through him or her or any designee(s), shall be responsible for:

1. Confirming that a quorum will be present prior to each meeting;

2. Receiving and recording all exhibits, petitions, documents, or other material presented to the Planning Commission in support of, or in opposition to, any matter before the Planning Commission;

3. Signing all meeting minutes and resolutions upon approval;

4. Preparing and distributing agendas and agenda packets;

5. Facilitating the tape recording of meetings and preparation of minutes; and

6. Responding to all questions from Planning Commission members regarding agenda items in advance of meetings.

B. The Office of the City Attorney shall be responsible for advising the Planning Commission regarding applicable laws concerning matters before the Planning Commission, including compliance with the Brown Act, these Rules, parliamentary procedure, and other legal matters involving or affecting Planning Commission business.



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

LEAGUE® OF CALIFORNIA CITIES

MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and automony of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

© 2011 League of California Cities. All rights reserved.

About the Author

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

Table of Contents

About the Author ii

Introduction 2

Establishing a Quorum 2

The Role of the Chair 2

The Basic Format for an Agenda Item Discussion 2

Motions in General 3

The Three Basic Motions 3

Multiple Motions Before the Body 4

To Debate or Not to Debate 4

Majority and Super-Majority Votes 5

Counting Votes 5

The Motion to Reconsider 6

Courtesy and Decorum 7

Special Notes About Public Input 7

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move … "

A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings."

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion,** for example, "A motion at this time would be in order."
2. **Suggesting a motion to the members of the body,** "A motion would be in order that we give a 10-day notice in the future for all our meetings."
3. **Making the motion.** As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed,* the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion can contain a specific time in which the item can come back to the body. "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, "I move the previous question" or "I move the question" or "I call the question" or sometimes someone simply shouts out "question." As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a "request" rather than as a formal motion. The chair can simply inquire of the body, "any further discussion?" If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the "question" as a formal motion, and proceed to it.

When a member of the body makes such a motion ("I move the previous question"), the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item.* This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," or "I move the question," or "I call the question," or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it's pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the "no" votes and double that count to determine how many "yes" votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote "no" then the "yes" vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote "abstain" or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

How does this work in practice?
Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote? Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention not to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

1400 K Street, Sacramento, CA 95814
(916) 658-8200 | Fax (916) 658-8240
www.cacities.org

To order additional copies of this publication, call (916) 658-8200.

$10

© 2011 League of California Cities. All rights reserved.

Printed on recycled paper.

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: June 7, 2022

TO: Joshua McMurray, City Manager

Approved and Forwarded to the Planning Commission

FROM: Kevin Rohani, P.E. Public Works Director/City Engineer

SUBJECT: General Overview of the Fiscal Year (FY) 2022/23 Capital Improvement Program (CIP) and Budget

Background and Analysis

The City Council at its May 10th meeting, in a work session discussed the operations budget for FY 2022/23. As a component of the City's budget, this report outlines the CIP budget for FY 2022/23.

The Capital Improvement Program (CIP) is a major public infrastructure and planning tool for the City of Oakley. The CIP serves as a statement of the City's policies and financial abilities to manage the development of the community. The creation of a five- year CIP provides a systematic plan for providing infrastructure improvements within a prioritized framework and a general schedule for projects to proceed. Projects identified in the CIP meet the City's General Plan.

There are several benefits for developing and adopting a CIP Program. It is important to highlight the fact that the CIP is a planning document. Changes can occur for many reasons. Revenues can fluctuate as a result of changing economic conditions or shifts in City policy. Private economic decisions can also affect the timing, scale, and location of capital projects. The City of Oakley's CIP reflects the Strategic Goals of the City Council and is a critical investment tool for the community to help promote the economic vitality and viability for the City of Oakley.

The CIP for FY 2022/23 is divided into specific projects to address unique needs for each component of the City's infrastructure system (e.g., Streets, Parks & Facilities). This approach provides funding for the infrastructure maintenance, construction of new improvements, and the long-range goals for protecting the quality of the public infrastructure system in the City of Oakley. The funding for CIP projects is generally from the following sources: Measure J Sales Tax, Gas Tax, Development Traffic Impact Fees, Development Park Impact Fees, Federal & State Grants, Assessment District Funds, and the City's General Fund.

Consistency with the Oakley Strategic Plan 27+

This FY 2022/23 CIP program adheres to the City's adopted Strategic Plan 2027+ Finance and Fiscal Responsibility.

Fiscal Impact

There is no direct fiscal impact as result of the CIP program review.

Staff Recommendation

Planning Commission receive General Overview of FY 22/23 CIP and Budget.

Attachments

1. PowerPoint Presentation
2. Project Summary

General Overview of City's Capital Improvement Program (CIP) for FY 2022/23

Recommended Projects

STREETS

- East Cypress Road Widening (Knightsen Avenue to Jersey Island Road) ($2,700,000)
- Bethel Island Road (Rock Slough Bridge to Delta Road) ($400,000) ARPA Funded
- Laurel Road Extension (Teton to Sellers) ($300,000)
- Laurel Road Widening (O'Hara to Cloverbrook) ($2,500,000)
- Street Repair and Resurfacing Project ($2,000,000)
- Downtown Gateway Plaza Roadway & Parking Lot Project ($6,500,000)
- Downtown Parking Lot Project ($150,000)
- Neroly Road Repair/Resurfacing Project ($300,000)

Recommended Projects (continued)

PARKS

- Enrico Cinquini Park Construction ($3,500,000)
- Koda Dog Park Shade Structure ($150,000)
- Irrigation Well at Freedom Basin ($200,000)
- Holly Creek Playground Resurfacing ($403,000)
- Piper Lane Drainage Channel Trash Capture Device ($400,000) ARPA Funded

Recommended Projects (continued)

FACILITIES

- Recreation Center Emergency Generator ($300,000) ARPA Funded
- City Hall Rooftop Solar Power Project ($550,000)
- City Hall HR Department Remodeling Project ($450,000)

City of Oakley
FY 2022/2023 Project Summary
Capital Improvement Program for Fiscal Years 2022/23 to 2026/27

			Cypress Grove CFD NO. 1	ARPA	Parks Landscaping Assessment Zone 1	Gas Tax HUTA	Gas Tax RMRA	Stormwater Fund	Measure J	General Capital Projects	Traffic Impact Fee	Park Impact Fee	Public Facilities Impact Fee	2012 Bond Benefit	Main Street Fund	Regional Park Fund	Street Maintenance & Rehab	2016 Debt Service	Emerson Ranch Storm Water (CFD 2015-1)	Facilities Fund
			110	120	132	140	141	145	148	201	202	204	206	221	231	232	235	351	407	502
	Estimated FY 21/22																			
	FY 20/21 Fund Balance	32,346,094	2,465,806	0	3,591,885	528,636	1,447,608	284,010	1,132,095	3,310,331	7,388,290	2,802,593	2,435,481	74,921	2,308,489	1,490,483	2,150,941	45,335	877,200	11,990
	FY 21/22 Revenues	20,079,618	375,273	5,089,025	1,861,172	1,072,615	816,500	501,000	735,000	15,000	3,930,000	2,800,000	1,614,425	60,310		268,865	0	671,370	269,063	0
	FY 21/22 Transfers from General fund	6,421,000								1,396,000					350,000		4,000,000			675,000
	FY 21/22 Expenditures (includes PY Carryover)	(40,709,781)	(1,403,002)	(5,014,000)	(1,939,789)	(1,065,545)	(1,454,482)	(691,101)	(1,372,718)	(4,716,579)	(8,715,250)	(3,429,235)	(707,210)	(70,000)	(2,665,626)	(78,879)	(5,782,016)	(673,129)	(330,510)	(600,710)
	Estimated FY 21/22 Fund Balance	**18,136,931**	**1,438,077**	**75,025**	**3,513,268**	**535,706**	**809,626**	**93,909**	**494,377**	**4,752**	**2,603,040**	**2,173,358**	**3,342,696**	**65,231**	**(7,137)**	**1,680,469**	**368,925**	**43,576**	**815,753**	**86,280**
	Estimated FY 2021/22 Fund Balance	**18,136,931**	**1,438,077**	**75,025**	**3,513,268**	**535,706**	**809,626**	**93,909**	**494,377**	**4,752**	**2,603,040**	**2,173,358**	**3,342,696**	**65,231**	**(7,137)**	**1,680,469**	**368,925**	**43,576**	**815,753**	**86,280**
	FY 22/23 Revenues	18,581,302	354,167	5,088,595	1,411,587	1,253,770	978,277	500,500	751,090	0	3,583,132	2,552,740	994,471	0		165,000		666,769	281,206	
	FY 22/23 Transfers from General fund	7,870,000								5,260,000					10,000		2,000,000			600,000
	FY 22/23 Grant Contributions	203,000										203,000								
	FY 22/23 Expenditures	(6,476,415)	(349,660)		(1,511,587)	(1,245,243)	(42,204)	(589,321)	(233,775)	(256,697)	(386,034)	(81,420)	(697,909)			(6,340)		(674,479)	(401,206)	(540)
	Total Available for Capital Projects FY 2022/23	**38,314,819**	**1,442,584**	**5,163,620**	**3,413,268**	**544,233**	**1,745,699**	**5,088**	**1,011,692**	**5,008,055**	**5,800,138**	**4,847,678**	**3,639,258**	**65,231**	**2,863**	**1,839,129**	**2,368,925**	**35,866**	**695,753**	**685,740**

FY 2022/23 Proposed Expenditures

Project #	Project Description	FY 2022/2023 Total																		
176	Oakley Regional Community Park Project	0																		
186	West Cypress Road Bridge Reconstruction at CC Canal Project	0																		
187	Main Street Bridge Rehabilitation at CC Canal Project	50,000							50,000											
189	Piper Lane Drainage Channel Trash Capture Device Project	400,000		400,000																
205	Downtown Gateway Plaza Roadway & Parking Lot Project	6,500,000					750,000		750,000	5,000,000										
211	Main Street/Rose Avenue Intersection Improvement Project	0																		
215	Downtown Parking Lot Project	150,000					150,000													
231	Sellers Avenue (Riverrock Drive to CCWD Canal Crossing) Widening and Improvement Project	0																		
246	FY 2021-22 Street Repair and Resurfacing Project	500,000					500,000													
247	East Cypress Road Widening (Knightson Avenue to Jersey Island Road) Project	2,700,000				250,000	100,000		100,000		2,250,000									
248	Holly Creek Restroom Construction Project	100,000										100,000								
249	Recreation Center Emergency Generator Project	300,000		300,000																
252	Downtown Storm Drain (Area 29) Improvement Project	0		0																
255	Cypress Grove Subdivision Pump Station Building Project	0																		
263	O'Hara Avenue/Carpenter Road Intersection Improvement Project	100,000									100,000									
265	Irrigation Well Installation @ City's Freedom Basin Project	200,000										200,000								
268	Main Street/Delta Road Intersection Improvement Project	0																		
269	Main Street/Brownstone Road Intersection Improvement Project	0																		
270	Hall Street Extension Project	0																		
271	Sheriff Annex Building Demolition Project	0																		
273	Laurel Road Extension (TetonRd. To Sellers Av)	300,000									300,000									
274	Neroly Road Repair and Resurfacing (Empire Av to O'Hara Av)	300,000					200,000										100,000			
275	FY 2022/23 Curb, Gutter, Sidewalk Repair and Reconstruction	150,000				150,000														
276	FY 2022/23 Street Restriping	60,000												60,000						
277	FY 2022/23 Traffic Calming	80,000				80,000														
278	FY 2022/23 Traffic Signal Modernization	200,000									200,000									
279	FY 2022/23 Street Repair & Resurfacing	2,000,000															2,000,000			
280	Laurel Road Widening (Cloverbrook Av to O'Hara Av)	2,500,000									2,500,000									
281	Enrico Cinquini Park Construction	3,500,000										3,500,000								
282	Laurel Road and Empire Av Landscaping Mulch	250,000			250,000															
283	Laurel Road Bridge Widening over Marsh Creek	35,000																35,000		
284	Holly Creek Park Playground Resurfacing	403,000										403,000								
285	Bethel Island Road (Rock Slough Bridge to Delta Rd)	800,000		400,000							400,000									
286	City Hall Rooftop Solar Power	550,000											550,000							
287	Koda Dog Park Shade Structure	150,000										150,000								
288	Senior Center Roof & HVAC Repair & Replacement	10,000											10,000							
289	Local Road Safety Plan Project	90,000							90,000											
290	City Hall Human Resources Department Remodeling Project	450,000																		450,000
291	FY 2022-23 ADA Implementation Project	50,000				50,000														
	Total Proposed Expenditures FY 2022/23	**22,878,000**	**0**	**1,100,000**	**250,000**	**530,000**	**1,700,000**	**0**	**990,000**	**5,000,000**	**5,750,000**	**4,353,000**	**560,000**	**60,000**	**0**	**0**	**2,100,000**	**35,000**	**0**	**450,000**
	Remaining Unassigned Balances FY 2022/23	**15,436,819**	**1,442,584**	**4,063,620**	**3,163,268**	**14,233**	**45,699**	**5,088**	**21,692**	**8,055**	**50,138**	**494,678**	**3,079,258**	**5,231**	**2,863**	**1,839,129**	**268,925**	**866**	**695,753**	**235,740**

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: June 7, 2022

TO: Joshua McMurray, City Manager

Approved and Forwarded to the Planning Commission

FROM: Kenneth W. Strelo, Planning Manager with Ascent Environmental, Inc. (Housing Element Update Consultants)

SUBJECT: **Presentation of the 2023-2031 Housing Element Update**

Summary

This is a presentation of the City of Oakley 2023-2031 Housing Element Update, including key requirements, schedule, and seeking feedback on the plan.

Housing Element Overview

The Housing Element is one of the mandatory elements that must be included in City's General Plan. State law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Unlike other mandatory general plan elements, the Housing Element is required to be updated every eight years according to a State-mandated schedule and must be reviewed and certified by the California Department of Housing and Community Development ("HCD") for compliance with State law.

The Housing Element includes the following major components:

- Housing Needs Assessment: Provides demographic and housing need information.
- Constraints Analysis: Analyzes existing and potential constraints to the development of housing and how those will be addressed.
- Housing Sites Inventory and Analysis: Identifies sites available for development or redevelopment and that are appropriately zoned to support housing development to accommodate the City's Regional Housing Needs Allocation ("RHNA").
- Fair Housing Assessment: A new requirement to analyze fair housing issues and include strategies to affirmatively further fair housing ("AFFH").
- Housing Resources: Identifies financial and other resources available to support housing development, especially affordable housing.
- Evaluation of Past Performance: Assesses progress in implementing the policies and programs set forth in the prior Housing Element.
- Policies and Programs: Establishes new policies and programs designed to address the housing needs identified in the City.

HCD Review Process

HCD conducts a thorough review of the Housing Element for compliance with State law. The City must submit the draft Housing Element to HCD for an initial 90-day review. At the end of the 90-day review periods, HCD will issue a comment letter with findings of revisions that are needed to satisfy requirements of State law. HCD then has 60 days to review each subsequent draft of the Housing Element. Once HCD comments have been satisfied, the City can adopt the Housing Element. Once adopted, the City must submit the adopted Housing Element to HCD for final review and certification with State law.

Regional Housing Needs Allocation

The Regional Housing Needs Allocation ("RHNA") is part of a statewide statutory mandate for every city and county in California to address a portion of the projected statewide housing needs. Every region in the state is given a Regional Housing Needs Determination from the California Department of Housing and Community Development ("HCD"). This is the number of housing units the region must plan for. The total RHNA allocation is broken down into four income categories: above moderate, moderate, low, and very low-income. The two lower income categories ("Low Income" and "Very Low Income") must be accommodated on sites zoned for higher density residential development.

State law mandates that the Association of Bay Area Governments ("ABAG") develop and approve a Regional Housing Needs Plan that contains a RHNA methodology for allocating these units by income category to each city and county in the region. On December 16, 2021, the ABAG Board adopted the final RHNA Plan. The Plan allocates a total of 1,058 housing units to the City of Oakley as shown in Table 1 below. The City of Oakley must ensure that the appropriate zoning is in place to accommodate its RHNA.

Table 1. City of Oakley, Sixth Cycle Housing Element Regional Housing Needs Allocation (2023-2031)

	Very Low	Low	Moderate	Above Moderate	TOTAL
2023-2031 RHNA	279	161	172	446	**1,058**
Percent of Total	26%	15%	16%	42%	**100%**

Housing Element Sites Inventory Findings

Based on a preliminary review of entitled projects and available sites in the inventory, City staff and the consultants have identified adequate capacity to meet the moderate and above moderate income RHNA. However, the City needs to identify additional sites to meet the lower-income RHNA.

Affordable Housing Overlay (AHO) and Current Sites

The City uses the Affordable Housing Overlay ("AHO") to meet the lower-income RHNA. The AHO currently allows for a density of up to 24 units per acre. The City currently has nine

parcels in the AHO. Two of the parcels are being developed by Anton Development Company with the Elm Lane Oakley project. This development's construction began prior to the start of the 6th Cycle Housing Element and will therefore be counted in the 5th Cycle Housing Element RHNA. The remaining seven parcels total 10.2 acres and will be included in the 6th Cycle Housing Element (See Attachment 1). At a density of 24 units per acre, the sites can accommodate up to 244 units. If all seven of the AHO parcels are included in the inventory at their full capacity of 244 units, the City's remaining lower-income RHNA would be 196 units.

All of the remaining sites are currently developed with single-family homes and are considered "non-vacant." Recent state law (AB 1397) established new requirements that make it more challenging to count capacity on non-vacant sites. Staff and the consultants will be studying each of the sites for feasibility of development during the 6th Cycle Housing Element. It's possible that one or all the sites could be determined infeasible for development in the eight-year planning period of the 6th Cycle Housing Element.

Realistic Capacity Requirements

AB 1397 also added more stringent requirements for sites allowing uses other than residential, such as an overlay zone where the base zoning allows for non-residential or single-family residential. Staff and the consultants will be analyzing the realistic capacity to determine the likelihood that the sites will develop as high-density residential rather than the uses allowed under the base zoning. Staff does not know what HCD expectations will be for demonstrating realistic capacity, but staff and the consultants anticipate not being able to count the full capacity of the AHO sites. To reflect a more realistic "likelihood" of residential development, staff and the consultants will likely count only 50-75% of the capacity on the AHO sites. At this time, staff is estimating capacity for 178 units on existing AHO sites.

No Net Loss Requirements

It is critical that the City not only meet the lower-income RHNA but also provide a "buffer" of additional capacity to address requirements for "no net loss." Government Code Section 65863 (No Net Loss Law) requires the City to maintain adequate sites for lower-income households throughout the entire eight-year planning period of the Housing Element. If a jurisdiction approves a development of a parcel identified in its Housing Element sites inventory with fewer units than shown in the Housing Element, it must either make findings that the Housing Element's remaining sites have sufficient capacity to accommodate the remaining unmet lower-income RHNA or identify and make available sufficient sites to accommodate the remaining unmet RHNA within 180 days. A jurisdiction may not disapprove a housing project on the basis that approval of the development would trigger the identification or zoning of additional adequate sites to accommodate the remaining RHNA.

To account for the potential loss of lower-income sites from the Housing Element inventory, the recommendation is to include at least a 30 percent buffer of additional capacity in the lower-income sites inventory. It is recommended this buffer be included in the current

Housing Element Update and AHO Rezone project because, implementing a new AHO Rezone project under the 180-day timeline required under "No Net Loss" requirements could put a significant constraint on Staff due to the requirement to find adequate sites, conduct environmental analysis, and meet all public review timelines. In addition to potential Staff constraints, any future AHO Rezone project conducted separately from the current Housing Element Update would most likely require funding through the General Fund, whereas the current Housing Element Update and AHO Rezone project are being covered by grant funds.

State Density Standard for Lower Income Sites

To identify sites that can accommodate the City's lower-income RHNA, the Housing Element must include an analysis that demonstrates that the projections can realistically be achieved. Government Code Section 65583.2(c)(3)(B) contains "default" density standards deemed appropriate to meet the lower-income RHNA. Oakley is considered a "metropolitan" jurisdiction because the city has a population of more than 25,000 (i.e., Oakley population was 43,991 in 2020) and is located in a Metropolitan Statistical Area (MSA) with a population of more than 2 million. For metropolitan jurisdictions, the default density is 30 units per acre. Therefore, for a site to be counted toward meeting the lower-income RHNA, the zoning must allow for development at 30 units per acre.

To comply with Government Code Section 65583.2, staff will be proposing to increase the maximum allowed density of the AHO to 30 units per acre as part of this Housing Element Update.

Strategy to Meet RHNA - Rezone

At a minimum, the City will need to identify sites to accommodate at least 252 units to meet the RHNA. To provide a 30 percent buffer, the City would need to rezone enough land to accommodate 384 units. City staff recommends identifying priority AHO sites that will at least accommodate the shortfall of 252 units and potential AHO sites that could be added into the inventory to address no net loss issues in the future. At the study session, City staff and the consultants will provide recommendations for priority and potential AHO sites based on City staff analysis and feedback from the community received at the April community workshop.

Fiscal Impact

There is no fiscal impact to the General Fund associated with this presentation/work session. This item is a part of the overall scope of work under the contract between the City of Oakley and Ascent Environmental, the consultant hired to complete the City's 2023-2031 6th Cycle Housing Element Update, and that is presenting this item to the Planning Commission. The Housing Element Update, including Ascent Environmental's scope of work, is being funded through a combination of SB 2 Planning Grant, Local Early Action Planning ("LEAP") Grant, and Regional Early Action Planning ("REAP") Grant monies, all

administered by the California Department of Housing and Community Development ("HCD").

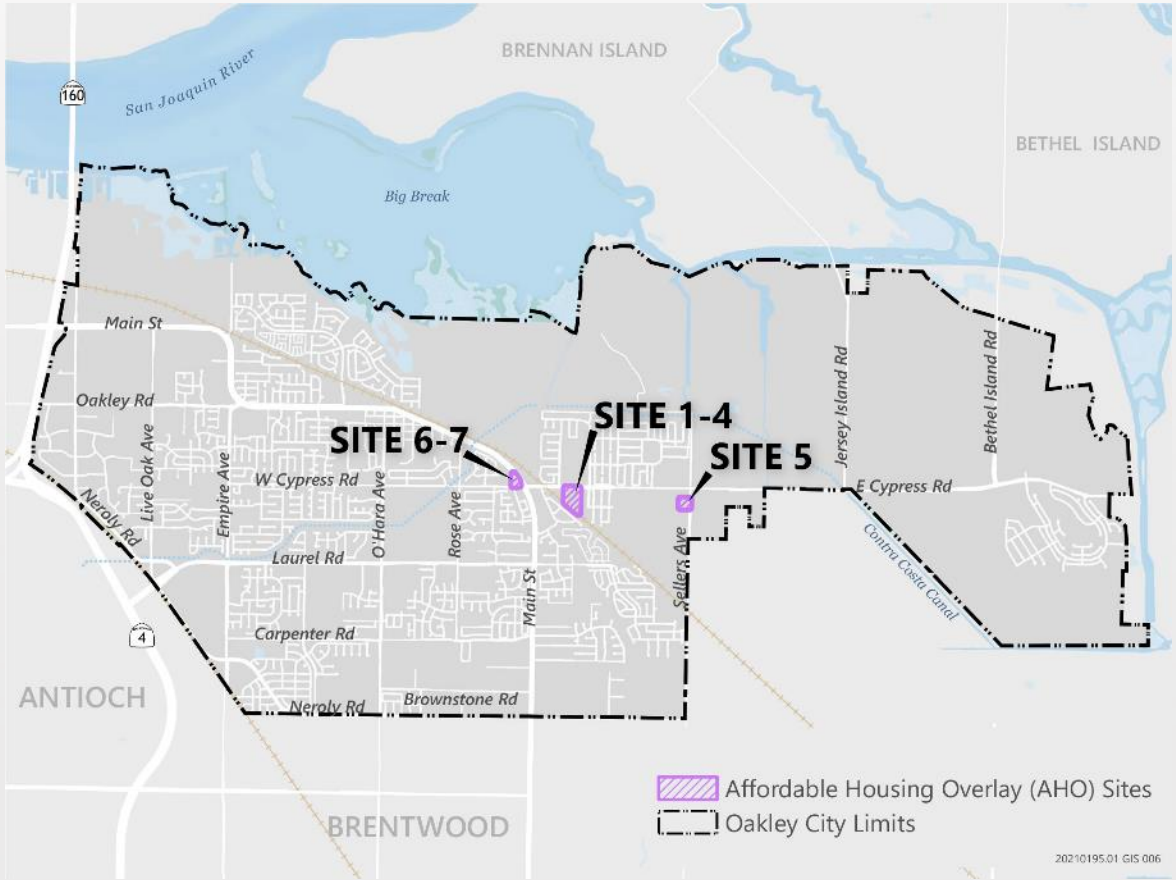
Staff Recommendation

Planning Commission receive presentation from consultant, hold a work session open to public comments, and provide discussion and feedback on the plan.

Attachments

1. Current AHO (Affordable Housing Overlay) Sites

Current AHO Sites



AHO Site	APN	Size (Acres)	Base Zoning	General Plan
1	33012007	2.4	M-12	Residential High
2	33012008	1.12	M-12	Residential High
3	33012009	1.12	M-12	Residential High
4	33012012	2.39	M-12	Residential High
5	33180007	1.98	M-9	Residential Medium
6	35282058	1.15	C	Commercial
7	35282062	0.04	C	Commercial